

P.D.D. No. 2014-1

STATE OF NEW JERSEY  
BEFORE A DESIGNEE OF THE  
PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

COUNTY COLLEGE OF MORRIS,

Respondent,

-and-

Docket No. PD-2013-002

ACADEMIC-ADMINISTRATIVE PERSONNEL  
FEDERATION, AFT LOCAL 3983,

Petitioner.

**SYNOPSIS**

The Academic-Administrative Personnel Federation, AFT Local 3983 filed a petition for payroll deduction determination pursuant to N.J.S.A. 34:13A-5.5 and N.J.A.C. 19:19-2.2 requesting that the Commission order the County College of Morris to deduct a representation fee in lieu of dues from the salaries of employees who are not voluntary dues paying members of the majority representative. The Commission Designee found that the Federation's petition met all of the requirements under the statute and rules and that the Federation was entitled to a Commission order directing the College to institute the deduction of the representation fee.

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Appearances:

For the Respondent, Thomas Burk, Director of Human  
Resources, County College of Morris

For the Petitioner, Sheri Venutra, President, Academic-  
Administrative Personnel Federation, AFT Local 3983

**DECISION**

On March 28, 2013, the Academic-Administrative Personnel Federation, AFT Local 3983 (Federation) filed a Petition for Payroll Deduction Determination with the Public Employment Relations Commission (Commission) seeking an order directing the County College of Morris (College) to deduct representation fees in lieu of dues from the salaries of non-member employees in a negotiations unit consisting of full-time non-teaching professional employees who are employed by the College for a total term of employment of one hundred and eighty (180) days or more in a twelve month period in the following titles:  
Accountant; Assistant Director, Admissions; Assistant Director,

Auxiliary Enterprises; Assistant Director, CCM-Morristown; Assistant Director, Financial Aid; Assistant to the Athletic Director/Trainer; Associate Director, Career Services & Coop. Ed Programs; Associate Director, Admissions; Associate Director, Applications; Associate Director, Campus Life; Associate Registrar; Bursar; Business Development Specialist; Contract/Grants Accountant; Coordinator, Academic Advisement; Coordinator, Academic Services; Coordinator Bursar Services; Coordinator, Career & Professional Programs; Coordinator, Distance Learning Services; Coordinator, Health Care Services; Coordinator, L. R. C. Instructional Services; Coordinator, Reference Services; Coordinator, Technical Services; Coordinator, Transfer Services; Counselor I; Counselor II; Counselor Recruiter; Director, Alumni Relations; Director, College Events and Foundation; Director, Development; Director, Institutional Grants; Disabilities Specialist; Facilities Manager; Financial Aid Advisor; Graphic Designer; Information Systems Specialist/Systems Librarian; Instructional Designer; Junior Accountant; Junior Programmer Analyst; Lab Assistant I; Lab Assistant II; Lab Coordinator; Learning Specialist; Manager, General Accounting; Manager, Payroll & Special Projects; Manager, Purchasing; Media Producer; Multimedia Designer; Network and Telecommunications Administrator; Planetarium Astronomer; Programmer Analyst; Reference Librarian; Senior System Analyst;

Senior LAN Technician; Senior Media Systems Engineer; Senior Programmer Analyst; Supervisor, Center for Assessment and Learning; Supervisor, Computer Labs; Supervisor, Science Lab; Systems Administrator; Technology Help Desk Specialist; Theater Technician; Web Coordinator; but excluding managerial executives, confidential employees, police, craft employees, supervisors within the meaning of the Act and all other employees of the College. The petition was filed pursuant to N.J.S.A. 34:13A-5.5 and N.J.A.C. 19:19-2.2. Proper service was effected upon the County. The law authorizes the Commission to conduct an investigation and to order a payroll deduction of representation fees in lieu of dues if a majority of employees in the negotiations unit are voluntary dues paying members of the majority representative and the majority representative maintains a demand and return system as required by N.J.S.A. 34:13A-5.6. The Federation has filed documents in support of its claim that a majority of employees in the unit are voluntary dues paying members of the union and that it maintains the required demand and return system.

