

# INSIGHT



PUBLISHED BY THE PROBATION ASSOCIATION OF NEW JERSEY  
OFFICE ADDRESS: UNITED PROFESSIONAL CENTER, BLDG. 2, 617 UNION AVE • BRIELLE, NJ 08730

ISSN 1065-7800

JUNE 2012

WWW.PANJ.ORG

## UPCOMING NEGOTIATIONS

By Dwight Covaleskie, First Vice President, Line Staff

Upon expiration of the current Collective Bargaining Agreements on June 30, 2012, PANJ is preparing to enter into negotiations of a successor agreement with the Judiciary. It goes without saying that we will enter into Negotiations with one pursuit in mind: To have a competitive, fair contract that will allow us to continue to fairly represent all members in PANJ and negotiate fair rates of pay, hours of work, working conditions and other terms and conditions of employment. We will also pay particular attention to the contract in areas of grievances and disciplines, which is the backbone of our contract and basis for representation of our members.

The Committee will accomplish these objectives by focusing on the duration of the contract, recognition of titles included in our bargaining unit, preservation of the work unit, both economic and non-economic issues and short and long term goals. The Committee is also undertaking a comparative analysis of other similar areas of employment and contracts.

Without fail, the middle class in America is quickly being eroded and vilified by the media, politicians and others. This is happening while compensation of CEO's at banks that were bailed out and other top Corporations continue to set new benchmarks that are often incomprehensible to us as public employees. PANJ is comprised of very dedicated and intelligent members who complement our organization.

The Line Staff Negotiations Committee will consist of the following: Daniel Zirrieth, Partner at Fox and Fox; George Christie, President; Dwight Covaleskie, First Vice President, Chairperson; Kevin Farley, Central Region Vice President; Patrick Barrea, Southern Regional Vice President; Daniel Bergin, Northern Regional Vice President; Ellen Cribbin, Local President, Monmouth and Business Manager; Anthony Persico, Local President, Passaic and Northern Region Rep; Dorothy Robinson, Recording Secretary and Local President, Bergen; Linval Lewis, Parliamentarian and Local President Gloucester; Susan Campbell, Central Region Rep and Local President, Middlesex; Sabrina Beyah, Local President, Essex; Jacqueline Guarini-Sheehan, Treasurer and Local President, Hudson; A Francis Noonan, Southern Region Rep; Bridgett Patillo, Northern Region Rep; Lynne Taylor, Local President, Somerset; Stephen McMullen, Local President, Ocean; Georgette Warren, Local President, Morris; Glenn Guarino, Local President, Burlington and Drew Celantano, VP Local, Bergen.

Your committee consists of a broad spectrum of the makeup of PANJ, to make sure that all of our interests are represented. This will also give you as a member access to forward your thoughts and recommendations for the Committees consideration.

This endeavor will require your undivided support. One way to accomplish this is through continued unity within PANJ and continued support of the Negotiations Committee.

I will leave you with this slogan:

**United we bargain, divided we beg!**

## Supervisor Update

### By Brad Fairchild, First Vice President, Professional Supervisors

Contract negotiations will be beginning soon and the Professional Supervisors in PANJ have serious issues to be addressed. While the economic package is heavily influenced by the Executive Branch contracts that often are settled a year in advance of the contracts in the Judiciary, there are other glaring problems that are non economic but impact supervisors every day.

With increasing regularity the Judiciary's administration of justice for its own Supervisors is riddled with conflict and unfairness. Policies must change or the Court's ability to recruit new supervisors from the ranks of the most talented Probation Officers and Senior Probation Officers will be seriously compromised.

One issue that has flared time and time again is the fairness of Judiciary Hearing Officers. The fact that PANJ has not received a positive ruling in more than ten years in any case clearly indicates that the principals of fairness and objectivity do not apply. The blunt reality is that there is as much novelty in awaiting a Hearing Officers decision, as there was awaiting the outcomes of elections in the former Soviet Union.

The method of applying the 9.8 Article (which allows Management's Non Reviewable right to remove Supervisors) has become extremely suspect. Examining the removals administered so far in 2012 shows that Supervisors with high end salaries are the target and PANJ must sadly conclude that this is the way the Judiciary plans to reduce its personnel budget. Because Article 9.8 includes the concept of (non reviewable right) management is able to avoid any cross examination of the reasons for the removals. PANJ maintains that every other employee in state government who is terminated is provided the reasons for the action and this should also apply to Judiciary Supervisors. It is simply the right thing to do!!

