

D.R. NO. 89-36

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

In the Matters of

CAMDEN COUNTY HEALTH SERVICES CENTER
BOARD OF MANAGERS,
Public Employer,

-and-

CAMDEN COUNCIL 10,
Petitioner.

Docket No. RO-89-104

-and-

AFSCME, AFL-CIO, COUNCIL 71,
LOCALS 2301, 2305, 2307,
Intervenor.

COUNTY OF CAMDEN,
Public Employer,

-and-

CAMDEN COUNCIL 10,
Petitioner,

Docket No. RO-89-105

-and-

AFSCME, AFL-CIO, COUNCIL 71,
LOCALS 2301, 2305, 2307,
Intervenor.

SYNOPSIS

The Director orders an election in a petitioned-for craft and non-craft blue-collar unit. He rejects the incumbent representative's argument that the existing multi-employer unit is more appropriate. The Director finds that the Jefferson severance standard does not apply to petitions to sever employees of one employer from a multi-employer contract.

The Director also rejects the incumbent's attack on the sufficiency of the showing of interest, which the incumbent contends was secured through misrepresentations to employees.

Further, the Director orders a craft option ballot for craft employees who had never voted for inclusion in a non-craft unit. The Director also determined the eligibility of disputed craft titles for the proposed craft option.

Finally, the Director finds that a petitioned-for separate unit of craft employees of the Health Services Center Board of Managers is appropriate. The Board is a newly created, autonomous employer and no alternate unit structure of Health Services Center employees was proposed.

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Appearances:

For the Public Employers
Richard Dodson, Personnel Director

For the Petitioner
Tomar, Seliger, Simonoff, Adourian & O'Brien, Esqs.
(Mary Crangle, of counsel)

For the Intervenor
Joseph Asbell, Esq.

DECISION AND DIRECTION OF ELECTION

On March 8, 1989, Camden Council No. 10 ("Council 10")
filed two Petitions for Certification of Public Employee

Representative with the Public Employment Relations Commission ("Commission"). By its first Petition (Docket No. RO-89-104), Council 10 seeks to represent craft employees employed by the Camden County Health Services Center Board of Managers ("HSC Board"). These employees are currently represented by the American Federation of State, County and Municipal Employees, AFL-CIO ("AFSCME").

By its second Petition (Docket No. RO-89-105), Council 10 seeks to represent blue-collar and craft employees employed by the Camden County Board of Freeholders ("County") in the highway department, the county parks and the Lakelands complex.^{1/} These employees are now represented by AFSCME. AFSCME requested to intervene in both petitions based on its recently expired collective negotiations agreement which covers the petitioned-for employees. That request was granted. N.J.A.C. 19:11-2.7.

Positions of the Parties

Council 10 seeks an election in each of the petitioned-for units. It also requests that craft employees in the County unit be permitted to vote on whether they wish to be included in a negotiations unit with non-craft employees.^{2/} The County consents to an election among its employees but does not agree to the suggested craft option. The HSC Board objects to a separate unit for its craft employees.

^{1/} The Lakelands complex is a group of facilities in Blackwood, New Jersey, which includes the Health Services Center, the youth house, the fire center, the power plant and the sewer treatment plant.

^{2/} See N.J.S.A. 34:13A-6.

AFSCME objects to both petitions and does not consent to an election for either unit. First, AFSCME challenges the showings of interest supporting Council 10's petitions. It contends Council 10 secured employees' authorization cards through misrepresentations. It also objects to Council 10's partial reliance on showings of interest used to support a prior petition. Second, AFSCME argues that the Commission's disposition of a prior Council 10 petition seeking some of these employees should bar Council 10 from filing the instant petitions. Third, AFSCME objects to the collective negotiations units proposed by the petitions. It maintains that Council 10's petitions inappropriately seek to sever the petitioned-for employees from the existing appropriate unit of employees covered by the AFSCME contract.

