

P.E.R.C. NO. 2026-39

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

CAMDEN COUNTY JUDICIARY and
OPEIU, LOCAL 32

Respondents,

-and-

Docket No. CI-2026-027

SYLVIA COLE,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission denies Sylvia Cole's appeal of the dismissal of an unfair practice charge filed against her former employer, Camden County Judiciary, and her majority representative, OPEIU, Local 21. Cole alleges that the Judiciary retaliated against her for protected activity under the Act and interfered with those rights when it imposed discipline against her. She also alleges that OPEIU breached its duty of fair representation when it did not process a grievance for a 2-day suspension. The Commission affirms the Director of Unfair Practices' dismissal of the charge, finding: (1) that the UPC did not establish that the Judiciary knew she engaged in protected activity and that disciplinary disputes are generally not reviewed by the Commission and (2) OPEIU's initial delay and subsequent decision not to file a grievance over a 2-day suspension for a former employee was not a breach of the duty of fair representation.

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. 2026-40

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

SOUTH ORANGE-MAPLEWOOD BOARD
OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2026-018

SOUTH ORANGE-MAPLEWOOD EDUCATION
ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants in part, and denies in part, the Board's petition to restrain binding arbitration of three grievances filed by the Association. The Association's grievances contest the Board's scheduling of professional development (PD) days prior to September, as well as the total number of PD days scheduled and the dates on which those PD days are scheduled during the 2025-2026 school year. The Commission finds that the grievances are not legally arbitrable to the extent they challenge the Board's decision to schedule a PD day in September prior to the start of the student school year, as it would infringe on the Board's managerial prerogative to determine the student calendar. However, the Commission finds that the specific date selected for the pre-school-year PD is legally arbitrable. The Commission also finds that, in the absence of an articulated dominant educational policy reason for allegedly increasing the number of PD days, the total number of PD days scheduled, as well as when they are scheduled during the student school year, is legally arbitrable.

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P.E.R.C. NO. 2026-41

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

ELIZABETH BOARD OF EDUCATION

Respondent,

-and-

Docket No. CI-2026-032

NEW JERSEY EDUCATION ASSOCIATION

Respondent,

-and-

VICTORIA WHITE,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission affirms the Director of Unfair Practices' dismissal of unfair practice charges, alleging that the Board and the Association violated N.J.S.A. 34:13A-1 5.4 a(1), (5) and 5.4b(1), (3), (7), respectively of the Act. Regarding the charges against the Board, the Commission finds that the Director properly dismissed the a(5) charge because individual employees do not have standing to pursue charges that the employer refused to negotiate in good faith. The Commission further finds that the Director properly dismissed the a(1) charge because of lack of subject matter jurisdiction over the Charging Party's allegations of improper payroll deductions from a back pay award obtained through a tenure arbitration. Regarding the charges against the Association, the Commission finds the Director properly dismissed these clams, which amount to a breach of duty of representation for the Association's alleged lack of assistance in filing grievances regarding the payroll deduction issues. The Commission concludes that given the discretion afforded to union in filing grievances, the Charging Party did not establish that the Association represented her in a manner that was arbitrary, discriminatory, or in bad faith.

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P.E.R.C. NO. 2026-42

STATE OF NEW JERSEY

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

PBA MAINLAND LOCAL 77,

Respondent,

-and-

Docket No. CI-2026-033

CHRISTOPHER LEARY,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission grants Leary's appeal of the Director of Unfair Practices' refusal to issue a complaint on his unfair practice charge (UPC) against the PBA. Leary's UPC alleges that the PBA violated N.J.S.A. 34:13A-5.4b(1) of the New Jersey Employer-Employee Relations Act when it suspended him from PBA membership for his previous filing of a UPC. The Commission finds that Leary's allegation that the PBA disciplined him for exercising his protected right under the Act to file a UPC against his union may, if true, constitute an unfair practice and warrant the issuance of a Complaint.

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P.E.R.C. NO. 2026-43

STATE OF NEW JERSEY

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

COUNTY OF GLOUCESTER,

Petitioner,

-and-

Docket No. SN-2026-020

CWA LOCAL 1085,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the County of Gloucester for a restraint of binding arbitration of grievances filed by CWA Local 1085 contesting the County's decisions not to hire the grievant, a part-time Public Safety Telecommunicator (PST), to certain full-time positions. The Commission finds this dispute concerns the grievant not being transferred or reassigned to a full-time PST position or selected for the full-time fire-room position that he applied for. The Commission finds those claims are not legally arbitrable because employers have a managerial prerogative to make hiring decisions to meet the governmental policy goal of matching the best qualified employees to particular jobs. The Commission further finds the record does not support CWA's argument that the dispute concerns the negotiability of the grievant's individual work schedule. The Commission denies the County's petition only to the extent the grievances seek an explanation as to why the grievant was not selected for the desired positions.

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P.E.R.C. NO. 2026-44

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

COUNTY OF MORRIS,

Respondent,

-and-

Docket No. IA-2026-005

PBA LOCAL 327,

Appellant/Union.

SYNOPSIS

The Public Employment Relations Commission affirms an interest arbitration award that was remanded in P.E.R.C. No. 2021-43, 47 NJPER 468 (¶110 2021) for the arbitrator to clarify and address the N.J.S.A. 34:13A-16g factors as to the award's dismissal of the PBA's increased workday/ workweek proposal. For the Remand Award, the PBA submitted a letter to the arbitrator providing further argument in support of its increased workday/ workweek proposal, and the County submitted a brief in response. The arbitrator then issued the Remand Award addressing the remanded issues. The County submitted a supplementary brief concurring with the Remand Award, and the PBA did not file a supplementary brief.

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