

## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

**RESOLUTION:** *2015-248*

MARCH 12, 2015

CHAIRMAN MOHAMED S. JALLOH

*WHEREAS*, the County of Union engaged in collective bargaining negotiations with the FMBA, NAGE Local R-2343, for a new Labor Agreement between the parties effective January 1, 2015 through December 31, 2015; and

*WHEREAS*, the County of Union and the negotiating committee for the FMBA, NAGE Local R-2343, reached a tentative agreement on February 24, 2015; and

*WHEREAS*, the County of Union now desires to confirm the understandings in the Memorandum of Agreement with the union which is attached hereto and made a part hereof:


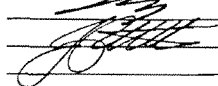
**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Union that it hereby authorizes the County Manager to sign any and all documents necessary to enter into a Memorandum of Agreement with FMBA, NAGE Local R-2343.

Subject to Inclusion in the Budget 2015 Budget:

Approved as to Form:

Certifying as to an Original Resolution:

Certified as to a True Copy:

  
 \_\_\_\_\_  
  
 \_\_\_\_\_

| Vote Record                                 |                     | Yes/Aye                             | No/Nay                   | Abstain                  | Absent                   |
|---|---------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> Adopted |                     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Adopted as Amended |                     | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Defeated           |                     | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Tabled             |                     | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Withdrawn          |                     | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|   | Bruce H. Bergen     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|   | Linda Carter        | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|   | Angel G. Estrada    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|   | Sergio Granados     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|   | Bette Jane Kowalski | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|   | Alexander Mirabella | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|   | Vernell Wright      | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|   | Mohamed S. Jalloh   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|   | Christopher Hudak   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



# COUNTY OF UNION

DEPARTMENT OF ADMINISTRATIVE SERVICES  
Norman W. Albert, Esq., Director

**BOARD OF  
CHOSEN FREEHOLDERS**

**MOHAMED S. JALLOH**  
Chairman

**BRUCE H. BERGEN**  
Vice Chairman

**LINDA CARTER**

**ANGEL G. ESTRADA**

**SERGIO GRANADOS**

**CHRISTOPHER HUDAK**

**BETTE JANE KOWALSKI**

**ALEXANDER MIRABELLA**

**VERNELL WRIGHT**

**ALFRED J. FAELLA**  
County Manager


**WILLIAM REYES, JR.**  
Deputy County Manager

**ROBERT E. BARRY, ESQ.**  
County Counsel

**JAMES E. PELLETTIERE**  
Clerk of the Board

**NORMAN W. ALBERT, ESQ.**  
Director of Personnel  
Management & Labor  
Relations

TO: Alfred J. Faella, County Manager

FROM: Norman W. Albert, Esq., Director   
Department of Administrative Services

RE: FMBA, NAGE Local R-2343  
Memorandum of Agreement  
January 1, 2015 through December 31, 2015

DATE: March 2, 2015

Please be advised that a tentative agreement (attached) was reached with the FMBA, NAGE Local R-2343, the union ratified the Memorandum of Agreement on February 24, 2015.

Please place a request for resolution authorizing this agreement at the Freeholder agenda meeting scheduled for March 5, 2015.

Thank you.

Cc: James Pellettiere, Clerk of the Board  
Robert E. Barry, County Counsel  
Bibi Taylor, Director, Department of Finance  
Kathryn V. Hatfield, Esq., Bauch, Zucker, Hatfield, LLC  
William Hernandez, Jr., President

**DIVISION OF PERSONNEL MANAGEMENT AND LABOR RELATIONS**

Administration Building  
Elizabethtown Plaza Elizabeth, NJ 07207 (908)527-4160 fax(908)558-2566 www.ucnj.org  
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## MEMORANDUM OF AGREEMENT

Agreement made this 27 day of <sup>February</sup> January, 2015, by and between the County of Union (herein the "County") and FMBA, NAGE Local R-2343 (herein the "FMBA").

