

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

BOARD OF EDUCATION OF THE CITY
OF CAMDEN,

Public Employer-Petitioner,

Docket No. CU-76-1

-and-

CAMDEN EDUCATION ASSOCIATION.

BOARD OF EDUCATION OF THE CITY
OF CAMDEN,

Public Employer,

Docket No. RO-76-3

-and-

CAMDEN CITY SCHOOL PSYCHOLOGISTS
ASSOCIATION,

Petitioner.

SYNOPSIS

In disagreement with the hearing officer's recommendations, the Executive Director dismisses a representation petition seeking a separate unit of school psychologists, finding the separate unit to be inappropriate for purposes of collective negotiations. A related clarification of unit petition is also dismissed, as the record does not permit resolution of several key issues; the employees do not seek to be represented by the unit in which clarification was proposed; and the unit placement of these employees is more appropriately resolved in a representation, rather than a clarification, proceeding.

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Employee Organization.

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OF CAMDEN,
Public Employer,

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-and-

CAMDEN CITY SCHOOL PSYCHOLOGISTS
ASSOCIATION,
Petitioner.

Appearances:

For the Board of Education, Murray & Pachman, Esqs.
(Mr. Martin R. Pachman, of Counsel; Mr. Malachi J.
Kenney, on the Exceptions)

For the Psychologists Association, Freeman, Zeller &
Bryant, Esqs. (Mr. Wayne R. Bryant, of Counsel)

DECISION

A Petition for Clarification of Unit was filed with the Public Employment Relations Commission (the "Commission") on July 3, 1975 by the Board of Education of the City of Camden (the "Board") requesting the inclusion of all school psychologists employed by the Board in a unit of employees represented by the Camden Education Association (the "CEA"). On July 7, 1975 the Camden City School Psychologists Association (the "CCSPA") filed a Petition for Certification of Public Employee Representative with the Commission seeking a unit of all school psychologists

employed by the Board. By order of the undersigned dated September 24, 1975, these matters were consolidated.

Pursuant to notice, a hearing was held on September 29, 1975 before Hearing Officer Gerald Clendenny. All parties were afforded an opportunity to present evidence, to examine and cross-examine witnesses, and to argue orally. The Board filed a brief with the Hearing Officer in support of its position on November 10, 1975. The CEA did not participate as a party in this proceeding, relying upon a letter dated September 16, 1975 to the Hearing Officer from Eugene J. Sharp, UniServ Field Representative, New Jersey Education Association, in which it indicated that the CEA "...does not wish to have psychologists included in the teachers' bargaining unit..." (Exhibit C-4 in evidence). That position was repeated both by the chief negotiator for and the president of the CEA at the hearing when those individuals testified as witnesses on behalf of the CCSPA.

The Hearing Officer issued his report and recommendations on February 25, 1976, a copy of which is attached hereto and made a part hereof. Thereafter, on March 24, 1976, exceptions to the Hearing Officer's Report and Recommendations were filed on behalf of the Board. On April 1, 1976, the CCSPA was served with a copy of the Board's exceptions by the undersigned and was afforded an opportunity to file an answering brief to the Board's exceptions as well as cross-exceptions and supporting briefs in support of its position in the instant matters. The CCSPA

responded by letter memorandum filed on April 2, 1976 in which it objected to the consideration of the Board's exceptions for the purpose of this decision.

The undersigned has considered the entire record in this proceeding including the Hearing Officer's Report and Recommendations; the brief; the exceptions; and the objections to the exceptions which are discussed more fully within; and, on the basis of the facts in this case, finds:

1. The Board of Education of the City of Camden is a Public Employer within the meaning of the New Jersey Employer-Employee Relations Act, as amended, and is subject to its provisions.

2. The Camden City School Psychologists Association is an employee representative within the meaning of the New Jersey Employer-Employee Relations Act and is subject to its provisions. It is undisputed that the Camden Education Association represents teachers and other groups of employees in the district and has negotiated on behalf of those groups for a number of years. Accordingly, the undersigned finds that the CEA is an employee representative within the meaning of the Act and is subject to its provisions.

3. The CCSPA requested recognition as the exclusive representative of the school psychologists for the purposes of collective negotiations on or about June 25, 1975. The Board declined such recognition and subsequently filed a Petition for Clarification of Unit, seeking to include the school psychologists

in an existing unit represented by the CEA. The CCSPA filed a Petition for Certification of Public Employee Representative on July 7, 1975, seeking certification as the exclusive representative for the purposes of collective negotiations for all school psychologists employed by the Board. Accordingly, there is a question regarding the representation of public employees and the matter is properly before the undersigned for determination.

