

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

In the Matter of

PBA LOCALS 51 & 51A,

Petitioner,

OAL DOCKET NO.
CSV 9166-97

-and-

HUDSON COUNTY POLICE
DEPARTMENT LAYOFFS,

Respondent.

COUNTY OF HUDSON,

Respondent,

PERC DOCKET NOS.
CO-H-97-58 and
CO-H-97-59

-and-

PBA LOCALS 51 & 51A,

Charging Party.

SYNOPSIS

The Chair of the Public Employment Relations Commission, in a joint order with the Merit System Board, finds that an unfair practice charge filed by PBA Locals 51 and 51A against the County of Hudson should be consolidated for hearing with a good faith layoff appeal to the Merit System Board filed by PBA Locals 51 and 51A. An Administrative Law Judge will first offer recommended findings of fact and conclusions of law to both the Commission and the Merit System Board, disposing of all issues in controversy through a single initial decision. Upon transmittal of the initial decision to both agencies, the underlying record will be forwarded to the Commission to determine whether the employer transferred PBA unit work to non-unit employees of the same public employer and, if so, whether it was required to negotiate before doing so. If those determinations do not resolve the unfair practice cases in their entirety, the Commission will then determine whether hostility to protected activity was a substantial or motivating factor in the decision to abolish the Hudson County Police Department. The Commission's decision and the complete record will then be sent to the Merit System Board which will determine whether the layoff was for legitimate business reasons and was otherwise warranted under Merit System law.

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.