WHEREAS, the FMBA was certified as the bargaining representative for all regularly employed nonsupervisory hazmat employees employed by the County of Union including those in the following titles: Responder, Hazmat Technician 1, and Hazmat Technician 2; and

WHEREAS, the County and FMBA have been engaged in good faith collective negotiations for the purpose of reaching agreement on terms and conditions of employment for a successor CBA; and

WHEREAS, the County and FMBA have reached agreement on new terms and conditions subject to ratification by the membership of FMBA and approval by the Freeholders of the County; and

WHEREAS, the negotiating committees for the County and FMBA unanimously agree to recommend their agreement for ratification and approval;

NOW, THEREFORE, in consideration of the mutual covenants, promises, and undertakings herein set forth the parties agree as follows:

1. Article 1, Recognition: Add EMT title to recognition clause.
2. Article 4, Union Business, Section 4: Add "or designee" after FMBA President.
3. Article 5, Work Schedules, Section 2: Delete phrase "provided that normal starting times . . . inclusive of an unpaid lunch period." in 2<sup>nd</sup> sentence.
4. Article 8, Grievance Procedure, Section 2: Add new Step 2 and include Division Director, rename remaining steps.
5. Article 9, Vacation, Section 11: Delete and renumber remaining sections.
6. Article 10, Sick Leave, Section 1: Delete sentence starting with "Up to five (5) days may be permitted . . ."

7. Article 15, Salaries

Wage Increase/Salary Scale:

|                          | <u>Minimum</u> | <u>Maximum</u> |
|--------------------------|----------------|----------------|
| Hazmat Responder/<br>EMT | \$39,000       | \$59,000       |
| Hazmat Tech 1            | \$43,000       | \$65,000       |
| Hazmat Tech 2            | \$47,000       | \$71,000       |

Employees holding the titles Hazmat Responder/EMT and Hazmat Tech 1 shall receive a \$5000.00 increase to base salary effective January 1, 2015 as a retention adjustment.

2015: 2%

8. Article 16, Overtime: Increase call-out minimum to four hours.
9. Article 16, Overtime: Add language permitting employees to accumulate a maximum of 40 hours of compensatory time during the year. The 40 hours shall be replenishable but at no time may compensatory time exceed 40 hours. Any unused compensatory time remaining at the end of the year shall be paid out at the employee's then regular rate consistent with the County's pay practices.
10. Article 17, On Call Pay: Increase to \$300/week. In addition, the on-call supervisor shall receive a stipend equivalent to 7% of base salary, to be added to base salary, as recognition for his 24/7 on call status.
11. Article 22, Health Benefits, Section 5: Modify paragraph 3 to delete references to "Proposed".
12. Add New Article 23, Duration: Specify duration to be January 1, 2015-December 31, 2015.
13. Change references to Department Director to Division Director where applicable throughout agreement.

FOR FMBA Local R-2343

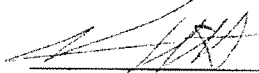


WILLIAM HERNANDEZ, JR.,  
PRESIDENT

FOR THE UNION COUNTY

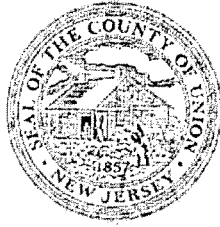
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ALFRED FAELLA  
COUNTY MANAGER



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NORMAN ALBERT, ESQ.  
DIRECTOR, ADMINISTRATIVE  
SERVICES



## UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

**RESOLUTION:** 2013-269

MARCH 28, 2013

CHAIRMAN LINDA CARTER



*WHEREAS*, the County of Union engaged in collective bargaining negotiations with FMBA-NAGE Local R2-343, HazMat Technicians/Responders for a new Labor Agreement between the parties effective January 1, 2011 through December 31, 2014 to replace the current Agreement which expired on December 31, 2010; and

*WHEREAS*, the County of Union and the negotiating committee for FMBA-NAGE Local R2-343 reached a tentative agreement on March 8, 2013 and ratified same on March 13, 2013; and

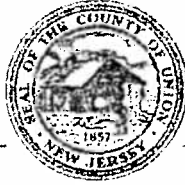
*WHEREAS*, the County of Union now desires to confirm the understandings in the Memorandum of Agreement with union which is attached hereto and made a part hereof:

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Union that it hereby authorizes the County Manager to sign any and all documents necessary to enter into a Memorandum of Agreement with FMBA-NAGE Local R2-343, HazMat Technicians/Responders.

