

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

In the Matters of

ROBERT RUFFIN,

Appellant,

-and-

OAL Docket No. CSV 13378-10
Agency Docket No. 2011-1702

DEPARTMENT OF HUMAN SERVICES,
ANCORA PSYCHIATRIC HOSPITAL,

Respondent.

AFSCME COUNCIL 71, LOCAL 2218,

Charging Party,

Docket No. CO-2011-221

-and-

STATE OF NEW JERSEY
ANCORA PSYCHIATRIC HOSPITAL,

Respondent.

SYNOPSIS

The Chair of the New Jersey Public Employment Relations Commission and the Chair of the Civil Service Commission issue a joint order consolidating an appeal before Civil Service and an unfair practice charge before PERC for hearing before an Administrative Law Judge. The appeal and the charge both allege that a union president was suspended in retaliation for protected activity. After the ALJ issues a decision to both agencies, PERC will determine whether the employee engaged in activity protected under the New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-1 et seq., and whether the activity, if protected was a substantial or motivating factor in the suspension; the CSC will then determine whether the disciplinary action was for a legitimate business reason and was otherwise warranted under the Civil Service laws; and if appropriate the matter will 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.