PANJ appreciates the efforts of its negotiators and all the hours spent in making a better contract for our members. Insight will continue to update members on the progress of negotiations.



## Legislative Update

### By Chrissy Buteas, Capital Impact Group

The Legislative session is back in full swing as the FY2013 budget is currently being debated. This year's budget has proved to be contentious and no doubt will continue to be a hot topic through the remainder of June. In the midst of the budget discussions, the Governor and several lawmakers have continued to stress the importance of expanding New Jersey's Drug Courts. Thus, we will return our focus to the current drug court initiatives being debated in the halls of the State House.

Discussion around the drug court initiative is certainly an important issue for PANJ and there are several bills that have been introduced that are vying to receive the Governor's approval. S1877, sponsored by Senator Norcross, which requires mandatory drug addiction assessments and participation in "drug court" program under special probation statute for certain offenders, is the drug court bill that the Governor's office presently supports. This version of the bill currently has two Assembly companions from both sides of the aisle. A3036 is being sponsored by Speaker Oliver and Assemblywoman Lampitt. A2991 is being sponsored by Republican Assemblywomen Schepisi and Angelini and Assemblymen O'Scanlon and Bucco. Both the Senate bill and its Assembly companions have been referred to committee for hearings.

S881 is another version of this bill currently sponsored by Senator Lesniak. This bill would allow judges discretion to admit offenders to the drug court program and would also establish a pilot program for mandatory admission to special probation. The Governor's office has some concern with Senator Lesniak's bill because it establishes a pilot program. At this point the differing versions of the bills have not been merged, but we anticipate some negotiation to take place as the topic continues to be debated.

One other key bill that is in the lineup is A2883, sponsored by Assemblywoman Watson-Coleman, Assemblyman Johnson, and Assemblywoman Quijano. It is similar in nature to both the Norcross and Lesniak bills but it solely establishes a pilot program, thus the Governor's office has concern with that aspect of the bill. At this pivotal point in the life of these bills and this initiative, the Governor will be looking to discuss the implementation of the Drug Court program.

As the focus of this initiative is within Probation's regular duties, we have reached out to the Governor's office and informed them that we are willing to be a resource for information and guidance in the days to come. As the rest of this legislative session continues, PANJ will continue to be engaged in all topics that impact their membership, along with the guidance from Capital Impact Group.

## OFFICIALS

**George P. Christie**  
President

**Dwight Covalesskie**  
First V.P., Line Staff

**Bradley J. Fairchild**  
First V.P., Supervisor's Unit

**Stephanie Hennessey**  
Second Vice President

**Daniel M. Bergin**  
Northern Regional V.P.

**Kevin Farley**  
Central Regional V.P.

**Patrick Barrea**  
Southern Regional V.P.

**Carmelo Velazquez**  
Northern Regional V.P., Supervisor's Unit

**Gavin Cummings**  
Central Regional V.P., Supervisor's Unit

**Glen Moton**  
Southern Regional V.P., Supervisor's Unit

**Dorothy Robinson**  
Recording Secretary

**Susan Ornsby-Cuozzo**  
Financial Secretary

**Jacqueline Guarini-Sheehan**  
Treasurer

**Linval Lewis**  
Parliamentarian

**Ellen Cribbin**  
Sergeant-at-Arms / Business Manager

## REGIONAL REPRESENTATIVES

### Region 1

Anne Dutton, Morris  
Bridgett Patillo, Essex  
Anthony Persico, Morris

### Region 2

Edda Burry, AOC  
Michael LaCosta, HUnterdon  
Susan Smith, Middlesex

### Region 3

A. Francis Nunan, Cape May  
Greg Wolf, Salem  
Susan Lively, Cumberland

## A Message From The President

Brothers and Sisters,

I am pleased to let you know about all that good things that are happening with PANJ! We are looking to be in our new building this summer, which will be another jewel in our crown. Both Line staff and Supervisor staff have convened for negotiations for the upcoming contract running from 2012 through 2016. I have been privy to both units' negotiations meetings and know that you have the best representatives on each, who will fight the good fight for us.



On September 14th we will be having a night on the Manasquan River aboard the River Queen. All proceeds will fund our Scholarships which are handed out at the PANJ EF conference in November.

As the heat of the summer quickly approaches, I wish you a safe and happy 4th of July!

