

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

NORTH BRUNSWICK BOARD OF  
EDUCATION,

Petitioner,

Docket No. SN-80-70

-and-

NORTH BRUNSWICK TOWNSHIP  
EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Chairman denies a motion for reconsideration filed by the Education Association in which the Association requested that the Commission transfer this matter to the Commissioner of Education. The Chairman had previously granted a request of the Board of Education that arbitration of a grievance concerning written comments which were included in an observation report of an elementary school teacher be restrained. The Chairman noted that the initial decision did not prevent the Association from pursuing this matter in any appropriate forum but concludes that it would be more appropriate for the Association to file directly with the Commissioner of Education, if it desires to have the matter heard by that agency.

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Appearances:

For the Petitioner, Borrus, Goldin & Foley, Esqs.  
(Mr. James E. Stahl, of Counsel)

For the Respondent, Stephen E. Klausner, Esq.

DECISION ON MOTION FOR RECONSIDERATION

The undersigned issued a decision in this matter on April 16, 1980 <sup>1/</sup> in which he ordered the North Brunswick Township Education Association to refrain from arbitrating or seeking to arbitrate a grievance concerning written comments which were included in an observation report of an elementary school teacher.

On May 8, 1980, the Association filed a notice of motion with the Public Employment Relations Commission and a supporting letter brief urging that the Commission transfer the matter to the Commissioner of Education. The North Brunswick Township Board of Education has filed a letter response opposing this motion.

Because this matter has been fully decided by the Commission and a decision has been issued, the undersigned is treating the Association's application as a motion for reconsideration pursuant to N.J.A.C. 19:13-3.11 and 19:14-8.4. That motion is hereby denied. It is noted that nothing in the initial decision would prevent the Association from pursuing this matter in any appropriate forum but the undersigned believes that it would be more appropriate for the Association, which now seeks to have the matter heard by the Commissioner of Education, to file directly with that agency.

BY ORDER OF THE COMMISSION

  
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Jeffrey B. Tener  
Chairman

DATED: Trenton, New Jersey  
May 28, 1980