

E.D. NO. 68

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS,  
Public Employer,

and

INTERNATIONAL FEDERATION OF HEALTH  
PROFESSIONALS, LOCAL #6, I.L.A., AFL-CIO,  
Petitioner,

Docket No. RO-718

and

UNION COUNCIL NO. 8, NEW JERSEY CIVIL  
SERVICE ASSOCIATION,  
Intervenor.

SYNOPSIS

The Executive Director dismisses a petition where the unit sought is less than county-wide in scope in the absence of either a withdrawal request or the existence of disputed substantial and material factual issues. The employees sought are currently represented by the Intervenor is a county-wide unit of blue and white collar employees.

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DECISION

A Petition for Certification of Public Employee Representative, supported by an adequate showing of interest, was filed<sup>1/</sup> with the Public Employment Relations Commission by the International Federation of Health Professionals, Local #6, I.L.A., AFL-CIO ("Petitioner") with respect to a unit of approximately 60 maintenance and service employees employed at the Union County Court House, Veneri Building, and the Commerce Plaza Building in the County of Union.

The undersigned has caused an investigation to be conducted into the matters and allegations set forth in the Petition in order to determine the facts. The Petitioner was notified by letter dated March 18, 1975 that, absent either a withdrawal request or the existence of any disputed substantial and material factual issues, the petition might be dismissed.

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<sup>1/</sup> While the petition appears to be untimely, the disposition of this matter will not be based upon that factor.

On the basis of the administrative investigation herein, in accordance with Rule Section 19:11-1.12, the undersigned finds and determines as follows:

1. The disposition of this matter is properly based upon the administrative investigation herein, it appearing to the undersigned that no substantial or material factual issues exist which may more appropriately be resolved after a hearing. Pursuant to Rule Section 19:11-1.12(c), there is no necessity for a hearing where, as here, no substantial and material factual issues have been placed in dispute by the parties.

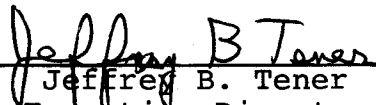
2. The employees sought to be represented by the Petitioner are currently being represented by Union Council No. 8, NJCSA in a county-wide unit of blue and white collar employees.

3. The unit sought by Petitioner is substantially similar to that sought by another employee representative in an earlier proceeding. The petition in that matter was dismissed. Union County Board of Chosen Freeholders, E.D. No. 49 (May 24, 1974). On page 10 of that decision, footnote 15, it is pointed out that the appropriateness of that unit was highly questionable. Nothing brought to the attention of the undersigned in the instant proceeding suggests that the unit sought herein is other than inappropriate. As determined in the above-cited decision the unit sought herein is less than county-wide in scope and is, therefore, inconsistent with the units found appropriate by the Commission in Board of Freeholders of the County of Burlington, P.E.R.C. No. 58 (August 11, 1971) and in Bergen County Board of Chosen Freeholders, P.E.R.C. No. 69 (June 21, 1972).

4. No withdrawal request has been received although same has been solicited on several occasions. The last statement from the Petitioner is that the Petitioner has no intention of withdrawing the instant petition.

5. Accordingly, the undersigned having determined that there is not reasonable cause to believe that a valid question concerning representation exists in an appropriate unit, the petition is hereby dismissed.

BY ORDER OF THE EXECUTIVE DIRECTOR

  
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Jeffrey B. Tener  
Executive Director

DATED: Trenton, New Jersey  
April 11, 1975