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# **INSIGHT**

## **Election Report**

**PANJ ELECTION/ NOMINATING. COMMITTEE**

Originally convened 5/28/98

**Second Report to The Executive Board by Richard Oscilowski, Chairperson**

On Friday, December 4, 1998, 9:00 a.m., Committee members Ms. Karen Morse- Middlesex County, Ms. Miriam Abreu-Borchert- Hudson, Ms. Jill Potter- Ocean, Ms. Gail Elovitz - Bergen, campaign manager for Ms. Kathleen Collins-Fowler and this writer met at the PANJ office in Brielle, NJ I contacted the Bergen Probation Department to inquire as to the employment status of Presidential Candidate- Kathleen Collins-Fowler. According to Bergen Probation, Ms. Kathleen Collins- Fowler's last day of employment was November 20, 1998. It was their understanding that Ms. Collins Fowler was now an employee of the Department of Corrections in Parole. I was never informed by Ms. Collins-Fowler that she was no longer an employee of the Judiciary and therefore no longer a candidate. Ms. Elovitz had spoken to me earlier in the week and stated that Ms. Collins-Fowler applied for a leave of absence to the Trial Court Administrator of their Vicinage. I informed Ms. Elovitz to provide any relevant documentation to me.

After discovering that Ms. Collins-Fowler was no longer employed with the Judiciary, I informed Ms. Elovitz that Ms. Collins-Fowler's candidacy was now null and void for the following reasons:

**According to The Probation Association of New Jersey Constitution and By-Laws, Article IV, Section I**, an Active Member is defined 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..." "...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."

**According to The PANJ Constitution and By-Laws, Article VII, Section I., A.**

"... No member shall be eligible to be nominated or hold any office in the Association unless he is an Active Member in good standing of PANJ..."

Based on the above sections of our organization's constitution, I declared that Ms. Collins-Fowler's candidacy was illegitimate in front of all present. I also informed Ms. Elovitz that if she had evidence to the contrary, The Election/ Nominating Committee would be willing to consider such documentation. During the week of December 11, 1998, Ms. Elovitz asked for an appeal of the election. I informed her that she should attend the Monthly Executive Board Meeting in December. I also informed her to call the PANJ office to get directions and ask any further questions.

The Committee then proceeded to verify the ballots with official membership lists provided by Business Manager, John Morton. We then tallied the votes and concluded this arduous process at approximately 6:00 p.m.

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**The results were as follows:**

