



®

Probation Association of New Jersey

Serving New Jersey Since 1904

An affiliate of the American Probation and Parole Association

United Professional Center, Building Two
617 Union Avenue, Brielle, NJ 08730
Phone (732) 223-1799 Fax (732) 223-8363
Website: www.panj.org

John C. Morton, MPA
Business Manager

Officials

George P. Christie
President

Peter Tortoreto
First Vice President

Stephanie Hennessey
Second Vice President

Cornelius Elsasser
VP, Supervisor's Unit

Dorothy Robinson
Northern Regional VP

Kevin Farley
Central Regional VP

Dwight Covalleskie
Southern Regional VP

Carmelo Velazquez, Northern
Reg. VP, Supervisor's Unit

Gavin Cummings, Central
Reg. VP, Supervisor's Unit

Bradley Fairchild, Southern
Reg. VP, Supervisor's Unit

Stuart Martinsen
Recording Secretary

Susan Ormsby-Cuozzo
Financial Secretary

Ann Rizzi
Treasurer

Thea Condry
Parliamentarian

Kristi Drummond
Sergeant-at-Arms

Regional Representatives

Region 1

Anthony Persico, Hudson
G. Anne Dutton, Morris
Daniel M. Bergin, Passaic

Region 2

Steve Wainwright, Middlesex
Edda Burry, AOC
John Morton, Monmouth

Region 3

A. Francis Nunan, Cape May
Glen Moton, Camden
Donald Elfreth, Camden

PRESIDENTIAL NEWSLETTER

January, 2007

PANJ TO IMPLEMENT DUES INCREASE

by George P. Christie, President, and
Stephanie Hennessey, Second Vice President

The PANJ Executive Board met on December 21, 2006 for its monthly Board meeting. The Board approved a Budget for Fiscal Year 2007 and a dues increase of two dollars per pay, with the anticipated implementation to occur in Pay Period 2. In preparing the PANJ 2007 Budget, the Finance Committee worked very hard in reviewing projected revenues and then looked at what expenditures the union could anticipate during the upcoming year. The Committee determined that based upon projected expenditures for 2007, the union and its budget could not operate without an increase in dues. When proposed to the Executive Board, the members had a frank and deliberate discussion on the merits of the recommendations of the Finance Committee, which included a proposed balanced budget with an increase in dues. The Executive Board felt it was important and necessary to notify the membership of this change prior to its implementation.

Since PANJ became the sole, statewide bargaining unit for the Case-Related and Supervisory Units in the Judiciary, it has continued to provide more value in the form of service to its members. The Legal Committee continues to be our most visible and consequently our most active committee in the areas of litigation, arbitration and attorney consultation. Cost-saving measures have been implemented by the use of hired legal consultants who have done an exemplary job in handling a strong percentage of employee disciplines and grievances from both units. However, the number of grievances and disciplines continues to rise at an alarming rate across the State. 2006 saw the Supreme Court strike down the Probation Officer Community Safety Act as unconstitutional. Consideration of further litigation in the Federal Courts can be a lengthy process and is part of the Legal Committee Budget of 2007.

PANJ also runs a Business Office, secures the services of a lobbyist, a public relations firm, a CPA and other services like this newsletter that are parts of the 2007 PANJ Budget that work to serve the interests of PANJ members and non-members alike.

Our Business Office is capably staffed daily by two part-time clerical employees. These fine individuals have become valued members of this organization. They field numerous requests, issues and problems, in addition to clerical duties requested by the PANJ President and members of the Executive Board. Our sole full-time employee, President George Christie, works tirelessly on your behalf. He has spoken before the FMBA, the STFA, and has met with legislators, other high-ranking state officials and Governor Corzine to bring PANJ's issues to the forefront. However, his increasing schedule has prompted the need to propose the hiring of a second, full-time employee of the union. While the position is a proposal and is subject to Executive Board approval, the union still relies on countless hours from members who give of their personal time to ensure that this is an organization that serves your needs.

PANJ is not changing its flat dues amount which means that everyone pays the same amount for the same services. When the 2007 Budget was approved, the Executive Board charged the Finance Committee to seek tangible options for future dues increases along with an equitable delivery system. The Committee must return to the Executive Board with their report by the June, 2007 Board Meeting.

BILINGUAL GRIEVANCE PROCEEDING TO ARBITRATION

by Peter A. Tortoreto, First Vice President

PANJ first served the Judiciary notice of our Statewide Grievance on November 17, 2004 when the Chief of Labor Relations was served and signed for the step three Grievances in Freehold, NJ. This matter was filed as a class action for all Bilingual Probation Officers and Senior Probation Officers who in the performance of their duties as Probation Officers perform Bilingual functions. PANJ firmly believes this to be a valuable service to the Judiciary and to the public whom they serve.

We have identified areas of abuse of contractual provisions of the Case related Professional Contract as **Article 2.1 Respect & Dignity** and **2.2 Non-Discrimination** as well as the **Side Letter of Agreement** dated 9/21/01 which under #3 states "The Judiciary recognizes that employees who perform bilingual duties perform a special service in their work for the Judiciary and the Community, and this work and other work will be appropriately balanced." Other violations of non-contractual provisions include **fundamental fairness**.

In many instances bilingual officers are assigned tasks in addition to their own regular assignments. This disbursement of assigned work done without regard to appropriate balance of duties violates contractual provisions of respect and dignity, non-discrimination and the side letter of agreement. Additionally, these officers are assigned specialized cases on the basis of language. These specialized cases include but are not limited to sex offenders, the mentally ill, domestic violence cases, collections, community service and intake functions. These officers perform these duties of more intensive cases with little to no training and resources available to the clients. Yet no additional monetary compensation is offered to these valued employees.

Before scheduling this matter for a step three hearing, PANJ and the Judiciary agreed to hold this matter in abeyance until the special committee for Master Probation Officers could make a determination. Needless to say the Judiciary Committee of Jack McCarthy, Director Trial Court Services; Joseph Orlando, Chief Labor Relations; Greg Edwards, Trial Court Administrator Middlesex Vicinage and James Castagnolia, Trial Court Administrator Cumberland, Gloucester and Salem Vicinage, failed to offer any Master Probation Officer positions and the Chief of Labor Relations failed to even address the matter of bilinguals at any of the meetings. There was no mention of this issue in his report to the Acting Director, Judge Carchman who readily accepted the report offering no Master position, contrary to PANJ's opinion statement prepared by David I. Fox, Esq.

Currently the relief sought for bilingual PO's is for the Judiciary to appropriately balance the assignments of these officers. The Judiciary must recognize in many instances these duties performed are at the Master level and monetary compensation for Bilingual Probation Officers should be negotiated and administered. Master Probation Officers Titles and Salary could then be inclusive of many bilingual duties.

This matter was heard by the State (AOC) Hearing Officer on April 5, 2006 and July 11, 2006 with a rendered decision dated September 22, 2006. Needless to say the AOC ruled in favor of itself and PANJ has registered an arbitration request. The arbitrator has been assigned and scheduled to hear this matter in the spring. In the meantime the AOC has filed a scope petition with the Public Employment Relations Commission seeking to block the arbitration process contending they have a right to assign work as they deem appropriate. It appears that our repeated attempts to address this situation have been met with repeated resistance within the Judiciary. PANJ has a strong belief that this issue is of great importance and we shall pursue this issue in every forum possible.