

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

BERGEN PINES COUNTY HOSPITAL

Public Employer

and

Docket No. R-70

INTERNATIONAL UNION OF OPERATING ENGINEERS  
AFL-CIO, STATIONARY LOCALS 68-68A-68B

Petitioner

DECISION AND DIRECTION OF ELECTION

Pursuant to a Notice of Hearing to resolve a question concerning the representation of certain employees of Bergen Pines County Hospital, a hearing was held on June 10, 1969 before Hearing Officer Harold Weston at which all parties were given an opportunity to examine and cross-examine witnesses, present evidence, submit briefs, and to argue orally. Thereafter, on July 8, 1969, the Hearing Officer issued a Report and Recommendation. Exceptions have been filed by Bergen Pines County Hospital to the Hearing Officer's Report and Recommendation. The Commission has considered the record, the Hearing Officer's Report and Recommendation and the Exceptions and finds:

1. Bergen Pines County Hospital is a Public Employer within the meaning of the Act and is subject to the provisions of the Act.
2. International Union of Operating Engineers, AFL-CIO, Stationary Locals 68-68A-68B is an employee representative within the meaning of the Act.
3. The Public Employer having refused to recognize the employee representative as the exclusive representative of certain employees, a question concerning the representation of public employees exists and the matter

is appropriately before the Commission for determination.

4. The Hearing Officer's Report and Recommendation, attached hereto and made a part hereof, are adopted.
5. The Appropriate Unit: The Operating Engineers seeks a unit of all licensed Firemen and Engineers employed in that capacity in the power house of the Public Employer located in Paramus, New Jersey, but excluding all other employees. The Public Employer contends that the appropriate unit should include, in addition to the licensed Firemen and Engineers, all Senior Maintenance Repairmen, Maintenance Repairmen and Truck Drivers and Laborers employed in the Maintenance Department.

The Public Employer operates a hospital in Paramus, New Jersey. On the hospital grounds, in a separate building away from other hospital buildings, is the power house which contains the boiler room, Chief Engineer's office, a locker room with a washroom and showers, and a work shop.

The hospital employs six Engineers and/or Firemen. They are directly supervised by the Chief Engineer, who reports to another supervisor; these engineers are licensed; serve an apprenticeship; and are the only ones assigned and permitted to operate and/or clean the boilers. Their work is confined to the boiler room in the power house.

The testimony adduced at the hearing discloses that some maintenance employees use eating and locker room facilities in the power house. Among other duties, they repair the boilers and steam pipes. There is no evidence they are supervised by the Chief Engineer. The evidence does not reveal any interchange, i.e., temporarily transfer

from one job classification to another, with the Engineers and/or Firemen.

As the Engineers and Firemen are a distinct and homogeneous group of skilled journeymen craftsmen, working as such, together with their apprentices and/or helpers, under their own supervision, possess a kind and degree of skill, which is normally acquired only by undergoing an apprenticeship or comparable training, and are licensed by the State, the Commission finds that they compose a traditional craft group and as such constitute an appropriate negotiating unit.

6. Accordingly, the Commission finds the appropriate collective negotiating unit is: All Engineers and Firemen, employed in the boiler room of Bergen Pines County Hospital, Paramus, New Jersey, but excluding office clerical employees, managerial executives, other craft employees, professional employees, policemen and supervisors, as defined in the Act, and all other employees.
7. The Commission directs that a secret-ballot election shall be conducted among the employees in the unit found appropriate. The election shall be conducted as soon as possible but no later than thirty (30) days from the date set forth below.

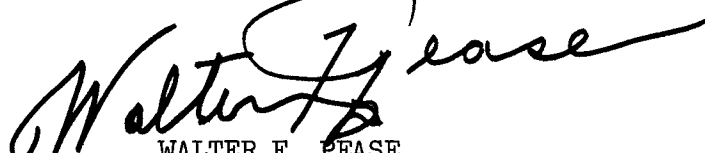
Those eligible to vote are employees set forth in Section 5 who were employed during the payroll period immediately preceding the date below, including employees who did not work during that period because they were out ill, or on vacation, or temporarily laid off, including those in military service. Employees must appear in person at the polls in order to be eligible to vote. Ineligible to vote are employees who quit or were discharged for cause since the designated payroll period and who have not been rehired or reinstated before the

election date.

