

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

COUNTY OF CAPE MAY,

Respondent,

-and-

Docket No. CO-80-301-120

LOCAL 1983 CIVIL AND PUBLIC
EMPLOYEES OF CAPE MAY COUNTY,
N.J. and FREDERICK MINUTH, JR.,

Charging Party.

COUNTY OF CAPE MAY,

Respondent,

-and-

Docket No. CO-80-302-121

LOCAL 1983 AND PUBLIC EMPLOYEES
OF CAPE MAY COUNTY, N.J., and
WILLIAM BELLES, III,

Charging Party.

SYNOPSIS

In an unfair practice charge, the Commission concluded that the County did not violate the Act when it discharged an employee for a series of incidents which demonstrated that he was a disruptive influence and unwilling to follow the orders of his foreman. No connection was found between the employee's filing of a grievance and his subsequent discharge.

In another unfair practice charge, the Commission concluded that the County did violate the Act when it suspended an employee for 5 days when he refused to meet with his Director on a matter involving the employee's operation of a county vehicle, without a union representative also present. Citing Board of Ed. of East Brunswick, P.E.R.C. No. 80-31, 5 NJPER 398 (¶10206 1979), it was stated that an employee is entitled to the presence of a union representative at an investigatory interview when the employee has a reasonable fear that the outcome of the interview may result in a disciplinary action.

P.E.R.C. NO. 82-2

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OF CAPE MAY COUNTY, N.J., and
WILLIAM BELLES, III,

Charging Party.

Appearances:

For the Respondent, Albert M. Ash, County Counsel

For the Charging Party, Bruce M. Gorman, Esq.

DECISION AND ORDER

Local 1983 Civil and Public Employees of Cape May County N.J. ("Charging Party" or "Union"), filed two Unfair Practice Charges with the Public Employment Relations Commission on March 28, 1980. It was alleged that the County of Cape May ("Respondent" or "County") violated the New Jersey Employer-Employee Relations Act, as amended, N.J.S.A. 34:13A-1 et seq. (the "Act").

The first charge alleged that the County discharged an employee, Frederick Minuth, Jr., because he filed a grievance

against the employer and otherwise sought to exercise his rights under the existing collective negotiations agreement in violation of subsections 5.4(a)(1), (3) and (4).^{1/}

The second charge alleged the County suspended an employee, William Belles, without pay because he attempted to exercise rights guaranteed to him under the Act in violation of subsections 5.4(a)(1) and (3).

It appearing that the allegations of the unfair practice charges, if true, may constitute unfair practices within the meaning of the Act, a consolidated Complaint and Notice of Hearing was issued on June 11, 1980. Pursuant to the Complaint and Notice of Hearing, a hearing was held on August 21, 1980 before Hearing Examiner Edmund G. Gerber. Both parties were given the opportunity to present evidence, examine and cross-examine witnesses, argue and present briefs.

The Hearing Examiner issued his Recommended Report and Decision, H.E. No. 81-39, 7 NJPER ____ (¶ ____ 1981), on April 23, 1981, a copy of which is attached hereto and made a part hereof. He concluded that the County had not violated subsections (a)(1)

^{1/} These subsections prohibit public employers, their representatives or agents from: "(1) interfering with, restraining or coercing employees in the exercise of the rights guaranteed to them by this Act; (3) discriminating in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage employees in the exercise of the rights guaranteed to them by this Act; and (4) discharging or otherwise discriminating against any employee because he has signed or filed an affidavit, petition or complaint or given any information or testimony under this Act."

(3) and (4) when it discharged Minuth from his position, but had violated subsections (a)(1) and (3) when it suspended Belles for five days for his refusal to submit to an investigatory interview without the presence of a union representative.

On March 19, 1981, Minuth was discharged. He had been employed by the County under the CETA program in the maintenance and repair department since June of 1979. He was dismissed for a series of incidents which demonstrated that he was a disruptive factor and not willing to follow the orders of his foreman, Frank Lampe. He had been warned on numerous occasions about driving his dump truck through unauthorized areas in a prohibited manner as well as for publicly voicing negative opinions of management policies and for chronic lateness. He had also been found at a coffee shop not during his breaktime and when warned against this behavior, proceeded to do it again later in the same day.

