

P.E.R.C. NO. 2017-22

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

NEW BRUNSWICK MUNICIPAL  
EMPLOYEES ASSOCIATION,

Petitioner,

-and-

Docket No. SN-2016-080

CITY OF NEW BRUNSWICK,

Respondent.

SYNOPSIS

The Public Employment Relations Commission determines the negotiability of a contract provision that the New Brunswick Municipal Employees Association seeks to remove from its collective negotiations agreement (CNA) with the City of New Brunswick. The Association asserts that the CNA provision providing for a 50% contribution by eligible retirees to the cost of health benefits is preempted by the lower maximum health benefits contribution required by Chapter 78 as set forth in N.J.S.A. 40A:10-21.1 and N.J.S.A. 52:14-17.28(c). Noting that N.J.S.A. 40A:10-21.1(d) provides that negotiated contributions in addition to those required by Chapter 78 "shall remain in effect," the Commission holds that the statutes cited by the Association set a contribution floor and do not preempt negotiated contribution levels in excess of the Chapter 78 levels.

This synopsis is not part of the Commission decision. It has been prepared for the convenience of the reader. It has been neither reviewed nor approved by the Commission.

P.E.R.C. NO. 2017-23

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

NEW JERSEY TRANSIT,

Respondent,

-and-

Docket No. CI-2015-004

THEODORE WARFIELD,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission affirms the decision of the Director of Unfair Practices declining to issue a Complaint based on the unfair practice charge, as amended, by Theodore Warfield against New Jersey Transit (NJT). The charge alleges that NJT violated the New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-1 et seq., specifically 5.4a(1), (3), (4) and (5), by terminating Warfield after he had filed an unfair practice charge with the Commission. The Commission agrees with the Director's determination that Warfield's charge does not satisfy the complaint issuance standard.

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P.E.R.C. NO. 2017-24

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

INTERNATIONAL ACADEMY OF TRENTON  
CHARTER SCHOOL,

Public Employer,

-and-

Docket No. RO-2016-045

INTERNATIONAL ACADEMY OF TRENTON  
CHARTER SCHOOL EDUCATION ASSOCIATION,

Petitioner.

SYNOPSIS

The Public Employment Relations Commission denies the request of the International Academy of Trenton Charter School (Academy) for review of the Director of Representation's certification by card check of the International Academy of Trenton Charter School Education Association (Association) as the exclusive representative of certain Academy employees. The Commission agrees with the Director's determination, noting that a majority of the eligible petitioned-for employees had signed authorization cards designating the Association as the majority representative for the petitioned-for unit and that "laboratory conditions" were compromised and employee rights to freely choose their representative were chilled by the Academy's communications.

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