In Solidarity,

*George Christie*

President

## A Message From The Editor

Brothers and Sisters,

PANJ has a lot of things cooking right now, and this summer is going to be a busy one. Each author in our Insight is an elected official on our Statewide Executive Board, and I know that each one has been very busy defending our contractual rights. Our Legislative firm has been keeping a close eye on proposed legislature that could potentially hurt us. As information becomes available we have been posting the information via Judiciary email, Facebook and our website. As always we welcome new authors and any submissions on upcoming events in your Local to either be promoted here or on Facebook or our website. You can email or call the PANJ office for deadline submissions. Have a wonderful and safe summer!

In Solidarity,

*Ellen Cribbin*

Editor

# *Chief Justice Ad Hoc Committee*

## **By Stuart Martinsen, PANJ Legislative Liaison**

In February of 2012, PANJ was advised by Judge Glen Grant J.A.D. that Chief Justice Rabner wished to appoint a committee to meet with PANJ representatives in order to discuss our member's concerns for both the line staff and supervisor's units. The ad hoc committee chair appointed was the Honorable Yolanda Ciccone, A.J.S.C. The PANJ representative's appointed by PANJ President Christie were First PANJ VP for the line staff Dwight Covaleskie and First VP Brad Fairchild for the supervisor's unit. The PANJ committee was chaired by President Christie and legal counsel was represented by PANJ Counsel David Fox, Esq.

The first meeting was held on March 26, 2012 at the Hughes Justice Complex. Present from PANJ were George, Brad, Dwight, Dave Fox Esq. and myself. Committee members included the Chair; Judge Yolanda Ciccone, A.J.S.C., Assignment Judge in Passaic; Donald J. Volkert Jr, Kevin Brown-AOC Chief, Mike O'Brien-Camden TCA, AOC Legislative Liaison Deirdre Naughton- Director of Judiciary's Professional and Governmental Services, and Janet Zatz-AOC Manager of Employees Relations.

When asked what key issues to PANJ to address were; PANJ responded that safety, the need for specific training of officers and for them to be armed, unfair labor practices, partiality of discipline and grievance matters in favor of mgmt., and the need for uniformity in matters of training and personnel decisions, etc. Also, the unfair removal of supervisors in PANJ under the 9.8 clause.

The issue of communication between probation agencies and the police was raised and discussed extensively. PANJ pointed out that due to massive police layoffs, police officers can no longer assist us in the field as they used to and that there was a need for officers to have two way radios with a police band connection.

PANJ also cited to the committee that Probation Officer's under the New Jersey Criminal Code were authorized to arrest a probation offender if they determine that a condition of their probation was violated (2C: 45-3(2) and Title 2A). Further, PANJ expressed the concern that the Judiciary had prevented this statute from being enforced due to judicial policy.

Judge Ciccone advised at the end of the meeting that the committee would review the matters addressed by PANJ during the committee meeting including the issues of safety; lack of uniform labor decisions; the communication between more Police and Probation agencies; incident reports and statistics on recidivism as well as the need to train PO's better under statute and a review of the removal process by management under article 9.8 of the supervisors contract.

Our next committee meeting is scheduled for July 17, 2012. PANJ is looking forward to continued meeting's with the Ad Hoc committee in the hope of perhaps achieving some better understanding of our issues and concerns. PANJ will continue to update the membership on the progress of this committee.

## The View From Health & Safety

**By Brad Fairchild – First Vice President, Professional Supervisors**

PANJ has recently met with a Judiciary "Ad Hoc" committee to discuss current issues. At the top of the list were concerns about the safety of our Officers while conducting field supervision. Specifically PANJ expressed disappointment and alarm about the breakdown in police/probation communication.

Research indicated that many of the most violent areas of the state do not have procedures in place that would advise our fellow Officers of essential factors such as "have there been any shootings in the last 48 hours and is there any planned police activity that probation should be aware of?" In most counties this information is not provided and in others police layoffs have negatively impacted the consistency of police/probation communication.

The past practice of just dropping off itineraries and providing background information regarding individuals who commit more crimes is no longer enough to keep our Officers safe, PANJ knows that this is simply an unacceptable policy position. In order for Probation Officers to be safe in some of the most dangerous neighborhoods in the country they must know what communities have experience recent gang and gun violence and where police may be conducting activities that could create a hostile situation for Probation Officers if Probation was unaware of the police presence.

