



PROBATION ASSOCIATION OF NEW JERSEY

INSIGHT

PUBLISHED BY THE PROBATION ASSOCIATION OF NEW JERSEY

OFFICE ADDRESS: 2409 PAYNTERS ROAD WALL, NJ 08736

ISSN 1065-7800

SPRING 2017

WWW.PANJ.ORG

Supreme Court to address case relevant to PANJ grievances over Salary Progression Payments

By: Daniel J. Zirith, Esq.

On Monday March 13, 2017, the Supreme Court of New Jersey heard oral argument on the appeal of the Appellate Division's unanimous decision in In the Matter of County of Atlantic/In the Matter of Township of Bridgewater. Several years ago, police unions in Atlantic County had filed unfair practice charges with PERC, claiming that the County had violated the New Jersey Employer Employee Relations Act when it failed to pay salary step increases during negotiations for a new collective negotiations agreement. In a separate but similar situation, a police union in Bridgewater filed a grievance when the Township failed to pay step increases after the parties' contract had expired.

In Atlantic County, the Public Employment Relations Commission ("PERC"), departed from its decades long observance of the dynamic status quo doctrine and dismissed the union's unfair practice charge. PERC's decision stated: "the dynamic status quo doctrine ... serves as a disincentive to the prompt resolution of labor disputes." Approximately six months later, in Bridgewater, PERC again disavowed the dynamic status quo doctrine and found that payment of post-expiration step increases was not a term and condition of employment, and therefore was neither mandatorily negotiable nor arbitrable.

The unions in both matters appealed PERC's decisions to the Superior Court of New Jersey, Appellate Division. The Appellate Division found that PERC had exceeded its authority in refusing to adhere to the dynamic status quo doctrine and overturned PERC's decisions in both cases. Both Atlantic County and the Township of Bridgewater filed a Petition for Certification with the Supreme Court of New Jersey, which was granted by the Court last summer. As referenced above, the case was argued before the high Court on March 13, 2017, and we expect that a decision may be rendered in approximately 2 to 3 months.

In January 2013, the Judiciary paid to the members of both PANJ units salary progression payments as had been done for approximately the past twenty years, even when the parties' collective negotiations agreements had expired and prior to a new agreement being reached. However, in December 2013, the Judiciary took the position, based at least in part upon the Atlantic County PERC decision, that it would not pay salary progression payments to PANJ members in January 2014. PANJ filed grievances and Unfair Practice Charges against the Judiciary and subsequently, in reaching new collective negotiations agreements, reserved its right to re-file such claims if the Judiciary failed to pay salary progression payments in January 2017. The Judiciary failed to pay salary progression payments to members of both PANJ units in January 2017.

Based upon contractual language, past practice and the Appellate Division's decision reversing the PERC decisions in both the Bridgewater and Atlantic County matters, PANJ-PCR and PANJ-PSU jointly filed grievances and are in the process of scheduling dates for a hearing with the Judiciary. If the grievances are not granted by the Hearing Officer, PANJ will have the opportunity to appeal the case to an independent arbitrator. We hope that the Supreme Court will affirm the Appellate Division's decision in the Atlantic County and Bridgewater cases, which will help support PANJ-PSU's and PANJ-PCR's claims in their grievances.

Know Your Audience

By Dwight Covaleskie, PANJ President

I was talking to an individual who at the time said something that hits home now. "Know your audience, because others aren't informed or don't care." Well this does hit home in many respects. Being a Probation Officer since 1994, and having been involved with PANJ, starting as a local Vice President in Burlington, I have worked with a dedicated and talented group of people. I have always been inspired by the dedication of the Probation Officers and Supervisor's in the work that they perform daily. I have always been impressed with the leadership of PANJ and the dedication of those officials, who give so much of their time in support of our members, while still performing their assigned duties. Considering the fact that there is a great deal of fairness involved with all decisions that are made by the Executive Board and the membership. In 2009, after having agreed to and signed contracts in both units, PANJ was summoned back to the table because of the severe impact of the economic recession and the financial impact upon the Judiciary.

