

P.E.R.C. NO. 2006-56

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

STATE OF NEW JERSEY and  
NEW JERSEY STATE CORRECTIONS  
OFFICERS ASSOCIATION/FOP LODGE 200,

Respondents,

Docket No. CO-2006-084

STATE CORRECTIONS OFFICERS PBA  
LOCAL 105 and NEW JERSEY STATE  
PBA and INDIVIDUALS,

Charging Parties.

Appearances:

For the Respondent, FOP, Joseph A. Carmen, P.A.,  
attorney

For the Charging Parties, Zazzali, Fagella, Nowak,  
Kleinbaum & Friedman, attorneys (Robert A. Fagella, of  
counsel)

DECISION

On February 1, 2006, New Jersey State Corrections Officers Association/FOP Lodge 200 moved for reconsideration of P.E.R.C. No. 2006-49, \_\_\_ NJPER \_\_\_ (¶ \_\_\_ 2006). In that decision, we ordered the FOP to refund to the named charging parties the representation fees in lieu of dues collected between July 1 and October 18, 2005. The FOP now states that over half of the named charging parties did not pay representation fees and are not entitled to a refund. The charging parties oppose reconsideration.

Reconsideration will be granted only in extraordinary circumstances not present here. N.J.A.C. 19:14-8.4. Our order requires the FOP to refund representation fees. If a named charging party did not pay representation fees to the FOP, then that person is not entitled to a refund. There is no reason to reconsider or recast our order.

ORDER

Reconsideration is denied.

BY ORDER OF THE COMMISSION

Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller and Watkins voted in favor of this decision. None opposed. Commissioner Katz was not present.

ISSUED: February 23, 2006

Trenton, New Jersey