On April 4, 2013, the College filed its response pursuant to N.J.A.C. 19:19-3.2(a). The College confirmed that the Federation proposed instituting the collection of representation fees in lieu of dues for non-member unit employees but no agreement had been reached at the time the instant petition had been filed.

The investigation has revealed the following:

1. The College and the Federation have negotiated concerning the subject of representation fees in lieu of dues, but no agreement has been reached regarding such payments.

2. The Federation is the majority representative of a collective negotiations unit consisting of non-teaching professional employees employed by the College in full-time non-teaching professional employees who are employed by the College for a total term of employment of one hundred and eighty (180) days or more in a twelve month period in the following titles: Accountant; Assistant Director, Admissions; Assistant Director, Auxiliary Enterprises; Assistant Director, CCM-Morristown; Assistant Director, Financial Aid; Assistant to the Athletic Director/Trainer; Associate Director, Career Services & Coop. Ed Programs; Associate Director, Admissions; Associate Director, Applications; Associate Director, Campus Life; Associate Registrar; Bursar; Business Development Specialist; Contract/Grants Accountant; Coordinator, Academic Advisement; Coordinator, Academic Services; Coordinator Bursar Services; Coordinator, Career & Professional Programs; Coordinator, Distance Learning Services; Coordinator, Health Care Services; Coordinator, L. R. C. Instructional Services; Coordinator, Reference Services; Coordinator, Technical Services; Coordinator, Transfer Services; Counselor I; Counselor II; Counselor

Recruiter; Director, Alumni Relations; Director, College Events and Foundation; Director, Development; Director, Institutional Grants; Disabilities Specialist; Facilities Manager; Financial Aid Advisor; Graphic Designer; Information Systems Specialist/Systems Librarian; Instructional Designer; Junior Accountant; Junior Programmer Analyst; Lab Assistant I; Lab Assistant II; Lab Coordinator; Learning Specialist; Manager, General Accounting; Manager, Payroll & Special Projects; Manager, Purchasing; Media Producer; Multimedia Designer; Network and Telecommunications Administrator; Planetarium Astronomer; Programmer Analyst; Reference Librarian; Senior System Analyst; Senior LAN Technician; Senior Media Systems Engineer; Senior Programmer Analyst; Supervisor, Center for Assessment and Learning; Supervisor, Computer Labs; Supervisor, Science Lab; Systems Administrator; Technology Help Desk Specialist; Theater Technician; Web Coordinator; but excluding managerial executives, confidential employees, police, craft employees, supervisors within the meaning of the Act and all other employees of the College.

3. The parties have stipulated that the list of dues paying members attached to the Federation's petition is accurate.

4. The parties have stipulated that the negotiations unit consists of 82 employees, of which 64 (78%) are currently voluntary dues paying members of the Federation.

5. The Federation maintains a demand and return system as required by N.J.S.A. 34:13A-5.5(c) and 5.6.

Consequently, having found that the Federation has satisfied the conditions mandated in N.J.S.A. 34:13A-5.5 and N.J.A.C. 19:19-2.2, I find that it is entitled to the receipt of a representation fee in lieu of dues from unit employees who are not dues paying members of the Federation, subject to compliance with the Public Employment Relations Commission Appeal Board rules, N.J.A.C. 19:17-1.1 to -4.5.

**ORDER**

County College of Morris is **ORDERED** to institute a payroll deduction of the representation fee in lieu of dues from the wages or salaries of the negotiations unit employees who are not members of Academic-Administrative Personnel Federation, AFT Local 3983 after being notified by the Federation that it has complied with the requirements of N.J.A.C. 19:17-3.3 and -4.1.

The College must post in all places where notices to employees are customarily posted, copies of the attached notice marked as Appendix "A." Copies of such notice shall, after being signed by the Respondent's authorized representative, be posted immediately and maintained by it for at least sixty (60) consecutive days. Reasonable steps shall be taken to ensure that such notices are not altered, defaced, or covered by other materials.

Within twenty (20) days of receipt of this decision, notify the Commission Chair of the steps the Respondent has taken to comply with this order.

  
Gayl R. Mazuco  
Commission Designee

DATED: September 30, 2013  
Trenton, New Jersey

A request for review of this decision by the Commission may be filed pursuant to N.J.A.C. 19:19-4.1. Any request for review must comply with the requirements contained in N.J.A.C. 19:19-4.3.