A Commission staff agent conducted an investigatory conference to determine the parties' positions and the relevant facts. N.J.A.C. 19:11-2.2 and 2.6. The following facts appear:

Background

AFSCME was originally certified in 1970 to represent two separate units of County employees at the Lakelands complex: a Lakelands blue-collar (health care) unit and a Lakelands craft unit. These unit structures resulted from formal hearings^{3/} in which the Commission found a unit of Lakelands Hospital Complex employees appropriate and directed an election among the employees.

3/ Both AFSCME and Council 10 participated in those hearings.

Craft employees in certain specifically enumerated craft titles were given a craft option pursuant to N.J.S.A. 34:13A-6(d). Craft employees voted against inclusion with non-craft employees. Accordingly, AFSCME was certified to represent two units of employees at the Lakelands complex -- the Lakelands blue collar (health care) unit and the Lakelands craft unit. See County of Camden, P.E.R.C. No. 28 (1970). The Commission's initial 1970 certification of the craft unit specifically enumerated those titles the Commission found to be craft employees:

"all craft employees of Lakeland institutions including barbers, beauticians, carpenters, carpenters' helpers, plumbers, plumbers' helper, plumber-steamfitters, plumber-steamfitters' helpers, senior plumber-steamfitters, painters, painters' helpers, electricians, electricians' helpers, masons, masons' helpers, mechanical repairmen, mechanics' helpers, cabinet maker-refinishers, general maintenance repairmen, stationary firemen, stationary engineers, but excluding all foremen as well as non-craft employees...."

While the Lakelands craft unit, as originally certified, consisted solely of skilled craftsmen, several non-craft and semi-skilled titles were added to that unit over the past 18 years by agreement of AFSCME and the County.

In the early 1970's, AFSCME became the negotiations representative of two additional units: a unit of blue-collar

workers in the County highway department, and a unit of blue-collar workers in the County parks.^{4/}

Since the early 1970's, the County and AFSCME have engaged in coalition bargaining for a single agreement covering all four units -- Lakelands blue-collar unit, Lakelands craft unit, the highway department unit, and the parks unit. The most recent agreement between the County and the AFSCME locals expired on December 31, 1988. Local 2301 represents 85 employees in a so-called "Lakelands craft" unit; Local 2305 represents 60 blue-collar workers in the County parks and 120 blue-collar workers in the highway department; and Local 2307 represents 350 blue-collar employees at the Lakelands complex.

In September 1988, Council 10 filed a petition for certification seeking to represent the "Lakelands craft" unit represented by AFSCME Local 2301. Teamsters Local 676 petitioned to represent highway department employees represented by AFSCME Local 2305. AFSCME objected to both petitions, arguing that its coalition bargaining for the four units together amounted to a merger of the units into a single unit and thus, the petitions inappropriately sought severance of employee groups from the existing single unit.

In October 1988, the County Board of Freeholders passed resolutions creating the HSC Board to operate and manage the Health

^{4/} Parks employees were formerly employed by a separate Park Commission. In January 1989, the Park Commission was abolished and those employees were transferred to the control of the County.

Services Center ("HSC") medical service facilities. Other County facilities located in the Lakelands complex -- the fire center, youth house, sewer treatment plant and the power plant -- are unaffected by the establishment of the HSC Board to run the medical facilities. In January 1989, about 380 County employees assigned to the HSC facilities -- 344 of 350 employees in Local 2307's health care unit and about 23 employees in Local 2301's "Lakelands craft" unit -- were transferred to the newly-created HSC Board.

The new HSC Board has substantial control over personnel and labor relations matters of its employees. It is the appointing authority under State Department of Personnel regulations and has the authority to hire, discipline and terminate employees. The HSC Board is responsible for negotiating and administering labor agreements covering its employees, including handling grievances, disciplinary disputes and other labor disputes. All parties herein stipulated that the newly created Board is the employer of HSC Board employees.

By letter dated March 1, 1989, we advised the parties that because of significant changes in the scope and size of the existing unit(s), the existing units no longer appeared appropriate and we were inclined to dismiss the petition for the existing units. We noted particularly, that employees transferred to the HSC Board could not remain in units of County employees because the HSC Board is a separate employer.

