

P.E.R.C. NO. 2014-79

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF OCEAN,

Petitioner,

-and-

Docket No. SN-2013-063

INTERNATIONAL BROTHERHOOD OF TEAMSTERS,
LOCAL 701,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of the Township of Ocean for a restraint of binding arbitration of a grievance filed by the International Brotherhood of Teamsters, Local 701. The grievance asserts that the Township violated the parties' collective negotiations agreement by not assigning overtime based on the overtime distribution list. The Commission holds that the snowstorm necessitating the overtime work was prepared for and anticipated by the Township, and that an arbitrator may decide whether the Township should have planned ahead to ensure it had access to the overtime list during the storm.

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. 2014-80

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

STATE OF NEW JERSEY (STATE POLICE),

Petitioner,

-and-

Docket No. SN-2014-006

STATE TROOPERS FRATERNAL ASSOCIATION
OF NEW JERSEY and STATE TROOPERS NON-
COMMISSIONED OFFICERS ASSOCIATION OF
NEW JERSEY,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the State of New Jersey (State Police) for a restraint of binding arbitration of a grievance filed by the State Troopers Fraternal Association of New Jersey (STFA) and the State Troopers Non-Commissioned Officers Association of New Jersey (NCOA). The grievance asserts the State violated the parties' collective negotiations agreement and past practice regarding promotional procedures when it removed several officers from acting assignments. The Commission holds that the grievance primarily concerns the substantive decision to reassign an employee, which is preeminently a policy decision. The Commission finds that the grievances did not invoke promotional provisions of the contract because there is no evidence in the record that promotional procedures were applied to the grievants.

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P.E.R.C. NO. 2014-81

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

CITY OF VINELAND,

Petitioner,

-and-

Docket No. SN-2014-011

IBEW LOCAL 210 (UNIT 2),

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants in part and denies in part the request of the City of Vineland for a restraint of binding arbitration of a grievance filed by IBEW Local 210 (Unit 2). The grievance asserts that the City violated the parties' collective negotiations agreement by not promoting a unit member to the position of Accounting Assistant. The Commission holds that the City has a managerial prerogative to fill a vacancy from among all available candidates and to select the candidate it believes is most qualified. The Commission also finds that the administration of a test during the interview process is a non-negotiable determination of promotional criteria. The Commission declines to restrain arbitration on the mandatorily negotiable procedural issue of whether the parties' agreement required the City to post the accounting assistant position a second time.

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P.E.R.C. NO. 2014-82

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

COUNTY OF HUDSON,

Petitioner,

-and-

Docket No. SN-2014-014

PBA LOCAL 334,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of the County of Hudson for a restraint of binding arbitration of a grievance filed by PBA Local 334. The grievance asserts that the County unilaterally reduced two officers' salaries on the step guide. The Commission holds that an employee's placement on a salary guide is mandatorily negotiable, and that the "Rice Bill", N.J.S.A. 40A:14-180, through which the grievants were rehired does not expressly preempt negotiations of initial salary guide placement.

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P.E.R.C. NO. 2014-83

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

LODI BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2014-018

LODI EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of the Lodi Board of Education for a restraint of binding arbitration of a grievance filed by the Lodi Education Association. The grievance asserts that an administrator verbally harassed a tenured teacher using profane language. The Commission finds that the Board has not set forth any argument regarding the negotiability of the grievance and argues the merits.

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