

Bond Case Briefs

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EMPLOYMENT - NEW JERSEY

Matter of DiGuglielmo

Supreme Court of New Jersey - November 28, 2022 - A.3d - 2022 WL 17246816

Employer, a state university, sought review of Public Employment Relations Commission's (PERC) determination that former employee, a campus police officer, was eligible to challenge his termination for alleged non-criminal misconduct through special disciplinary arbitration.

The Superior Court, Appellate Division affirmed in part and reversed in part. Employee petitioned for certification, which was granted.

The Supreme Court held that:

- Special disciplinary arbitration is not limited to non-civil service municipal police officers, and
- An officer suspended with pay prior to termination is eligible to engage in special disciplinary arbitration.

Special disciplinary arbitration is not limited to non-civil service municipal police officers but rather includes non-municipal officers like campus police officers at a public university.

A municipal or public university police officer who is suspended with pay prior to termination is eligible to engage in special disciplinary arbitration.