We also advised the parties that we were inclined to find that the remaining County blue-collar employees represented by AFSCME constituted a prima facie appropriate unit. Council 10 and Teamsters Local 676 then withdrew their respective petitions and no formal decision was issued. On March 8, Council 10 filed the instant petitions.

* * * * *

The Disputed Craft Titles

Council 10 argues that the craft employees in the petitioned-for County blue-collar unit are entitled to a craft option as provided for in N.J.S.A. 34:13A-6. The parties disagree concerning which employees in each of the proposed units are craft employees within the meaning of the New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-1 et seq. ("Act").

Council 10 asserts that in addition to the craft classifications identified in the original certification,^{5/} the following employees in the County unit should be classified as craft employees: welder, welders' helper, tile setter, locksmith, mechanics and senior mechanics, fire signal systems repairman, sewer plant operator and laborer in the maintenance department at Lakelands.^{6/} AFSCME and the County agree that those titles

^{5/} Some of the craft titles covered by the original certification are no longer in use.

^{6/} Council 10 concedes that laborers in the parks and highway department are not craft employees.

covered by the original 1970 certification are craft employees, but object to inclusion of additional titles in the craft group.

In addition to the titles included in the Commission's 1970 craft unit certification, Council 10 also seeks to add the following titles to the HSC Board craft unit: air conditioning/refrigeration repairman, exterminator and laborer. AFSCME asserts that titles not covered by the initial craft certification are not craft employees. The HSC Board contends that laborers are not craft employees.

All parties were invited to submit documentary evidence and statements of position concerning whether or not the additional titles not covered by the initial craft certification are craft employees within the meaning of the Act.

On March 29, 1989, Council 10 submitted a response; the County submitted job descriptions for some of the disputed positions. Although AFSCME contends that none of the titles not included in the 1970 craft unit certification are craft employees, it did not submit any material in support of its position.

Council 10 has asserted the following facts concerning the disputed craft employees.

The welder and his helper perform traditional welding functions. They are required to undergo an extensive apprenticeship/training program. They exercise a high degree of independent judgment and manual dexterity.

The tile setter installs, replaces and repairs ceramic and mosaic bathroom wall and floor tiles and does other construction

work associated with tile installation. His training involves a long apprenticeship period. He exercises a high degree of judgment and manual dexterity.

Locksmiths require a period of training and sophisticated knowledge. They install and maintain various types of locking systems at County facilities.

Mechanics and senior mechanics perform sophisticated mechanical repairs on a variety of County equipment. They exercise significant independent judgment and manual dexterity. The expertise needed to perform their functions is acquired through a long period of training.

The fire signal systems repairer installs and repairs fire alarms, electronic boards, fire systems and signal systems. According to the job description, he also inspects, constructs, repairs, rebuilds and maintains electrical lines and equipment. He is required to have two years experience in skilled fire alarm repair work and/or skilled electrical work and/or skilled linework.

Sewage plant operators operate and maintain various sewer plant equipment including pumps and meters. They perform duties normally associated with other crafts, such as electricians or plumbers.

Air conditioning/refrigeration repairers are skilled craftsmen requiring a long period of training; they exercise a high degree of discretion and independent judgment.

Exterminators are licensed by the State and are required to undergo extensive training, including continuing education to maintain their license. They perform extermination-related functions. They work with tools of other crafts and do certain repair work.

Council 10 also asserts that laborers in the maintenance department of both the County and the HSC Board act as craft helpers on a daily basis. Council 10 points out that the County and the HSC Board no longer hire employees in the various craft helper titles, but rely on laborers to assist journeymen and/or maintenance repairers in carrying out craft duties.

