

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF MOUNT OLIVE,

Petitioner,

-and-

Docket No. SN-2025-003

FOP LODGE 122,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the Township of Mount Olive's scope of negotiations petition seeking to restrain arbitration of FOP Lodge 122's grievance. The grievance seeks to rescind the Grievant's Corporal designation. After weighing the Township's justification for the rescission, the Commission determined that it was predominantly for disciplinary reasons because the rescission was included in the notice of disciplinary action and coincided with a disciplinary suspension. Thus, the grievance is legally arbitrable.

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. 2025-17

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

CITY OF NEWARK,

RESPONDENT,

-and-

Docket No. CO-2024-058

NEWARK POLICE SUPERIOR  
OFFICERS ASSOCIATION,

CHARGING PARTY.

SYNOPSIS

The Public Employment Relations Commission grants the SOA's motion for summary judgment and denies the City's cross motion for summary judgment on the SOA's unfair practice charge. The charge alleges that the City violated the Act when it refused to negotiate in good faith over a successor collective negotiations agreement (CNA). The Commission finds neither party strictly complied with the statutory and regulatory requirements regarding negotiations before contract expiration. However, the Commission finds the City's noncompliance more concerning because it did not respond to follow-up attempts by the SOA to schedule negotiations sessions and/or was not prepared for negotiations sessions that were scheduled. The Commission concludes that the City's lack of responsiveness and preparedness to the SOA's negotiations attempts rise to the level of a violation of N.J.S.A. 34:13A-16(a)(1) and N.J.A.C. 19:16-2.1 (a). The Commission does not award monetary damages pursuant to N.J.A.C. 19:16-5.2(b) for the City's violation because the SOA did not strictly comply with the requirement to initiate negotiations no later than 120 days prior to the expiration of the CNA.

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STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

STATE OF NEW JERSEY  
(MOTOR VEHICLE COMMISSION),

Respondent,

-and-

Docket No. CO-2022-201

CWA LOCAL 1038,

Charging Party.

SYNOPSIS

The Commission denies a motion for summary judgment filed by the State of New Jersey, Motor Vehicles Commission (MVC), seeking to dismiss a complaint issued on an unfair practice charge filed by CWA Local 1038. The charge alleges MVC committed a 5.4a(1) violation under the New Jersey Public Employer-Employee Relations Act when MVC managers directed certain CWA members to remove buttons displaying the words "CWA LOCAL 1038 BULLY PATROL" during work hours. The Commission finds that the wearing of the pins was sufficiently related to activity protected by the Act, and that the employer was aware of that activity. The Commission further finds that MVC does not claim to have been enforcing an existing workplace policy, or even a dress code, when it ordered CWA members to remove their buttons. Absent specific factual details as to how or to what extent that conduct interfered with or prevented MVC from effectively achieving its agency goals, the Commission finds that whether MVC had a legitimate and substantial business reason for its directive presents a material factual dispute requiring a hearing.

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P.E.R.C. NO. 2025-19

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

State of New Jersey,

Respondent,

-and-

Docket No. CI-2025-005

LaTasha E. Kearney,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission sustains the refusal of the Director of Unfair Practices to issue a complaint on an unfair practice charge filed by Kearney against the State. The charge alleges that the State violated the New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-1, et seq., by denying Kearney's leave requests in November 2023 and issuing her disciplinary notices in November-December 2023 resulting in her termination. The Commission finds that the Director properly dismissed the charge as untimely because it was filed beyond the Act's six month statute of limitations. N.J.S.A. 34:13A-5.4c. Furthermore, even if timely filed, the Commission finds that the 5.4a(1) and (3) claims would be dismissed because the allegations do not implicate protected union activity and the State had a legitimate and substantial business reason for terminating Kearney based on her alleged workplace misconduct. The Commission finds that Kearney's disciplinary disputes must be resolved in accordance with the parties' negotiated procedures, while her disability discrimination claims are not within the Commission's jurisdiction.

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