Subject to Sufficiency When Ordered :  
 Approved as to Form:  
 Certifying as to an Original Resolution:  
 Certified as to a True Copy:

  
 \_\_\_\_\_  
  
 \_\_\_\_\_

| Vote Record                                 |   | Yes/Aye                             | No/Nav                   | Abstain                  | Absent                              |
|---|---|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| <input checked="" type="checkbox"/> Adopted |   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| <input type="checkbox"/> Adopted as Amended |   | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Defeated           | S | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| <input type="checkbox"/> Tabled             |   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| <input type="checkbox"/> Withdrawn          | M | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
|   |   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
|   |   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
|   |   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
|   |   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |



# COUNTY OF UNION

DEPARTMENT OF ADMINISTRATIVE SERVICES  
*Matthew N. DiRado, Esq., Director*

**BOARD OF  
CHOSEN FREEHOLDERS**

LINDA CARTER  
*Chairman*

CHRISTOPHER HUDAK  
*Vice Chairman*

BRUCE H. BERGEN

ANGEL G. ESTRADA

MOHAMED S. JALLOH

BETTE JANE KOWALSKI

ALEXANDER MIRABELLA

DANIEL P. SULLIVAN

VERNELL WRIGHT

ALFRED J. FAELLA  
*County Manager*

ROBERT E. BARRY, ESQ.  
*County Counsel*

JAMES E. PELLETTIERE  
*Clerk of the Board*

**To: Alfred J Faella,  
County Manager**

**From: Matthew DiRado, Esq.**  
Director, Department of Administrative Services

**Date: March 15, 2013**

**Re: FMBA-NAGE Local R2-343  
Collective Bargaining Agreement  
January 1, 2011 through December 31, 2014**

Please be advised that a tentative agreement (attached) for an initial contract was reached with the FMBA, HazMat Technicians/Responders on March 8, 2013, and the union ratified the agreement on March 13, 2013. Please place a Resolution authorizing this agreement on the Freeholder Agenda for March 21, 2013.

Thank you.

**Cc:** Claudia Martins, Deputy Director, Division of Personnel  
James Pelletiere, Clerk of the Board  
Robert E. Barry, County Counsel  
Bibi Taylor, Director, Department of Finance  
Andrew Moran, Director, Department of Public Safety  
Christopher Scaturo, Director, Division of  
Emergency Management  
Kathryn Hatfield, Esq., Bauch Zucker Hatfield, LLC

ADMINISTRATION BUILDING

Elizabethtown Plaza

Elizabeth, NJ 07207

(908)527-4200

fax (908)289-0180

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**MEMORANDUM OF AGREEMENT**

**FMBA – NAGE LOCAL R2-343**

**&**

**COUNTY OF UNION**

The County and FMBA-NAGE Local R2-343, HazMat non-supervisory employees engaged in collective bargaining for an initial Labor Agreement between the parties to commence as of January 1, 2011. The County and the FMBA have reached a tentative agreement which the parties now desire to confirm in this Memorandum of Agreement.

The tentative Agreement is subject to the ratification of the membership of FMBA and is subject to the approval of the Union County Board of Chosen Freeholders. The Bargaining Committee of the FMBA agrees to recommend, without reservation, the approval of the tentative Agreement to the membership of the Union. The representatives of the County agree to recommend, without reservation, the approval of the tentative Agreement to the Union County Board of Chosen Freeholders.

Therefore, the County and the FMBA agree to the attached Three (3) pages of modifications to the Collective Bargaining Agreement. The parties by their signatures set forth attached signify their agreement as to the terms set forth in this Memorandum of Agreement.

March 13, 2013

Date



**MEMORANDUM OF AGREEMENT**

Agreement made this 8 day of March, 2013, by and between the County of Union (herein the "County") and FMBA, NAGE Local R-2343(herein the "FMBA").