* * * *

ANALYSIS

The Showing of Interest Issue

In support of its challenge to Council 10's showings, AFSCME submitted employees' signed statements requesting withdrawal of their signatures from Council 10's showing of interest; in these statements, they assert that Council 10's agents solicited their signatures through misrepresentations. Council 10's petitions are supported by showings of interest consisting of employees' signed authorization slips, stating: "I hereby designate Camden County Council No. 10 as my collective bargaining agent to represent me with respect to my terms and conditions of employment."

We find that Council 10's petitions each are adequately supported by a valid showing of interest. N.J.A.C. 19:11-2.1 states:

The showing of interest shall not be furnished to any of the parties. The director of representation shall determine the adequacy of the showing of interest and such decision shall not be subject to collateral attack.^{7/}

We reject AFSCME's argument that Council 10 should not be permitted to partially rely upon authorizations submitted with its previous petition. No prohibition applies to the use of showing cards that previously supported any earlier petition where that petition is voluntarily withdrawn.^{8/} Moreover, Council 10 complied with the Commission's administrative requirement that it support the petition for County employees with the requisite separate showings from among both the craft and non-craft employee groups.

AFSCME also argues that Council 10 used misrepresentations to secure employees' signatures on authorizations. Council 10's authorization slips contain plain language, signed by employees, designating Council 10 as the employees' bargaining agent.^{9/}

^{7/} See also Woodbridge Tp. Bd. of Ed., D.R. No. 77-9, 3 NJPER 26 (1977).

^{8/} We may prohibit a petitioner from re-using a showing in certain instances where we dismiss a petition based upon an invalid showing. That is not the case here.

^{9/} N.J.A.C. 19:10-1.1 defines showing of interest as:
 "...a designated percentage of public employees in an allegedly appropriate negotiations unit or a negotiations unit found to be appropriate, who are members of an employee organization or have designated it as their exclusive negotiations

To determine the validity of a showing of interest authorization card, we look to the language on the face of the card. While AFSCME has not stated the exact nature of the alleged misrepresentation, we will not, in any event, review such claims in the context of a representation petition. In Jersey City Med. Ctr., D.R. No. 83-19, 8 NJPER 642 (¶13308 1982), we reviewed the Commission's policies concerning challenges to the showing of interest. There, we said,

The submission of a showing of interest by a petitioner is an administrative requirement for the purpose of ensuring that sufficient interest exists among employees on behalf of the petitioner to warrant the expenditure of Commission resources in processing the petition. It is uniquely an administrative concern....
Jersey City Medical Center, at 643.

* * * *

In City of Jersey City, E.D. No. 76-19, 2 NJPER 30 (1976), the Director stated:

The object of an investigation [into a challenge of the showing of interest] is not to ascertain whether the petitioning party still has the same support it did when it filed, or even to resolve each challenge to the showing of interest raised by the objecting party. The true desires of the employees involved, which is the essential question to be resolved, will best be ascertained by the holding of an election, not by drawn out evidentiary hearings. City of Jersey City, at 32. See also Essex County, D.R. No. 85-25, 11 NJPER 433 (¶16149 1985).

9/ Footnote Continued From Previous Page

representative... When requesting certification, such designations shall consist of authorization cards or petitions, authorizing the employee organization to represent such employees for the purpose of collective negotiations..."

Based upon the administrative investigation and the preceding discussion of law, we find that each showing of interest is proper and sufficient to support the respective petitions. The question concerning the representational desires of the employees raised by these petitions can best be answered by the conduct of a secret ballot election.

AFSCME also argues that the "dismissal" of Council 10's earlier petition bars the filings here. We disagree. The petitions were voluntarily withdrawn after we advised the parties that the petitioned-for units appeared inappropriate. There is no current contract in effect. We find that the petitions are timely filed. N.J.A.C. 19:11-2.8.

