

P.E.R.C. NO. 91-28

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

STATE OF NEW JERSEY (OFFICE OF
EMPLOYEE RELATIONS), DEPARTMENT
OF TRANSPORTATION,

Respondent,

-and-

Docket No. CO-H-89-359

COMMUNICATIONS WORKERS OF AMERICA,
AFL-CIO,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission denies a motion for reconsideration of P.E.R.C. NO. 90-114 filed by the Communications Workers of America, AFL-CIO. In that decision, the Commission held that the State of New Jersey (Office of Employee Relations), Department of Transportation violated the New Jersey Employer-Employee Relations Act when it denied CWA's request to set up an information table in the lobby of the Department of Transportation during lunch one day. CWA asserts that we should also order the employer to post a notice of its violation. Absent any extraordinary circumstances, the Commission denies reconsideration.

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Appearances:

For the Respondent, Robert J. Del Tufo, Attorney General
(Stephen M. Schwartz, Deputy Attorney General)

For the Charging Party, David Sherman, attorney

DECISION AND ORDER

On July 16, 1990, the Communications Workers of America, AFL-CIO moved for reconsideration of P.E.R.C. No. 90-114, 16 NJPER 387 (¶21158 1990). In that decision, we held that the State of New Jersey (Office of Employee Relations), Department of Transportation violated subsection 5.4(a)(1)^{1/} of the New Jersey Employer-Employee Relations Act, N.J.S.A. 34-13A-1 et seq., when it denied CWA's request to set up an information table in the lobby of the Department of Transportation during lunch one day. Because the

^{1/} This subsection prohibits public employers, their representatives or agents from: "(1) Interfering with, restraining or coercing employees in the exercise of the rights guaranteed to them by this act."

violation was a technical one, we ordered no relief besides a cease-and-desist order.

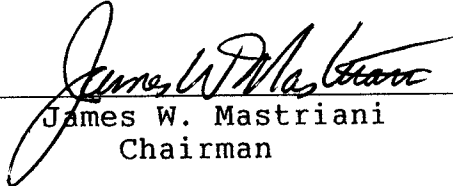
CWA asserts that we should also order the employer to post a notice of its violation. The employer has opposed this motion.

We have reviewed the parties' submissions. Absent any extraordinary circumstances under N.J.A.C. 19:14-8.4, we deny reconsideration.

ORDER

The motion for reconsideration is denied.

BY ORDER OF THE COMMISSION



James W. Mastriani
Chairman

Chairman Mastriani, Commissioners Smith, Wenzler, Johnson, Ruggiero, Reid and Bertolino voted in favor of this decision. None opposed.

DATED: Trenton, New Jersey
September 27, 1990
ISSUED: September 28, 1990