Office Candidate Votes Result

**President** George Christie 649 \*Winner\*

**First Vice** Peter Tortoreto 816 \*Winner\* **President**

**Second** Stephanie Hennessey 821 \*Winner\*

**Vice President**

**Northern** Sue Cuozzo 268 \*Winner\*

**Regional Vice President**

**Central** John Smack 162 \*Winner\*

**Regional Vice President**

**Southern** Stacy Scott 242 \*Winner\*

**Regional Vice President**

**Professional** John Mooney 124 \*Winner\*

**Supervisor's Unit**

**Vice President**

**Recording** Stuart Martinsen 783 \*Winner\*

**Secretary**

**Financial** Dave Weir 852 \*Winner\*

**Secretary**

**Treasurer** Ann Rizzi 836 \*Winner\*

**Parliamentarian** Samuel Richter 789 \*Winner\*

**Sergeant-at -Arms** Anne Dutton 641 \*Winner\*

**Sergeant-at** Daniel M. Bergin 281 Runner up

**Arms**

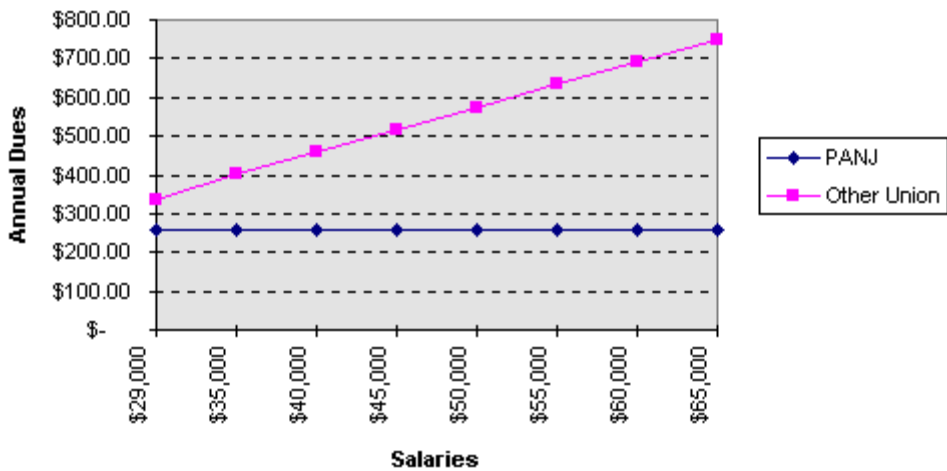
I would like to take this opportunity to thank the members of the Election/ Nominating Committee who toiled away on that **beautiful** Friday. We spent a lot of hours performing a monotonous, intensive process. I feel really lucky to be working with such professionals. I would also like to thank my supervisor, Gayle Maher, PPO II; John Higgins, V.C.P.O. and any others who helped the committee members to take the time off without difficulty. Special thanks go to John Smack who was able to come to the office and help for a few hours checking lists and John Morton for his help since last May. \*Congratulations to the elected officials \*

**EXECUTIVE BOARD VOTES UNANIMOUSLY TO RAISE REVENUE**

by George Christie and John Morton

At the Executive Board Meeting of December 17, 1998, the committee voted unanimously to increase dues by three dollars per pay. The recommendation for the increase was made by the Finance Committee Members when the 1999 PANJ budget was presented. Both the Finance Committee and the Executive Board labored over this decision considering many alternatives and points of view. While PANJ dues are still modest when compared to those of other labor organizations , the Executive Board wanted to provide the membership with an explanation.

The PANJ Executive Board last increased dues at the meeting of January 26, 1995 as a result of our need to continue providing quality service to our members, and to maintain a solid and



dependable organizational structure. At that time in PANJ's history we were representing approximately 1,000 people and found that our operating costs far exceeded our only source of revenue (your dues). The members stood behind the Executive Board in their decision. Costs such as legal expenses related to

grievances, negotiations, unfair labor practice cases, and other litigation in both Federal and State Courts continued to increase. Other costs for maintaining a lobbyist, an accountant, a training conference, and operating an office with clerical staff and supplies have continued to mount.

It is important to note that PANJ is managed entirely by Probation Officer volunteers, who give up hundreds of hours of their own time to insure that you have an organization that will serve your needs at the lowest possible cost. They all do an excellent job of managing their committees and keeping them within the yearly approved budgets.

Four years have passed since the last dues increase and we find the costs associated with representing employees in the Judiciary are more than the current revenue levels. We have now grown into an organization that represents over 2200 people in the Case-Related Professional Unit and Professional Supervisory unit. We have been in non-stop negotiations for the entire time and will continue to negotiate right into the next contract period. We had to deal with two PERC negotiations and representation elections for both bargaining units which took months and required a great deal of legal expertise. We have had to defend ourselves in litigation (sponsored by the Fraternal Order of Police) which went all the way to the New Jersey Supreme Court and cost tens of thousands of dollars to prove that PANJ is an organization with outstanding financial integrity. Simply put, the 40 Probation Officers who run this association apply great care to spending money.

Since mid 1996, PANJ has filed hundreds of grievances and unfair labor practices, and appeared numerous times on discipline hearings to defend the rights of those we represent. We have hired two professional labor consultants to assist any member who is in need of representation. Our pay disparity litigation filed in federal court resulted in the AOC moving more quickly to have pay ranges equalized state wide. We also have a very important unfair labor practice charge against the AOC for hiring teaching mentors, an action that would potentially take employment away from Probation Officers. PANJ recently filed new litigation regarding the violations of the Federal Labor Standards Act that resulted from the payment schedule for preparing ISP reports. The law suits and other litigation we have initiated are important to our profession and preserve the rights of our individual officers.

PANJ has provided service on an unprecedented level for Judicial employees. We have hired the best attorneys, financial advisors, and consultants to represent you, because second best simply is not good enough for our membership. Since the state takeover, no other union in the Judiciary has filed as many grievances, unfair labor practice charges, or litigation on behalf of Judicial employees as PANJ has. No other union in our branch of government has a professional training conference, and a contractual guarantee of time off to attend. We have more newsletters about Judicial employees than anyone else. PANJ has an office that serves as an information center and location for meetings. We also have a home page on the Internet, which is under construction and will be expanding in the near future. With the help of our new document management software, our leaders can have access to all our significant files and agreements at

the touch of a button. PANJ is still pursuing legislation that will make our jobs more safe and our work more effective.