The County Unit

AFSCME asserts that the petition inappropriately attempts to sever employees from an existing, appropriate unit. It asserts that, absent evidence of unit instability or AFSCME's failure to properly represent the petitioned-for employees, the petitions should be dismissed in accordance with Jefferson Tp. Bd. of Ed., P.E.R.C. No. 60 (1972) ("Jefferson"), and State of N.J. and N.J. State FMBA, CWA, and IFPTE Locs. 1037 and 195, P.E.R.C. No. 86-98, 12 NJPER 2026 (¶17081 1986), rev'd 222 N.J. Super 475 (App. Div. 1988), rev'd and PERC order reinstated S. Ct. Dkt. No. 56/57/58 Sept. Term 1988 (3/9/89). It maintains that the appropriate unit consists of all employees covered by the recently expired AFSCME contract -- that is, County blue-collar employees (parks department,

highway department and Lakelands complex employees), County craft employees, Health Services Center blue-collar employees and Health Services Center craft employees.

However, the Health Services Center employees are no longer employed by the County, but are now employed by the HSC Board of Managers -- a separate, autonomous employer. The employees of the County and the employees of the HSC Board cannot remain in the same unit. They lack a basic element of community of interest -- a common employer. The Commission has not applied the Jefferson standard to petitions which seek to separate employees of different employers. See Morris Cty. Bd. of Social Services, P.E.R.C. No. 86-15, 11 NJPER 491 (¶16175 1985); Bergen Cty. Freeholders Bd. v. Bergen County Prosecutor, D.R. No. 78-34, 4 NJPER 104 (¶4047 1978), P.E.R.C. No. 78-77, 4 NJPER 220 (¶4110 1978), aff'd 172 N.J. Super 363 (App. Div. 1980); In re Mercer Freeholder Bd. and Mercer County Prosecutor, P.E.R.C. No. 78-77, 4 NJPER 220 (¶4110 1978), aff'd 172 N.J. Super 411 (App. Div. 1980); Bergen Cty. Sheriff, P.E.R.C. No. 84-98, 10 NJPER 168 (¶15083 1984).

Accordingly, we find that the scope of the unit of County employees sought by Council 10 -- all blue collar employees and craft employees in the parks department, highway department and at the Lakelands complex, excluding employees in other units and HSC Board employees -- is appropriate.

The parties disagree about whether County craft employees are entitled to a "craft option" as provided for by N.J.S.A. 34:13A-6; that section of the Act states:

except where dictated by established practice, prior agreement or special circumstances, no unit shall be appropriate which includes both craft and non-craft employees unless a majority of the craft employees vote for such unit.^{10/}

Although the Commission favors broad-based units over units built along occupational lines,^{11/} the statutory craft option language is written in the imperative: the Commission generally is required to provide craft employees with an option to choose a separate unit for representation or inclusion in a unit with non-craft employees, where craft employees have not previously voted for inclusion with non-craft employees and where the issue is timely raised.

Here, a County administrative reorganization resulted in a substantial restructuring of negotiations units. In 1970, County craft employees opted not to be included in a mixed craft/non-craft unit. Nevertheless, during the years since the 1970 option, craft employees were combined in a unit with non-craft employees. This petition seeks a combined craft/non-craft unit of County employees, thus perpetuating the mixing of craft and non-craft employees. Given the statutory language of section 6, the County's reorganization and restructured negotiations units, the craft employees opting in 1970 for a separate craft unit and the subsequent combination of these craft employees with non-craft

^{10/} The established practice, prior agreement or special circumstances exceptions relate to a pre-1968 negotiations relationship and are not applicable here.

^{11/} See N.J. Professional Assn. of N.J. Dept. of Ed., 64 N.J. 231 (1974).

employees, we will permit the true craft employees in the petitioned-for County unit to exercise a craft option.

The parties disagree about which County employees are true craft employees within the meaning of the Act. N.J.A.C.

19:10-1.1(a)(8) defines craft employees:

"Craft employee" means any employee who is engaged with helpers or apprentices in a manual pursuit requiring the exercise of craft skills which are normally acquired through a long and substantial period of training or a formal apprenticeship and which in their exercise call for a high degree of judgment and manual dexterity, one or both, and for the ability to work with a minimum of supervision. The term shall include an apprentice or helper who works under the direction of a journeyman craftsmen and is in a direct line of succession in that craft.

