

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF MILLBURN,

Petitioner,

-and-

Docket No. ID-84-5

FIREMEN'S MUTUAL BENEVOLENT
ASSOCIATION, LOCAL 32,

Respondent.

SYNOPSIS

The Chairman of the Public Employment Relations Commission, acting pursuant to authority delegated to him by the full Commission, finds two proposals of Firemen's Mutual Benevolent Association, Local 32 to be economic issues within the meaning of N.J.S.A. 34:13A-16 for purposes of interest arbitration. The proposals concern release time to attend union meetings and widening the scope of persons covered under the bereavement leave clause. These proposals must be included in Local 32's economic package.

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Appearances:

For the Petitioner, Murray & Granello, Esqs.
(Robert Emmet Murray, of Counsel)

For the Respondent, John J. Fox, Esq.

DECISION AND ORDER

On December 7, 1983, the Township of Millburn ("Township") filed a Petition for Issue Definition Determination with the Public Employment Relations Commission. Firemen's Mutual Benevolent Association, Local 32 ("Local 32") represents a unit of Township employees consisting of all uniformed employees in the Fire Department, but excluding Fire Chief and volunteers. The petition seeks a determination that the following two proposals submitted by Local 32 to interest arbitration as "non-economic proposals" should instead be designated as economic proposals within the meaning of N.J.S.A. 34:13A-16(f)(2):

1. The President of the FMBA should be allowed release time in order to attend State FMBA meetings;
2. The bereavement clause of the contract should include sister-in-law and brother-in-law.

The Township has filed a brief. Local 32 has not.

Pursuant to N.J.A.C. 19:16-6.1 et seq., the full Commission delegated authority to me to render a written determination which classifies the disputed issues as economic or non-economic. I find that the two proposals are both economic.

When parties use fair and final offer arbitration pursuant to N.J.S.A. 34:13A-16(d), the issues must be classified as either economic or non-economic. The arbitrator must select between the parties' positions on all disputed economic issues on a package basis and their positions on all non-economic issues on an item-by-item basis. Section 3 of the Police and Fire Arbitration Act, N.J.S.A. 34:13A-16(f)(2), defines economic issues as follows:

Economic issues include those items which have a direct relation to employee income including wages, salaries, hours in relation to earnings, and other forms of compensation such as paid vacation, paid holidays, health and medical insurance, and other economic benefits to employees.

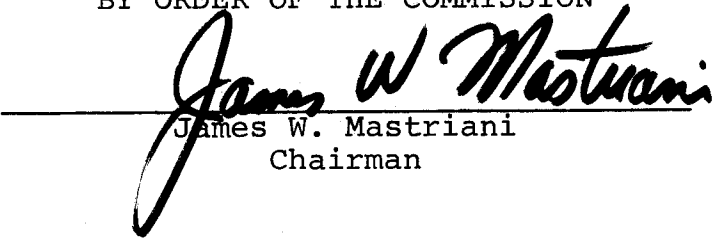
The first proposal concerns release time for Local 32's president. In In re Township of Springfield and Springfield PBA Local 76, P.E.R.C. No. 80-86, 6 NJPER 35 (¶11018 1980), it was held that a proposal for paid release time to attend PBA meetings was an economic issue within the meaning of the Act and must be considered together with other economic items contained in the parties' final offers. Springfield controls this case. Accordingly, the proposal for release time must be included in Local 32's economic offer.

The second proposal concerns the scope of bereavement leave. A proposal to widen the scope of persons whose passing entitles employees to bereavement leave was found to be an economic issue within the meaning of the Act in In re Washington Township and Washington Township PBA Local 206, P.E.R.C. No. 83-142, 9 NJPER 285 (¶14133 1983). Accordingly, this proposal is an economic issue and must be included in Local 32's economic package.

ORDER

Local 32's proposals concerning release time to attend union meetings and to widen the scope of persons covered under the bereavement leave clause are economic issues for the purposes of interest arbitration.

BY ORDER OF THE COMMISSION



James W. Mastriani
Chairman

DATED: Trenton, New Jersey
April 2, 1984