

UNITED STATES OF AMERICA  
**FEDERAL LABOR RELATIONS AUTHORITY**  
Office of Administrative Law Judges  
WASHINGTON, D.C. 20424-0001

DEPARTMENT OF THE ARMY U.S. ARMY TANK-AUTOMOTIVE AND ARMAMENTS COMMAND, ARMAMENT RESEARCH AND DEVELOPMENT CENTER PICATINNY ARSENAL, NEW JERSEY And FRATERNAL ORDER OF POLICE PICATINNY MIDDLE LODGE NO. 100  Respondents  and  EDWARD C. ALEQUIN  Charging Party	Case Nos. BN-CO-01-0061 BN-CA-01-0062

NOTICE OF TRANSMITTAL OF DECISION

The above-entitled case having been heard before the undersigned Administrative Law Judge pursuant to the Statute and the Rules and Regulations of the Authority, the undersigned herein serves his Decision, a copy of which is attached hereto, on all parties to the proceeding on this date and this case is hereby transferred to the Federal Labor Relations Authority pursuant to 5 C.F.R. § 2423.34(b).

PLEASE BE ADVISED that the filing of exceptions to the attached Decision is governed by 5 C.F.R. §§ 2423.40-2423.41, 2429.12, 2429.21-2429.22, 2429.24-2429.25, and 2429.27.

Any such exceptions must be filed on or before **AUGUST 13, 2001**, and addressed to:

Office of Case Control  
Federal Labor Relations Authority  
607 14th Street, NW., Suite 415  
Washington, DC 20424

GARVIN LEE OLIVER  
Administrative Law Judge

Dated: July 12, 2001  
Washington, DC

UNITED STATES OF AMERICA  
**FEDERAL LABOR RELATIONS AUTHORITY**  
Office of Administrative Law Judges  
WASHINGTON, D.C. 20424-0001

MEMORANDUM

DATE: July 12, 2001

TO: The Federal Labor Relations Authority

FROM: GARVIN LEE OLIVER  
Administrative Law Judge

SUBJECT: DEPARTMENT OF THE ARMY  
U.S. ARMY TANK-AUTOMOTIVE AND ARMAMENTS COMMAND  
ARMAMENT RESEARCH AND DEVELOPMENT CENTER  
PICATINNY ARSENAL, NEW JERSEY  
And  
FRATERNAL ORDER OF POLICE  
PICATINNY MIDDLE LODGE NO. 100

Respondents

and  
CO-01-0061

Case Nos. BN-

CA-01-0062

BN-

EDWARD C. ALEQUIN

Charging Party

Pursuant to section 2423.34(b) of the Rules and Regulations, 5 C.F.R. § 2423.34(b), I am hereby transferring the above case to the Authority. Enclosed are copies of my Decision, the service sheet, and the transmittal form sent to the parties. Also enclosed are the transcript, exhibits, and any briefs filed by the parties.

Enclosures



Respondent Fraternal Order of Police, Picatinny Middle Lodge No. 100, violated section 7116(b)(1) and (8) of the Statute. Each of the Respondents filed an Answer and Prehearing Disclosure documents denying the alleged violations.

In view of extended but unsuccessful settlement negotiations, the hearing commenced on May 23, 2001 in New York City. Near the end of the first day's hearing, Counsel for the Army and the Fraternal Order of Police and Mr. Alequin again conferred and designed a plan calling for a series of steps which could lead to settlement. On July 10, 2001, Counsel for the General Counsel advised that the parties had reached an agreement in settlement of the unfair labor practice charge and, in view of the settlement agreement, the Charging Party had requested to withdraw the charge. Accordingly, the General Counsel has moved that the case be remanded to the Regional Director for approval of the parties' settlement and the Charging Party's withdrawal request.

The work to effect a settlement was very difficult and involved a great deal of intensive effort, probably exceeding that which would have been necessary to complete the litigation. Accordingly, Ms. Gail M. Sorokoff, Mr. Gary J. Lieberman, Mr. Stephen G. De Nigris, Mr. Joel L. Friedman, Mr. Edward C. Alequin, and other affected and concerned individuals, including the Acting Regional Director Richard D. Zaiger, are to be commended for their efforts in resolving this matter to the satisfaction of all parties while avoiding protracted litigation.

#### **ORDER**

Pursuant to 5 C.F.R. 2423.31(e)(1) of the Authority's Rules and Regulations, permission to withdraw the Complaint is Granted. The case is hereby, Remanded to the Regional Director for such further action as he may deem appropriate to effectuate the purposes and policies of the Federal Service Labor-Management Relations Statute.

Issued, Washington, DC, July 12, 2001.

GARVIN LEE OLIVER  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the **DECISION** issued by GARVIN LEE OLIVER, Administrative Law Judge, in Case Nos. BN-CO-01-0061 & BN-CA-01-0062, were sent to the following parties:

**CERTIFIED MAIL & RETURN RECEIPT**

**CERTIFIED NOS:**

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CATHERINE L. TURNER, LEGAL TECHNICIAN

DATED: JULY 12, 2001  
WASHINGTON, DC