Although not contemplated by the original decision or certification, it appears that welders and welders' helpers are craft employees. Welders are skilled tradesmen who normally complete a period of apprenticeship or trade school to acquire their skill. We include welders and welders' helpers in the craft group.

We also find that tilesetters possess craft skills and perform functions indicative of a long period of apprenticeship or training. They also must use a high degree of independent judgment and manual dexterity. We include tilesetters in the craft group.

We find that mechanics are also appropriate for inclusion in the craft group. While mechanics and senior mechanics were not specifically designated in the 1970 certification, it appears that occurred because the County did not then employ mechanics. We note that the mechanic's helper was included in the original craft unit. We find mechanics and senior mechanics to be craft employees.

We are not persuaded that locksmiths are craft employees. They repair, replace and maintain locks. While they must have some specialized knowledge, this skill does not appear to involve extensive training or a long apprenticeship common to other skilled trades.

We do not find that sewer plant operators are craft employees. We observe that in the 1970 decision, the Commission found sewer plant operators were specifically excluded from the craft group and included in the Lakelands blue-collar unit.

We hold that the fire signal system repairman is a craft employee. According to the job description, he is required to have at least two years electrical or line experience. He independently works on sophisticated electronic equipment. Further, we note that the original craft certification included mechanical repairmen. Therefore, we include him in the craft group.

Council 10 asserts that laborers in the maintenance department at Lakelands are craft employees. It asserts that they function as helpers to journeymen craftsmen or maintenance repairers. However, we note that the Commission's Rules state that craft helpers who are "...in a direct line of succession in that craft are craft employees." N.J.A.C. 19:11-1.1(8). No facts have been presented which suggest that these laborers are in a direct line of succession for a specific craft. Moreover, in the 1970 certification, laborers were specifically excluded from the craft unit and included in the non-craft unit. Accordingly, we find that laborers are not eligible for the craft option ballot.

On May 25, we wrote to the parties summarizing the above facts and the positions of the parties. We invited all parties to submit additional factual assertions and relevant legal argument. No replies were filed. Accordingly, based upon the foregoing, we direct an election among employees in the following unit:

Included: all blue-collar employees and craft employees employed by the County of Camden in the highway department, County parks and the Lakelands complex.

Excluded: professional employees, managerial executives, confidential employees, police, all employees currently represented in other collective negotiations units and all employees of the Camden County Health Services Center Board of Managers.

We will provide a craft option ballot for employees in the following craft titles:

Included: all craft employees, including electricians, maintenance repairer-electricians, mechanics, senior mechanics, mechanics' helpers, welder, welders' helper, maintenance repairer-painter, carpenters, senior carpenters, maintenance repairer-carpenters, plumbers, plumber/steamfitters, maintenance repairer-plumber/steamfitters, masons, maintenance repairer-masons, maintenance repairers, stationary engineers, tilesetters, and fire signal systems repairmen.

Excluded: all non-craft employees, locksmiths, sewer plant operators and laborers.

Craft employees will vote on whether they wish to be included in a unit with non-craft employees. Blue collar and craft employees will vote on whether they wish to be represented for purposes of collective negotiations by Camden Council 10, or AFSCME Council 71, AFL-CIO, or no representative. If a majority of the

voting craft employees votes for inclusion in a unit with non-craft employees, then the ballots of the craft employees shall be tallied together with the ballots of non-craft employees and an appropriate certification shall issue covering both voting units. If a majority of the voting craft employees does not vote for inclusion in a unit with non-craft employees, then the ballots of the craft employees shall be counted separately from those of the non-craft employees and appropriate, separate certifications shall issue for each voting unit.

The HSC Board Unit

In Docket No. RO-89-104, Council 10 seeks a unit of craft employees in the following titles, employed by the HSC Board: electrician, maintenance repairer electrician, plumber and steamfitter, maintenance repairer plumber and steamfitter, maintenance repairer carpenter, maintenance repairer painter, maintenance repairer refrigeration/air conditioning, exterminator, maintenance repairman, and laborer.

