

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

BOROUGH OF HARVEY CEDARS,

Public Employer,

-and-

Docket No. RO-2025-048

IBT LOCAL 35,

Petitioner.

SYNOPSIS

The Public Employment Relations Commission denies the Borough of Harvey Cedars' request for review of a Decision and Order issued by the Director of Representation that certified International Brotherhood of Teamsters (IBT) Local 35 as the exclusive representative of all regularly employed blue-collar workers in the Borough's Department of Public Works (DPW). The Commission finds the record facts and applicable law amply support the Director's conclusion that a certain written agreement covering seven DPW employees did not render IBT's representation petition untimely under the "contract bar rule" because: (1) the agreement was not collectively negotiated or executed by a designated organization representative but was, in substance, an individual employment contract for each of the then-employed signers; and (2) it lacked a recognition clause with a well-defined unit and a grievance procedure, an essential and required element under N.J.S.A. 34:13A-5.3.

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

GARFIELD BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2026-004

GARFIELD FEDERATION OF TEACHERS,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the Board's request for a restraint of binding arbitration of the Garfield Federation of Teachers' (GFT) grievance alleging that the Board violated the parties' collective negotiations agreement (CNA) by requiring GFT members to pay more than the negotiated co-payments for generic and name brand medication. The Commission finds that the level of health benefits such as co-payments are mandatorily negotiable unless preempted and that, pursuant to N.J.S.A. 52:14-17.46.13(a)(1), the Board purchases prescription drug benefits separately from its School Employee Health Benefits health insurance plan "without limitation or restriction." Therefore, the Commission holds that the prescription drug plan design requirements of N.J.S.A. 52:14-17.46.13(f) are not applicable and the negotiated co-payments are not statutorily preempted.

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P.E.R.C. NO. 2026-23

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

UPPER SADDLE RIVER
BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2026-015

UPPER SADDLE RIVER
EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies a request for a restraint of binding arbitration of a grievance filed by the Upper Saddle River Education Association which contests the withholding of a teacher's salary and step increment. The Upper Saddle River Board of Education withheld the increment after it determined the grievant allegedly missed classes, came to class late, or left class early. The Commission finds the grievance to be legally arbitrable because allegations of poor attendance and classroom abandonment are predominantly disciplinary in nature.

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P.E.R.C. NO. 2026-24

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

COUNTY OF HUDSON,

Petitioner,

-and-

Docket No. SN-2025-024

HUDSON COUNTY SUPERIOR OFFICERS
ASSOCIATION, PBA LOCAL 109A,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the County's request for a restraint of binding arbitration of the PBA's grievance challenging the County's changes to the medication disclosure policy reporting procedures. The Commission finds that the County had a non-negotiable managerial prerogative to implement its medication disclosure policy more efficiently by requiring that officers report their medications via an Incident Report form submitted to Internal Affairs. As for the PBA's general challenge to the breadth of the longstanding policy, the Commission finds that it presents a substantive arbitrability question outside of our scope of negotiations jurisdiction that must be raised to the courts. The Commission concludes that the County may re-file its scope petition on this issue, if necessary, after a court determines the substantive arbitrability of the claim.

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