4. As stated, the Hearing Officer's Report and Recommendations was issued on February 25, 1976. Exceptions were filed with the Commission on behalf of the Board on March 24, 1976, but without proof of service on the CCSPA. On April 1, 1976, the undersigned wrote to the CCSPA, enclosing a copy of the exceptions and providing leave to the CCSPA to submit any answering briefs to the exceptions, or cross-exceptions and supporting brief, by April 19, 1976. By letter dated April 2, 1976, the CCSPA objected to any consideration of the exceptions, claiming that the exceptions had not been timely filed, that there had been no request for an extension of time within which to file exceptions, that no good cause had been shown for non-compliance with the Commission's applicable rules, and that the Board had failed to serve a copy of its exceptions on the CCSPA.

In response, by letter dated April 7, 1976, the Board conceded noncompliance with the timeliness and service requirements of the Commission's Rules. However, the Board urged that

the exceptions be considered, claiming that the CCSPA had not been prejudiced in this matter and that the issue deserved a full determination on the merits.

On April 8, 1976, the undersigned, in a letter to the CCSPA with a copy to the Board, indicated that the procedural arguments advanced by the CCSPA would be considered. Again, it was stated that any other arguments which the CCSPA wished to raise would be considered if received by April 19, 1976. No further correspondence has been received.

The undersigned notes that the Hearing Officer recommended that a unit of eight or ten employees in a single occupational title be found appropriate. The employer herein is a large employer which already deals with six or eight negotiating units. Because of the apparent inconsistency between the Hearing Officer's recommendations and previous Commission decisions as set forth more fully below, the undersigned, mindful of the provisions of N.J.A.C. 19:19-1.1, concludes that the exceptions should be considered. The CCSPA has been afforded ample opportunity to reply to those exceptions.

Notwithstanding this determination, the undersigned has undertaken a careful and complete independent review of the entire record herein. N.J.A.C. 19:14A-4.4(a) clearly anticipates that in rendering his decision, the Executive Director will conduct an independent review of the Hearing Officer's Report and Recommendations and the entire record, regardless of whether exceptions have or have not been filed. It is specifically

noted in this regard that the instant decision would have been reached even in the absence of the filing of exceptions.

5. The Hearing Officer recommended that the unit proposed by the CCSPA be found to be an appropriate unit for collective negotiations. He further recommended that an election be held in a unit consisting of all psychologists employed by the Board, excluding all other employees, to determine whether these employees desire to be represented for purposes of collective negotiations by the CCSPA. He discussed the history of the relationship between the Board, the psychologists and the CEA and found that the Board has for some years recognized the uniqueness and separateness of the psychologists. Further, he cited the expert testimony presented regarding an alleged conflict between teachers and psychologists and the testimony concerning the position of the CEA and their lack of a desire to represent the psychologists. The undersigned finds that the conclusions reached by the Hearing Officer in his report and recommendations run counter to the weight of the evidence presented in the record and counter to the well established policy of the Commission.

The record establishes that the great majority of the professional employees of Board are represented for the purpose of collective negotiations by the CEA. This unit is composed of approximately eleven hundred teachers, social workers, guidance counselors, learning disability teacher-counselors, and certain non-professional titles. Psychologists are

not now nor have they ever been included in this broad-based professional and non-professional unit.

During negotiations for 1970-71, the testimony indicates that the CEA requested that the Board include the psychologists in the aforementioned unit. The Board declined the request and the CEA subsequently withdrew it. Until the CCSPA requested recognition from the Board in 1975, there were no further formal requests by any organization to represent the psychologists.

During the intervening years certain of the psychologists, ostensibly on behalf of the entire group, on occasion communicated and even met with the Board regarding salary and other subjects of interest. However, the uncontroverted testimony of the Board Secretary and two of the psychologists employed by the Board, and an examination of the exhibits in evidence fails to show that these informal communications rose to the level of collective negotiations.^{1/} Rather, there appears to have been a presentment of concerns and requests, principally involving salaries, and a response by the Board in the form of unilateral institution of salaries and other items.

