

A.B.D. No. 87-2

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

OAL DKT Nos. PRB-2435-85, 2434-85,
5350-85 and 6277-86

AGENCY DKT Nos. AB-82-1, AB-82-2,
AB-85-12, AB-87-1 and AB-87-2

JOHN RUSSELL et al.,

Petitioners,

v.

**EDISON TOWNSHIP EDUCATION
ASSOCIATION,**

Respondent.

THOMAS GAY,

Petitioner,

v.

**PASCACK VALLEY REGIONAL
EDUCATION ASSOCIATION,**

Respondent.

Hugh L. Reilly, Esq. for petitioners (National Right to Work Legal Defense Foundation, Inc.) pro hac vice through Jeffrey A. Mintz, Esq., (Mesirov, Gelman, Jaffe, Cramer & Jamieson, attorneys)

Richard A. Friedman, Esq. for respondents (Ruhlman, Butrym and Friedman, P.A., attorneys)

DECISION AND ORDER

Five petitions were filed with the Public Employment Relations Commission Appeal Board by petitioners, employees of the

Edison Township and Pascack Valley Regional Boards of Education, who pay representation fees in lieu of dues to the Edison Township and Pascack Valley Regional Education Associations, majority representative organizations. The petitions sought review of the amounts assessed as representation fees for six fiscal years beginning with 1980-1981 and ending with 1985-1986. The five cases were transferred to the Office of Administrative Law, consolidated for hearing and assigned to Administrative Law Judge Joseph Lavery.* On January 16, 1987 a hearing was convened before Judge Lavery at which the parties entered into a stipulation of settlement. The Administrative Law Judge reviewed the terms of the settlement and concluded that it was entered into voluntarily, fully disposed of all issues in controversy, and was consistent with law.

On May 16, 1987 Judge Lavery issued an "Initial Decision-Settlement" ordering that all parties comply with the terms of the settlement and concluding the proceedings before him. We have reviewed the settlement and his Order, pursuant to N.J.S.A. 52:14B-10, and conclude that his action is correct.

* Two petitions (Docket Nos. AB-82-1 and AB-82-2) were remanded to the Office of Administrative Law in accordance with our decision of April 16, 1985, A.B.D. No. 85-14, 12 NJPER 280 (¶16101 1985). Docket No. AB-85-12 was transferred to the OAL on August 21, 1985 and Docket Nos. AB-87-1 and AB-87-2 were transferred on September 12, 1986.

ORDER

The Initial Decision of the Office of Administrative Law
(attached hereto) is hereby affirmed.

BY ORDER OF THE APPEAL BOARD

GERALD L. DORF
Acting Chairman

DATED: TRENTON, NEW JERSEY
June 23, 1987
ISSUED: June 24, 1987