

P.E.R.C. NO. 95-94

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

BURLINGTON COUNTY MOSQUITO  
EXTERMINATION COMMISSION,

Respondent,

-and-

Docket Nos. CO-H-92-408  
CO-H-93-045

COMMUNICATIONS WORKERS OF  
AMERICA, LOCAL 1044,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission denies a motion to reopen two unfair practice charges filed by the Communications Workers of America, Local 1044 against the Burlington County Mosquito Extermination Commission. The Director of Unfair Practices denied an earlier motion to reopen these cases. This denial was not appealed and the Commission finds no reason for the delay in filing this motion.

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, Capehart & Scatchard, P.A., attorneys  
Evan H. C. Crook, of counsel

For the Charging Party, Weissman & Mintz, attorneys  
(Darrell L. Ford, of counsel)

DECISION AND ORDER

On March 13, 1995, the Communications Workers of America, Local 1044 moved to reopen two unfair practice charges against the Burlington County Mosquito Extermination Commission. CWA withdrew these charges on May 17, 1993. It alleges now that it did so based on the parties' understanding that the employer would ratify a settlement agreement on the evening of April 21, 1993 and that the employer did not in fact ratify that agreement until September 2, 1993. The employer has filed a response opposing reopening the charge.

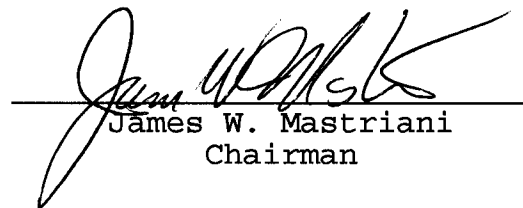
We note that on July 19, 1993, the Director of Unfair Practices denied an earlier motion to reopen these cases, that

this denial was not appealed, and that no reason appears for the delay in filing this motion.

ORDER

The motion to reopen CO-H-92-408 and CO-H-93-045 is denied.

BY ORDER OF THE COMMISSION

  
James W. Mastriani  
Chairman

Chairman Mastriani, Commissioners Boose, Buchanan, Finn, Ricci and Wenzler voted in favor of this decision. None opposed. Commissioner Klagholz was not present.

DATED: May 23, 1995  
Trenton, New Jersey  
ISSUED: May 24, 1995