

P.E.R.C. NO. 2000-22

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF MONTCLAIR,

Petitioner,

-and-

Docket No. SN-99-93

PBA LOCAL 53,

Respondent.

SYNOPSIS

The Public Employment Relations Commission determines that a proposal made by PBA Local 53 during negotiations for a successor agreement with the Township of Montclair is mandatorily negotiable. The proposal requires one week's notice of work schedule changes, except in the case of illness, injury or emergency.

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. 2000-23

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

ESSEX COUNTY VOCATIONAL
SCHOOLS BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-99-84

ESSEX COUNTY VOCATIONAL
EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the Essex County Vocational Schools Board of Education for a restraint of binding arbitration of a grievance filed by the Essex County Vocational Education Association. The grievance alleges that the Board withheld a teacher's increment without just cause. The Commission finds that the withholding was for reasons predominately relating to the teacher's classroom management and disciplinary techniques and must therefore be reviewed by the Commissioner of Education.

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P.E.R.C. NO. 2000-24

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

MIDDLETOWN TOWNSHIP
BOARD OF EDUCATION,

Respondent,

-and-

Docket No. CO-H-96-251

MIDDLETOWN TOWNSHIP
EDUCATION ASSOCIATION,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission dismisses as moot, an unfair practice charge filed by the Middletown Township Education Association against the Middletown Township Board of Education. The charge alleged that the employer violated the New Jersey Employer-Employee Relations Act when, during negotiations over stipends for Board employees who would work in an after-school intramural program, the Board unlawfully ceased negotiations and subcontracted the program to the Middletown Township Parks and Recreation Department. After two years, the program was discontinued. The Commission finds that this is a past dispute that cannot, and given the unfolding of events, need not be resolved.

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P.E.R.C. NO. 2000-25

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

CAMDEN COUNTY SHERIFF,

Petitioner,

-and-

Docket No. SN-99-59

P.B.A. LOCAL NO. 277,

Respondent.

SYNOPSIS

The Public Employment Relations Commission determines the negotiability of proposals made by P.B.A. Local No. 277 in successor contract negotiations with the Camden County Sheriff. A proposal to require binding arbitration of minor disciplinary disputes is mandatorily negotiable. A proposal to have bidding for shifts and assignments is not mandatorily negotiable, and may not be submitted to interest arbitration, to the extent it would pertain to assignments described in the Sheriff's certification as requiring special qualifications.

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P.E.R.C. NO. 2000-26

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

WEST WINDSOR-PLAINSBORO
BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2000-11

WEST WINDSOR-PLAINSBORO
SERVICE ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the West Windsor-Plainsboro Board of Education for a restraint of binding arbitration of a grievance filed by the West Windsor-Plainsboro Service Association. The grievance contests the Board's decision to fill a vacant position with a junior custodian who did not have certain licenses. The Commission finds that an arbitrator cannot second-guess the Board's determination that an applicant is the most qualified candidate for a position even though he or she does not have a license the Board decided is preferred, but not required.

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P.E.R.C. NO. 2000-27

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

PASCACK VALLEY REGIONAL HIGH
SCHOOL DISTRICT BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-99-97

PASCACK VALLEY REGIONAL SUPPORT
STAFF ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the Pascack Valley Regional High School District Board of Education for a restraint of binding arbitration over its decision to appoint a secretary with less service in the district than another candidate to the position of executive secretary. The grievance was filed by the Pascack Valley Regional Support Staff Association. The Commission reaffirms that public employers have a non-negotiable right to fill vacancies and make promotions to meet the governmental policy goal of matching the best qualified employees to particular jobs.

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