

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

In the Matter of

BOROUGH OF FAIR HAVEN,

Public Employer,

-and-

BOROUGH EMPLOYEES/PUBLIC WORKS
DEPARTMENT,

Docket No. RD-77-5

Petitioner,

-and-

LOCAL 417, I.U.E.R.M.W., AFL-CIO,

Employee Representative.

SYNOPSIS

During the course of an investigation into a Petition for Decertification of Employee Representative, the Employee Representative disclaimed further interest in representing the Borough's blue collar Department of Public Works employees. Therefore, the Director of Representation Proceedings finds that a question concerning representation no longer exists and that the Employee Representative is no longer the exclusive representative of the employees in the unit for the purposes of collective negotiations. The Director dismisses the Decertification Petition and revokes the certification previously issued by the Commission to the Employee Representative.

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DECISION AND REVOCATION OF CERTIFICATION

On February 14, 1977, a Petition for Decertification of Public Employee Representative was filed with the Public Employment Relations Commission (the "Commission") by the Borough Employees of Public Works Department [Fair Haven] (the "Petitioner"). The Petition was accompanied by a valid showing of interest pursuant to N.J.A.C. 19:10-1.1 and N.J.A.C. 19:11-1.13.

Petitioner seeks the decertification of Local 417, International Union of Electrical, Radio & Machine Workers, AFL-CIO ("Local 417- I.U.E.R.M.W.") as the exclusive negotiations representative of a unit of all blue collar employees in the Department of Public Works of the Borough of Fair Haven (the "Borough"). Pursuant to the Commission's processes, a decertification petition is filed for the purpose of removing the exclusive representative so that employees no longer are represented for the purposes of collective negotiations. Thus, the Petitioner raised a question concerning the representation of employees before the Commission, and the instant matter was appropriately placed before the undersigned for investigation and determination.

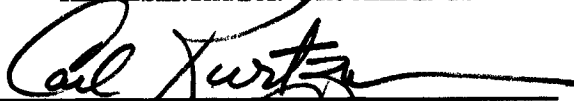
Accordingly, the undersigned has caused an investigation into the matters involved in the Petition. The investigation has revealed that on August 26, 1974, the Commission certified I.U.E.R.M.W. as the exclusive representative of a unit consisting of all blue collar employees working in the Department of Public Works employed by the Borough of Fair Haven (Commission Docket No. RO-846). However, on March 10, 1977, pursuant to the undersigned's inquiries, Local 417 - I.U.E.R.M.W. has advised that it disclaims further interest in representing the unit.^{1/}

By virtue of Local 417 - I.U.E.R.M.W.'s disclaimer of interest there no longer exists a question concerning the representation of the employees in the unit. Local 417 - I.U.E.R.M.W. is no longer the exclusive representative of the employees in the unit for the purposes of collective negotiations.

Inasmuch as there no longer exists a valid question concerning representation, the undersigned shall dismiss the Petition pursuant to N.J.A.C. 19:11-1.9. Additionally, the undersigned shall also revoke the certification previously issued to I.U.E.R.M.W.

Accordingly, the instant Petition is hereby dismissed, and the certification issued pursuant to Commission Docket No. RO-846 is revoked.

BY ORDER OF THE DIRECTOR OF
REPRESENTATION PROCEEDINGS



Carl Kurtzman, Director
Representation Proceedings

DATED: May 16, 1977
Trenton, New Jersey

^{1/} Local 417's disclaimer letter is contained in the Commission's files.