During this period of time, Lampe wrote several letters of warning to Minuth and in one of them accused Minuth of cutting an electric cable with his snowplow. When Minuth grieved this particular matter, Lampe responded to the grievance and agreed to withdraw the statement concerning the cable from Minuth's file. It was for the filing of this grievance that Minuth claimed he was discharged. There was also evidence that Minuth had made threatening comments to Lampe and told Lampe that he would run him over if he got in front of this truck.

The Hearing Examiner found no connection between Minuth's filing of a grievance or to an incident in which Minuth and other CETA employees complained that the CETA employees were not getting proper training, and the County's decision to dismiss him. The Examiner held that those activities of Minuth which were the basis for the County's actions were far removed from **the** protected activities.

As to the matter concerning William A. Belles, a motor vehicle operator employed by the County, the Hearing Examiner found that the County had violated the Act in suspending him when he refused to meet with his Director, John Salveson, without a union representative. Belles had received a notice which stated that he had intentionally parked a county vehicle in such a way as to cause an accident. Belles contacted Salveson by phone about the notice and when the conversation became heated Salveson hung up stating that he would see him the next day in his office. The next day Salveson requested a meeting with Belles, which Belles believed would concern their phone conversation of the day before, and Belles told him he would not attend without representation. Salveson stated that Belles was then off the payroll. For this action Belles received a 5 day suspension.

In Board of Education of East Brunswick, P.E.R.C. No. 80-31, 5 NJPER 398 (¶10206 1979), aff'd in part, rev'd in part App. Div. Docket No. A-280-79 (6/18/80), the Commission held that an employee is entitled to the presence of a union representative at an investigatory interview when the employee has a reasonable fear that the outcome of the interview may result in discipline.

The Examiner held that given the fact that Salveson never stated the reason for his wanting to see Belles, and the close proximity between this event and the letter accusing Belles of deliberately causing an accident and the phone conversation of the two, Belles reasonably feared that the outcome of this meeting would be some kind of disciplinary action. Under these circumstances, Belles had the right to union representation in the meeting with Salveson and any disciplinary action which followed this exercise of protected activity was in violation of the Act.

Neither party has filed exceptions to the report of the Hearing Examiner. The Commission has reviewed the entire record in this matter and hereby adopts the findings of fact and conclusions of law made in H.E. No. 81-39. We find that the County's actions did not violate N.J.S.A. 34:13A-5.4(a)(1), (3) and (4) when it discharged Fred Minuth. We do find, however, that the County did violate N.J.S.A. 34:13A-5.4(a)(1) and (3) when it suspended William Belles for five days for his refusal to submit to an investigatory interview without the presence of a union representative.

ORDER

For the foregoing reasons, IT IS HEREBY ORDERED that the Respondent, County of Cape May:

A. Cease and desist from interfering with, restraining or coercing its employees in the exercise of the rights guaranteed to them by the Act by refusing to permit employees to have union representation at investigatory interviews where the employee

reasonably believes he faces disciplinary action.

B. Take the following affirmative action:

1. Remove from the file of William Belles any reference to his being disciplined for his refusal to submit to an investigatory interview without a union representative in attendance.

2. Make whole William Belles for his five day suspension by reimbursing him five days' salary at the rate he would have earned at the time of his suspension, together with interest at a rate of 8% per annum from the date of the suspension.^{2/}

3. Post at all places where notices to employees are customarily posted copies of the attached notice marked as Appendix "A". Copies of such notice, on forms to be provided by the Commission, shall be posted immediately upon receipt thereof, and, shall be maintained by it for a period of at least sixty (60) consecutive days thereafter. Reasonable steps shall be taken by the Respondent County to ensure that such notices are not altered, defaced or covered by other material.

4. Notify the Chairman of the Commission within twenty (20) days of receipt what steps the Respondent County has taken to comply herewith.

C. IT IS FURTHER ORDERED that the Complaint concerning

^{2/} See Salem County Bd. for Vocational Ed. v. McGonigle, App. Div. Docket No. A-3417-78 (9/29/80) (unpublished).

Frederick Minuth, Jr., be dismissed in its entirety.