1/ The Commission has discussed the concept of "collective negotiations" in several previous decisions. See, for example, In re Middlesex County College Board of Trustees, P.E.R.C. No. 29 (1969); In re City of Camden, Department of Public Safety, Division of Fire, P.E.R.C. No. 52 (1971); In re City of Camden, Department of Public Safety, Division of Police, P.E.R.C. No. 53 (1971); and In re West Paterson Board of Education, P.E.R.C. No. 77 (1973).

There is no evidence that the psychologists ever requested recognition from the Board prior to the instant proceeding as the exclusive representative of all psychologists for purposes of collective negotiations in accordance with the Act or the Commission's Rules. No petition was filed with the Commission on behalf of the psychologists prior to the instant petition. It is concluded that the history of this relationship does not establish de-facto recognition by the Board of a separate unit of psychologists nor does it establish the appropriateness of a unit of psychologists. In fact, the evidence reveals that as soon as the psychologists sought to formalize and institutionalize that relationship by seeking recognition from the Board, the Board immediately balked. Thus, the Board's posture has not been inconsistent.

The Association presented expert testimony generally describing the qualifications and duties of school psychologists and the differences in the roles of the psychologists and other professionals in a school system. In addition, the expert alleged that there exists a potential conflict of interest between psychologists and teachers. The conflict is asserted to arise out of the duty of school psychologists to evaluate "problem" students and to recommend remedial courses of action including the placement of students in special classes. It was the expert's belief that this evaluation and recommendation often reflects adversely on the approach taken by a teacher to the "problem" student. The Hearing Officer found this to be

convincing evidence of a professional conflict and supportive of his conclusion that a separate unit would be appropriate.

While the undersigned recognizes that expert testimony may often be of assistance in providing an understanding of a complex or unfamiliar issue, such testimony cannot be dispositive of the issues presented to the undersigned for determination. In the instant matter the expert admittedly did not have first hand knowledge of the functions of the psychologists employed by the Camden Board of Education. The record is devoid of any reference to the actual occurrence of the professional conflict alleged by the expert. On the contrary, two psychologists employed by the Board testified that they work closely with teachers and other professionals in order to improve the quality of education for all students. Moreover, the psychologists' testimony establishes that dealing with gifted and problem children, placement of children in special classes, family intervention, and aid to students with learning disabilities requires a close, co-operative effort of various professionals, including teachers, social workers, learning disability teachers-counselors and others. The undersigned notes that the question of placement of pupils in special classes was the prime example of professional conflict cited by the expert witness.

The testimony of the Superintendent of Schools provides additional corroboration of the fact of professional cooperation as opposed to professional conflict in Camden.

The Superintendent testified that psychologists neither supervise nor evaluate teachers, but do, among other things, consult with other special services personnel, social workers, and teachers regarding pupil problems as part of a team activity. He also stated that psychologists, social workers, and guidance counselors share common supervision, and that psychologists and other professional employees of the Board, while receiving different salaries, share the same fringe benefits and achieve tenure in the same manner.

In any event, the "conflict" discussed by the expert witness relates to conflict between the psychologists and the teachers in their respective professional roles. Even if this testimony had not been balanced by the testimony of the two psychologists employed by the Board and the Superintendent, that the psychologists do work constructively with the teachers, the "conflict" described by the expert is not deemed to be the type of conflict between groups of employees which obviates a community of interest between those groups of employees or between one group of employees and another group when one group has supervisory responsibilities to the public employer. See Bd. of Education of W. Orange v. Wilton, 54 N.J. 404 (1971).

This is not to say that the psychologists as a group do not share in common many factors as cited by the Hearing Officer including a common employer, common fringe benefits, the absence of set hours, common certification requirements, salary ratio, work situations, goals, etc. However, some of these factors

such as the common employer, fringe benefits and general goals are shared by other employees as well and the other factors are not such as to indicate incompatibility or conflict with the interests of other groups of employees.

Finally, as noted by the Hearing Officer, the desires of the employees, while a factor to be considered, is not dispositive. The Commission, charged with determining the most appropriate unit in disputed cases,^{2/} must consider the overall context of the situation. As noted previously, the Board has a collective negotiations relationship with six or eight units of employees. The Board must negotiate with each of these units. The CEA represents almost all professional, nonsupervisory employees of the Board. While it is true that the CEA has stated that it does not desire to represent the psychologists, that does not mean that the psychologists alone constitute a separate appropriate unit. In this regard, it is noted that the Commission, in disputed cases, aware of its duty to foster stable and harmonious labor relations in the public sector,^{3/} has adopted a clear policy of finding broad-based units to be appropriate, rejecting the claims of particular occupations or professionals for separate status. See, for example, In re State of New Jersey, P.E.R.C. No. 68; In re South Plainfield Board of Education, P.E.R.C. No. 46, (1970); In re Bergen County Board

^{2/} See In re State of New Jersey and Professional Assn. of N.J. Dept. of Education, 64 N.J. 231 (1974), aff'g. P.E.R.C. No. 68 (May 23, 1972).

