

D.R. NO. 95-6

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

In the Matter of

CITY OF SOUTH AMBOY,

Public Employer,

-and-

Docket No. CU-94-58

SOUTH AMBOY MUNICIPAL  
EMPLOYEES UNION,

Petitioner.

SYNOPSIS

The Director of Representation clarifies a broad-based unit of blue collar employees and white collar employees to include the position, recycling coordinator.

The Director determined, over the Public Employer's objection, that the position is not supervisory within the meaning of the Act. There was no evidence that the employee hires, disciplines or terminates other employees or effectively recommends those actions.

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Appearances:

For the Public Employer  
Savage & Serio, attorneys  
(Beverly Worth, of counsel)

For the Petitioner  
Michael McCarthy, President

DECISION

On June 10, 1994, the Municipal Employees Union of South Amboy filed a clarification of unit petition seeking to clarify its broad-based unit of blue collar and white collar employees of the City of South Amboy to include the recycling coordinator.

The Union represents about 40 City employees and has signed several collective agreements on their behalf, the last of which ran from January 1991 - December 1992. Employees working fewer than 20 hours per week are not included in the unit. A proposed 1993-94 agreement is not executed.

The City opposes the petition, claiming that the recycling coordinator is a supervisor within the meaning of the New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-1 et seq. and cannot be included in a unit of non-supervisory employees.

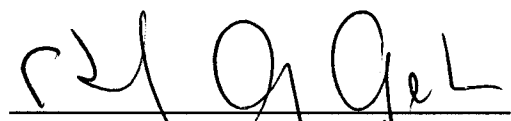
On September 20, 1994, I issued a letter tentatively finding that the petitioned-for unit should include the recycling coordinator title.

The recycling coordinator was created in 1988 as a part-time position and became a full-time position in 1991. The title "supervises" the recycling program; the coordinator determines what waste the City shall collect, where it is deposited and the collection schedule. To this end, she allegedly directs some unit employees at the Department of Public Works.

The City has presented no facts showing that the recycling coordinator is a supervisor within the meaning of the Act. In particular, no evidence shows that the person in the title, Patricia Moran, hires, disciplines or terminates employees or effectively recommends those actions.

Accordingly, I determine that the recycling coordinator is not a supervisor within the meaning of the Act and that it is appropriate to clarify the blue collar/white collar employee negotiations unit to include the recycling coordinator position. The unit shall be clarified immediately.

BY ORDER OF THE DIRECTOR  
OF REPRESENTATION

  
Edmund G. Gerber, Director

DATED: October 25, 1994  
Trenton, New Jersey