

P.E.R.C. NO. 2026-25

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

EAST BRUNSWICK TOWNSHIP BOARD
OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2026-010

EAST BRUNSWICK EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Commission grants the East Brunswick Township Board of Education's scope of negotiations petition seeking restraint of binding arbitration of a grievance filed by the East Brunswick Education Association which contests the withholding of a health and physical education teacher's salary increment for the 2025-2026 school year. The Commission finds the withholding predominately involves an evaluation of the grievant's teaching performance in connection with his alleged failures to adequately supervise students during their dismissal from the classroom (a chair-throwing incident), and during their instructional activity (a basketball game), resulting in student injuries in each case. The Commission finds the withholding addresses the grievant's judgment as an instructor in both cases, such that this classroom management/supervision issue must be addressed by the Commissioner of Education.

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. 2026-26

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF LOWER,

Petitioner,

-and-

Docket No. SN-2026-013

AFSCME LOCAL 3779,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the Township's request for a restraint of binding arbitration of the Local's grievance, which alleges that the grievants should have received retroactive pay for promotions from January 1, 2025 instead of from June 1, 2025. The Commission finds that the Civil Service Commission statutes relied on by the Township do not preempt the Local's claim of retroactive compensation from the date the grievants began performing higher level work. The Commission concludes that the issue of whether the grievants are entitled to retroactive compensation from January 1 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. 2026-27

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

CITY OF NEWARK,

Respondent,

-and-

Docket No. CO-2025-055

NEWARK POLICE SOA,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission denies the SOA's motion for summary judgment on its unfair practice charge alleging that the City violated the New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-1, et seq., by engaging in direct dealing with a negotiations unit member regarding retiree health benefits. The Commission finds that, while health benefits for future retirees are mandatorily negotiable between the public employer and union, current retirees are no longer employees or unit members and therefore the employer is no longer obligated to negotiate with the union over their benefits in retirement. As the record does not clarify whether the retiree was still an employee when the alleged direct dealing over his health benefits began, the Commission cannot determine whether the SOA has a viable direct dealing claim and remands the case for a hearing.

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. 2026-28

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

PBA LOCAL 45,

Petitioner,

-and-

Docket No. IA-2026-011

BOROUGH OF ENGLEWOOD CLIFFS,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the Borough's City motion to dismiss the PBA's Petition to Initiate Compulsory Interest Arbitration. The Commission finds that the parties signed and ratified a Memorandum of Agreement that is still in effect. Accordingly, there is not an expired agreement between the parties, which a prerequisite to filing the petition. The Commission further finds that the PBA's dispute over the interpretation and application of retiree health benefits language contained in the parties' most recent collective negotiations agreement (CNA) is appropriate for adjudication through binding grievance arbitration pursuant to the parties' negotiated grievance procedure.

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. 2026-29

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF EDISON,

Petitioner,

-and-

Docket No. SN-2026-012

IAFF LOCAL 2883,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants, in part, and denies, in part, a request for a restraint of binding arbitration of a grievance filed by IAFF Local 2883 against the Township of Edison. The grievance alleges that the Township violated the parties' CNA when it temporarily transferred a sworn Fire Officer to the Fire Marshal position, which had recently been held by a civilian, and did not correctly compensate the employee for performing higher out-of-title work. The Commission restrains arbitration to the extent the grievance challenges the Township's managerial prerogative to set the qualifications for the Fire Marshal position and transfer a specially qualified employee to that position. The Commission finds the grievance legally arbitrable as to the severable compensation claim.

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.