

I.R. NO. 87-1

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

NEWARK REDEVELOPMENT AND HOUSING
AUTHORITY AND SEIU, LOCAL 305, AFL-CIO

Respondents,

-and-

Docket Nos. CO-86-220-119
RO-86-82

ESSEX COUNCIL NO. 1, NJCSA,

Charging Party,

SYNOPSIS

A Commission designee vacates his earlier Order of November 4, 1985 (I.R. No. 86-6) wherein the Respondents had been restrained from executing a collective negotiations agreement or negotiating during the pendency of an Unfair Practice Charge and a question concerning representation. The Director of Unfair Practices issued a decision on July 17, 1986 (D.R. No. 87-1 & H.E. No. 87-5) in which the Unfair Practice Charge was dismissed as were objections to the conduct of an election conducted on February 21, 1986.

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Appearances:

For the Newark Redevelopment and Housing Authority
Gerald L. Dorf, Esq.
(Lawrence Henderson, Esq.)

For Essex Council No. 1
Fox and Fox, Esqs.
(Dennis Alessi, Esq.)
-and-
Harper, Hansbury & Martin, Esqs.
(Fredric Knapp, Esq.)

For SEIU Local 305
Oxford, Cohen & Blunda, Esqs.
(Arnold S. Cohen, Esq.)

INTERLOCUTORY DECISION AND ORDER

It appearing that the undersigned entered an Order on November 4, 1985 (I.R. No. 86-6), granting the Charging Party's request to enjoin the Respondents from executing or giving effect to any collective negotiations agreement reached between the

Respondents, or to negotiate further, so long as the question concerning representation raised by RO-86-65 existed, and, also, pending the disposition of the Unfair Practice Charge (Docket No. CO-86-108) or the resolution of the question concerning representation by the Commission, whichever occurred first; and

It appearing that a representation election was conducted on February 21, 1986, in which the SEIU prevailed and following which the Charging Party filed objections to the conduct of the election; and

It appearing that the original Unfair Practice Charge, supra, was withdrawn on January 30, 1986, and a new charge was filed on February 13, 1986 (Docket No. CO-86-220), which raised the same factual issues as the objections to the conduct of the election; and

It appearing that hearings on the objections to the conduct of election and Unfair Practice Charge were held in April and May 1986, following which a decision was issued by the Director of Unfair Practices/Hearing Examiner on July 17, 1986 (D.R. No. 87-1 & H.E. No. 87-5) wherein the objections and the Unfair Practice Charge were dismissed; and

It appearing that in the aforesaid decision of July 17, 1986, either party to the proceedings may seek to vacate the Order of the undersigned, entered on November 4, 1985, supra; and on July 22, 1986, the undersigned conducted a conference call with all counsel for the parties in response to an oral application by

Messrs. Dorf and Cohen to vacate the Order of November 4, 1985 (I.R. No. 86-6), supra; and

It appearing that the Charging Party has ten days from date of receipt of the above decision of the Director to file a request for review with the Commission, counsel for the Charging Party having received the said decision on July 21, 1986; and

It appearing that there is no good and sufficient reason why the November 4, 1985 Order of the undersigned should not be vacated, effective ten days from July 21, 1986, or prospectively on July 31, 1986.

NOW THEREFORE:

It is hereby ORDERED that the prior Order of the undersigned, entered on November 4, 1985 (I.R. 86-6) be and same is hereby VACATED as of 10:00 a.m. on July 31, 1986.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



Alan R. Howe
Commission Designee

Dated: July 25, 1986
Newark, New Jersey