BY ORDER OF THE COMMISSION

A handwritten signature in black ink, appearing to read "James W. Mastriani", is written over a horizontal line.

James W. Mastriani
Chairman

Chairman Mastriani, Commissioners Graves, Hartnett, Hipp, Newbaker, Parcels and Suskin voted in favor of this decision. None opposed.

DATED: July 21, 1981
Trenton, New Jersey
ISSUED: July 22, 1981

NOTICE TO ALL 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:

WE WILL NOT interfere with, restrain or coerce our employees in the exercise of the rights guaranteed to them by the Act by refusing to permit employees to have union representation at investigatory interviews where the employee reasonably believes he faces disciplinary action.

WE WILL remove from the file of William Belles any reference to his being disciplined for his refusal to submit to an investigatory interview without a union representative in attendance.

WE WILL make William Belles whole for his five day suspension by reimbursing him five days' salary at the rate he would have earned at the time of his suspension, together with interest at a rate of 8% per annum from the date of the suspension.

COUNTY OF CAPE MAY

(Public Employer)

Dated _____

By _____

(Title)

This Notice must remain posted for 60 consecutive days from the date of pasting, 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,
429 East State, Trenton, New Jersey 08608 Telephone (609) 292-9830.

STATE OF NEW JERSEY
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WILLIAM BELLES, III,

Charging Party.

SYNOPSIS

In a consolidated hearing concerning two separate incidents a Hearing Examiner found that the County of Cape May did not violate the Public Employer-Employee Relations Act (Act) when it discharged Frederick Minuth, Jr. The Hearing Examiner found that although Minuth was improperly disciplined for activities that are protected by the Act, the discharge was unrelated to such discipline. The Hearing Examiner did find that the County violated the Act when it suspended William Belles, III for five days for his refusal to meet with his superior. It was found that the meeting that was requested by Belles' superior was an investigatory interview and Belles had the right to have a union representative at such an interview, and when the supervisor refused to permit a union representative to be present, Belles had a right to refuse to attend said meeting.

A Hearing Examiner's Recommended Report and Decision is not a final administrative determination of the Public Employment Relations Commission. The case is transferred to the Commission which reviews the Recommended Report and Decision, any exceptions thereto filed by the parties, and the record, and issues a decision which may adopt, reject or modify the Hearing Examiner's findings of fact and/or conclusions of law.

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WILLIAM BELLES, III,

Charging Party.

Appearances:

For the Respondent
Albert M. Ash, County Counsel

For the Charging Party
Bruce M. Gorman, Esq.

HEARING EXAMINER'S RECOMMENDED
REPORT AND DECISION

Local 1983 Civil and Public Employees of Cape May County N.J. (Charging Party or Union) filed two Unfair Practice Charges with the Public Employment Relations Commission (Commission) on March 28, 1980. It was alleged that the County of Cape May (Respondent or County) violated the New Jersey Employer-Employee Relations Act, as amended, N.J.S.A. 34:13A-1 et seq. (Act).

The first charge alleged that the County discharged an employee, Frederick Minuth, Jr., because he filed a grievance against the employer and otherwise sought to exercise his rights under the existing collective negotiations agreement in violation of § 5.4(a)(1), (3) and (4). ^{1/}

The second charge alleged the County suspended an employee, William Belles, without pay because he attempted to exercise rights guaranteed to him under the Act in violation of § 5.4(a)(1) and (3).

It appearing that the allegations of the Unfair Practice Charges, if true, may constitute unfair practices within the meaning of the Act, a consolidated Complaint and Notice of Hearing was issued on June 11, 1980. Pursuant to the Complaint and Notice of Hearing, a hearing was held on August 21, 1980. Both parties were given the opportunity to present evidence, examine and cross-examine witnesses, argue orally and present briefs.

The County and Union are parties to a collective negotiations agreement entered into on December 27, 1979, effective from year to year.

The Discharge

Frederick Minuth, Jr. was employed by the County under the CETA program in the maintenance and repair department from June 1979 until March of 1980. He drove a dump truck at the Cape May

^{1/} These subsections prohibit public employers, their representatives or agents from "(1) interfering with, restraining or coercing employees in the exercise of the rights guaranteed to them by this Act; (3) discriminating in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage employees in the exercise of the rights guaranteed to them by this Act; (4) discharging or otherwise discriminating against any employee because he has signed or filed an affidavit, petition or complaint or given any information or testimony under this Act."