PANJ was faced with the prospect of furloughs or layoffs. When the question was put to membership in both units, the answer was to keep everyone working and there were no layoffs. Each member faced furloughs, which resulted in a loss of pay for those furloughed days. This decision was made by voting membership. It tells me that the Probation Officer's and Supervisor's possess superior professionalism and dedication not only to their job functions, but also those that they work beside. PANJ will continue to represent each and every member of this organization with the same dedication. PANJ is made up of Probation Officers' and Supervisors' that represent Probation Officers' and Supervisors'.

What is happening in New Jersey and across the country is divide and conquer. You have public officials and others telling you there is a divide between union members and their leadership. Who does that serve? Only those who have created the illusion. It is simply not true and I thank all of our members for their support and unity.

A Message From the President

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Brothers and Sisters,

I am hoping that this message finds you and your families well.

2017 will be a busy year in Trenton, as there is a Gubernatorial Election and all seats in the Senate and Assembly will be on the Ballot. The Primary Election is scheduled for June 6, 2017 and the General Election for Governor and both Houses, is on November 7, 2017. I want to remind everyone that the deadline for registering to vote, if you have not already done so, is 21 days before an election. The cutoff for registration for the Primary election is May 21, 2017 and for the General Election is October 17, 2017. It is early, so if you have not registered, please do so. PANJ will have a link for the voter registration form on our website (PANJ.org) and on the Probation Association of New Jersey's Facebook page.

I urge all of our members, families and friends to vote. It is extremely important to send a message to the Gubernatorial Candidates and Legislators that we care about our futures and our families by voting. More information will follow with specific information on Legislators that support PANJ and its efforts on behalf of its members.

In Solidarity,

Dwight Covaleskie

Dwight Covaleskie
President

A Message From the Editor

Brothers and Sisters,

Welcome to the Spring edition of the Insight! There are several exciting things taking place in our organization that I would like to share with you.

PANJ-EF is holding our annual Golf Outing on May 8th at Mercer Oaks Golf Course. All the proceeds from the day will support the PANJ-EF scholarship fund, which is given out at our annual conference in Atlantic City. This year is the 75th PANJ Conference and our Theme is "Your Time to Shine". It is amazing how far we have come. I am also the training coordinator for the PANJ Conference so feel free to contact me at any time with training suggestions.

I am sure that there are plenty of Local happenings as well. If you would like this information posted in the Insight, you can either reach out to your Local Representative or email me at the PANJ office.

In Solidarity,

Nicole Mlynarczyk

Nicole Mlynarczyk
Editor

Stress in the Workplace?

By Senior PO Glenn Guarino, Health and Safety Chairperson

The question is not if you have stress in the workplace, it is whether you can manage it effectively! The environment in the workplace today is constantly changing. Companies and Government jobs have to deal with social, cultural and economic changes. Work related stress could lead to health concerns such as Heart Disease, Diabetes and Obesity. Work related stress has also been emerging as one of the main causes of adverse symptoms of mental health. We find ourselves vulnerable to depression, anxiety and fatigue. There are two types of stress. Good and Bad! Good stress comes from the exhilarating feeling you get from winning or getting a challenge met. The bad stress....well, it is probably everything else! Some tips to manage stress are as follows: Exercise, Deep Breathing, Yoga, Balanced Diet, and Take Breaks! Sometimes easier said than done, especially with our workloads and demands placed upon us at our job. If you cannot change the stressor, CHANGE YOURSELF! You can adapt to the stressful situations and regain your sense of control by changing your expectations and attitude. Reframe from Problems you cannot control; Look at the big picture; adjust your standards on yourself/others and practice gratitude. However, sometime things can appear too much to bear. Do not let yourself become a victim of stress. There is help out there. There are programs such as HCAMS

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(Health Care Assistance/Member Support) that is offered to our members who are in need of such help. You can also call your current health provider for assistance. Stress in the workplace will probably not be going away anytime soon. In Fact, in our changing work environment, we only expect it to be more cumbersome. Please do not let it beat you. Do not ignore Stress. Do not let it beat you. Manage it! Manage it for your health, your family and for your career!

