

D.R. NO. 80-21

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

In the Matter of

RUNNEMEDE BOARD OF EDUCATION,

Public Employer,

-and-

DOCKET NO. RO-80-82

RUNNEMEDE EDUCATION ASSOCIATION,

Petitioner.

SYNOPSIS

The Director of Representation dismisses a Petition seeking an election among teacher aides and other aides since a Certification of Representative with respect to these employees was issued by the Commission within the past year.

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

In the Matter of

RUNNEMEDE BOARD OF EDUCATION,

Public Employer,

-and-

DOCKET NO. RO-80-82

RUNNEMEDE EDUCATION ASSOCIATION,

Petitioner.

Appearances:

For the Public Employer
Barbour & Costa
(John T. Barbour, of Counsel)

For the Petitioner
Greenberg & Mellk
(Arnold M. Mellk, of Counsel)

DECISION

On October 15, 1979, a Petition for Certification of Public Employee Representative was filed with the Public Employment Relations Commission (the "Commission") by the Runnemedede Education Association (the "Association") with respect to certain employees of the Runnemedede Board of Education (the "Board"). The Association seeks to add teacher aides and other aides to the existing unit of "teachers, nurses, librarians, social workers, reading teachers, speech therapists, learning disability specialists, secretaries, custodians and janitors." The aides are

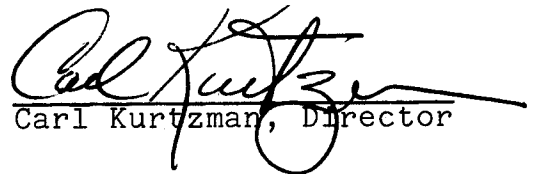
currently represented by the Association in a separate collective negotiations unit. The Association was certified by the Commission as the majority representative of aides on May 10, 1979.

N.J.A.C. 19:11-2.8(b) provides:

Where there is a certified or recognized representative, a petition for certification or decertification will not be considered as timely filed if during the preceding 12 months an employee organization has been certified by the commission as the exclusive representative of employees in an appropriate unit, or an employee organization has been granted recognition by a public employer pursuant to N.J.A.C. 19:11-3.1.

Accordingly, the Commission's "certification bar" rule precludes the processing of this Petition. The Association has not withdrawn the Petition, and, therefore, pursuant to N.J.A.C. 19:11-2.3, the Petition is hereby dismissed.

BY ORDER OF THE DIRECTOR
OF REPRESENTATIVE


Carl Kurtzman, Director

DATED: February 1, 1980
Trenton, New Jersey