PANJ will continue to press the Judiciary to provide the safest work environment for our Officers. The days of thinking that Probation Officers are "social workers," has long since past. It's not only foolish, but totally irresponsible in view of the escalating violence in many of the state's communities. We appreciate the help many members provided when PANJ recently collected information regarding the police/probation communication issue.

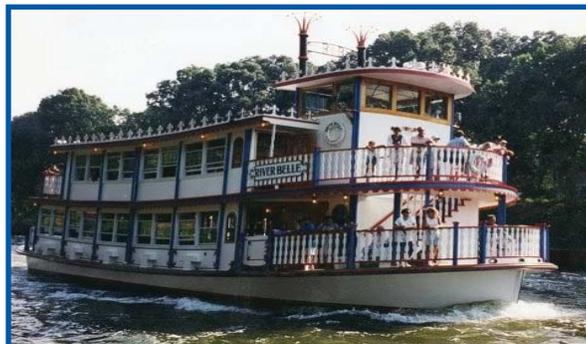
## River Boat Cruise Scholarship Fundraiser

**By Jackie Guarini-Sheehan and Linval Lewis**

On September 14, 2012, PANJ-EF will be hosting a dinner boat cruise aboard the River Belle. This event will raise funds for the scholarships given out at the PANJ-EF Conference in November. The last boat cruise in 2009 was very successful; we hope with your support this event will be just as successful. We will be leaving out of Bogan's Basin in Brielle at 6:45pm. There will be a buffet dinner, open bar, and dancing. The tickets are \$60 per person.

For registration please go to the PANJ website, [www.panj.org](http://www.panj.org). If you have any questions please contact **Jackie Guarini-Sheehan** or **Linval Lewis**.

*We hope to see you aboard!!*



Ellen Cribbin, George Christie, Brad Fairchild, Pete Savage



# PANJ-EF Golf Outing



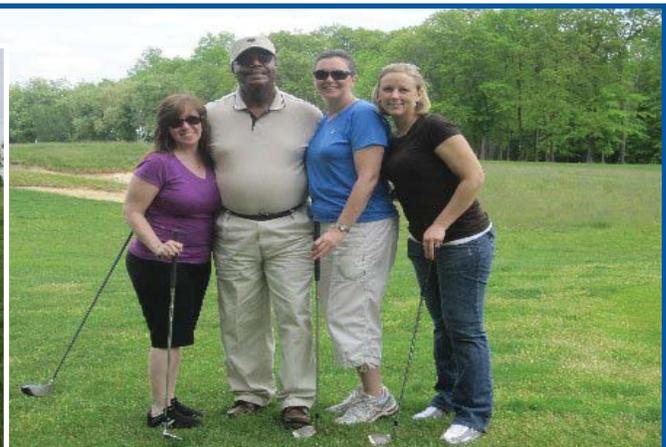
Gavin Cummings, Eli Velazquez, Pat Sweeny, Carlos Gandullaa

Lawrence Popp, Kris Urbano, Sam Gaylord, Bob Held



Dwight Covaleskie, Dan Zirrith, Larry Hubert, Linval Lewis

Gene Mulroy, Gerry Gibbs, Chrissy Buteas, Carmelo Valazquez



Jackie Guarini-Sheehan, Glen Moton, Lynne Taylor, Sue Campbell

# *A Firebell in the Night*

**By Dane Baratti, Senior Probation Officer**

The victory of Scott Walker over Tom Barrett in the Wisconsin Recall Election held on June 5th may seem merely of peripheral importance to the less politically cognizant public employee union members in New Jersey. It is not. Indeed, it may very well be a harbinger of things to come, in New Jersey as well as the rest of the nation, should too many citizens who otherwise recognize the historic socioeconomic import of organized labor in the United States are lax in their recognition of just how serious a threat Walker and his kind represent to America's middle class.

Recall that Walker is the Midwest governor who ignited a political firestorm last year with his 2011 Wisconsin Act 10, essentially dropping a round of legislative napalm upon most of the Wisconsin public employee unions. A recall petition was successful in enabling a do-over. However, Walker was able to raise nearly eight times the amount of campaign capital as Barrett thanks to Citizens United v. FEC and a horde of upper-class nabobs in the private sector with very deep pockets and a very deep antipathy towards unions in general, and perhaps towards all Americans who made it into the middle class by way of organized labor and collective bargaining over scores of continued struggle. [1] Of course, the truly disturbing aspect of Walker's victory is the fact that it was not the nabob vote which won him the election but the middle class vote. That a middle class Wisconsin citizen can actually be persuaded to compromise their own future, as well as the future of their next door neighbor, after prolonged exposure to a mass media propaganda machine operated by the wealthy upper class is downright scary.

