



STATE OF NEW JERSEY

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March 13, 2013

Honorable Glenn A. Grant, J.A.D.
Acting Administrative Director of New Jersey Courts
Richard J. Hughes Justice Complex -- P. O. Box 037
Trenton, NJ 08625-0037

**** Via facsimile ****

Dear Judge Grant:

It has been brought to our attention that a grievance has been filed by the Probation Association of New Jersey (PANJ) regarding disciplinary action taken against their members regarding an incident that took place at the New Jersey Judiciary Satellite Reporting Office located in Lakewood, New Jersey involving the exposure to bed bugs.

Enclosed, is a copy of the Judiciary Grievance Form submitted by the PANJ. As you will note, included in the documentation is information regarding the incident with descriptions of the (1) contractual grievance; (2) violation; (3) consequences; (4) efforts and; (5) the relief sought. We are forwarding the Judiciary Grievance Form for your review and disposition.

Thank you, in advance, for your immediate attention to this important matter. As always, we look forward to working jointly with you in service to the constituents of the 9th Legislative District.

Sincerely,

CHRISTOPHER J. CONNORS
Senator - 9th District

BRIAN E. RUMPF
Assemblyman - 9th District

DI ANNE C. GOVE
Assemblywoman - 9th District

CJC/BER/DCG:js/bd
Enclosure

C: George Christie, President, PANJ

Judiciary Grievance Form

NUMBER:
"For Internal Use Only"

DATE FILED: February 11, 2013

LOCATION: Ocean County
Vicinity Name or AOC

BARGAINING UNIT: Case Related Professional

STEP: ONE XXXXX UNION PANJ

(check one) TWO _____

*THREE _____

(*Step 3 Not Applicable to CWA)

Submitted to: James Kelly, VCPO
(Manager/Supervisor)

NAME OF GRIEVANT: Affected Probation Officers, Senior Probation Officers, Master Probation Officers and other represented titles covered by this unit assigned to Adult and Juvenile Supervision in the Ocean Vicinage.

TITLE Affected PO's, SPO's, MPO's and other represented titles covered by this bargaining unit.

Designation of grievance:

Contractual: (Identify the specific contract provision or policy violated or misapplied.) Preamble; Article 1 (1.1); Article 2 (2.1; 2.2; 2.4); Article 5 (5.1 a, c and d; 5.2 a); Article 6; Article 7 (7.3); Article 11; Article 18 (18.1; 18.2 a; 18.4) Article 25 (25.1 a, b); Article 27; Article 28; Administrative Code and et al.

Non-contractual: Fundamental Fairness and et al.

Grievance Details: (Please provide specific information for the following)

1. Description of Violation:

Identify how the contract provision or policy was violated or misapplied.

Management failed to comply with PANJ PCR contract and maintain a Safe and Healthful place of employment by (1) failing to provide a place of employment free of bed bugs, (2) failing to inform affected employees that Bed Bugs were found in Lakewood, N.J. Judiciary Satellite Reporting Office, (3) failing to provide direction to affected employees and (4) docking the pay of the affected employees for leaving an unsafe/unhealthy work environment. After informing the Duty Supervisor that employees were going to utilize sick time, no denial was conveyed to the affected employees. The following day, the affected employees were informed that their pay was being docked. A subsequent request to file a worker's compensation claim due to their exposure of Bed Bugs was denied by management. Management unilaterally and unfairly reduced employees' negotiated compensation in violation of PANJ PCR and articles cited above by 1 hour and 20 minutes.

2. Description of Consequences:

Identify the specific consequence(s) of the contract provision or policy violation or misapplication.

Employees were exposed to Bed Bugs placing employee, employee's families, and public at risk for infestation. Management's lack of respect for employees resulted in employees being forced to use sick time that was denied at approximately 3:30pm, the following day. Management also forced employees to complete decontamination process and laundering affected articles on own time at own expense. Management's failure to comply with Sick Leave Article caused undue stress and financial hardship upon its employees.

3. Description of Efforts:

Identify what steps labor has taken to resolve the violation or misapplication prior to the filing of the grievance.

Attempts to resolve this matter with the Ocean Vicinage were, at this time, unsuccessful.

4. Description of Relief Sought:

1. Immediately restore all affected employees pay in full.
2. Deduct 1.25 hours sick from each affected employees allotted hours and compensate each employed with 1½ hours overtime for completing decontamination process and laundering affected articles.
3. Reimburse employees for laundering cost.
4. Reimburse employees for damage resulting to personal property and for expense of necessary decontamination process.
5. Reimburse employees for eradication of Bed Bugs from their home and vehicle, should there be contamination.
6. Comply with the current CBA (08-12)
7. Comply with contract and actively engage in relations with employees that treats them with Respect and Dignity.
8. Provide/Create PANJ with copy of Standard Operating Procedures that are to be followed during future similar incidents that are within the accepted industry standards for pest control.

Submitted by:

Signature: /s/Dwight Covalleskie
Union Representative PANJ 1st VP

Date: February 11, 2013
Phone: 1-732-223-1799

Received by:

STEP 1: Signature: _____ Date: _____

STEP 2: Signature: _____ Date: _____

*STEP 3: Signature: _____ Date: _____

(*Step 3 Not Applicable to CWA)

AOC-GF 04-08 *Copy Distribution:*

(Union, Supervisor, AOC Employee Relations, Local Human Resources Office, Employee)