

Bond Case Briefs

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PUBLIC EMPLOYMENT - PENNSYLVANIA

Exeter Township v. Pennsylvania Labor Relations Board

Supreme Court of Pennsylvania - July 17, 2019 - A.3d - 2019 WL 3209482 - 2019 L.R.R.M. (BNA) 263, 212

Township sought review of determination of the Labor Relations Board that the position of zoning officer was not a management-level employee subject to exclusion from the collective bargaining unit under the Public Employee Relations Act (PERA).

The Commonwealth Court reversed. Board and labor union petitioned for allowance of appeal.

The Supreme Court held that the Municipalities Planning Code did not provide a sufficient basis to determine, absent evidence of actual job duties, if a zoning officer was a management-level employee under the Public Employee Relations Act (PERA), and thus township, without presenting evidence of actual job duties, could not prevail on its claim that its zoning officers were not management-level employees subject to exclusion from the collective bargaining unit under PERA; nothing in provision of the Municipalities Planning Code addressing a zoning officer's powers established that the officer responsibly directed the implementation of policy.