

CWA NJ Executive Branch Contract Negotiations Update | May 18, 2017



Your Bargaining Committee

Hetty Rosenstein
CWA NJ Area
Director

John Rose
President
CWA Local 1031

Patrick Kavanagh
President
CWA Local 1032

Gaye Palmer
President
CWA Local 1033

Adam Liebttag
President
CWA Local 1036

Ken McNamara
President
CWA Local 1037

Shawn Ludwig
President
CWA Local 1038

Carolyn Wade
President
CWA Local 1040

Brothers and Sisters,

As you know, Governor Christie has illegally denied our increments after Contract expiration. We are awaiting a decision from the Supreme Court on another case where this was done that we believe will overturn the Governor's actions in our case.

The Governor did this in an effort to gain leverage so that we accept the raises of 0%, 0%, 1.75% and 1.5% that were accepted by IFPTE 195 and the union representing management that we consider to be inadequate.

CWA has been unwilling to be bullied by the Governor and we have insisted upon pursuing our legal case because we believe that we will win. Your Bargaining Team knows that there are members who are anxious to get the increments they are entitled to, but CWA will not establish a **TERRIBLE PRECEDENT** by agreeing to what we believe is an illegal act by the Governor.

The State has demanded concessions of CWA — which we reject — and has, as of now, not made ANY economic offer — insisting at the May 17th bargaining session that they would not even DISCUSS economic matters until non-economics (including all of their concessions) are resolved. **CWA WILL NOT BE BULLIED.** We will bargain an honest and legal agreement and we will not gut our Contract or give up language that we have fought for and won in the past.

The State is demanding the following concessions – which CWA has rejected:

- ✘ Take the language out of the body of the Contract that says that workers will be treated with respect and dignity and not be harassed. Put it only in the “preamble” and not allow grievances to go to arbitration about worker abuse and harassment.
- ✘ Eliminate from the Contract required Labor Management meetings or the requirement to discuss pending Civil Service Commission Matters. Eliminate bimonthly meetings with the State to try to resolve grievances.
- ✘ Put arbitrary time limits on how long it takes to schedule or hear an arbitration and withdraw the cases even if there is a legitimate reason for a delay in arbitrating the case. (For example: a worker or witness is ill, or the case involves a criminal charge that hasn't been heard yet.)
- ✘ Increase Minor Discipline from 3 suspension days to 5 suspension days, thus eliminating the right to arbitration for suspensions more than of 4 or 5 days.
- ✘ Only provide discovery for hearings if it is asked for 30 days before the arbitration or at the time of an appeal. Limit how many witnesses can be called and what they can testify to.
- ✘ Don't include holiday hours and leave hours as hours worked for the calculation of overtime.

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- ✘ Modify the language protecting workers from being disciplined if they refuse overtime for a good reason.
- ✘ Compensatory Time: Our current language says that requests for compensatory time will be honored. The State wants to say that they will be honored “so long as they do not unduly disrupt operations.”
- ✘ We had a 2 Step— Pass/Fail PAR. Last contract they wanted a 3 Step PAR. Now they want a 5 Step PAR. They are demanding this even though the data they provided shows that they do not have current PAR ratings for about 75% of the workforce.
- ✘ Leave for the National Guard: Currently any employee who is a member of the National Guard must be given time off with full pay to attend required drills. They want to change it to time off as provided under Civil Service.
- ✘ Remove this sentence: “The granting of a request for a request for leave of absence without pay will not be unreasonably withheld.”
- ✘ Layoff and Recall: Remove notice of Layoff as far in advance as possible and eliminate the minimum 45 days notice and the 10 days notice of final work day.
- ✘ Subcontracting: Eliminate language in the Contract that says that the State will work with the Union to find alternative State employment for workers who lose jobs due to subcontracting.

The CWA Bargaining Team believes:

That we will win our increment case and that we should not allow Christie to overturn 40 years of precedent in public sector labor law without challenge. We believe that every Union should fight this type of egregious conduct.

Although we will pursue negotiations with the Administration, we **REJECT** the above demands to gut our Contract of Respect and Dignity Language, of Due Process protections, of overtime and leave rights, and of Layoff and Job Security Rights.

THE CONCESSION STAND IS CLOSED.



We believe that we can fight. We can win our increments and reestablish fair collective bargaining law. We can get raises and we can protect the language in our Contract. We know that our members are anxious and that you have been harmed by not getting the increments that you are **ENTITLED TO!** But CWA will not give in to bullying, concessions, and bad contractual language. Please support your Bargaining Team.



Our next **MEMBERS ONLY** Tele-Town Hall Call where we will provide a full Bargaining Report as well as a report on the State Budget, Pension issues, and more will be held on

Wednesday, May 31 at 7 p.m.



If you have previously given your phone number to us, and received a Town Hall call, then we will call you on that same number. If you have not provided your number before, please do so at **cwanj.org/signup** to be included in this call.