

A.B.D. No. 91-4

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION APPEAL BOARD

OAL DKT #PRB-6887-89
AGENCY DKT #AB-89-8

ROCCO MALANGA, ET AL.,

Petitioner,

v.

**FRATERNAL ORDER OF POLICE,
NEWARK LODGE NO. 12,**

Respondent.

Paul L. Kleinbaum (Zazzali, Zazzali, Fagella & Nowak,
attorneys) for petitioners

Stephen C. Richman (Markowitz & Richman, attorneys) for
respondent

DECISION AND ORDER

On March 7, 1989, Rocco Malanga and 29 other employees of the City of Newark filed a petition of appeal with the Public Employment Relations Commission Appeal Board. The petitioners are represented in collective negotiations by, but are not members of, respondent, Fraternal Order of Police, Newark Lodge No. 12 ("FOP"). The petition seeks review of representation fees paid to the FOP. The FOP filed an Answer to the petition. On May 3, 1989, this matter was transferred to the Office of Administrative Law as a contested case and was assigned to Administrative Law Judge Stephen G. Weiss.

The FOP and the petitioners have entered into a settlement. On November 7, 1990, Judge Weiss issued an "Initial Decision-Settlement." He reviewed the terms of the settlement and concluded that it was entered into voluntarily and disposed of all issues in dispute. He approved the settlement and ordered that all parties comply with its terms. Pursuant to N.J.S.A. 52:14B-10, the matter is now before the Appeal Board to affirm, reverse, remand or modify Judge Weiss' order.

We have reviewed the settlement and Judge Weiss' order (attached hereto), pursuant to N.J.S.A. 52:14B-10, and conclude that his action is correct.

ORDER

The Initial Decision-Settlement of Judge Weiss is hereby affirmed.

BY ORDER OF THE APPEAL BOARD

WILLIAM L. NOTO
Chairman

Chairman Noto and Board Members Dorf and Verhage voted in favor of this decision.

DATED: TRENTON, NEW JERSEY
November 13, 1990
ISSUED; December 13, 1990