County Airport. Minuth joined the Union in November of 1979, but never held an office there. On March 19, 1980, Minuth was discharged from his position. He alleged he was discharged for engaging in the exercise of protected rights.

On January 9, 1980, Minuth's foreman, Frank Lampe, gave Minuth a verbal warning and two days later memorialized the warning in a written letter. The letter cited three incidents where Minuth was observed with his dump truck parked or otherwise operated in unauthorized areas. Minuth was also reprimanded for publicly voicing negative opinions of management policies and for chronic lateness. Minuth received a second warning on March 4 which again was critical of the manner in which the dump truck was operated. Lampe told Minuth that he was observed driving towards a housing complex known as the "Villas" with the tailgate down. Lampe told Minuth that no trucks were to pass through the Villas. The approved road for driving to the county dump was via Rt. 47. Minuth claimed he didn't drive through the Villas, he took a short cut over a dirt berm. Lampe responded that it was illegal to drive over the berm. This verbal warning was followed by a letter. The letter also criticized Minuth for cutting an electric cable with his snowplow.

On March 6, 1980, Minuth filed a grievance contesting Lampe's statement that he cut the electric cable with the snowplow and asking that the statement be removed from his record. Lampe responded to the grievance and agreed to withdraw the statement concerning the cable from the warning letter in Minuth's file.

On March 7 Lampe wrote to his supervisor, H. M. Rochelle,

requesting that Minuth be transferred or discharged "for the following reasons":

At 7:40 a.m., this date, I found Mr. Minuth and his assistant at the counter in the Airport coffee shop. I called his attention to the fact that it was not break time. His vehicle, the Ford dump truck was illegally parked in the office parking area instead of the service driveway.

At approximately 7:50 a.m., this date, I was advised that Mr. Minuth was driving through the Villas with a loaded dump truck.

At 8:35 a.m., this date, he passed me on the Airport, driving an empty dump truck, with the tail gate down.

At 8:55 a.m., this date, he was in the Airport coffee shop with the truck parked in front of the Allegheny passenger area. He did not have the tail gate up, nor was he on authorized duty.

The advisory letter given to Mr. Minuth on March 6, 1980, clearly outlines the rules governing the above violations.

Mr. Minuth continually expresses dissatisfaction with the management policies, and is a disruptive factor to my efforts to maintain discipline. I feel his attitude is detrimental to the CETA program.

Although Minuth denies that he was guilty of the infractions which Lampe accused him of, I found Lampe to be an honest and forthright witness and credit Lampe's testimony and find that Minuth did commit all the infractions in question. Further, there was convincing testimony by fellow union members that Minuth threatened Lampe on the morning of March 6. Minuth stated to Lampe that he better not get in front of Minuth's truck or he would run Lampe over. On March 10, 1980, Minuth was fired. The union maintained Minuth was fired because he was outspoken in his criticism of management

(which the Union maintains is a protected right) and because he filed a grievance on March 5. It is further maintained that Minuth was under no obligation to adhere to Lampe's directive as to how his truck should be operated. The contract between the parties requires that all work rules should be submitted to the Union for review before they are implemented and, since Lampe's directive concerns rules which were never submitted to the Union, Minuth was under no obligation to follow them.

The hearer finds this latter argument to be without merit. If Minuth felt Lampe's directives violated the contract he could have, and should have filed a grievance. It is noted that he did successfully grieve Lampe's March 4 warning letter but only as to the accusation concerning the cut cable. Minuth never filed a grievance about the work rule issue. Instead, he simply ignored Lampe's order. An employer has the right to expect that reasonable orders would be carried out by its employees. Minuth had no right to simply ignore such orders. An employee is under an obligation to "obey now and grieve later" LRX (Labor Relations Expediter), 335 § 14 BNA Washington, D. C. (1979).

There is no foundation to the Union's claim that Minuth was fired because he filed a grievance. Lampe credibly testified that he felt relieved that Minuth filed a grievance for this was the first time that Minuth used the proper channels for making his complaints known. Lampe did investigate the grievance, found that Minuth was not responsible for cutting the cable and rescinded that portion of the warning letter.