Council 10 asserts that a separate unit of HSC craft employees is appropriate because (a) the HSC is a separate employer, and (b) N.J.S.A. 34:13A-6 gives craft employees the right to representation in a separate unit. AFSCME objects to the craft unit and argues that the HSC craft employees should be included in the existing unit composed of County employees and HSC employees. The HSC Board objects to the creation of another collective negotiations unit for its craft employees.

On May 25, we advised all parties that, based upon the facts in the record and the following analysis, we intended to find that a separate unit of craft employees of the HSC Board is appropriate for collective negotiations. We provided the parties with an opportunity to submit additional factual assertions and/or legal argument. No party made additional submissions.

First, we note that craft employees specifically voted against inclusion in a unit with non-craft employees in 1970. Second, the HSC Board is a new employer. Employees were transferred from the County to the new HSC Board on January 1, 1989. In making an appropriate unit determination for employees of the new HSC Board, the employer's reorganization and significant changes in the size and scope of the existing AFSCME unit(s) offsets the history and present structure of the County's negotiations unit(s).

Absent a negotiations history in a mixed craft/non-craft unit, the Commission has found separate units of craft employees and non-craft employees to be appropriate. Essex County, D.R. No. 80-16, 5 NJPER 534 (¶10274 1979). N.J.S.A. 34:13A-6 precludes us from combining craft employees with other HSC non-craft employees, unless craft employees specifically choose a mixed craft/non-craft unit. As no party argued a specific alternative unit structure for any HSC employees, we find that the petitioned-for craft unit of HSC Board employees is appropriate and we order an election in that unit.

The parties disagree about whether certain titles are craft employees within the meaning of the Act.

We find that air conditioning-refrigeration repairers are craft employees. They are engaged in a traditional skilled craft requiring an apprenticeship or long training period. They exercise significant independent judgment and manual dexterity. We find that they are appropriate for inclusion in the unit with other craft employees.

We do not find that exterminators are craft employees. Although they are licensed, we are not convinced that their specialized knowledge is gained through an extensive apprenticeship or training program. They also do not appear to be required to regularly exercise significant independent judgment or manual dexterity. Accordingly, we will not include exterminators in the craft unit.

We exclude laborers from this unit, in accordance with the previous discussion of laborers' non-craft status.

Accordingly, we order an election in the following appropriate unit:

Included: all craft employees employed by the Camden County Health Services Center Board of Managers, including electricians, maintenance repairer-electricians, plumber/steamfitters, maintenance repairer-plumber/steamfitters, maintenance repairer-carpenters, maintenance repairer-painter, maintenance repairer-refrigeration and air conditioning, and maintenance repairers.

Excluded: supervisors, managerial executives, confidential employees, police employees, professional employees, exterminators, laborers, all non-craft employees, employees in other collective negotiations units and all employees employed by the Camden County Board of Freeholders.

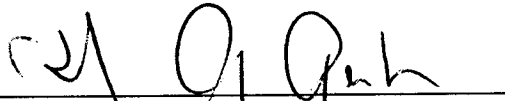
HSC craft employees in the unit described above will vote on whether they wish to be represented for purposes of collective negotiations by Camden Council 10, or AFSCME Council 71, AFL-CIO, or no representative.

The elections in both of these matters 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 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 who 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 County and the HSC Board are each directed to file with us an eligibility list consisting of an alphabetical listing of the names of all eligible voters in the units described above, 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 lists shall be simultaneously provided to Council 10 and to AFSCME Council 71 with a statement of service filed with us. We shall not grant an extension of time within which to file the eligibility lists except in extraordinary circumstances. The exclusive representative, if

any, for each unit shall be determined by a majority of the valid votes cast in each election. The elections shall be conducted in accordance with the Commission's rules.

BY ORDER OF THE DIRECTOR
OF REPRESENTATION



Edmund G. Gerber, Director

DATED: June 6, 1989
Trenton, New Jersey