Legislative Update, Spring 2017

By Sabeen Kalyan-Masih, Capital Impact Group

Statehouse Happenings

Governor Chris Christie recently delivered his final budget address before a joint session of the Legislature. His proposed fiscal 2018 budget calls for \$35.5 billion in spending, a 2.9 percent increase over last year. He made it clear that he will focus his remaining months in office on two priority issues: healthcare and public education. Since its inception seven years ago, the Affordable Care Act (ACA) has led to a steady increase of New Jerseyans with health insurance. The Christie administration cited that this uptick of insured residents, along with the recent expansion of Medicaid, as justification to slash \$50 million in charity care reimbursements to hospitals. With the uncertain fate of the ACA in Washington, many fear that the plan to “repeal and replace” the ACA will result in twenty million more Americans without health insurance. Governor Christie plans to

utilize Horizon Blue Cross Blue Shield of New Jersey's revenue surplus to annually fund services for these vulnerable populations.

Education and how to fund the state's broken funding formula is another priority of Governor Christie's for his remaining months. The most recent iteration of the education formula, the School Funding Reform Act (SFRA), was fast-tracked through the legislature in 2008, and promised to deliver help to some of the state's poorest districts. What resulted, however, was inequity across the state and severe underfunding. Now the governor has called on the legislature for serious reform, with 39% of the state's entire FY 2018 budget to be dedicated to education spending. Within 100 days, the Governor has directed leaders in both parties to come to agree on a way to amend the funding formula, stressing the importance that this issue should be resolved by summer. The Governor, Speaker Prieto and Senate President Sweeney are scheduled to meet the week of March 13th to begin discussions on this matter.

Bail Reform

The Probation Association of New Jersey has been supportive of Bail Reform which included three components: the pre-detention of high risk defendants, the right to a speedy trial, and a non-monetary risk based pretrial release. Since January 1 of this year, Bail Reform has been implemented. Though the intention of Bail Reform was to help non-violent offenders while maintaining the public's safety, the lack of monitoring and protective measures have led to a shaky rollout of this new system, and can become dangerous if violent offenders are not carefully accounted for and supervised.

President of PANJ, Dwight Covaleskie, intends to present the Association's concerns on the rollout of Bail Reform to the Senate and Assembly Budget Committees in March.

Governor's Race 2017

Though twenty candidates have officially announced their campaigns for Governor, the five viable contenders are former Ambassador **Phil Murphy** (D), **Lieutenant Governor Kim Guadagno** (R), **Senator Ray Lesniak** (D), **Assemblyman John Wisniewski** (D), and **Assemblyman Jack Ciattarelli** (R).

Most Democratic organization support has rallied behind Phil Murphy, a former Goldman Sach's executive who founded New Start New Jersey, a policy think tank focused on bold ideas to jump start the state's economy. The Republican leading candidate is Lieutenant Kim Guadagno who has been slowly separating her policies from Governor Christie's, even having her slogan as "Better." Senator Ray Lesniak is the second longest serving member on the NJ Legislature, had been previously enigmatic on whether or not he was running, but as an open critic of Christie's, he felt that he had to run and be a "fighter for New Jersey." Assemblyman John Wisniewski has served in the New Jersey Assembly since 1996, and was one of the first legislators that opened the Bridgegate investigation and frequent critic of the current administration. Somerset Republican Assemblyman Jack Ciattarelli, had taken a hiatus from his campaign to undergo treatment for throat cancer but he just recently announced that he is now cancer-free and back to campaigning

PANJ EF ANNUAL CONFERENCE

By Deneen Hohman, PANJ Conference Chair

PANJ EF would like to thank everyone who attended the 74th Annual PANJ EF Conference this past November. The workshops were well attended. Some of the popular workshops were the Heroin Epidemic, Human Trafficking, Hybrid Gangs, Stress & Wellness, Sovereign Citizens, Working with Difficult Behaviors, and Child Abuse. Our Keynote "Enjoying Excellence" presenter, Dr. Earl Suttle was so well received; we are bringing him back to do part two of his keynote this year.

