



Probation Association of New Jersey

Serving New Jersey Since 1904

An affiliate of the American Probation and Parole Association

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UPDATE ON CIVIL SERVICE COMMISSION ACTION

By

George P. Christie, President

On Friday, May 22, 2009, the Probation Association of New Jersey members were furloughed for the day along with thousands of other state employees.

As your President, I attended a special hearing before the Civil Service Commission along with our Attorney David Fox and Peter Tortoreto, the Executive Assistant to the President. The Commission adopted a new rule covering the period from July 1, 2009 thru June 30, 2010.

The new proposed rule titled NJAC 4A:8-1.1A permits the appointing authority to institute temporary layoffs for economy, efficiency, and other related reasons.

A temporary layoff is defined as the closure of an entire layoff unit for one or more days over a defined period, or a staggered layoff which permits the unit to remain open while laying off individuals on various days.

Some groups of employees are already exempt from any temporary layoffs like the state police and the corrections officers. Other groups hope to be exempted in the future like the firefighters and police officers. The parole officers were exempted in part and are hoping to have all members excluded from any staggered or temporary layoffs in the future.

We have two major concerns at this point, which is to prevent the state from implementing staggered layoffs and to have our appointing authority exempt probation officers from any temporary layoffs.

As to the staggered layoffs, we have already had success since the New Jersey Appellate Court ruled in April of 2009 that the issue may be illegal and referred it to the Public Employees Relations Commission (PERC) for its review. Our own David Fox, Esq. argued successfully to stop the staggered furloughs pending a review from PERC. Staggered furloughs, if permitted, would allow any agency to remain open for business while laying off individuals on various days. Staggered furloughs or layoffs are a slippery slope which could allow appointing authorities to temporarily lay off employees for an unlimited number of days during the course of a year.

What the Governor through his appointed Civil Service Commission is attempting to do undermines our contracts which would ultimately destroy the unions. We must and will continue to fight to protect your rights. Presently, David Fox, Esq. is making application to go back before the appellate court to argue our case.