

D.R. NO. 94-24

STATE OF NEW JERSEY
PUBLIC EMPLOYMENT RELATIONS COMMISSION
BEFORE THE DIRECTOR OF REPRESENTATION

In the Matter of

TOWNSHIP OF WALL,

Public Employer,

-and-

Docket No. RO-94-31

COMMUNICATIONS WORKERS OF
AMERICA,

Petitioner.

SYNOPSIS

The Director of Representation dismisses a petition filed by the Communications Workers of America, Local 1039, AFL-CIO, seeking to represent a unit of all dispatchers employed by Wall Township. The Township objected to the petition because it would lead to undue unit proliferation and argued that the dispatchers should be placed into the Township's blue collar unit. The Director determined that the petitioned-for unit was overly narrow, and found the unit inappropriate.

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Appearances:

For the Public Employer,
Gilroy, Cramer & McLaughlin, attorneys
(Roger J. McLaughlin, of counsel)

For the Petitioner,
Weissman & Mintz, attorneys
(Steven P. Weissman, of counsel)

DECISION

On September 19, 1993, the Communications Workers of America, AFL-CIO, Local 1039, filed a Petition for Certification of Public Employee Representative with the Public Employment Relations Commission, seeking to represent all police dispatchers employed by Wall Township. The petition was timely filed and supported by an adequate showing of interest. The Township opposes the petition and refuses to consent to a secret ballot election because it alleges

that a unit composed solely of dispatchers will lead to undue unit proliferation. It asserts that the appropriate negotiations unit for dispatchers is the existing blue collar unit.

We have conducted an administrative investigation into the petition and make the following findings.

Wall Township has a total employment of approximately 180 employees. It has three established negotiations units: a rank and file police officers' unit, a police superior officers' unit with approximately 16 members, and a blue collar public works unit, with approximately 60 members. The Township also meets and confers with blue collar foremen and it anticipates that eventually this will become a formal negotiations unit. The proposed dispatchers' unit would consist of six to seven employees. The dispatchers work in the police department. The Township's white collar employees are unrepresented.

CWA argues that dispatchers have a unique community of interest and have minimal interaction with blue collar employees. It further asserts that there is no interchange between dispatchers and employees occupying blue or white collar positions. Dispatchers work on a rotating shift, unlike blue or white collar employees. CWA also notes that the Commission has consistently certified units of dispatchers. CWA argues that the blue collar representative, IUE Local 417, AFL-CIO, has not intervened in this matter.

* * * *

I find that the petitioned-for unit is inappropriate.

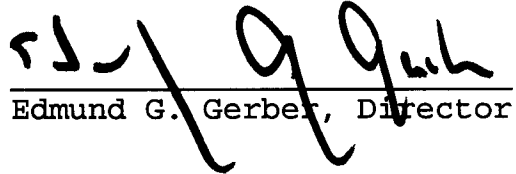
Commission policy favors broad-based units. State of New Jersey and Prof. Assn. of New Jersey, 64 N.J. 231 (1974). Although dispatchers have different job duties than other non-supervisory blue and white collar employees, we believe they share a strong community of interest with them. All work for the same employer under shared management authority. Differences in hours and schedules as well as a lack of interchange of duties or infrequent interaction are insufficient to overcome the Commission's policy favoring broad-based units.

We have previously found petitioned-for units of dispatchers to be inappropriate. See Winslow Tp., D.R. No. 87-24, 13 NJPER 208 (¶18087 1987) (police dispatchers petition dismissed where conflicting second petition of white and blue collar employees held to be the most appropriate unit); Borough of Pitman, D.R. No. 94-16, 20 NJPER ____ (¶_____ 1994) (petition for dispatchers inappropriate where Director determined that dispatchers shared a strong community of interest with other unrepresented non-supervisory white collar employees who were not included in the petition) and, Borough of Pt. Pleasant, D.R. No. 91-27, 17 NJPER 208 (¶22087 1991) (petition for four communications operators dismissed where Borough opposed the petition; Director found that the most appropriate unit for these employees was the clerical employee unit and noted that almost 100 organizable Borough employees were already included in one of the five negotiations units).

The most appropriate unit for the petitioned-for employees

is in a broad-based unit. The failure of the majority representative of the blue collar unit to intervene in this matter is not controlling. Accordingly, the petition is dismissed.

BY ORDER OF THE DIRECTOR
OF REPRESENTATION


Edmund G. Gerber, Director

DATED: April 12, 1994
Trenton, New Jersey