All of these things come at a price, but ours is still far less than that of our competitors.

The chart below shows that the new dues rate of \$258 per year is still far below that charged by another union, especially if you make more than the starting salary in the Case-Related Professional unit. If you make a \$40,000 salary, your dues to another union might be \$460 per year. Because of their percentage dues structure (1.15%), the more you make the more you pay.

The membership can be assured that the leaders of PANJ will strive hard to keep our dues affordable. After all, each member of the Executive Board pays the same dues that you do. The Executive Board is a democratic organization, and there were no votes against this plan. Our dues are low largely because of their efforts, which will continue.

## **IN MEMORIAM**

### **Mary Elaine Goetz**

On October 22, 1998, we lost one of our members in a very tragic car accident. Elaine belonged to PANJ and recently became involved in local issues. She started in Middlesex approximately 14 years ago in the Family Court Intake Office and diligently worked her way up. Of late she was employed by the AOC as a systems analyst, training staff throughout the state.

Elaine was a wonderful co-worker, always ready to pitch in. Some of us needed her because we had locked ourselves out of our computer and some needed her to solve more intricate case processing problems. She would be there with her smile and her great sense of humor.

Outside the work place, she was a loyal and considerate friend. She gathered people at her home for Christmas parties and for picnics in the summer. At Halloween she painted pumpkins for and with the children of friends. Elaine was a very artistic person. She taught herself to play the piano and could play most any song by ear. Elaine enjoyed painting and made people happy with her works of art. She was also an excellent photographer and liked to write. Elaine and her boyfriend Charles took wonderful trips together and we got to travel with them through stories and pictures.

Most of all, Elaine was a caring and loving sister to Cathy who is developmentally challenged. She saw to it that Cathy was enrolled in classes, went bowling, and participated in Bocce Tournaments.

My fondest memories of Elaine center around our lunch-time Trivial Pursuit games. She was so bright and so funny, and beat me with regularity! Elaine will be missed by an awful lot of people. Having known her certainly has enriched our lives!

Submitted by Elfriede J. Rinkens, PPO II, Middlesex

### **Gregory Lee Stroemel**

Probation Officers from Atlantic County and around the state gathered to mourn the death of Senior Probation Officer Greg Stroemel in November. He was assigned to the Northfield office. Before working for the Judiciary, he was with the State Casino Control Commission for eleven years. He was born in Camden and graduated from Stockton College with a Criminal Justice degree. He was well known as a fan of the Philadelphia Flyers hockey team. He is survived by his wife and son Ryan Stroemel, and a trust fund has been established for Ryan's educational needs.

The Atlantic County Probation Dept. and PANJ representatives have information about pledging to this fund.

# 1999

by George Orwell

"It was a bright cold day in April, and the clocks were striking thirteen." An experienced court employee slipped quickly through the glass doors of the court house, though not quickly enough to prevent a swirl of gritty dust from entering along with him.

The old court house was a very different place from what it had been just a few years ago. The state had taken over the courts from the counties, and nothing good had come of it. The workforce in general, and the professionals in particular, had experienced significant changes in the way they worked, in their relationship with their employer, and in their working conditions.

The most noticeable change was in the actual personnel. There were few employees who had more than ten years experience on the job. Court professionals were primarily young people, hired for their first job out of college. Anyone who had tried to make a career as a professional in the court system was no longer there. Management had dismissed them quickly and easily. None of the employees of the court system could appeal these decisions outside the courts, because they had been stripped of their civil service protections. They now served at the will and pleasure of the appointing authority, which used a court rule as the basis of a personnel system. Management used this rule to get rid of anyone who ever filed a grievance or complained.

Court employees were still part of public service, but their appeal process was a sham. The only avenue of appeal was to the Judicial Employment Relations Commission (JERC), which reviewed all such claims. This agency had a perfect record; it had always found in management's favor. By eliminating long term employees, management kept salary expenses low. Managers held meetings with other managers, and they told themselves what a good job they had done.

