

P.E.R.C. NO. 90-76

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

NEPTUNE TOWNSHIP BOARD OF EDUCATION,

Respondent,

-and-

Docket No. CO-H-89-243

NEPTUNE TOWNSHIP EDUCATION ASSOCIATION,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission denies a motion for a stay pending appeal of P.E.R.C. No. 90-55, 16 NJPER \_\_\_\_ (¶ \_\_\_\_ 1989). That decision held that the Neptune Township Board of Education violated the New Jersey Employer-Employee Relations Act by postponing the transfer of payroll deductions to credit union and annuity plan accounts for employees represented by the Neptune Township Education Association.

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Appearances:

For the Respondent, Patterson and Hundley  
(James T. Hundley, of counsel)

For the Charging Party, Klausner & Hunter  
(Stephen B. Hunter, of counsel)

DECISION AND ORDER

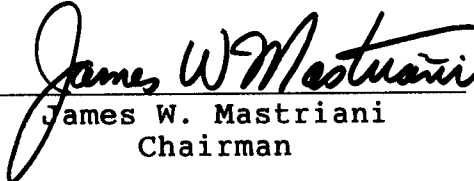
On February 8, 1990, the Neptune Township Board of Education moved for a stay pending appeal of P.E.R.C. No. 90-55, 16 NJPER \_\_\_\_ (¶\_\_\_\_ 1989). That decision held that the employer violated the New Jersey Employer-Employee Relations Act by postponing the transfer of payroll deductions to credit union and annuity plan accounts of employees represented by the Neptune Township Education Association. We ordered the employer to return the timing of credit union and sheltered annuity transfers to the method in effect before the January 1989 change. The Association opposes the motion.

The employer has not shown that restoring the payroll system in effect for at least 20 years would cause irreparable harm or that it is likely to succeed on the merits of its appeal. Accordingly, the motion for a stay is denied.

ORDER

The request for a stay of P.E.R.C. No. 90-55 pending appeal is denied.

BY ORDER OF THE COMMISSION

  
James W. Mastriani  
Chairman

Chairman Mastriani, Commissioners Johnson, Smith and Wenzler voted in favor of this decision. None opposed. Commissioner Bertolino abstained from consideration. Commissioners Ruggiero and Reid were not present.

DATED: February 28, 1990  
Trenton, New Jersey  
ISSUED: March 1, 1990