Lampe testified that Minuth was very outspoken in general. Lampe specifically objected to an incident where Minuth approached Lampe with several other CETA employees to complain that CETA employees were not getting proper training. Lampe responded that Minuth did not have the right to speak for the other employees and suggested that if they had a problem there were several ways they could present it to their employer, including via their union's shop steward. Minuth was disciplined for this act in the January 11th letter. Although Lampe could not consider a grievance brought by an employee group other than the designated majority representative (13A-5.3(c) of the Act provides that a minority organization shall not present or process grievances), it is another matter to discipline an employee for such an act. Such discipline is improper. See, Laurel Springs Bd. of Education and Mary Becken, P.E.R.C. No. 78-4, 3 NJPER 228 (1977). Nevertheless I do not find that this incident was one of the factors in Minuth's discharge, within the meaning of Haddonfield Borough Bd. of Education, P.E.R.C. No. 77-31, 3 NJPER 71 (1977).

The events of March 6 and 7 demonstrated that Minuth had a flagrant disregard for Lampe's orders. Minuth's threat to Lampe, his two unauthorized stops at the airport coffee shop and his disregard for Lampe's instructions of two days before amply demonstrate a disruptive nature (mentioned in Lampe's letter of March 7), far removed from protected activities. See, North Warren Regional Bd. of Education, P.E.R.C. No. 79-9, 4 NJPER 4187 (1979) where it was

held that an employer's unlawful discipline of an employee does not insulate that employee against legitimate discipline. ^{2/} Accordingly, I will recommend that the Commission dismiss the portion of the Complaint relating to this matter in its entirety.

The Suspension

William A. Belles is a motor vehicle operator employed by the County. Belles testified that on the evening of January 30, 1980, when he parked his bus for the night in the County's assigned bus parking space, the bus parked in an adjoining space was encroaching on Belles' space. Belles testified it was tight getting his bus into the space and his tires were on the line. The next morning he was asked to see if his bus was damaged and when he looked, he saw that it was. On the afternoon of February 4 after Belles went home for the day, he received a notice which stated "[you] intentionally parked a county vehicle (Bus #4) in such a manner as to cause an accident. You will be notified of a departmental hearing on this matter in time for you to be adequately represented."

Belles then called his Director John Salveson and asked him about the letter. The conversation became heated and Salveson said, "I'll see you in my office tomorrow" and he hung up. Belles then contacted Maynard Sullivan, the Business Agent for the Union, and Sullivan advised Belles not to go into Salveson's office without representation. On the next day Belles had an unrelated matter to

^{2/} See also Wright Line, 251 NLRB No. 150 (1980) where the NLRB applied a new, shifting burden test in 8(a)(3) cases. That is, after a prima facie discrimination case is made out by the Board, the employer has the burden of showing that he would have taken the actions in question in the absence of the protected activity. Under this test the employer here would have met his burden.

attend to in the County office. Mr. Salveson saw Belles and stated that he wanted to see Belles in his office. Belles replied that he was due to begin his bus route and began to leave. Salveson again told Belles that he wanted to see Belles in his office. Belles testified that he believed Salveson wanted to talk about their phone conversation of the day before. Belles stated he couldn't go into Salveson's office without representation. Salveson then insisted that Belles come into his office immediately. Belles testified that he replied, "I have a bus run to take out and I won't come into your office without representation." Belles turned around and walked down the steps to go out and [Salveson] followed him down the steps, and yelled to get back into his office now. Belles told him not without representation, when Belles got out the door Salveson said not to touch the bus, for Belles was off the payroll.

Belles then went over to the garage and asked Kathleen Harris, the dispatcher, to contact Salveson and see what he wanted Belles to do. Salveson told Harris that he wanted Belles in his office now. Harris gave the phone to Belles and Belles told Salveson that if he could call Sullivan, he (Belles) would see Salveson as soon as Sullivan arrives. Salveson replied, "I want you in my office immediately and I said no, not without representation, and Salveson said to go home, you're off the payroll."

Salveson testified that Belles did not give any reason for refusing to go into his office until Belles walked out of the office and Salveson followed.

