

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

CHERRY HILL DEPARTMENT OF PUBLIC WORKS

Public Employer

-and-

Docket No. RO-1036

COUNCIL #71, AMERICAN FEDERATION OF STATE,  
COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO

Petitioner

SYNOPSIS

The Executive Director, in absence of a withdrawal request, dismisses a petition for certification of public employee representative, since, due to voluntary recognition by the public employer of the petitioner, as employee representative, there no longer exists a valid question of representation in the petitioned-for unit. N.J.A.C. 19:11-1.12(b)2.7

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DECISION

A Petition for Certification of Public Employee Representative was filed by Council #71, A.F.S.C.M.E., on May 12, 1975. The petitioner sought as an appropriate unit, all blue-collar and craft employees employed by the Cherry Hill Department of Public Works in the Sanitation, Highway, Shade Tree and Parks and Grounds Divisions and the mechanics in the Municipal Garage. All other employees were to be excluded. The employees sought to be represented by Council #71 were not represented by any other employee organization.

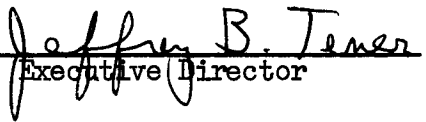
The undersigned has been informed by the petitioner and by the public employer herein that the petitioner was recognized as the exclusive representative for the employees of the petitioned-for unit on or about May 12, 1975. This recognition was voluntarily accorded by the public employer.

Having been informed of the above, the Commission agent

assigned to this matter made repeated requests of the petitioner to submit to the Executive Director a request to withdraw the herein petition since, without intervention of the Commission, the petitioner had been recognized by the public employer, and thus, there no longer was a valid question of representation before the Commission. The petitioner has not filed such a request with the undersigned.

Therefore, pursuant to the provisions of N.J.A.C. 19:11-1.12(b)2, since there is no longer a valid question of representation before the Commission and in absence of a withdrawal request, the petition shall be, and is hereby, dismissed, with prejudice.

BY ORDER OF THE EXECUTIVE DIRECTOR

  
Executive Director

DATED: July 14, 1975  
Trenton, New Jersey