

P.E.R.C. NO. 2013-51

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

CITY OF CAMDEN HOUSING AUTHORITY,

Respondent,

-and-

Docket Nos. RO-2012-058  
RE-2012-003  
CU-2012-025

AFSCME COUNCIL 71, LOCAL 3974,

Petitioner.

SYNOPSIS

The Public Employment Relations Commission denies the City of Camden Housing Authority's request for review of D.R. 2013-2. In that decision, the Director of Representation ordered that AFSCME Council 71, Local 3974 be certified as the exclusive representative of a unit of approximately twelve supervisors employed by the Authority. The Authority argues that the Director made factual errors in determining which employees were appropriate for inclusion in the unit. The Commission holds that because the Authority did not object to the validity of certification cards or employee lists, or provide a complete list of employee names to the Director, despite being requested to do so, the request for review is denied.

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.

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Appearances:

For the Respondent, Lisa Hendricks Richardson, Staff  
Attorney

For the Petitioner, Joseph Waite, Staff Representative

DECISION

On September 17, 2012, the City of Camden Housing Authority filed a request for review of a decision issued by the Director of Representation certifying AFSCME Council 71, Local 3974 as the exclusive representative of a unit of approximately twelve supervisors employed by the Authority.<sup>1/</sup> D.R. No. 2013-2, \_\_\_ NJPER \_\_\_ (¶ \_\_\_\_\_ 2013). The Authority asserts that the Director's decision is "clearly erroneous on a substantial factual issue and such error prejudicially affects [its] rights." N.J.A.C. 19:11-8.2 (a) (2). We deny the Authority's request for review. Given this disposition, we find no need to repeat the

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<sup>1/</sup> The Authority also filed for a stay of the Director's decision, which was denied on October 23, 2012.

extensive factual findings included in the Director's decision, which were ascertained as a result of an administrative investigation. N.J.A.C. 19:11-2.2; D.R. No. 2013-2, 3 - 6. We note briefly that Council 71 filed its initial representation petition on April 24, 2012, and on May 4 and June 15 filed amendments to its petition. The June 15th petition was accompanied by a list of employee names in eligible titles and authorization cards from a majority of petitioned for employees. While the Authority argues that the Director made factual errors in determining which employees were appropriate for inclusion in the unit, we note that during the course of the administrative investigation it was provided with multiple opportunities to provide a complete list of names of employees in the petitioned for titles, or an objection to either the validity of the certification cards or list of employees submitted by Council 71 with its representation petition. However, the Authority provided incomplete information in a piece meal fashion throughout the investigation. To bring the investigation to conclusion, on August 14, 2012, the Director sent a letter to the parties advising them of her tentative findings and conclusions. In that letter, she stated that she was "inclined to rely on the list of names of employees in the petitioned for titles, as provided by Council 71, absent a complete list from the Authority." The Authority provided a response on August 24,

however, its response primarily objected to the Director's outline of procedural history. It did not provide a complete list of names of employees in the petitioned for titles, or an objection to either the validity of the certification cards or list of employees submitted by Council 71 with its representation petition. Accordingly, its request for review is denied.

ORDER

The City of Camden Housing Authority's request for review is denied.

BY ORDER OF THE COMMISSION

Chair Hatfield, Commissioners Bonanni, Boudreau, Eskilson, Jones, Voos and Wall voted in favor of this decision. None opposed.

ISSUED: January 31, 2013

Trenton, New Jersey