The County's witness, Mary Rowe, overheard the argument in the transportation department office. She testified that "Jack called Bill into his office, just asked him to come into the office, and Bill said that, no, he didn't have to, that he had been advised that he didn't have to go into the office unless he had someone with him, a representative with him."

Belles ultimately received a five-day suspension for his refusal to go into Salveson's office. ^{3/} I am satisfied that Belles did tell Salveson that he would go into Salveson's office if he had a union representative, specifically Sullivan, present.

In Bd. of Education of East Brunswick, P.E.R.C. No, 80-31, 5 NJPER 398 (¶10206, 1979), aff'd in part, rev'd in part App. Div. Docket No. A-280-79 (decided 6-18-80), the Commission found the Act encompassed the rule of NLRB v. Weingarten, Inc., 88 LRRM 2689, 420 U.S 251 (1975) which held that an employee is entitled to the presence of a union representative at an investigatory interview when the employee reasonably fears that the outcome of the interview may result in discipline. If the employer refuses to allow the presence of a union representative, then such interview must come to an end.

In the instant matter Salveson never stated what his purpose for seeing Belles was. Given that Belles received a letter accusing him of deliberately causing an accident the day before and he spoke to Salveson about the letter the night before, it is apparent that Belles reasonably feared that Salveson was about to conduct an investigatory interview that may result in discipline.

^{3/} Belles was also disciplined for intentionally parking his bus in such a manner as to cause an accident, but that discipline is not before the Commission.

Accordingly, Belles had the right to refuse to submit to Salveson's demand for a private meeting and the County could not discipline Belles for the exercise of protected rights. Accordingly, I hereby recommend that the Commission find that the County violated 5.4 (a)(1) and (3) of the Act when it unlawfully suspended Belles for five days for his refusal to submit to an investigatory interview and further recommend that the Commission order that William Belles be made whole.

Conclusion of Law

1. The Respondent County did not violate N.J.S.A. 34:13A-5.4(a)(1), (3) and (4) when it discharged Fred Minuth.

2. The Respondent County did violate N.J.S.A. 34:13A-5.4(a)(1) and (3) when it suspended William Belles for five days for his refusal to submit to an investigatory interview without the presence of a union representative.

Recommended Order

The Hearing Examiner recommends the Commission ORDER

A. That the Respondent County cease and desist from interfering with, restraining or coercing its employees in the exercise of the rights guaranteed to them by the Act by refusing to permit employees to have union representatives at investigatory interviews.

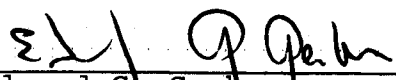
B. Remove from the file of William Belles any reference to his being disciplined for his refusal to submit to an investiga-

tory interview without a union representative in attendance.

C. Make whole William Belles for his five-day suspension by reimbursing him five days' salary at the rate he would have earned at the time of his suspension.

D. Post at all places where notices to employees are customarily posted copies of the attached notice marked as Appendix "A." Copies of such notice, on forms to be provided by the Commission, shall be posted immediately upon receipt thereof, and, after being signed by the Respondent's authorized representative, shall be maintained by it for a period of at least sixty (60) consecutive days thereafter. Reasonable steps shall be taken by the Respondent County to ensure that such notices are not altered, defaced or covered by other material.

D. Notify the Chairman of the Commission within twenty (20) days of receipt what steps the Respondent County has taken to comply herewith.


Edmund G. Gerber
Hearing Examiner

DATED: April 23, 1981
Trenton, New Jersey

NOTICE TO ALL 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:

WE WILL cease and desist from interfering with, restraining or coercing our employees in the exercise of the rights guaranteed to them by the Act by refusing to permit employees to have union representatives in investigatory interviews.

WE WILL remove from the file of William Belles any reference to his being disciplined for his refusal to submit to an investigatory interview without a union representative in attendance.

WE WILL make whole William Belles for his five-day suspension by reimbursing him five days' salary at the rate he would have earned at the time of his suspension.

COUNTY OF CAPE MAY

(Public Employer)

Dated _____

By _____
(Title)

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 James Mastriani, Chairman, Public Employment Relations Commission, 429 E. State Street, Trenton, New Jersey 08608 Telephone (609) 292-9830.