

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

RUTGERS, THE STATE UNIVERSITY
OF NEW JERSEY,

Petitioner,

-and-

Docket No. SN-2025-009

INTERNATIONAL BROTHERHOOD OF TEAMSTERS
LOCAL 97,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies Rutgers' request for a restraint of binding arbitration of Local 97's grievance contesting the termination of a unit employee after she allegedly failed to comply with Rutgers' seasonal flu vaccination requirement. The Commission finds that, while Rutgers has a managerial prerogative to implement a mandatory vaccine policy that includes disciplinary sanctions for non-compliance, any discipline imposed under such policy remains arbitrable through Local 97's contractual disciplinary procedures

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.

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

WILLINGBORO BOARD OF EDUCATION,

Respondent,

-and-

Docket No. CO-2024-005

WILLINGBORO EDUCATION ASSOCIATION,

Charging Party.

Intervenor.

SYNOPSIS

The Public Employment Relations Commission grants, in part, and denies, in part, the Board's motion for summary judgment on the Association's unfair practice charge, which alleges that the Board violated the Act when it made anti-union statements at two Board meetings. The charge further alleges the Board retaliated against the Association President for reading a "Vote of No Confidence" statement about a supervisor, eliminating her position, not hiring her for a position she applied for, transferring her, and issuing her and two other Association members "partially effective" observation scores. The Commission finds that the Board members' statements did not rise to the level of interfering with Association members' rights. The Commission further finds that the record supports that the Association President's position was eliminated for a legitimate operational reason. However, the Commission also finds that there are genuine issues of disputed facts regarding whether the Association President was retaliated against when she was not hired for another position, when she was transferred and when she received a "partially effective" observation score. However, regarding the Association's claims of retaliation for two other Association members, the Commission finds that the record does not establish a sufficient nexus between their "partially effective" observation score and protected activity.

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STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

PATERSON BOARD OF EDUCATION,

Respondent,

-and-

Docket No. CO-2024-007

PATERSON EDUCATION ASSOCIATION,

Charging Party.

SYNOPSIS

The Commission sustains a decision by the Director of Unfair Practices, D.U.P. No. 2025-2, 51 NJPER 143 (¶35 2024), refusing to issue a complaint on an unfair practice charge filed by the Paterson Education Association against the Paterson Board of Education. The charge alleges the Board violated subsections 5.4a (1), (3), and (5) of the Act and the school subcontracting provisions of sections 45 and 46 of the Act when it entered a subcontracting agreement to receive in-classroom teaching services from remote instructors who were not Board employees during the term of the parties' current collective negotiations agreement (CNA). In rejecting the Association's appeal the Commission finds the Director properly concluded it was not a subcontracting agreement as defined by or subject to the notice and negotiation requirements of the school subcontracting laws because, among other things, the Association did not: (1) allege, as a threshold matter, facts that if true would show that existing unit employees were replaced or displaced as a result of the Board entering the disputed agreement; or (2) were passed over in favor of remote instructors for assignments that the Board posted.

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STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

WARREN HILLS REGIONAL
BOARD OF EDUCATION,

Respondent,

-and-

Docket No. CO-2024-173

WARREN HILLS REGIONAL
EDUCATION ASSOCIATION,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission denies the Association's special permission to appeal the Director of Unfair Practices' (Director) partial refusal to issue a Complaint in his decision, D.U.P. No. 2025-4. The Director's decision refused to issue a Complaint on the Association's N.J.S.A. 34:13A-5.4a(3) claim, which alleged the Board violated the Act by retaliating against an Association member, who served as the Association's Grievance Chair, when it removed her access to students' Individualized Education Plans (IEPs) after she used IEP information in a grievance hearing. The Commission denies the Association's special permission to appeal due to the undisputed critical fact that the Association member did not suffer any adverse employment action, an essential element of a N.J.S.A. 34:13A-5.4a(3) claim.

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