

P.E.R.C. NO. 2013-29

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

CWA LOCAL 1040, CWA DISTRICT ONE,
AND STATE OF NEW JERSEY
(JUVENILE JUSTICE),

Respondents,

-and-

Docket Nos. CI-2010-046
CI-2010-047
CI-2010-049

JUDY THORPE,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission affirms the decision of the Deputy Director of Unfair Practices refusing to issue a complaint in unfair cases filed by Judy Thorpe against CWA Local 1040, CWA District One and the State of New Jersey (Juvenile Justice).

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. 2013-30

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-2012-030

UNION OF RUTGERS ADMINISTRATORS,
AMERICAN FEDERATION OF TEACHERS,
LOCAL 1766, AFL-CIO,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of Rutgers, The State University of New Jersey for a restraint of binding arbitration of a grievance filed by the Union of Rutgers Administrators, American Federation of Teachers, Local 1766, AFL-CIO. The grievance challenges the layoff of an employee asserting she had contractual bumping rights to a position at the same or the next lower level and that her FMLA rights were violated. The Commission holds that a claim that an employee has bumping rights to another position is mandatorily negotiable and a claim asserting violations of statutory family leave rights is legally arbitrable.

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P.E.R.C. NO. 2013-31

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

COUNTY OF HUDSON,

Public Employer,

-and-

Docket No. RO-2012-009

HUDSON COUNTY UNION,
LOCAL 1 AMALGAMATED,

Petitioner,

-and-

INTERNATIONAL UNION OF PAINTERS AND
ALLIED TRADES, DISTRICT COUNCIL 711,
LOCAL 1007,

Intervenor.

SYNOPSIS

The Public Employment Relations Commission denies Hudson County Union, Local 1 Amalgamated's motion for reconsideration of P.E.R.C. No. 2013-18, ___ NJPER ___ (¶ ___ 2012). In that decision, the Commission reversed and remanded D.R. No. 2012-8, 38 NJPER 267 (¶91 2012). The Commission holds that the motion was not filed by counsel of record and no extraordinary circumstances warrant reconsideration.

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P.E.R.C. NO. 2013-32

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

COUNTY OF MERCER,

Petitioner,

-and-

Docket No. SN-2011-090

PBA LOCAL 167,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of the County of Mercer for a restraint of binding arbitration of a grievance connected to an unfair practice charge that was deferred to arbitration by the Director of Unfair Practices. The Commission holds that the County should have been required to waive its scope of negotiations defense when it agreed to defer the case to binding arbitration in accordance with the Commission's deferral policy. The County may re-file its petition within 30 days of service of the arbitrator's award in the event the arbitrator finds a contractual violation the County asserts infringes on its managerial prerogatives.

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P.E.R.C. NO. 2013-33

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF CLINTON,

Petitioner,

-and-

Docket No. SN-2012-006

FOP LODGE NO. 182 (SUPERIOR
OFFICERS' ASSOCIATION),

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the Township of Clinton for a restraint of binding arbitration of a grievance filed by FOP Lodge No. 182 (Superior Officers' Association). The grievance challenges the Township's denial of a stipend to an employee who waives medical coverage from the State Health Benefits Program because they are covered by another group plan. The Commission holds that P.L. 2010, c. 2 preempts negotiations over an employer's decision to allow its employees to waive coverage.

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