

A.B.D. No. 96-1

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION APPEAL BOARD

APPEAL BOARD DKT. NO. AB-94-3  
OAL DKT. NO. PRC 8980-94

**FRATERNAL ORDER OF POLICE LODGE 12,  
(WILLIAM M. CONNOLLY, et al.) et al.**

Petitioners,

v.

**POLICEMEN'S BENEVOLENT ASSOCIATION  
LOCAL NO. 3,**

Respondent.

APPEAL BOARD DKT. NO. AB-94-7  
OAL DKT. NO. PRC 8979-94

**RICHARD CASALE, et al.,**  
Petitioners,

v.

**POLICEMEN'S BENEVOLENT ASSOCIATION  
LOCAL NO. 3,**

Respondent.

CI-H-94-74

PERC DKT. NOS. CI-H-94-26 &  
OAL DKT. NO. PRC 8981-94

**ROBERT J. FISHER and JOHN MC ENTEE,  
et al.**

Charging Parties,

v.

**POLICEMEN'S BENEVOLENT ASSOCIATION  
LOCAL NO. 3,**

Respondent.

For petitioners, **Stephen C. Richman, Esq.,**  
(Markowitz & Richman, attorneys)  
Attorney of Record: **Deanna L. Forbush, Esq.**

For respondent, **Annette Verdesco, Esq.,** (Pope, Bergrin &  
Toscano, attorneys)



DECISION AND ORDER

On September 24, 1993, and October 21, 1993, William M. Connolly, et al. filed and amended a petition of appeal (AB-94-3) with the Public Employment Relations Commission Appeal Board ("Appeal Board") against Policemen's Benevolent Association of Newark, New Jersey, Local No. 3. ("PBA").<sup>1/</sup> On May 12, 1994, Richard Casale, et al. filed a petition of appeal (AB-94-7) with the Appeal Board.<sup>2/</sup> The petitioners are employed by the City of Newark and were represented in collective negotiations by, but are not members of, respondent, PBA, which at the time of the filings was the exclusive majority representative of the City's non-supervisory police officers. They paid representation fees in lieu of dues to the PBA. The PBA filed Answers to the petitions.

On August 24, 1994, these matters were transferred to the Office of Administrative Law as contested cases. The Appeal Board cases were consolidated with one another and with the unfair practice charges filed with the Commission and assigned to Administrative Law Judge Ken R. Springer. Prior to the opening of hearings, PBA and the petitioners entered into a settlement. On January 12, 1996, Judge Springer issued his Initial Decision-Settlement. Judge Springer

---

1/ The amendment added additional petitioners.

2/ On May 12, 1994 and October 21, 1994, Robert J. Fisher, John McEntee, et al. filed unfair practice charges (CI-94-26 and CI-94-74) with the Public Employment Relations Commission ("Commission") against the PBA which relate to these appeals.

reviewed the terms of the settlement and concluded that it was entered into voluntarily and disposed of all issues in dispute. He approved the settlement and ordered that all parties comply with its terms. Pursuant to N.J.S.A. 52:14B-10, the matter is now before the Appeal Board to affirm, reverse, remand or modify Judge Springer's order.

We have reviewed the settlement and Judge Springer's order (attached hereto), pursuant to N.J.S.A. 52:14B-10, and conclude that his action is correct.

The Initial Decision-Settlement of Judge Springer is hereby affirmed.

ORDER

The Initial Decision-Settlement of Judge Springer is hereby affirmed.

BY ORDER OF THE APPEAL BOARD

**WILLIAM L. NOTO**  
Chairman

DATED: TRENTON, NEW JERSEY  
February 20, 1996

ISSUED: