

P.E.R.C. NO. 96-44

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

COUNTY OF MONMOUTH,

Petitioner,

-and-

Docket No. SN-95-82

MONMOUTH COUNTY F.O.P.
LODGE #121.

Respondent.

SYNOPSIS

The Public Employment Relations Commission dismisses a scope of negotiations petition filed by the County of Monmouth seeking a restraint of binding arbitration of a grievance filed by the Monmouth County FOP Lodge #121. The grievance contests the demotion of an employee from sergeant sheriff's officer to sheriff's officer and a consequent salary reduction. The FOP withdrew its demand for arbitration and thus the Commission finds this case moot.

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. 96-44

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of
COUNTY OF MONMOUTH,

Petitioner,

-and-

Docket No. SN-95-82

MONMOUTH COUNTY F.O.P.
LODGE #121.

Respondent.

Appearances:

For the Petitioner, Robert J. Hrebek, attorney

For the Respondent, Salvatore Garrone, FOP President

DECISION AND ORDER

On March 23, 1995, the County of Monmouth petitioned for a scope of negotiations determination. The County seeks a restraint of binding arbitration of a grievance filed by the Monmouth County FOP Lodge #121. The grievance contests the demotion of an employee from sergeant sheriff's officer to sheriff's officer and a consequent salary reduction.

The County has filed a brief and exhibits. These facts appear.

FOP Lodge #121 represents superior sheriff's officers. The parties' collective negotiations agreement has a grievance procedure ending in binding arbitration.

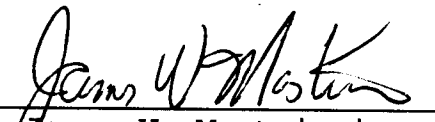
Donald S. Slanika was a sergeant sheriff's officer. Based on disciplinary charges, he was demoted to the position of sheriff's officer and his salary was reduced. He appealed the demotion and salary reduction to the Merit System Board. Lodge #121 also grieved the demotion and salary reduction and sought binding arbitration when the grievance was denied.

The County then filed this petition. In response, Lodge #121 withdrew its demand for arbitration. Accordingly, this case is moot and the employer's petition must be dismissed.

ORDER

The petition for a scope of negotiations determination is dismissed.

BY ORDER OF THE COMMISSION



James W. Mastriani
Chairman

Chairman Mastriani, Commissioners Boose, Buchanan, Klagholz and Ricci voted in favor of this decision. None opposed. Commissioner Finn abstained from consideration. Commissioner Wenzler was not present.

DATED: December 21, 1995
Trenton, New Jersey
ISSUED: December 21, 1995