All of the old titles from the county systems are gone in 1999. The probation officers are now called Court Service Professionals, along with thousands of other employees all over the state. Their titles are all that link them together. Their pay and working conditions are very different from place to place.

Almost all of the supervisors from the days of county funding are gone. They have been replaced by new people, most of whom had never talked to a person on probation or had written a report for the courts prior to their present job. They call them Court Service Professional IV's, and their span of control is as high as twenty employees.

Court Service Professionals frequently receive phone calls from "people in power," who seek to influence their reports and decisions. The professionals have no recourse but to heed these requests, if they want to continue this line of employment. The cars that some of the counties had prior to the state takeover are gone now. Another effect of the state takeover was that everyone had the state's healthcare system imposed upon them. No one listened when the employees from some counties complained that their coverage was better under their county systems.

One might ask, "Where are the unions for these employees? Didn't they fight over these changes in the conditions of employment?" In a word, No. The big unions made a back room deal with management, prior to the state takeover. Big Labor and management got just what they both wanted: a large group of powerless employees with no rights. Employees like these are easy to manage and impossible to defend. The unions also got big units, big dues, and they have become a big disappointment to the employees. Unions that actually fought for the rights of employees, or held training conferences so they could improve as professionals are but a dim memory in 1999...

## **Response to Mr. Orwell's Article**

by John Morton, Editor

Judicial employees have a lot to be thankful for. Primarily, they can be glad that they have unions that fight for their rights. The court system that Mr. Orwell's essay 1999 described has not occurred, just as the conditions in the book 1984 by the author of the same pen name. Those of us who were there when the decisions were made that produced our current employment conditions can say that it was PANJ that pressed for negotiations on the personnel issues and won the guarantees to ensure that 1999 will not unfold the way Mr. Orwell envisioned. When the AOC and the other unions tried to tell the State Senators that an agreement with labor had been reached, it was the late Dwight Watson of PANJ who spoke to the contrary, because there was no such agreement. No agreement was possible in the short time available. There is still a long list of issues that must be negotiated regarding the transfer of county employees to the state. Much work is yet to be done, and the process has taken years.

When Mr. Orwell wrote 1984, he helped ensure that his negative utopia did not come to pass. Things could be considerably worse than they are today. Experienced employees need to be reminded of this, and new employees can learn to appreciate our position. More progress can be made, but that only happens if we work together in PANJ.

## **Kyrillos Named Legislator of the Year by PANJ**

Citing his commitment to the law enforcement community and the importance of Probation Officers within it, the Probation Association of New Jersey presented Senator Joseph Kyrillos with their organization's Legislator of the Year Award on November 12, 1998. "Serving in the Legislature, I have tried to address the needs of probation officers and judicial employees keeping in mind the special duties they perform in keeping our community safe," said Kyrillos, who represents parts of Monmouth and Middlesex Counties.

As a member of the Senate's powerful Budget and Appropriations Committee, Kyrillos supported Senate Bill 691 in the 1996-7 legislative session. The re-introduced measure, Senate Bill 313, which gives Probation Officers law enforcement status, is now pending a vote before the full Senate. "The measure authorizes probation officers to carry a firearm, as well as make arrests," explained Kyrillos. "It is a probation officer's job to deal with criminals, but under current law they are not provided with the tools to protect themselves that others in law enforcement are given. This measure changes their status and provides them with the necessary training."

Stuart Martinsen, Co-Chairman of PANJ's Legislative Committee, said that Kyrillos has been supportive of the organization in a number of ways over the years. "The Senator has been extremely supportive of efforts to hire more probation officers and judicial employees," explained Martinsen. "there was a time not too long ago when people we represent faced losing their jobs due to a transfer of services in regards to child support administration. The Senator stood by our organization and gave us a voice in the legislative process. For that, he has distinguished himself as PANJ's Legislator of the Year."



## **BENEFITS OF MEMBERSHIP**

With the help of Doehler and associates, PANJ financial advisors, our members have

access to certain benefits. These benefits are available to Active Members only (Those who pay 100% of annual dues). Judicial employees who are represented by PANJ but pay representation fees (85% of dues) are not eligible, but may sign up as Active Members at any time. You are always welcome to join us. See any PANJ Representative for information, or contact the PANJ office.

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