

P.E.R.C. NO. 2010-78

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

In the Matter of

COUNTY OF MONMOUTH,

Respondent,

-and-

PBA LOCALS 314 & 240,

Docket Nos. CO-2009-282  
CO-2009-288  
(Consolidated)

Charging Parties.

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COUNTY OF MONMOUTH,

Respondent,

-and-

PAUL LABELLA, JOHN KOLODZIEJ,  
BYRON C. JONES, WILLIAM GIERSBACH,  
MARK BRAWLEY, AUGUSTIN ALVARADO et al.,  
LEILA DEVITO et al.,

OAL Docket Nos.  
CSVYD 04685-2009S  
CSVYD 04686-2009S  
CSVYD 04687-2009S  
CSVYD 04688-2009S  
CSVYD 04689-2009S  
CSVYL 08381-2009S  
CSVYL 10086-2009S

Appellants.

Agency Docket Nos. 2009-3854  
2009-3855  
2009-3852  
2009-3851  
2009-3853  
2009-4082  
2009-4080

SYNOPSIS

The Civil Service Commission and the Commission designee of the New Jersey Public Employment Relations Commission issue a Joint Order consolidating appeals before Civil Service with unfair practice charges before PERC for hearing before an Administrative Law Judge. The appeals and the charges challenge a layoff of Monmouth County employees. After the ALJ issues a decision to both agencies, PERC will determine whether hostility to protected activity was a substantial or motivating factor in the decision to layoff the PBA-represented employees; whether the County refused to negotiate in good faith with the PBA locals;

and whether the County dominated or interfered with the formation, existence or administration of PBA Local 314. The Civil Service Commission will then determine whether the layoff was for legitimate business reasons and otherwise warranted under Civil Service law. If appropriate, the matter will then be returned to PERC for consideration of whether specialized relief is warranted under its Act.

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.