

P.E.R.C. NO. 2012-54

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF WEST CALDWELL,

Appellant,

-and-

Docket Nos. IA-2012-012

SN-2012-052

WEST ESSEX PBA LOCAL 81 (WEST
CALDWELL UNIT),

Respondent.

SYNOPSIS

The Township of West Caldwell appeals an interest arbitration award, specifically a denial of its proposal to modify a contract clause addressing eligibility for out-of-title pay. The Township also filed a scope of negotiations petition with regard to the disputed language. The essence of the Township's claim on appeal is that the disputed language infringes upon its managerial prerogative to set appropriate staffing levels and to assign the number and types of officers to a particular shift. The Public Employment Relations Commission determines that the Township's appeal should be processed pursuant to the legal standards for evaluating a scope of negotiations petition rather than the legal standards for reviewing interest arbitration appeals and directs the parties to file briefs regarding the merits of the Township's scope petition.

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.