

P.E.R.C. NO. 2003-71

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

GUTTENBERG BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2003-19

GUTTENBERG EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission finds the subject of a grievance filed by the Guttenberg Education Association against the Guttenberg Board of Education Association to be not mandatorily negotiable. The grievance alleges that requiring homeroom teachers to collect lunch money each day violates the parties' collective negotiations agreement. The Commission finds that while the task, viewed in isolation, is administrative or clerical, it is intertwined with such duties of a homeroom teacher as taking attendance, determining daily participation in the lunch program, and making announcements. The Commission therefore concludes that the Board's interest in consolidating these pre-instructional duties in the homeroom period outweighs the Association's interest in having homeroom teachers not perform this task.

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. 2003-72

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

ATLANTIC CITY BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2003-36

ATLANTIC CITY EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

\_\_\_\_\_The Public Employment Relations Commission denies the request of the Atlantic City Board of Education for a restraint of binding arbitration of a grievance filed by the Atlantic City Education Association. The grievance contests the withholding of an increment from a maintenance department employee. The Commission holds, consistent with its recent holding in Flemington-Raritan Bd. of Ed., P.E.R.C. No. 2003-64, 29 NJPER \_\_\_\_ (¶\_\_\_\_\_ 2003), that the parties could have legally agreed to submit this dispute to binding arbitration.

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P.E.R.C. NO. 2003-73

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

PHILLIPSBURG BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2003-35

PHILLIPSBURG EDUCATION ASSOCIATION  
(Custodial & Maintenance Unit),

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of the Phillipsburg Board of Education for a restraint of binding arbitration of a grievance filed by the Phillipsburg Education Association (Custodial and Maintenance Unit). The grievance asserts that the Board violated the parties' collective negotiations agreement when it terminated a custodian without just cause. The Commission concludes that proposals to grant tenure or job security protections to school board custodians are mandatorily negotiable and that parties may legally agree that just cause will be required before custodians are terminated mid-year or before their employment contracts are renewed. The Commission holds that the issue of contractual arbitrability is outside its jurisdiction and takes no position on whether the Board has agreed to the contractual job security claimed by the Association.

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P.E.R.C. NO. 2003-74

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF HOWELL,

Petitioner,

-and-

Docket No. SN-2002-21

HOWELL TOWNSHIP SUPERIOR  
OFFICERS ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission holds mandatorily negotiable a proposal of the Howell Township Superior Officers Association to memorialize the existing work schedule for police sergeants in the collective negotiations agreement with the Township of Howell. The Commission holds that the interest arbitrator may consider the SOA's proposal to continue the hybrid schedule. The arbitrator must evaluate the parties' evidence and arguments concerning the impact of the schedule on supervision, overtime, training, and sergeant morale.

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P.E.R.C. NO. 2003-75

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

BOROUGH OF ALLENDALE,

Appellant,

-and-

Docket No. IA-2002-032

PBA LOCAL 217,

Respondent.

The Public Employment Relations Commission affirms an interest arbitration award rendered to settle contract negotiations between the Borough of Allendale and PBA Local 217. The Borough appealed from the arbitrator's denial of its proposal to eliminate longevity for new hires, contending that his factual conclusions were unsupported and that he did not give due weight to the statutory criteria. The Commission holds that the arbitrator's judgment concerning the total compensation package represents a reasonable determination of the issues and that he fully analyzed the statutory criteria and issued an award supported by substantial credible evidence.

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