

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

In the Matter of	:	:
	:	:
JOSEPH DENARO,	:	:
	:	:
Appellant,	:	JOINT ORDER
	:	ON CONSOLIDATION AND
v.	:	PREDOMINANT INTEREST
	:	:
TOWNSHIP OF TEANECK,	:	:
	:	:
Respondent.	:	OAL Dkt. No. CSV 09966-98N
_____ :	:	:
	:	:
TOWNSHIP OF TEANECK,	:	:
	:	:
Respondent,	:	:
	:	:
-and-	:	PERC Dkt. No. CI-H-98-45
	:	:
JOSEPH DENARO,	:	:
	:	:
Charging Party. :	:	:
_____ :	:	:

SYNOPSIS

The Merit System Board and the Chair of the Public Employment Relations Commission have issued a joint order consolidating an MSB appeal and a PERC unfair practice charge for hearing before a Special Administrative Law Judge. The MSB appeal and the charge were filed by Joseph DeNaro contesting his reassignment by the Township of Teaneck from one title to another. After the ALJ issues a recommended decision, the Commission will review the record to determine whether protected activity motivated the reassignment decision. The Merit System Board will then review the record to determine whether DeNaro's reassignment was for legitimate business reasons and was otherwise warranted under Merit System Law.

This synopsis is not part of the joint order. It has been prepared for the convenience of the reader. It has been neither reviewed nor approved by the Commission or the Merit System Board.

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

In the Matter of	:	
	:	
MICHAEL A. DEPOMPEO,	:	
	:	
Appellant,	:	
	:	
-and-	:	OAL Dkt. No. CSV 9305-97N
	:	
TOWNSHIP OF TEANECK,	:	
	:	
Respondent,	:	
_____:	:	
	:	
TOWNSHIP OF TEANECK,	:	
	:	
Respondent,	:	
	:	
-and-	:	PERC Dkt. No. CI-H-97-93
	:	
MICHAEL A. DEPOMPEO,	:	
	:	
Charging Party.	:	
_____:	:	

SYNOPSIS

The Merit System Board and the Commission reaffirm an Order denying consolidation of an unfair practice charge and a Merit System Board appeal filed by Michael A. DePompeo. The MSB and the Commission grant the Township of Teaneck's motion for reconsideration, but conclude that the cases involve two distinct personnel actions and involve different questions of fact and law. Consolidation would not save time or expense and was appropriately denied.

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