Any request for review is due by October 10, 2013.





# NOTICE TO EMPLOYEES



## PURSUANT TO AN ORDER OF THE PUBLIC EMPLOYMENT RELATIONS COMMISSION AND IN ORDER TO EFFECTUATE THE POLICIES OF THE NEW JERSEY EMPLOYER-EMPLOYEE RELATIONS ACT, AS AMENDED,

**We hereby notify our employees that:**

Pursuant to N.J.S.A. 34:13A-5.5, the Public Employment Relations Commission must order a public employer to institute a payroll deduction of a representation fee in lieu of dues from the wages or salaries of employees in a negotiations unit who are not members of the majority representative if a majority representative petitions the Commission to conduct an investigation and the investigation shows that a majority of negotiations unit employees are voluntary dues paying members of the majority representative and that the majority representative maintains a demand and return system as required by N.J.S.A. 34:13A-5.5(c) and 5.6.

On March 28, 2013, the Academic-Administrative Personnel Federation, AFT Local 3983 filed a Petition for Payroll Deduction Determination-Representation Fees. The Commission conducted an investigation and determined that a majority of employees in the full-time non-teaching professional employees who are employed by the College for a total term of employment of one hundred and eighty (180) days or more in a twelve month period in the following titles: Accountant; Assistant Director, Admissions; Assistant Director, Auxiliary Enterprises; Assistant Director, CCM-Morristown; Assistant Director, Financial Aid; Assistant to the Athletic Director/Trainer; Associate Director, Career Services & Coop. Ed Programs; Associate Director, Admissions; Associate Director, Applications; Associate Director, Campus Life; Associate Registrar; Bursar; Business Development Specialist; Contract/Grants Accountant; Coordinator, Academic Advisement; Coordinator, Academic Services; Coordinator Bursar Services; Coordinator, Career & Professional Programs; Coordinator, Distance Learning Services; Coordinator, Health Care Services; Coordinator, L. R. C. Instructional Services; Coordinator, Reference Services; Coordinator, Technical Services; Coordinator, Transfer Services; Counselor I; Counselor II; Counselor Recruiter; Director, Alumni Relations; Director, College Events and Foundation; Director, Development; Director, Institutional Grants; Disabilities Specialist; Facilities Manager; Financial Aid Advisor; Graphic Designer; Information Systems Specialist/Systems Librarian; Instructional Designer; Junior Accountant; Junior Programmer Analyst; Lab Assistant I; Lab Assistant II; Lab Coordinator; Learning Specialist; Manager, General Accounting; Manager, Payroll & Special Projects; Manager, Purchasing; Media Producer; Multimedia Designer; Network and Telecommunications Administrator; Planetarium Astronomer; Programmer Analyst; Reference Librarian; Senior System Analyst; Senior LAN Technician; Senior Media Systems Engineer; Senior Programmer Analyst; Supervisor, Center for Assessment and Learning; Supervisor, Computer Labs; Supervisor, Science Lab; Systems Administrator; Technology Help Desk Specialist; Theater Technician; Web Coordinator; but excluding managerial executives, confidential employees, police, craft employees, supervisors within the meaning of the Act and all other employees of the College are voluntary dues paying members of the Federation and that the Federation maintains a demand and return system as required by N.J.S.A. 34:13A-5.5(c) and 5.6. Accordingly, the Commission has ordered the public employer to institute a payroll deduction of the representation fee in lieu of dues from the wages or salaries of the negotiations unit employees who are not members of the Federation after being notified by the Federation that it has complied with the requirements of N.J.A.C. 19:17-3.3 and-4.1.

Docket No. PD-2013-002 County College of Morris  
(Public Employer)  
Date: \_\_\_\_\_ By: \_\_\_\_\_

This Notice must remain posted for 60 consecutive days from the date of posting, and must not be altered, defaced or covered by any other material.

If employees have any question concerning this Notice or compliance with its provisions, they may communicate directly with the Public Employment Relations Commission, 495 West State Street, PO Box 429, Trenton, NJ 08625-0429 (609) 984-7372