^{3/} N.J.S.A. 34:13A-2.

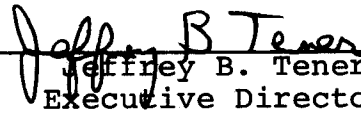
of Chosen Freeholders, P.E.R.C. No. 69 (1972); In re Union County Board of Chosen Freeholders, E.D. No. 49 (1974).

6. Based upon the above, the undersigned concludes that the unit sought by the CCSPA is not an appropriate unit for collective negotiations. That petition (Docket No. RO-76-3) will be dismissed. In addition, the petition for clarification of unit (Docket No. CU-76-1) filed by the Board will also be dismissed. While there is substantial record evidence to support the conclusion that the psychologists could appropriately be included in the unit represented by the CEA, the undersigned is unwilling to order their inclusion in this unit based upon the record herein. Several factors lead to this conclusion. First, while the record suggests the appropriateness of including the psychologists in the CEA unit, there is also evidence that suggests that psychologists could be included in an administrators unit and have, in the past, been included or lumped together with administrators for certain purposes. This record simply does not permit a resolution of this issue. Secondly, the CEA has stated that it does not desire to represent these employees. The undersigned is reluctant to impose a group of employees who do not desire such representation upon an employee organization that does not desire to represent such employees. Thirdly, it is clear that the title of "school psychologist" has not been included in the unit represented by the CEA or any other unit. This is not a newly created title, an overlooked group of employees, or a situation in which, given an ambiguous unit description,

it is arguable that the disputed employees are included or were intended to be included in an existing unit. In the opinion of the undersigned, there is a question concerning representation and a clarification of unit petition is not an appropriate vehicle for the resolution of such a question.

Accordingly, it is hereby ordered that the instant petitions, Docket Nos. CU-76-1 and RO-76-3, be and hereby are dismissed.

BY ORDER OF THE EXECUTIVE DIRECTOR



Jeffrey B. Tener
Executive Director

DATED: Trenton, New Jersey
May 10, 1976

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

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In the Matter of		:	
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BOARD OF EDUCATION OF THE CITY		:	
OF CAMDEN,		:	
	Public Employer,	:	RO-76-3
-and-		:	Docket Numbers: and
		:	CU-76-1
CAMDEN CITY SCHOOL PSYCHOLOGISTS		:	
ASSOCIATION,		:	
	Petitioner.	:	
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HEARING OFFICER'S REPORT AND RECOMMENDATIONS

A petition for certification of employee representative was filed with the Public Employment Relations Commission by the Camden City School Psychologists Association (hereinafter the Association) on July 7, 1975. On July 3, 1975, a petition seeking clarification of the unit represented by the Camden Education Association was filed by the Camden City Board of Education (hereinafter the Board). The cases were consolidated by order of the Executive Director on September 24, 1975. Pursuant to a notice of hearing, a hearing in this consolidated matter was held before the undersigned hearing officer on September 29, 1975, in Trenton, New Jersey. At that hearing, all parties were given an opportunity to examine and cross-examine witnesses, to present evidence and to argue orally. Upon the entire record in this proceeding, the Hearing Officer finds:

- (1) The Board of Education of the City of Camden is a public employer within the meaning of the Act and is subject to its provisions.
- (2) The Camden City School Psychologists Association is an employee representative within the meaning of the Act and is subject to its provisions.
- (3) The Association requested certification of a unit consisting solely of school psychologists employed by the Camden Board of Education, and the Camden Board of Education requested clarification of an existing certified unit as it pertained to the psychologists.

Accordingly, there is a question concerning representation regarding the psychologists and the question is properly before the Hearing Officer for a Report and Recommendation.

