

P.E.R.C. NO. 95-36

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF BRIDGEWATER,

Respondent,

-and-

Docket No. CO-H-93-309

BRIDGEWATER PBA LOCAL NO. 174,

Charging Party.

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TOWNSHIP OF BRIDGEWATER,

Respondent,

-and-

Docket No. CO-H-93-325

BRIDGEWATER MUNICIPAL EMPLOYEES  
ASSOCIATION,

Charging Party.

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TOWNSHIP OF BRIDGEWATER,

Respondent,

-and-

Docket No. CO-H-93-326

BRIDGEWATER PUBLIC WORKS  
ASSOCIATION,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission stays section B2 of its Order in P.E.R.C. No. 95-28 until the beginning of the Township of Bridgewater's 1995 budget year. Given the amount of money necessary to comply with its Order, the Commission does not find it unreasonable to grant a stay until the beginning of the Township's 1995 budget year. The Commission finds no basis to grant any further stay.

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Appearances:

For the Respondent, William Lanigan, attorney

For the Charging Party PBA Local 174, Abramson & Liebeskind  
Associates (Arlyne K. Liebeskind, consultant)

For the Charging Parties MEA and BPWA, Klausner Hunter &  
Seid, attorneys (Stephen E. Klausner, of counsel)

DECISION AND ORDER

On October 24, 1994, the Township of Bridgewater moved for a stay pending appeal of our decision and order in P.E.R.C. No. 95-28, 20 NJPER 399 (¶25202 1994). In our decision, we held that the Township violated the New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-1 et seq., by unilaterally deducting HMO premium payments from the pay of employees represented by Bridgewater PBA Local No. 174, the Bridgewater Municipal Employees Association, and the Bridgewater Public Works Association despite language in collective negotiations agreements clearly providing for HMO coverage at no charge to employees. We ordered the Township to immediately cease deducting HMO premium payments, reimburse employees for any deductions, negotiate before charging for HMO premiums, and post a notice of its violation.

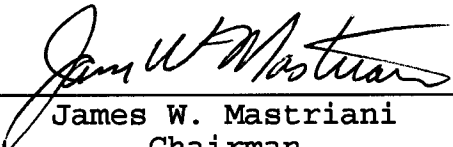
The Township has stopped deducting HMO premiums and has posted a notice. It seeks a stay of the reimbursement portion of the order pending appeal so that it can place the \$50,151.18 needed to comply with our order in its 1995 budget. The charging parties oppose a stay and have filed a cross-motion for an order compelling compliance.

Given the amount of money necessary to comply with our order, we do not find it unreasonable to grant a stay until the beginning of the Township's 1995 budget year. We find no basis to grant any further stay. We deny the charging parties' cross-motion.

ORDER

Section B2 of our order in P.E.R.C. No. 95-28 is stayed until the beginning of the Township's 1995 budget year. The remainder of the motion and the cross-motion are denied.

BY ORDER OF THE COMMISSION

  
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James W. Mastriani  
Chairman

Chairman Mastriani, Commissioners Bertolino, Goetting and Ricci voted in favor of this decision. Commissioner Klagholz voted against this decision. Commissioner Wenzler was not present.

DATED: December 16, 1994  
Trenton, New Jersey  
ISSUED: December 19, 1994