

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

EDISON TOWNSHIP BOARD OF
EDUCATION,

Public Employer-Petitioner,

-and-

Docket No. CU-84-10

EDISON PRINCIPALS' ASSOCIATION,
a/w N.J.A.P.S.,

Employee Representative.

SYNOPSIS

The Chairman of the Public Employment Relations Commission, acting pursuant to authority delegated to him by the full Commission, denies a motion of the Edison Principals' Association, a/w N.J.A.P.S. to bar a hearing on a Clarification of Unit Petition which the Edison Township Board of Education filed. The Chairman rejects the Association's contention that a previous unit clarification proceeding precluded relitigation of the Board's claim that a conflict of interest existed between principals and vice-principals.

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Appearances:

For the Public Employer-Petitioner, Cassetta,
Brandon & Taylor (Raymond A. Cassetta, Consultant)

For the Employee Representative, Robert M. Schwartz,
Esq.

DECISION AND ORDER

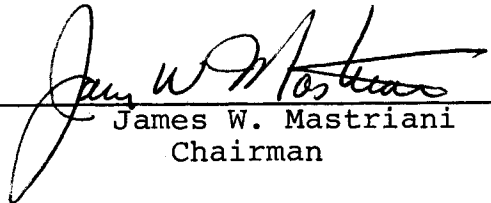
On August 8, 1983, the Edison Township Board of Education ("Board") filed a Clarification of Unit Petition with the Public Employment Relations Commission. The Board seeks to remove building principals from a negotiations unit also including vice principals and supervisors which the Edison Principals Association, a/w N.J.A.P.S. ("Association") represents. The Board asserts that a conflict of interest precludes the continued inclusion of principals in that unit.

The Board and the Association had previously litigated this issue in unit clarification proceedings ending in a Director of Representation decision on August 19, 1981, D.R. No. 82-8, 7 NJPER 560 (¶12249 1981). The Director concluded that the Board had not demonstrated a conflict of interest sufficient to change the unit composition. The Director stated, however, that

he might have reached a different conclusion if the factual record concerning the relationship between principals and vice-principals had been more fully developed and that he would be willing to entertain a motion to reopen the record for that purpose.

On March 29, 1984, a Notice of Hearing was issued in the instant case. The Association then filed a motion seeking either to bar a hearing or, in the alternative, to limit the hearing to proof of any change in circumstances since the Director's previous decision. The Association contends that this matter should not be relitigated.

Pursuant to N.J.S.A. 34:13A-6(f), the full Commission has delegated authority to me to decide this motion. After a review of the record and the submissions, I deny it.


James W. Mastriani
Chairman

DATED: Trenton, New Jersey
June 1, 1984