Background and Position of the Parties

Currently, there is a certified employee representative in the Camden School system, which represents teachers and other non-professional employees. This unit does not include the school psychologists.^{1/} The consolidated petitions were filed with the Commission almost simultaneously, shortly after the Association made a demand on the Board for recognition of their Association as employee representative for the psychologists employed by the Board.^{2/}

The Association contends that a school psychologists unit, now admitted by both sides to be unrepresented, is an appropriate unit for bargaining purposes. Further, the Association contends that the Board has, in the past, bargained with the psychologists as a separate group and thus has, by its past actions, recognized that the unit is appropriate and that it does speak for all psychologists.

The Board contends that the unit is not appropriate and that the psychologists should be added to the existing unit represented by the CEA. Further, the Board contends that past contact with the group did not amount to past bargaining.

Issues:

The primary question before the undersigned is the appropriateness of the requested unit. Tied closely to this question is the effect of the history of the parties as it relates to recognition of the appropriateness of the unit. For the reasons set below, the undersigned finds that not only is the unit requested appropriate, but that the Board in its past practice has recognized that fact.

^{1/} Tr. pp. 20, 54
^{2/} Commission Exhibit No. 1

Appropriate Unit:

While in the private sector a determining agency, when called upon to find the appropriateness of a unit for collective bargaining purposes, is not required to find the most appropriate unit, nor the only appropriate unit, but merely an appropriate unit, the responsibilities of the New Jersey Public Employment Relations Commission are different. The New Jersey Supreme Court in the so-called "State Professional" case,^{3/} interpreted the Act to require that this agency find the most appropriate unit for bargaining purposes. It is therefore incumbent upon this agency and the undersigned "...to determine the unit it...(deems) best and accordingly to designate either a unit proposed by one of the parties or to specify one of its own conception, as guided by the evidence, its expertise and the statutory criteria."^{4/} With this charge in mind, the undersigned has reached the conclusions herein.

To establish the appropriateness of this unit, many factors become relevant, even though, standing alone, such factors might not sustain a finding that the particular unit is appropriate for bargaining purposes. One such factor is the community of interest shared by the effected employees.^{5/}

In this case, whether the psychologists who seek a separate unit share a common purpose or function with the existing, broader unit, is obviously important. Surely these employees share with the existing unit a common employer, the Camden Board of Education, and share some common benefits.^{6/} However, unlike the members of the existing unit, the psychologists have broad responsibility for a number of schools,^{7/} have no particular set hours,^{8/} have different certification requirements,^{9/}

^{3/} In the Matter of the State of New Jersey and the Professional Association of New Jersey Department of Education, et al, 64 N.J. 231 (1974)

^{4/} ID at p. 257

^{5/} ID at pp. 257-258

^{6/} Tr. p. 19

^{7/} Tr. p. 99

^{8/} Tr. p. 22

^{9/} Tr. p. 17; pp. 70-71

and perform functions which are dissimilar to those performed by Camden teachers and other employees in regard to the students in the system.^{10/}

The psychologists presented testimony by Dr. Irwin Hyman, Professor of Psychology at Temple University, and it is set out at length in the transcript.^{11/} Dr. Hyman described, in addition to the general qualifications and duties of school psychologists, the differences between teachers and psychologists generally. He also pointed out that there exists a potential conflict of interest between these two groups in regard to their professional approach to students and their problems.^{12/} This potential professional conflict of interest, taken with the other professional differences between the two groups, supports the finding that the psychologists, rather than being made part of the existing CEA unit, should have a separate unit for collective bargaining purposes.

Certainly the undersigned is aware of the holding of the Commission in the Newark Board of Education^{13/} case which held that teachers and psychologists in that school system shared a community of interest sufficient to include both in an overall professional unit. Yet this holding did not suggest that, merely because the both groups share similiar interests, benefits, goals and the like, in all cases teachers and psychologists must be included in the same unit.

One further note should be made of community of interest. While the possible community between the groups which would make a combined unit appropriate has been discussed, the obvious community of interest among the psychologists has not. Suffice it to say, all members of the potential separate psychologist unit share totally similiar work situations, goals, benefits, hours, supervision, salary ratio and, in most cases, state certification.

^{10/} Tr. pp. 13-13a; p. 70; pp. 98-99

^{11/} Tr. pp. 67-92

^{12/} Tr. pp. 79-80

^{13/} P.E.R.C. No. 20

Perhaps the most persuasive evidence to support the finding that a psychologist unit is appropriate, is the history of the psychologists, the Board, and the teachers' unit. As mentioned previously, the psychologists have never been a part of the existing unit, nor are they now. In fact, testimony was presented by both the president of the teachers' unit and by its chief negotiator, that the psychologists are not wanted in the unit.^{14/} Certainly the undersigned cannot help but be reminded of the professional conflict testimony mentioned earlier.^{15/} To now find that a unit which would be composed of psychologists who do not wish to have the psychologists included, would not foster the peaceful labor atmosphere mandated by the Act.

