

P.E.R.C. NO. 92-86

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

CAMDEN COUNTY JUDICIARY,

Public Employer,

-and-

PROBATION ASSOCIATION OF NEW JERSEY,

Docket No. RO-92-54

Petitioner,

-and-

COALITION OF CAMDEN COUNTY  
PROBATION OFFICERS,

Intervenor.

SYNOPSIS

The Public Employment Relations Commission denies a request for review of D.R. No. 92-9 filed by the Probation Association of New Jersey ("PANJ"). In that decision the Director of Representation dismissed PANJ's post-election objections. The Commission finds no compelling reasons to review the Director's decision.

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Appearances:

For the Public Employer, Joan Kane Josephson, Chief,  
Employee Relations, Administrative Office of the Courts

For the Petitioner, Szaferman, Lakind, Blumstein, Watter &  
Blader, attorneys (David B. Beckett, of counsel)

For the Intervenor, Isabel Johnston, representative

DECISION AND ORDER

On January 10, 1992, the Probation Association of New  
Jersey ("PANJ") requested review of D.R. 92-9, 18 NJPER \_\_\_\_ (¶\_\_\_\_  
1992). On January 21, PANJ filed a supplemental submission.<sup>1/</sup> In  
that decision, the Director of Representation dismissed PANJ's

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<sup>1/</sup> PANJ characterized its filing as a brief in support of  
exceptions. The only mechanism for our review of a decision  
of the Director of Representation is a request for review  
pursuant to N.J.A.C. 19:11-8.1 et seq. We will treat this as  
such a request but will not order the filing of additional  
briefs.

post-election objections. He found that PANJ had not established a prima facie case which would warrant setting aside the October 31, 1991 election. In that election among probation officers and chief probation officers employed by the Camden County Judiciary, 55 employees voted for the Coalition of Camden County Probation Officers ("Coalition"), 52 voted for PANJ, and 1 voted for no representation. The Coalition opposes review.

The grounds for granting a request for review are narrow.

N.J.A.C. 19:11-8.2 provides:

(a) The commission will grant a request for review only where compelling reasons exist therefor. Accordingly, a request for review may be granted only upon one or more of the following grounds:

1. That a substantial question of law is raised concerning the interpretation or administration of the act or these rules;

2. That the director of representation's decision on a substantial factual issue is clearly erroneous on the record and such error prejudicially affects the rights of the party seeking review;

3. That the conduct of the hearing or any ruling made in connection with the proceeding may have resulted in prejudicial error; and/or

4. That there are compelling reasons for reconsideration of an important commission rule or policy.

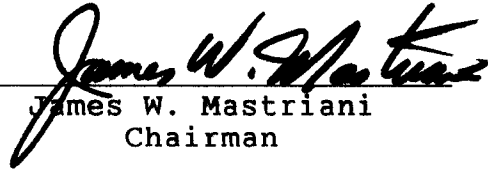
No such compelling reasons exist here. PANJ has not shown that the Director's factual determinations are clearly erroneous; that a substantial question of law has been raised; or that important Commission rules or policies are implicated. Nor does PANJ's

supplemental submission raise new facts sufficient to warrant setting aside the election as a matter of law.

ORDER

The request for review is denied.

BY ORDER OF THE COMMISSION

  
James W. Mastriani  
Chairman

Chairman Mastriani, Commissioners Bertolino, Goetting, Grandrimo, Regan, Smith and Wenzler voted in favor of this decision. None opposed.

DATED: January 30, 1992  
Trenton, New Jersey  
ISSUED: January 31, 1992