

P.E.R.C. NO. 2006-64

STATE OF NEW JERSEY
BEFORE THE MERIT SYSTEM BOARD
AND
PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matters of

MONMOUTH COUNTY,

Respondent,

JOINT ORDER
ON CONSOLIDATION AND
PREDOMINANT INTEREST

-and-

PATRICK PANELLA,

DOP Docket No. 2005-4007-1
OAL Docket No. CSVYN 4444-2005S

Petitioner.

MONMOUTH COUNTY,

Respondent,

-and-

PERC Docket No. CI-2005-31

PATRICK PANELLA,

Charging Party.

SYNOPSIS

The Chairman of the Public Employment Relations Commission and the Merit System Board entered a joint order consolidating an unfair practice charge filed with the Commission and a disciplinary appeal filed with the Merit System Board. The consolidated case will be heard by an Administrative Law Judge. The Judge's Initial Decision and the record will be forwarded to the Commission first to determine whether the employee engaged in activity protected under the New Jersey Employer-Employee Relations Act and whether that activity, if protected, was a substantial or motivating factor in the discipline. The Commission's decision and the complete record will then be sent to the Board to determine whether the disciplinary action was for legitimate business reasons and was otherwise warranted under Merit System laws. If appropriate, the matter will be returned to the Commission for its 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.