P.E.R.C. NO. 92-75

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

GREENWICH TOWNSHIP BOARD
OF EDUCATION,

          Petitioner,

   -and-   Docket No. SN-92-20

GREENWICH TOWNSHIP
EDUCATION ASSOCIATION,

          Respondent.

SYNOPSIS

The Public Employment Relations Commission denies a motion for reconsideration of P.E.R.C. No. 92-57 filed by the Greenwich Township Board of Education. In that decision, the Commission declined to restrain binding arbitration of a grievance filed by the Greenwich Township Education Association. The grievance alleges that the Board violated the parties' collective negotiations agreement by refusing to collect representation fees from an employee the Board is seeking to have clarified out of the negotiations unit of support staff represented by the Association. The Board's arguments were fully addressed in the Commission's initial decision.

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Appearances:

    For the Petitioner, Capehart & Scatchard, P.A., attorneys
    (Alan R. Schmoll, of counsel)

    For the Respondent, Selikoff & Cohen, P.A., attorneys
    (Steven R. Cohen, of counsel)

DECISION AND ORDER

On December 18, 1991, the Greenwich Township Board of
Education moved for reconsideration of P.E.R.C. No. 92-57, 18
NJPER ___ (¶___ 1991). In that decision, we declined to restrain
binding arbitration of a grievance filed by the Greenwich Township
Education Association. The grievance alleges that the Board
violated the parties' collective negotiations agreement by refusing
to collect representation fees from an employee the Board is seeking
to have clarified out of the negotiations unit of support staff
represented by the Association. We held that until the employee is
properly removed from the unit, the Association has a right to seek
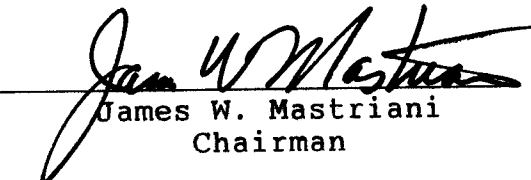enforcement of an alleged contractual requirement that the employee

contribute her fair share towards representation. The Association opposes the Board's motion.

Reconsideration will only be granted in extraordinary circumstances not present here. N.J.A.C. 19:14-8.4; 13-3.11. The Board's arguments were fully addressed in our initial decision. The motion is denied.

ORDER

The motion for reconsideration of P.E.R.C. No. 92-57 is denied.

BY ORDER OF THE COMMISSION

James W. Mastriani
Chairman

Chairman Mastriani, Commissioners Goetting, Grandrimo, Smith and Wenzler voted in favor of this decision. None opposed. Commissioners Bertolino and Regan abstained from consideration.

DATED: January 30, 1992
          Trenton, New Jersey
ISSUED: January 31, 1992