

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TEAMSTERS LOCAL NO. 469,

Respondent,

-and-

Docket No. CI-1996-019

KENNETH JAMES WILLIAMS,

Charging Party.

OLD BRIDGE TOWNSHIP,

Respondent,

-and-

Docket No. CI-1996-020

KENNETH JAMES WILLIAMS,

Charging Party.

OLD BRIDGE TOWNSHIP,

Respondent,

-and-

Docket No. CI-1996-021

KENNETH JAMES WILLIAMS,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission denies a motion for reconsideration of P.E.R.C. No. 97-19, 22 NJPER 354 (¶27182 1986), recon. den. P.E.R.C. No. 97-92, 23 NJPER 134 (¶28066 1997), aff'd App. Div., 24 NJPER 285 (¶29134 1998), filed by Kenneth James Williams. Williams argues he was coerced into resigning by officials of Old Bridge Township who were later found to be corrupt. The Commission holds that the Appellate Division has affirmed its prior decision denying reconsideration of Williams' charge and that the corruption of the individuals involved does not undermine the Commission's prior finding that Williams settled his unfair practice charge voluntarily.

This synopsis is not part of the Commission decision. It has been prepared for the convenience of the reader. It has been neither reviewed nor approved by the Commission.

P.E.R.C. NO. 2010-86

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Appearances:

For the Respondent, Teamsters Local No. 469, Frederick
Potter, Jr., President

For the Respondent, Old Bridge Township, Marsha
Rosenbaum, Human Resources Manager

For the Charging Party, Kenneth James Williams Sr., pro
se

DECISION

On November 9, 2009, Kenneth James Williams Sr. filed a motion to reopen State of New Jersey, P.E.R.C. No. 89-52, 14 NJPER 695 (¶19297 1988). On December 10, we notified Williams that P.E.R.C. No. 89-52 involved the State of New Jersey and was not the case he was involved in with Teamsters Local No. 469 and the Township of Old Bridge. We informed him that if he would like to move to reopen the cases he was involved in, P.E.R.C. No. 97-19, 22 NJPER 354 (¶27182 1996), recon. den. P.E.R.C. No. 97-92, 23 NJPER 134 (¶28066 1997), he would have to serve a copy of his motion on the union and the Township.

On January 5, 2010, Williams filed the required proof of service. On January 13, we informed him that his motion would be treated as a motion for reconsideration. We now deny reconsideration.

In P.E.R.C. No. 97-19, we denied Williams' request to reopen the unfair practice charges he had filed against the Township of Old Bridge and Teamsters Local No. 469. The charge against Local 469 alleged that it violated the New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-1 et seq., when it failed to file a grievance on his behalf and to provide him with a copy of its collective negotiations agreement. The charges against the Township alleged that it violated the Act when it denied Williams 39 1/2 days of wages after he resigned; refused to provide him

with a copy of the contract; refused to provide a copy of a personnel manual; and did not follow contractual procedures in trying to build a case for discharging him. We found that Williams did not allege that Local 469 and the Township did not abide by the terms of a Memorandum of Agreement between the parties under which Williams withdrew his charges, or that any extraordinary circumstances warranted reopening the charges.

In P.E.R.C. No. 97-92, 23 NJPER 134 (¶28066 1997), we denied Williams' motion for reconsideration. The Appellate Division affirmed, finding that there clearly was a voluntary settlement encompassed in the Memorandum of Agreement and that the union and the Township fully complied with the terms of that settlement. 24 NJPER 285 (¶29134 1998).

Williams now asserts that one of the Township officials who appeared at the exploratory conference was indicted and pleaded guilty, that official was Williams' boss, that official was the main reason Williams filed his charge; another person at the conference was a shop steward who was later fired by the Township and had his Fire Official's license taken away; a third person at the conference also lost his Building Official's license; and a fourth person was a Building Official who committed suicide to the best of Williams' knowledge and belief.

Williams suggests that he was coerced into resigning by people who have now been revealed to be corrupt.

We deny the motion for reconsideration. We have serious questions about whether we have any authority to reconsider a decision that has already been affirmed by the Appellate Division. Even if we did, we would deny the motion because the alleged corruption of the public officials does not undermine our earlier finding, affirmed by the Appellate Division, that Williams entered into a voluntary settlement of his charges.

ORDER

The motion for reconsideration is denied.

BY ORDER OF THE COMMISSION

Commissioners Colligan, Eaton, Fuller, Krengel, Voos and Watkins voted in favor of this decision. None opposed.

ISSUED: June 24, 2010

Trenton, New Jersey