

D.R. NO. 90-6

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

In the Matter of

TOWN OF GUTTENBERG,

Public Employer,

-and-

Docket No. RO-90-11

INTERNATIONAL SERVICE WORKERS
OF AMERICA, LOCAL 101,

Petitioner.

SYNOPSIS

The Director of Representation orders an election among certain employees of the Town of Guttenberg Department of Public Works. The Town did not object to the conduct of the election or to the composition of the petitioned-for unit.

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Appearances:

For the Public Employer
Joseph P. McConnell, Clerk

For the Petitioner
Robert M. Brunner, Secretary

DECISION AND DIRECTION OF ELECTION

On August 14, 1989 the International Service Workers of America, Local 101 ("ISWA") filed a timely petition with the Public Employment Relations Commission ("Commission") seeking to represent a unit of unrepresented employees employed by the Town of Guttenberg ("Town") in its Department of Public Works. The petition was accompanied by an adequate showing of interest. N.J.A.C. 19:11-1.2

The Town would not attend the informal investigatory conference, although the Town indicated by letter dated August 25, 1989 that it does not object to the conduct of a secret ballot election by the Commission among the petitioned-for employees.

Therefore, in the absence of disputed facts, we are inclined to order an election in the following unit:

INCLUDED: all blue collar employees employed by the Town of Guttenberg in the Department of Public Works, including foremen, drivers and sweepers.

EXCLUDED: all white collar employees, managerial executives, confidential employees, craft employees, professional employees, police employees, fire employees and supervisory employees within the meaning of the Act.

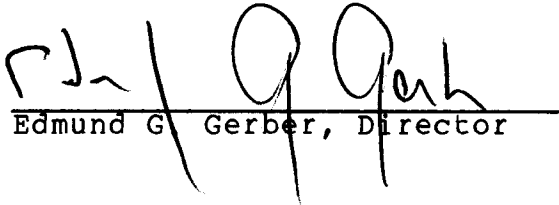
The election shall be conducted no later than thirty (30) days from the date of this decision. Those eligible to vote must have been employed during the payroll period immediately preceding the date below, including employees who did not work during that period because they were out ill, on vacation or temporarily laid off, including those in the military service. Employees must appear in person at the polls in order to be eligible to vote. Ineligible to vote are employees who resigned or were discharged for cause since the designated payroll period and who have not been rehired or reinstated before the election date.

Pursuant to N.J.A.C. 19:11-9.6, the public employer is directed to file with us an eligibility list consisting of an alphabetical listing of the names of all eligible voters in the units, together with their last known mailing addresses and job titles. In order to be timely filed, the eligibility list must be received by us no later than ten (10) days prior to the date of the

election. A copy of the eligibility list shall be simultaneously provided to the employee organization with a statement of service filed with us. We shall not grant an extension of time within which to file the eligibility list except in extraordinary circumstances.

The exclusive representative, if any, shall be determined by a majority of the valid votes cast in the election. The election shall be conducted in accordance with the Commission's rules.

BY ORDER OF THE DIRECTOR
OF REPRESENTATION


Edmund G. Gerber, Director

DATED: September 18, 1989
Trenton, New Jersey