For those of you who were not able to attend the Awards luncheon, PANJ gave out five scholarships to relatives of our members attending college. The Dwight Watson Leadership Scholarship award recipient was Trey Smith, son of Sheri Bouldin from Monmouth County. The Ethan Janowitz Training Educational Scholarship award recipient was Julian Tention, son of Era Tention from Gloucester County. The Kimberly Cuzzo Continuing Education Scholarship award recipient was Kelly Dolan, daughter of Connie Dolan from Morris County. The PANJ EF Scholarship award recipients were Tiayanna Boston, Niece of Frances Paul from Gloucester County and Monique Wakefield, niece of Janet Dixon from Union County. As a member, it is so important to participate in the different events PANJ EF plans. These events help to fund the scholarships that are available to everyone.

PANJ awarded Frances Paul of Gloucester County as Probation Officer of the Year, Marianne Hassett of Cape May County as Supervisor of the Year, and Stephen McMullen of Burlington County with the John Augustus Award.

PANJ was extremely honored to award Catherine McBride with the PANJ 2016 Citizen of the Year award. She is the President of the Detective Melvin Vincent Santiago Foundation. PANJ 2016 Legislator of the year was Assemblyman Dan Benson. Congratulations to all.

We would like to remind members when they attend the workshops and the luncheon to be mindful of having secondary conversations. The room sizes and the amount of people in the rooms tend to carry and increase the sound of all conversations. Please be polite, professional and respectful to those who are presenting and guest speaking.

The attendees brought in over 486 pounds of donated items for the Atlantic County Food Bank at the 2016 conference. This is 130 pounds more from 2015's donations of 350 pounds. Way to Go Everyone!!

The conference committee would like to thank everyone for his or her patience with the transition to the Golden Nugget. The committee works very hard every year trying new things so it does not become mundane. We received great feedback and will continue to strive for excellence. We always ask for all of our members to let us know about any new trainers or topics that would be great to have at our conference. There are always kinks to work out and the committee does their best.

We hope to see everyone at the 75th Annual PANJ EF Conference November.

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74th PANJ Conference



Exhibitor Event



Gang Training



Citizen of the Year



Dr. Earl Suttle Keynote "Enjoying Excellence"



Welcome Reception



Monday Night



2016 Scholarship Winners

Hope to see you at the 75th Conference in Atlantic City

6th Annual Gloucester County PANJ Local 108 Holiday Luncheon

By Chastity Robinson, SBPO, PANJ Local 108 Secretary

On December 12, 2016, we were once again spreading holiday cheer to our fellow Probation Officers for our 6th Annual Holiday Luncheon that we like to think of it as the gift that keeps on giving. We welcomed colleagues, co-workers and friends for a lunch feast. This year, we collected products for teens in Gloucester County youth shelters (Ranch Hope and Together Shelter). We had a representative from Together Shelter speak about the types of teens these youth shelters serve and how our donations matter to the teens that will receive them. The representative was overwhelmed by our generous donations and the donations continued to pour in even after the holiday luncheon. You know, sometimes it takes a season of giving for us to appreciate what has been given to us, so that we can in turn give to others cheerfully. We had great participation and everyone enjoyed each other's company while catching up on life. We know that a chance to get away from your desk on your lunch hour to go where a hot lunch will be waiting for you to eat, can be an opportunity to destress and rejuvenate before returning to your assigned work.