Along this same line is the attitude of the Board of Education. Its position herein is that the psychologists should be included in the existing unit, yet, the same Board denied the request by the teachers' unit to represent the psychologists^{16/} in 1971. Apparently, the Board's view of the appropriateness of a combined unit has been recently acquired.

The past relationship enjoyed by the Board and the psychologists is also persuasive evidence in this case. While arguably not rising to collective negotiations within generally accepted meanings in all contacts, certainly there was a recognition on the part of the Board of the separateness of the psychologists. It is admitted that the psychologists were not represented for collective bargaining purposes in any other unit. Since such was the case, meetings were held between the Board and the psychologists over the years. At one series of meetings the contracts were agreed to be changed from eleven to ten months, plus the addition of a thousand dollars to the psychologists'

^{14/} Tr. p. 54, p. 65

^{15/} Tr. pp. 79-80

^{16/} Tr. pp. 53-54. The psychologists, however, even at the time of the CEA request, let it be known that they did not wish inclusion.

rates to overcome the low ratio positions of psychologists on the wage scale.^{17/}
 From that initial series of meetings, meetings were held each year concerning the
 working conditions of the psychologists,^{18/} and over the years apparently many times
 concerning those conditions were discussed.^{19/}

While the above meetings may or may not have been negotiations in the
 general sense, the Commission has held that such a past history is relevant in re-
 presentation matters,^{20/} and taken with the other factors herein discussed, supports
 the finding that the separate unit is appropriate.

It is also interesting to note that as recently as the past school year,
 salaries and other benefits were scheduled to be discussed between the parties. At
 one meeting which was held, the psychologists presented their request for recog-
 nition, and while apparently turning down that request, the Board still was wil-
 ling to discuss salary and other matters pertaining to the upcoming year.^{21/} To
 the undersigned, this is further evidence of the Board's actual recognition of the
 separateness and appropriateness of this unit.

Final mention should be made of the desires of the psychologists themselves.
 While not being the sole determinative factor herein,^{22/} the evidence clearly shows
 the desire of these employees to be represented by their own, separate unit. As
 early as 1971, these employees informed the Board and the CEA that they did not wish

^{17/} Tr. p. 114

^{18/} ID

^{19/} Tr. pp. 122-123; Tr. p. 97

^{20/} See, Burlington County Board of Freeholders, P.E.R.C. No. 58, See also, Commission exhibit 1, which includes a memorandum setting forth the occasions on which the parties did meet to discuss wages and other conditions of employment, including recent letters concerning such meetings dated May, 1975. To give effect to the Board's position that the past meetings were not a recognition by the Board of the separateness of the psychologists would not be supported by the weight of the evidence.

^{21/} Tr. p. 97

^{22/} See, P.E.R.C. No. 3

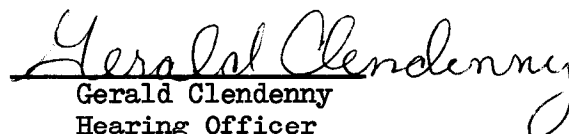
to be included in the existing educational unit.^{23/} Further, throughout the relationship of the parties herein, there is clear evidence of a group cohesiveness which buttresses their current position.

Conclusion:

From the entire record, it is clear that (1) the unit petitioned for by the Camden School Psychologists Association is an appropriate unit for collective negotiations bargaining purposes, and (2) that the history of the relationship between the psychologists, Board of Education and CEA shows that the appropriateness and separate-ness of the psychologists has been recognized by the Board for some years. To hold differently would clearly be against the weight of the evidence. Accordingly, the following is recommended:

- (1) That CU-76-1, filed by the Camden Board of Education, be dismissed.
- (2) That an election be held in the unit consisting of all psychologists employed by the Camden Board of Education, and excluding all other employees. The ballot in such election shall consist of a choice between the Camden Psychologists Association, and no representation.

RESPECTFULLY SUBMITTED


Gerald Clendenny
Hearing Officer

DATED: February 25, 1976
Trenton, New Jersey