

D.R. NO. 2004-13

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

In the Matter of

GLOUCESTER COUNTY AND THE GLOUCESTER
COUNTY SHERIFF'S OFFICE,

Public Employer,

-and-

Docket No. AC-2004-006

GLOUCESTER COUNTY SHERIFFS'
OFFICERS' ASSOCIATION,

Petitioner.

SYNOPSIS

The Director of Representation orders that the Certification of Representative issued to the Gloucester County Sheriffs' Officers' Association be amended to reflect the organization's affiliation with New Jersey Policemen's Benevolent Association, Local 122. Petitioner met all requirements for the amendment.
N.J.A.C. 19:11-1.6.

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Appearances:

For the Public Employer,
Brown and Connery, attorneys
(Susan Leming, of counsel)

For the Petitioner,
Jennings, Sigmond, P.C., attorneys
(James Katz, of counsel)

**AMENDMENT OF CERTIFICATION
OF REPRESENTATIVE**

On January 26, 2004, the Gloucester County Sheriff's Officers' Association (Association) filed an Amendment of Certification Petition with the Public Employment Relations Commission (Commission) pursuant to N.J.A.C. 19:11-1.6, seeking to amend its Certification of Representative to reflect its affiliation with the New Jersey State Policemen's Benevolent Association, Local 122 (PBA Local 122).

I have conducted an investigation into the matters raised by this petition. N.J.A.C. 19:11-2.2. These facts appear:

On November 10, 2003, the Commission certified the Association as the exclusive representative of a unit of all sheriff's officers and sergeants employed by Gloucester County and the Gloucester County Sheriff's Office. (Commission Docket No. RO-2004-001). The Association submitted an affidavit and supplemental certification of its President, Don Gentile, dated January 20 and February 19, 2004 (respectively), certifying the following concerning the affiliation election:

1. The Association had a regular meeting scheduled for December 4, 2003. Before the meeting, the Association sent written notification to its members advising that one of the issues to be discussed was a proposal to amend the Association's certification to reflect its affiliation with PBA Local 122. During the meeting, Association members were given the opportunity to discuss issues related to the proposed affiliation.

2. Following the meeting, on December 5, 2003, the Association sent written notification to its members that a secret ballot affiliation election was scheduled for January 5, 2004 from 4:00 p.m. to 8:00 p.m. at the Justice Complex, Hunter & Euclid Streets, Woodbury, New Jersey. The notices were mailed to the members' addresses on file with the Gloucester County Sheriff's Office.

3. The affiliation election was conducted in person on January 5, 2004 by secret ballot at the time and place set forth on the mailed notice.

4. Of the Association's 57 members, 35 voted in favor of the affiliation with PBA Local 122, none opposed.

5. The negotiations unit will continue to be composed of all sheriff officers and sergeants employed by Gloucester County and the Gloucester County Sheriff's Office.

6. The officers and organizational structure of the Association remained unchanged as a result of the affiliation election.

The County and Sheriff's Office do not oppose the petition.

ANALYSIS

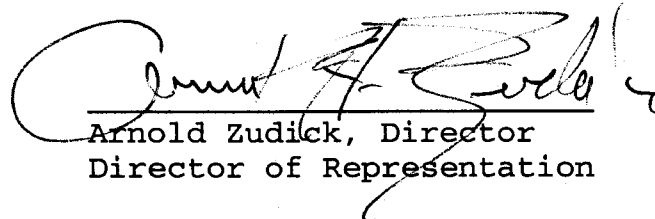
The Commission's rules establish procedures for amending certifications and our caselaw establishes the standards for granting such petitions. N.J.A.C. 19:11-1.6; Parsippany-Troy Hills Twp., P.E.R.C. No. 94-119; 20 NJPER 279 (¶25141 1994), denying req. for rev. D.R. No. 94-20, 20 NJPER 180 (¶25079 1994); Cape May Assignment Judge, et al., P.E.R.C. 85-60, 11 NJPER 91 (¶16039 1985).

I am satisfied that the Association has met all of the requirements for amendment of its certification and has afforded its members adequate due process. It demonstrated that members

voted by secret ballot for the affiliation, and that there was continuity of both the negotiations unit and the Association's officers. N.J.A.C. 19:11-1.6(b). Additionally, there was notice of the election adequate to provide members with an opportunity to vote, and members were given an opportunity to discuss the affiliation prior to the vote. Township of Middletown, et al., P.E.R.C. No. 2000-47, 26 NJPER 59, 60 (¶31020 1999); State of New Jersey, D.R. No. 2003-2, 28 NJPER 356 (¶33128 2002); No. Hudson Reg. Fire and Rescue, D.R. No. 2000-13, 26 NJPER 257 (¶31101 2000). Moreover, the County and Sheriff's Office do not oppose the proposed amendment.

In accordance with N.J.A.C. 19:11-2.6(c)(5), the Certification of Representative issued by the Commission on November 10, 2003 (Commission Docket No. RO-2004-001) is amended to reflect that the Gloucester County Sheriffs' Officers' Association is affiliated with the New Jersey State Policemen's Benevolent Association, Local 122.

BY ORDER OF THE DIRECTOR
OF REPRESENTATION



Arnold Zudick, Director
Director of Representation

DATED: March 17, 2004
Trenton, New Jersey