**WHEREAS**, the FMBA was certified as the bargaining representative for all regularly employed nonsupervisory hazmat employees employed by the County of Union including those in the following titles: Responder, Hazmat Technician 1, and Hazmat Technician 2; and

**WHEREAS**, the County and FMBA have been engaged in good faith collective negotiations for the purpose of reaching agreement on terms and conditions of employment for an initial CBA; and

**WHEREAS**, the County and FMBA have reached agreement on new terms and conditions subject to ratification by the membership of FMBA and approval by the Freeholders of the County; and

**WHEREAS**, the negotiating committees for the County and FMBA unanimously agree to recommend their agreement for ratification and approval;

**NOW, THEREFORE**, in consideration of the mutual covenants, promises, and undertakings herein set forth the parties agree as follows:

1. Salaries

Wage Increase/Salary Scale:

|               | <u>Minimum</u> | <u>Maximum</u> |
|---------------|----------------|----------------|
| Responder     | \$34,000       | \$54,000       |
| Hazmat Tech 1 | \$38,000       | \$60,000       |
| Hazmat Tech 2 | \$42,000       | \$66,000       |
| 2011:         | 0%             |                |
| 2012:         | 0%             |                |
| 2013:         | 2%             |                |

2014: 2%

2. Pavroll

In order to maintain a bi-weekly basis for paycheck distribution, effective January 1, 2010, a rotating bi-weekly pay day schedule shall be implemented whereby the pay day will be changed in each successive year as follows:

2010: Friday  
2011: Monday  
2012: Tuesday  
2013: Wednesday  
2014: Thursday

This cycle will continue every five (5) years. In the event the County determines to change the pay schedule to a bi-monthly schedule, the FMBA agrees that it will accept the change without dispute.

When the pay day occurs on a holiday, paychecks or direct deposits will be issued on the day prior to holiday.

3. Benefits

Section 1. Modify as follows

|   | New Co-Pay |
|---|------------|
| Retail Generic<br>(30 day supply)             | \$5.00     |
| Retail Preferred Brand<br>(30 day supply)     | \$25.00    |
| Retail Non-Preferred<br>(30 day supply)       | \$50.00    |
| Mail Order Generic<br>(90 day supply)         | \$5.00     |
| Mail Order Preferred Brand<br>(90 day supply) | \$30.00    |
| Mail Order Non-Preferred<br>(90 day supply)   | \$60.00    |

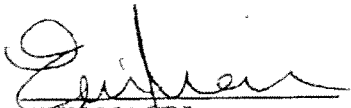
|          | Out of Network Benefit          |
|----------|---------------------------------|
| Current  | \$250 Single/\$500 All Others   |
| Proposed | \$500 Single/\$1,000 All Others |

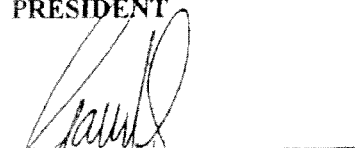
|          | Out of Network Reimbursement Benefit* |
|----------|---------------------------------------|
| Current  | 80 <sup>th</sup> Percentile of HIAA   |
| Proposed | 150% of CMS (Medicare)                |

\***Explanation:** HIAA (Health Insurance Association of America) utilizes 170 major contributors in 50 states to create the average cost for services rendered by Facilities and Professional Providers. As the formula relies on average costs to make a payment, providers have had success in increasing the average cost by billing higher fees. This increases plan costs. On the other hand, moving to a percentage of Medicare allows for no such fee inflation. Medicare, as the largest carrier in the United States, applies set fees based on geographical location without reliance on provider charges.

4. **Holiday:** Effective upon the execution of this Memorandum of Agreement, 10 holidays will be rolled into base salary. Effective January 1, 2014, the remaining 4 holidays will be rolled into base salary.
5. **Work Hours:** Increase work week from 35 hours to 40 hours per week.
6. **On Call Pay:** \$100/week
7. **Convention Leave:** Effective upon the execution of the Agreement, the parties agree that the FMBA President will be permitted to attend the FMBA Conventions and State and Local FMBA meetings. All requested time off will be in writing and will require prior approval.

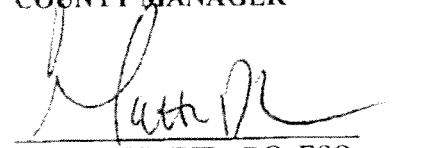
**FOR FMBA Local R-2343**

  
**ERIN MACRI,  
 PRESIDENT**

  
**RONALD SALERMO  
 VICE-PRESIDENT**

**FOR THE UNION COUNTY**

  
**ALFRED FAELLA  
 COUNTY MANAGER**

  
**MATTHEW DIRADO, ESQ.  
 DIRECTOR, ADMINISTRATIVE  
 SERVICES**