

P.E.R.C. NO. 90-64

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 Employer-Employee Relations Commission grants a motion for reconsideration of P.E.R.C. No. 90-55, 16 NJPER _____ (¶_____ 1989) filed by the Neptune Township Education Association. The Commission supplements its remedy and orders the Neptune Township Board of Education to make whole any employees who submit within sixty days of the supplemental order, detailed documentation for any interest lost due to the postponement of payroll deductions to credit union and annuity plan accounts.

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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 December 27, 1989, the Neptune Township Education Association moved for reconsideration of P.E.R.C. No. 90-55, 16 NJPER ____ (¶ ____ 1989). In that decision we found that the Neptune Township Board of Education violated the New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-1 et seq., by postponing the transfer of payroll deductions to credit union and annuity plan accounts of employees represented by the Association.

The Association claims that we "inexplicably did not make the dozens of adversely affected school district employees whole for the losses they suffered." It urges us to supplement our remedy but suggests that "if a unit member does not submit to the Board within 60 days, documentation of lost interest, the Board would owe no

obligation to make that individual whole for any lost interest." The Board has not replied to the Association's motion.

We did not address this aspect of the Association's proposed relief in our initial decision. Accordingly, we grant the Association's motion, find the request for relief meritorious, and accept the proposed supplemental remedy.

SUPPLEMENTAL ORDER

The Neptune Township Board of Education is ordered to make whole any employees who submit, within 60 days of this supplemental order, detailed documentation for any interest lost due to the postponement of the transfer of payroll deductions to credit union and annuity plan accounts.

BY ORDER OF THE COMMISSION


James W. Mastriani
Chairman

Chairman Mastriani, Commissioners Wenzler, Ruggiero, Johnson and Smith voted in favor of this decision. None opposed. Commissioners Reid and Bertolino abstained from consideration.

DATED: January 31, 1990
Trenton, New Jersey
ISSUED: February 1, 1990