



HETTY ROSENSTEIN
NJ Area Director

NJ Executive Branch Bargaining Report

June 28, 2016

General Negotiations Update:

The Bargaining Committee continues to regularly meet and discuss our strategy for contract negotiations with the Christie Administration. Over the past year, we have not seen any reason to change our minds that negotiations with the Administration will not bring about a satisfactory contract. We are not prepared to accept zeros, we have no interest in further concessions, and we do not want to be distracted from our urgent and immediate goal – saving the pensions of our members and retirees. We do not envision a scenario in which the Christie Administration would bargain a Contract that CWA would consider acceptable. We don't only want a Contract. We want a good Contract. We know that we cannot make concessions. Our members have already lost too much.

Increments:

The most difficult issue we face in not negotiating a contract is the fact that the Christie Administration has refused to pay increments. They did this in violation of our Contract, relying on decisions from the Public Employee Relations Commission (PERC) in the Atlantic County and Bridgewater cases. In these cases, PERC overturned 40 years of precedential decisions and allowed employers to not pay increments. On March 9, 2016, the Appellate Court ruled in favor of the unions, however, and unanimously overturned these cases saying that increments must be paid. The Christie Administration appealed that decision to the New Jersey Supreme Court. We do not yet know if the Supreme Court will “accept cert” and hear the case. If the Supreme Court does not hear the case – we won – the increments must be paid. If the Supreme Court does accept the appeal, we will have to present a case to the Supreme Court.

We have also filed a grievance about the fact that the State missed the contractual deadline for asking to start negotiating the new Contract and thus should pay the increments even after expiration. The State is challenging our right to arbitrate the grievance and so that too is delayed by litigation.

Next Steps:

As we have said for the past year— our primary focus is winning the Constitutional Amendment in November, protecting our pension. That means that we have a difficult path. In CWA we will take a more difficult and less traveled path, if we believe it is time to stand and fight. That is where we are on pensions and on concessions. We must protect the pension plan. We aren't going to wait for someone else to do that for us. We are pressing forward on our immediate fight for the Constitutional Amendment.

We know in CWA, if we remain unified, and if we maintain our courage and ideals, we can win. If we negotiate from a position of weakness or anxiety, the outcome will not be good. We choose unity and courage. Thank you for your support. Please participate in all activities.

In Solidarity,

Hetty Rosenstein, NJ Area Director

John Rose, CWA Local 1031

Patrick Kavanagh, CWA Local 1032

Gaye Palmer, CWA Local 1033

Adam Liebttag, CWA Local 1036

Ken McNamara, CWA Local 1037

Shawn Ludwig, CWA Local 1038

Lionel Leach, CWA Local 1039

Carolyn Wade, CWA Local 1040