

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

RIDGEFIELD PARK BOARD OF EDUCATION,

Respondent,

-and-

Docket Nos. SN-2017-047
SN-2017-056^{1/}

RIDGEFIELD PARK EDUCATION ASSOCIATION,

Petitioner.

SYNOPSIS

In this consolidated matter in which both the Association and Board filed scope of negotiations petitions concerning the identical negotiability issue, the Public Employment Relations Commission declines the Association's invitation to reverse its decision in Clementon Bd. of Ed. and Clementon Ed. Ass'n, P.E.R.C. No. 2016-10, 42 NJPER 117 (¶34 2015), appeal dismissed as moot, 43 NJPER 125 (¶38 2016), regarding when employee contributions toward their employer-provided health care once again becomes a mandatorily negotiable subject, and it agrees with the Board, as in Clementon, that Chapter 78 preempts negotiation of a multi-year collective negotiations agreement (CNA) that would reduce employee contribution rates to 1.5% of salary if employees have only reached the tier 4 level of contribution during the first year of that CNA. However, the Commission declines to restrain arbitration to the extent that the Association requested negotiations over the timing and amount of recoupment for underpaid employee health insurance contributions during the term of the successor agreement, and the Board declined such a request.

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.

^{1/} SN-2017-047 was filed by the Ridgefield Park Education Association on June 2, 2017. SN-2017-056 was filed by the Ridgefield Park Board of Education on June 21, 2017. As the issues raised in both petitions involve the identical negotiability dispute, we have consolidated the petitions for decision.

P.E.R.C. NO. 2018-15

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

BOROUGH OF MILLTOWN,

Petitioner,

-and-

Docket No. SN-2017-050

OPEIU LOCAL 32,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the Borough's request for a restraint of binding arbitration of a grievance contesting the Borough's failure to provide holiday pay to certain part-time dispatchers who worked on Christmas. The Borough contended that the grievants are not members of the negotiations unit represented by the OPEIU. The Commission holds that an arbitrator may interpret the parties' collective negotiations agreement (CNA) to determine whether the grievants are covered employees and if the arbitrator so finds, whether the Borough violated the CNA.

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P.E.R.C. NO. 2018-16

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TRENTON BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2018-004

TRENTON SCHOOL CUSTODIANS ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants in part, and denies in part, the Board's request for a restraint of binding arbitration of a grievance alleging that the Board violated the collective negotiations agreement (CNA) covering its custodians "by failing to maintain a permanent full time custodial staff of 81, when considering hiring substitute custodians while there are laid-off custodians with recall rights." Finding that staffing levels are a managerial prerogative, the Commission restrains arbitration over that aspect of the grievance. Finding that recall rights are mandatorily negotiable, the Commission declines to restrain arbitration over that aspect of the grievance.

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