

P.E.R.C. NO. 2017-64

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION  
AND  
CIVIL SERVICE COMMISSION

In the Matter of

ARTI SAHNI,

Appellant,

-and-

OAL Docket No. CSV 15050-14  
Agency Docket No. 2015-1296

TOWNSHIP OF EWING,

Respondent.

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CWA LOCAL 1032,

Charging Party,

-and-

PERC Docket No. CO-2015-024

TOWNSHIP OF EWING,

Respondent.

SYNOPSIS

The Public Employment Relations Commission acknowledges the withdrawal of an unfair practice charge pursuant to a settlement agreement in a consolidated action before the Commission and the Civil Service Commission (CSC) and transfers the case to the latter agency for its consideration.

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, Hill Wallack, LLC, attorneys (Rocky Peterson, of counsel)

For the Appellant/Charging Party, Weissman & Mintz, attorneys (Jason L. Jones, of counsel)

DECISION

Appellant Arti Sahni filed an appeal with the Civil Service Commission (CSC) from a determination of the Ewing Township Department of Administration, Finance and Public Works, to terminate her employment. Communications Workers of America, Local 1032 filed an unfair practice charge with the Public

Employment Relations Commission (PERC) alleging that Sahni was terminated in violation of the New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-1 et seq. The CSC appeal was transmitted to the Office of Administrative Law (OAL) for hearing and a Complaint on the unfair practice charge was issued by the PERC Director of Unfair Practices on the allegations that the employer violated N.J.S.A. 34:13A-5.4a (1) and (3).<sup>1/</sup>

On January 11, 2016, the Chair of PERC and the Chairperson of the CSC issued a Joint Order consolidating the cases and finding that PERC had the predominant interest. On April 18, 2017, Administrative Law Judge Joseph A. Ascione issued an Initial Decision/Settlement approving a Settlement Agreement (Agreement) which he found met the requirements of N.J.A.C. 1:1-19.1. Paragraph 3 of the Agreement sets forth that Sahni "freely and unconditionally relinquishes, waives and releases" the Township from the charge filed at PERC. We acknowledge the withdrawal of the unfair practice charge and forward this case to the CSC for its consideration of the Agreement.

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<sup>1/</sup> These provisions prohibit public employers, their representatives or agents from: "1) Interfering with, restraining or coercing employees in the exercise of the rights guaranteed to them by this act. . . [and] (3) Discriminating in regard to hire or tenure of employment or any term and condition of employment to encourage or discourage employees in the exercise of the rights guaranteed to them by this act."

ORDER

The unfair practice charge filed by the Communication Workers of America is withdrawn.

BY ORDER OF THE COMMISSION

Chair Hatfield, Commissioners Bonanni, Boudreau, Eskilson, Jones and Voos voted in favor of this decision. None opposed. Commissioner Wall was not present.

ISSUED: April 27, 2017

Trenton, New Jersey