Those eligible to vote shall vote on whether or not they desire to be represented for the purpose of collective negotiations by the International Union of Operating Engineers, AFL-CIO, Stationary Locals 68- 68A-68B.

The majority representatives shall be determined by a majority of the valid ballots cast.

BY ORDER OF THE COMMISSION

  
WALTER F. PEASE  
CHAIRMAN

DATED: October 15, 1969  
Trenton, New Jersey

STATE OF NEW JERSE

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

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Bergen Pines County Hospital :  
and :  
Local Union No. 68 :  
International Union of :  
Operating Engineers :  
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Docket No. R-70

Pierre P. Garven, Esq. and Edwin C. Eastman, Esq. for the Hospital.

Victor Parsonnet, Esq., of Parsonner, Parsonnet & Dugan, Esqs.,  
for the Union.

HEARING OFFICER'S REPORT AND RECOMMENDATION

On May 16, 1969, the Union filed its petition herein pursuant to Chapter 303 of the New Jersey Public Laws of 1968. A hearing was duly held at Newark, N.J. on June 10, 1969, before Harold M. Weston, Esq., Hearing Officer. A brief was filed by the Hospital on July 1, 1969.

1. The Appropriate Unit

The sole controversy in the present case centers on the appropriate bargaining unit. Petitioner seeks a unit consisting of all licensed firemen and engineers employed in the Hospital's Power House. The Hospital challenges the propriety of that unit and contends that the bargaining unit should include, in addition to the licensed firemen and engineers working in the Power House, all senior maintenance repairmen and maintenance repairmen as well as all truckdrivers and laborers employed in the Maintenance Department. There are about six employees in the unit desired by Petitioner and fifty employees in the unit advocated by the Hospital.

The Hospital maintains that the licensed firemen and engineers together with the Maintenance Department employees comprise a clearly identifiable group and that the Petitioner recognized this point when it addressed its organizational letter of June 16, 1969 to "The Maintenance Men". It contends that "the creation of a very large number of bargaining units would render collective bargaining negotiations totally unworkable".

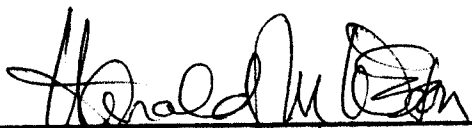
The Hospital's point regarding a multiplicity of bargaining units is entitled to careful consideration, particularly in a hospital where, by the very nature of its mission, all activities are integrated and coordinated toward providing medical care to the sick. However, other factors, such as background, educational requirements, training, skill, mutuality of interests and the extent of self-organization, must also be balanced and given weight in determining the issue.

The record establishes that, unlike the maintenance repairmen, all licensed firemen and engineers are assigned to work exclusively in the boiler room which is located in a separate building physically separated from the remainder of the Hospital. There is no interchange between maintenance repairmen on one hand and the licensed firemen and engineers on the other. Although several maintenance repairmen repair boilers and may perform some pipe repair work, only the licensed firemen and engineers clean and operate the boilers.

It is clear that the licensed firemen and engineers perform types of well defined services identified with traditional skills and crafts and have much more in common with one another than with maintenance repairmen who are not assigned or permitted to operate the boilers and may work in various parts of the hospital. I accordingly am impelled to the conclusion that all licensed firemen and engineers employed in the Hospital's Power House constitute an appropriate bargaining unit.

## 2. Recommendation

It is recommended that an election be held at the earliest practicable date among all licensed firemen and engineers, excluding the chief engineer, employed at the Power House of Bergen Pines County Hospital to determine whether or not they desire to be represented by Local Union No. 68, International Union of Operating Engineers.

  
Harold M. Weston,  
Hearing Officer

July 8, 1969