

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

**ELIZABETH BRADY, GEORGE O. LODER,  
LEE ANN MORGAN, HELEN G. NEWSOME,  
SAMUEL H. POLISCHUK AND  
KATHERINE MARIE SCHULTHEIS,**

OAL DKT NOS. #PRB-888-91,  
886-91, 889-91, 884-91,  
887-91, 1806-91

Petitioners,

(CONSOLIDATED)

v.

**COMMUNICATIONS WORKERS OF AMERICA,  
AFL-CIO, LOCAL 1078**

AGENCY DKT NOS. AB-91-5,  
AB-91-6, AB-91-7, AB-91-8,  
AB-91-9, AB-91-11

Respondent.

**Samuel Polischuk**, pro se for petitioners

**Michael T. Leibig**, Esq., for respondent (Zwerdling, Paul  
Leibig, Kahn & Thompson, attorneys)

DECISION AND ORDER

Elizabeth Brady, George O. Loder, Lee Ann Morgan, Helen G. Newsome, Samuel H. Polischuk and Katherine Marie Schultheis filed petitions of appeal with the Public Employment Relations Commission Appeal Board. The petitioners are employed by the City of Ocean City and are represented for purposes of collective negotiations by, but are not members of, respondent, Communications Workers of America, AFL-CIO Local 1078 ("CWA"). They pay representation fees in lieu of dues to CWA Local 1078. The petitions sought review of the representation fees paid by petitioners to the CWA during the 1990-1991 dues year. Answers to the petitions were filed by the CWA. These matters were transferred to the Office of Administrative

Law as contested cases and were assigned to Administrative Law Judge Edgar R. Holmes. Prior to the opening of hearings, CWA and the petitioners entered into settlements. The settlements cover representation fees in lieu of dues payable through June 30, 1992. On February 27, 1992 Judge Holmes issued his "Initial Decision-Settlement." He reviewed the terms of the settlements and concluded that they were entered into voluntarily and disposed of all issues in dispute. Judge Holmes approved the settlements and ordered that all parties comply with their 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 Holmes's order.

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

ORDER

The Initial Decisions-Settlements of Judge Holmes are hereby affirmed.

BY ORDER OF THE APPEAL BOARD

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**WILLIAM L. NOTO**  
Chairman

Chairman Noto and Board Members Dorf and Dileo voted in favor; none opposed.

DATED: TRENTON, NEW JERSEY  
March 18, 1992  
ISSUED: March 23, 1992