Our Gloucester County PANJ Local 108 President, Linval Lewis delivered the PANJ update this year. We recognized our Grievance Officer, Raymond Rose with a plaque naming him our "Unsung Hero" for his humble dedication and commitment to PANJ Local 108. We also added Yadira Rexach to our PANJ Local 108 Executive Board as our Parliamentarian and thanked her for reliable involvement behind the scenes during elections. We

You know, sometimes it takes a season of giving for us to appreciate what has been given to us, so that we can in turn give to others cheerfully.

raffled off gift cards and two ornaments that were representative of PANJ Local 108 to adorn someone's tree through the holidays. Last, we were excited to give away compact fleece blanket totes with our logo and local branch printed on it so our fellow Probation Officers can get through the cold season. They were well received and every Probation Officer was grateful for the thoughtful gift. As we reflected on 2016, we looked forward to the year ahead for what was to come knowing we have dedicated men and women who serve PANJ to seek resolve for our best interest.

Local 108 Holiday Lunch 2016



Be the Change that Will Change the Lives of Many

By Chastity Robinson, SBPO, PANJ Local 108 Secretary

I am the Secretary of Gloucester County PANJ Local 108 and have been glad to serve on the Executive Board for over eight (8) years. It has been my pleasure to organize our yearly community service project. In 2016 we volunteered for the South Jersey Volunteer Center that serves a greater public and whom we will be doing other community service projects with for years to come. The center sets up an array of volunteer work for many families, agencies and organizations throughout South Jersey. Probation Officers and judiciary employees with their children/grandchildren came out to show their volunteer support for Family Volunteer Day on Saturday, November 19, 2016 at Rowan College at Gloucester County to assist prepping for the day ahead and volunteered ourselves at a number of different stations. The different volunteer stations included making Holiday Cards for our troops, making blankets for children in the hospital/shelters, making cutlery kits, making birthday boxes, making shoe patterns, folding brochures, making emergency kits and accepting pet food donations. The day went by so fast because we were all enjoying ourselves at each station knowing that every little bit we were doing counted to help change a life or family in a positive way. We all left feeling that we had accomplished something and we had a new perspective on helping others to know there were so many different ways to make a difference. We had assisted in the making of seventy-five (75) Holiday Cards for our troops, helped make sixteen (16) blankets for children in the hospital/shelters, assisted in the making of five hundred (500) cutlery kits for Cathedral Kitchen in Camden, NJ, ten (10) Birthday Boxes for Generations Success Center in Mount Holly, NJ, one hundred (100) shoe patterns for shoes to be made in Uganda, one hundred and fifty (150) brochures folded for the Gloucester County Library, twenty (20) emergency kits were made for Robin's Nest in Glassboro, NJ and the volunteer center had collected many pet food donations for to a Voice for Paws in Clayton, NJ. The many volunteers including us had volunteered a whopping four hundred (400) plus hours during a four hour shift. We look forward to our next community service project and volunteer endeavor. I recently read an anonymous quote that reminded me of this volunteer day experience that said, "The things we get in life can make us a living. The things we give to people can make a life. Never look down on anybody unless you're helping them up."



POs Left to Right. Audrey Carter, Diana Archer, Chastity Robinson, Jessica Melement and Howard Evans



Probation Association of NJ Education Foundation 22nd Annual Golf Outing

Date: May 8, 2017

Place: Mercer Oaks Golf Course

725 Village Drive West, West Windsor, New Jersey

Time: 1:00 PM Shotgun start, Lunch served at 11:30

Cost: \$150. (Includes lunch, range balls, golf, cart, open bar cocktail party, dinner, prizes & souvenir gift)

No Refunds – Rain date - TBA

All Are Welcome!!!

