

A.B.D. No. 86-8

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION APPEAL BOARD

OAL DKT #PRB-2436-85
AGENCY DKT #AB-84-16

DOROTHY M. VITKAUSKIS,

Petitioner,

v.

ROSELLE EDUCATION ASSOCIATION,

Respondent.

Appearances:

Randy Corman, Esq. for petitioner

Richard A. Friedman, Esq. for respondent
(Ruhlman, Butrym & Friedman, P.A., attorneys)

DECISION AND ORDER

On February 17, 1984, Dorothy M. Vitkauskis filed a petition of appeal with the Public Employment Relations Commission Appeal Board ("Appeal Board"). The Petitioner is employed by the Roselle Board of Education and is represented for purposes of collective negotiations by Respondent, Roselle Education Association ("Association"), to whom she pays a representation fee in lieu of dues. The petition and attached exhibits state that the Petitioner never received an accounting of how those fees were spent and objected to the use of the representation fees paid to the Association for the 1983-1984 school year.

On April 23, 1985, the Appeal Board transferred the petition as a contested case to the Office of Administrative Law for hearing. The case was assigned to Administrative Law Judge Joseph Lavery. Prior to the opening of hearings the Association and the Petitioner entered into a stipulation of settlement. Judge Lavery reviewed the terms of the settlement and concluded that it was entered into voluntarily, fully disposed of all issues in controversy and was consistent with law.

On March 6, 1986, Judge Lavery issued an "Initial Decision" ordering that all parties comply with the terms of the settlement and concluding the proceedings before him. We have reviewed the settlement and Judge Lavery's Order, pursuant to N.J.S.A. 52:14B-10, and conclude that his action is correct.

ORDER

The Initial Decision of the Office of Administrative Law (attached hereto) is hereby affirmed.

BY ORDER OF THE APPEAL BOARD

ROBERT J. PACCA
Chairman

Chairman Pacca and Board Members Dorf and Verhage voted in favor of this decision.

DATED: TRENTON, NEW JERSEY
April 15, 1986
ISSUED: April 16, 1986