

SUPREME COURT OF PENNSYLVANIA

Exeter Township v. PLRB

Exeter Township · No. Nos. 92 MAL 2018 and 96 MAL 2018 · Decided September 5, 2018

SUMMARY

The Supreme Court of Pennsylvania granted petitions for allowance of appeal in Exeter Township v. Pennsylvania Labor Relations Board, limiting review to whether Section 614 of the Municipalities Planning Code provides sufficient basis to determine that a zoning officer is a management-level employee without evidence of actual job duties. Allocatur was denied as to all remaining issues.

CASE DETAILS

COURT	Supreme Court of Pennsylvania
WRITING FOR THE COURT	Per Curiam
JURISDICTION	Pennsylvania
DECIDED	September 5, 2018
DOCKET	Nos. 92 MAL 2018 and 96 MAL 2018
DISPOSITION	other
PROCEDURAL POSTURE	The Supreme Court of Pennsylvania considered petitions for allowance of appeal from Commonwealth Court orders. It granted allowance of appeal limited to whether Section 614 of the Pennsylvania Municipalities Planning Code provides a sufficient basis for determining that a zoning officer is a management-level employee absent evidence of actual job duties, and denied allowance as to all remaining issues.
PRECEDENTIAL VALUE	published
PARTIES	Pennsylvania Labor Relations Board, Exeter Township v. Exeter Township, Pennsylvania Labor Relations Board

TOPICS

[municipal law](#) [administrative law](#) [statutory interpretation](#) [appellate procedure](#)

PRACTICE AREAS

[administrative law](#) [municipal law](#) [employment law](#)

QUESTIONS PRESENTED

1. Whether Section 614 of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10614, provides a sufficient basis to determine that a zoning officer is a management-level employee absent evidence regarding the officer's actual job duties.

KEY QUOTATIONS

“The issue rephrased for clarity, is: (1) Does Section 614 of the Municipalities Planning Code, 53 P.S. § 10614, provide sufficient basis to determine that a zoning officer is a management level employee absent evidence regarding actual job duties?”

FACTUAL BACKGROUND

The order identifies a dispute concerning whether a zoning officer qualifies as a management-level employee under Section 614 of the Pennsylvania Municipalities Planning Code. The Supreme Court's order does not provide further factual findings or evidence concerning the officer's actual job duties.

PROCEDURAL HISTORY

The Pennsylvania Labor Relations Board and Exeter Township sought allowance of appeal from orders of the Commonwealth Court. The Supreme Court granted the petitions only as to the rephrased statutory issue and denied review of the remaining issues.

DISPOSITION

other

OPINION

PER CURIAM.

IN THE SUPREME COURT OF PENNSYLVANIA MIDDLE DISTRICT EXETER TOWNSHIP,; No. 92 MAL 2018 Respondent:: Petition for Allowance of Appeal from: the Order of the Commonwealth Court v.: PENNSYLVANIA LABOR RELATIONS: BOARD,; Petitioner: EXETER TOWNSHIP: No. 96 MAL 2018 v.: Petition for Allowance of Appeal from: the Order of the Commonwealth Court PENNSYLVANIA LABOR RELATIONS: BOARD: PETITION OF: TEAMSTERS LOCAL 429,; Intervenor: ORDER PER CURIAM AND NOW, this 5th day of September, 2018, the Petition for Allowance of Appeal is GRANTED, LIMITED TO the issue set forth below.

Allocatur is DENIED as to all remaining issues. The issue rephrased for clarity, is: (1) Does Section 614 of the Municipalities Planning Code, 53 P.S. § 10614, provide sufficient basis to determine that a zoning officer is a management level employee absent evidence regarding actual job duties?

