

D.R. NO. 88-36

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

In the Matter of

JERSEY CITY MEDICAL CENTER,

Public Employer,

-and-

Docket No. CU-87-82

DISTRICT 1199J, AFL-CIO,

Petitioner.

SYNOPSIS

The Director of Representation dismisses a clarification of unit petition, finding that the Commission no longer has jurisdiction where the Medical Center became a private sector employer during the processing of the petition.

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Appearances:

For the Public Employer
Grotta, Glassman & Hoffman, Esqs.
(M. Joan Foster, of counsel)

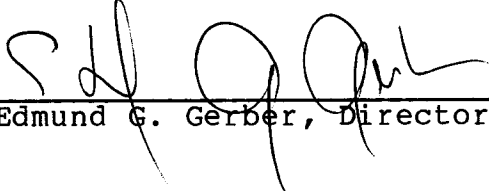
For the Petitioner
Oxford, Cohen, Blunda, Friedman, LeVine & Brooks, Esqs.
(Arnold S. Cohen, of counsel)

DECISION

On June 30, 1987, District 1199J filed a Clarification of Unit Petition with the Public Employment Relations Commission ("Commission") concerning certain disputed titles of employees employed at the Jersey City Medical Center. An informal conference was held on August 3, 1987. The parties stated that they would supply additional information and indicated that they were attempting to voluntarily resolve the status of the disputed titles during the ensuing months. In March 1988, the parties informed the Commission that the Medical Center had become a private sector employer.

These employees are no longer public employees within the meaning of the Act and, accordingly, the Commission no longer has jurisdiction over this matter. It is also noted that it is not the Commission's policy to clarify a unit retroactively. Any clarification would be effective only at the time of the decision. See Clearview Reg. H.S. Bd. of Ed., D.R. No. 78-2, 3 NJPER 248 (1977). Accordingly, this clarification petition is dismissed for lack of jurisdiction.

BY ORDER OF THE DIRECTOR
OF REPRESENTATION



Edmund G. Gerber, Director

DATED: June 14, 1988
Trenton, New Jersey