All proceeds will go to the PANJ Education Foundation

Any questions call PANJ at (732) 223 – 1799

Northfield's Olivia Margulis represents U.S. at skating competition in Sweden

Olivia Margulis is the daughter of Robyn Margulis, CSS2 in Cape May Drug Court

As seen in the Press of Atlantic City, Erin Grugan



A free pair of ice skates changed Olivia Margulis' life.

When she was 6, her father signed Olivia and younger brother Josh up for lessons that included free skates at Flyers Skate Zone in Atlantic City. For three years, she mastered lesson after lesson until her coaches told her she had what it took to try figure skating. She joined the Atlantic City Figure Skating Club at 9 and continued to learn and improve. Last month, Margulis, 20, helped her synchronized skating teammates from Adrian College (Michigan) finish fourth at an international competition in Gothenburg, Sweden. At the 10th annual Leon Lurje Trophy competition, the Americans faced teams from around the world, including Sweden, Finland, Turkey and Canada. "We worked so hard to get chosen for this," said Margulis, of Northfield. "We trained for months constantly just for our chance to be picked for it. When I found out we actually did it, I couldn't help but cry." Team USA was selected by judges from the International Synchronized Skating Union, which monitor teams across the country before picking the one to represent the United States. The Adrian Bulldogs finished fourth in the free skate and fifth in the short program to take fourth place overall among seven teams Jan. 28-29. "Our programs were amazing for us. The crowd was so loud, and there were even chants for the USA. It was an incredible experience for us," Margulis said. "It was my first time out of the country, and to be able to see parts of Sweden and get to skate for the USA at the same time was a dream come true."

Family support

It was a dream come true for Olivia's family, too. When her mother, Robyn, heard the Adrian College team was headed to Sweden, she screamed so loud she woke her husband, Gary, 55. "In that moment, everything became worth it," said Robyn Margulis, 50. "All of the money for training, skates, and clubs all became worth it right then. She and her teammates work so hard, and I just have so much pride in what they do." Olivia remains a member of the Atlantic City Figure Skating Club, one of the oldest clubs in the nation. "I attribute all of my success to my time with Atlantic City," Olivia said. "I've skated there with the same coaches for basically my entire life. I wouldn't be where I am today without that club." Robyn is just as grateful to the club. "The kids get such a great foundation in Atlantic City," Robyn Margulis said. "They learn the basics and work hard to get better, and that's what gives the kids the opportunities to do the sort of things Olivia is."

A Class Act Remembered

By Shakira Rahn, SPO Local 120 Secretary

When I decided to run for a local union representative position again it is because of the experience of other members I would like to assimilate. One of the epitomes of an Union Man in my county was Mr. Dan Debbie (RIP November 2010). I had the pleasure of being supervised by Dan. He was knowledgeable, fair, had your back, and loved the Union. I remember when Dan first supervised me I would ask so many questions and say "Mr. Debbie" "Mr. Debbie" and one day he pulled me to his side and stated we are colleagues, please call me Dan. As we near May I am reminded of the yearly golf outings he would attend. On the personal side with Dan he had a wife and a daughter that he loved with everything. I love fashion so when I would see Dan's colored coordinated suits looking like he just stepped out of GQ a couple of times I would complement him, he refused to take any credit he stated it was all his wife's doing. This past contract negotiation was tough for all involved, however thankfully that is over and now it is time for the future battles. Please remember we are colleagues let us treat each other the way you want to be treated with respect, dignity, and integrity. The reason I took this position is because I want to make a difference I want my memories to be positive like I remember Dan. A true class act, Union County's Union Man. I hope to learn from Dan's example, however I must admit I am definitely still green. I am open, eager and trustworthy. I would like to thank the members of my local who voted for me and trust I will give my all when I represent my county. We have wonderful people not only on the Executive Board but members who are willing to help out in a jam. Try to become more involved in your Union come to the next meeting, help volunteer, support extra activities. Like it or not we are a family, some family we love some not so much, still a family though. Don't forgot even if you are not having that best day ever you can say " Hello". You may set an example for a new employee that you are not even aware of.

