

P.E.R.C. NO. 2026-17

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

BOROUGH OF WOODCLIFF LAKE,

Petitioner,

-and-

Docket No. SN-2026-008

PBA LOCAL 206,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the Borough of Woodcliff Lake's petition to restrain binding arbitration of PBA Local 206's grievance alleging the Borough violated departmental procedures and Standard Operating Procedures for officer training by giving the grievant an "unacceptable" rating on his assignment in the Juvenile Bureau of the Borough's Police Department. The grievant contends he never missed any required or mandatory training. The Commission finds it undisputed that he did miss recommended training sessions, and the grievance does not raise a simple factual dispute about how many such sessions he missed. The Commission finds the Borough has non-negotiable managerial prerogatives to select evaluation criteria, require training and determine how to train employees, and to consider the grievant's non-participation in recommended training (whether mandatory or non-mandatory) when applying its evaluative criteria. The Commission further finds that numerous other substantive assessments factored into the rating, including that the grievant did not show initiative, respond to emails, or communicate with his supervisors.

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.

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

STATE OF NEW JERSEY
(CHILDREN AND FAMILIES),

Respondent,

-and-

Docket No. CO-2025-006

COMMUNICATIONS WORKERS OF AMERICA,
AFL-CIO,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission grants the CWA's motion for summary judgment and denies the State's cross-motion on the CWA's unfair practice charge. The charge alleges that the State violated the New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-1, et seq., when the DCF Commissioner responded to a CWA email petition concerning the work environment and leadership in the Salem local office with an e-mail criticizing the CWA's complaints towards the Salem Office Manager and stating that personnel matters are not to be discussed openly. The Commission finds that the CWA's email petition was protected activity concerning conditions of employment and did not go beyond the bounds of propriety. The Commission finds that the DCF Commissioner's critique of the CWA's language for singling out and allegedly bullying the Office Manager had a legitimate business justification. However, the Commission finds that the DCF Commissioner's statement that personnel matters are not to be discussed openly had the tendency to interfere with the exercise of protected rights under the Act and lacked a legitimate and substantial business justification.

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P.E.R.C. NO. 2026-19

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

MERCER COUNTY SPECIAL SERVICES
SCHOOL DISTRICT BOARD OF EDUCATION,

Respondent,

-and-

Docket Nos. CO-2024-082
CO-2024-093

MERCER COUNTY SPECIAL SERVICES
EDUCATION AND THERAPEUTIC ASSOCIATION,

-and-

MERCER COUNTY SPECIAL SERVICES
SUPPORT STAFF ASSOCIATION,

Charging Parties.

SYNOPSIS

The Public Employment Relations Commission grants the Board's cross motion for summary and denies the Associations' motion for summary judgment on their unfair practice charge. The charge alleges that the Board violated the Act when it stopped automatically providing materials from the public session of the Board's meetings two to three days in advance of the meeting to the Associations, and instead, made it publicly available on the day of the meeting. The Commission finds that the timing of the release of the materials is a term and condition of employment to the extent that the materials are potentially relevant to the Associations' representational duties, and that the timing of the release of the materials is not statutorily preempted. However, the Commission also finds that, after weighing the interests of the parties, this record supports that the advance release of the materials is not mandatorily negotiable. The Board certified that the automatic advanced release of the materials has at times disrupted the operation of the District. Conversely, the Associations did not establish that advanced release of the materials was always related to their representational duties.

The Commission concludes that its decision is limited to the automatic and advance monthly release of all materials from the public sessions of Board meetings to the Associations. The decision does not preclude the Associations from requesting specific information in advance of a Board meeting that meets the legal standard for disclosure.

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P.E.R.C. NO. 2026-20

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

BOROUGH OF WANAQUE,

Petitioner,

-and-

Docket No. SN-2026-006

PBA LOCAL 407,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies a request for a restraint of binding arbitration of a grievance filed by PBA Local 407 against the Borough of Wanaque for allegedly violating an agreement concerning the allocation of overtime. Specifically, the grievance alleges that the Borough deviated from the binding past practice to offer a patrol overtime assignment to sergeants after all patrol officers declined the opportunity to work. The Commission finds that overtime allocation is a mandatorily negotiable subject and that the sergeants' interest in overtime opportunities and patrol officers' interests in regularly scheduled time off outweighed the Borough's generalized operational concerns, especially where the practice had existed for over 20 years.

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