

P.E.R.C. NO. 2018-10

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

PATERSON STATE OPERATED SCHOOL DISTRICT,

Respondent,

-and-

Docket No. TO-2017-001

PATERSON EDUCATION ASSOCIATION,

Petitioner.

SYNOPSIS

The Public Employment Relations Commission denies the District's motion for summary judgment in a contested transfer case filed by the Association. The District argued that the petition was filed more than 90 days after the unit member was notified of the transfer, and was therefore untimely per N.J.A.C. 19:18-2.3. Finding that the only certified statement on record concerning the date of receipt indicates that the notice of transfer was received three days after the District's proffered date and within 90 days of the petition, the Commission holds that the contested transfer petition was timely filed.

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. 2018-11

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF HANOVER,

Respondent,

-and-

Docket No. CO-2016-135

PBA LOCAL 128,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission grants the Township's motion for summary judgment in an unfair practice case filed by the PBA. The unfair practice charge alleged that the Township violated the New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-1 et seq., by unilaterally changing a domestic abuse training program module to indicate that an employee found to be an actor in a domestic violence incident is responsible for any mandated counseling costs. The Commission dismisses the complaint finding that the PBA already received a binding grievance arbitration award that decided the issue underlying the unfair practice charge (specifically, that there was no past practice of the Township paying for counseling mandated on account of a domestic violence complaint or of releasing officers from duty to attend such counseling during work hours) and that the criteria for deferral to arbitration were met.

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P.E.R.C. NO. 2018-12

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWN OF WESTFIELD,

Petitioner,

-and-

Docket No. SN-2017-046

SUPERIOR OFFICERS ASSOCIATION,
PBA LOCAL 90A,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the Town's request for a restraint of binding arbitration of a grievance contesting the discontinuation of health insurance opt-out payments. The Commission concluded that N.J.S.A. 40A:10-17.1 preempts opt-out payments for waiving coverage under a private health insurance plan and that unit members' resulting loss of income is not a "severable claim."

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P.E.R.C. NO. 2018-13

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

VERONA BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2017-045

VERONA EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission determines the negotiability of certain contract provisions regarding sick leave compensation and nearly identical proposals for newly-represented titles. The Commission holds that pursuant to N.J.S.A. 18A:30-3.6, the provisions are mandatorily negotiable only to the extent applied to school employees who commenced service in the district before May 21, 2010.

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