

A.B.D. No. 90-7

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

OAL DKT #PRB-4100-89
AGENCY DKT #AB-89-3

**ROBERT HARRIS, DOROTHY K. BURNS,
AND CLARA DOONE,**

Petitioners,

v.

**COMMUNICATIONS WORKERS
OF AMERICA**

Respondent.

Robert Harris, Dorothy K. Burns and Clara Doone, petitioners
pro se

Michael T. Leibig, Esq., for respondent (Zwedling, Paul
Leibig, Kahn, Thompson & Dreissen, attorneys)

DECISION AND ORDER

On January 17, 1989, Robert Harris, Dorothy K. Burns, and Clara Doone filed a joint petition of appeal with the Public Employment Relations Commission Appeal Board. The petitioners are employed by the State of New Jersey and are represented for purposes of collective negotiations by respondent, Communications Workers of America, AFL-CIO ("CWA"). They pay representation fees in lieu of dues to the CWA. The petition seeks review of representation fees paid to the CWA and its affiliated locals for varying periods during calendar years 1985 through 1987. An Answer to the petition was filed by the CWA. On June 5, 1989, this matter was transferred to the Office of Administrative Law as a contested case and was

assigned to Administrative Law Judge James A. Ospenson. Prior to the opening of hearings, CWA and the petitioners entered into a settlement. On January 2, 1990, Judge Ospenson issued an "Initial Decision-Settlement." He 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 Ospenson's order.

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

ORDER

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

BY ORDER OF THE APPEAL BOARD

WILLIAM L. NOTO
Chairman

Chairman Noto and Board Member Dorf voted in favor of this decision. None opposed. Board Member Verhage was not present.

DATED: TRENTON, NEW JERSEY
January 9, 1990