We learn from history that we do not learn from history. Thomas Jefferson described the Missouri Compromise of 1820, which allowed for the continuation of slavery in America, as a "firebell in the night" since it foreshadowed the conflicts to come regarding labor exploitation of the most extreme kind. Interestingly, at about this same time in American history, the United Tailoresses of New York organized what is widely regarded as the first true labor union in America. It would not be until over a hundred years later with the Wagner Act under FDR that organized labor in the private sector would finally become firmly established as a matter of law, and not until 1959, in no other than (can you believe it?) the State of Wisconsin, that public employees were finally permitted to collectively bargain. [2] Walker's win on June 5th suggests that a socioeconomic conflagration consuming all that we have worked for over the years may be on the near political horizon. Every union member in the nation, particularly those in the public sector, needs to be prepared at all times to confront--in face to face exchanges with the average citizen on the street--the insidious propaganda thrown about by such machines as "Americans for Prosperity." If we are going to win this, we will need to fight fire with fire.

[1] [http://www.huffingtonpost.com/2012/06/03/wisconsin-recall-unions\\_n\\_1565921.html](http://www.huffingtonpost.com/2012/06/03/wisconsin-recall-unions_n_1565921.html)

[2] <http://www.nytimes.com/roomfordebate/2011/02/18/the-first-blow-against-public-employees/hitting-the-unions-where-it-hurts>

## *Full Dues Member or Agency Fee?*

**By Stuart Martinsen, co-chair Membership Committee and  
Jackie Guarini-Sheehan, co-chair Membership Committee,  
PANJ Treasurer and Local 115 President**

Many members have asked: What is the difference between full dues members and agency fee? The basic differences are how much money you pay to the union each month and whether or not you have a voice in union decisions, such as accepting/rejecting contract proposals. Full Dues members pay dues to the union each month and vote in union decisions; such as, electing union officials, voting on contract terms, being a candidate for an elected position, etc. Agency fee members pay a fee to the union for representing them, but cannot participate in union decisions.

Under Article IV Membership of the PANJ CONSTITUTION AND BY-LAWS states as follows:

ARTICLE IV Membership:

Section 1: There shall be three (3) classes of membership as follows:

A. ACTIVE - Any employee holding a title in a unit represented by PANJ shall not be refused membership in a local organization affiliated with PANJ. To be eligible for Active Membership in PANJ, one must be employed in a position in the State of New Jersey within the judicial system and pay 100 percent prescribed monthly dues. Active Members in good standing are those not expelled, under order of suspension, owing any portion of a fine, or delinquent in dues. Active Members are entitled to vote at all general membership meetings, subject to the limitations contained in Article IX of the By-Laws, and receive PANJ literature and benefits. No member shall be eligible to be nominated or hold any executive office in PANJ unless he/she has been an Active Member in good standing of PANJ for a period of three (3) years immediately prior to the election.

B. ASSOCIATE - Any member of the general public shall be eligible for Associate Membership. Associate Members may not vote or hold elective office within PANJ but are entitled to all other rights and privileges. Associate Members shall pay prescribed annual dues.

C. HONORARY - Honorary Membership may be conferred upon any member of the general public, and any Active Member who retires in good standing with this Association. Honorary Members shall not vote or hold elective office.

Section 2 - All Associate and Honorary Memberships must be approved by the PANJ Executive Board.

Section 3 - Those members of the judiciary who are members of bargaining units represented by PANJ, but are not Active Members, will be subject to the agency fee process under applicable law. Those persons will be excluded from holding elective office, voting and are entitled to only those benefits as determined by the Executive Board.

The financial breakdown of full member dues and agency fee is as follows: Full members pay \$17.42 to PANJ per pay, some locals add an additional \$1 to \$3 which is disbursed back to them usually three times a year. The agency fee is \$14.80 a pay.

It is the goal of the Membership Committee to have all units represented by PANJ to become full members. It is going to be a tough road ahead, but one WE can overcome when we all have a voice. If there is anyone who would like to become a full dues member, please contact the PANJ office or your local representative.

*Congratulations to line staff Local 106, Ocean County  
for reaching 100% membership!!*