

R-01-0695  
10-3-01

## MEMORANDUM OF AGREEMENT

The County of Essex (County) and International Brotherhood of Electrical Workers, Local 1158 (IBEW), having engaged in collective negotiations, hereby mutually agree as follows with respect to modification of the Collective Negotiation Agreement and any related Memoranda of Agreement, which expired on December 31, 2000;

1. **Term:** January 1, 2001 – December 31, 2001
2. **Wages:** Effective July 1, 2001, a three percent (3%) across the board increase.
3. **Special Employee Fund** The contribution shall be increased by \$500,000 for the year 2002 only. This additional sum shall be paid no later than March 15, 2002. Commencing in 2003, the yearly sum shall be increased by \$250,000 over the 2000 level.
4. **Retiree Health Benefits**

The County will provide health benefits as described in Part I to employees who retire and fulfill all the requirements and criteria of Part II of this Section.

### Part I

- A. The Coverage outlined in this provision is for the eligible retiree and his/her dependents as defined in the Plan documents governing this benefit and subject to any conditions and stipulations set forth herein. Upon the death of the retiree, all coverage pursuant to this provision shall be terminated at the end of the calendar month in which the covered employee died.
- B. All coverage provided pursuant to this provision shall be limited to the County Point of Service Plan or the County offered Health Maintenance Organizations (HMO's). The County reserves the right to amend or change this coverage and the plan to any extent necessary, including changing the service provider, provided the level of coverage provided to retirees will be at the same level as contained in the current Plan document on the date this agreement is signed.

- C. The County will provide Prescription Drug Plan benefits to eligible retirees at the same level as provided to active employees
- D. At such time as the eligible retiree becomes Medicare eligible, the eligible retiree will assume the cost of any Medicare coverage. It is expressly understood that the County will provide only supplemental coverage to Medicare.

## Part II

In order to be eligible for the health benefits described in Part I, the employee who retires must:

- A. Have twenty-five (25) years or more of service credit in any of the following: the State Public Employment Retirement System of New Jersey (PERS); the Essex County Employment Retirement System (ERS); the Police and Fire Retirement System of New Jersey (PFRS); or the Consolidated Police and Fireman's Pension Fund (CPFPPF); and
- B. Be actively employed with the County of Essex on or after January 1, 1998; and
- C. Have a total of ten (10) years of employment service with the County of Essex prior to his/her retirement; and
- D. Have been an employee of the County of Essex immediately prior to his/her retirement; and
- E. Not elect a vested and deferred retirement; and
- F. Not elect or take a disability retirement with less than 25 years of service credit in PERS, ERS, PFRS or CPFPPF; and
- G. Not receive payments or stipends of any kind for premiums, charges or the like for retiree medical benefits coverage from any employer; and
- H. Not receive health benefits coverage from a source other than Essex County; and
- I. Not be eligible to receive health benefits coverage from a source other than Essex County; and

- J. Not be an active employee who is eligible for retiree health benefits initially provided by a non-County operated predecessor to a current Essex County agency, for example, the Essex County Welfare Board; and
- K. Not be a retired employee of a non-County operated predecessor to a current Essex County agency, for example, the Essex County Welfare Board, who is currently receiving health benefits from that predecessor agency. Notwithstanding any other provisions in this Memorandum and/or any Collective Bargaining Agreements previously executed by and between the parties, and other than as provided in Part I A and Part II G above, the retiree health benefits provided for in this Paragraph 4 shall be considered vested benefits as to covered retired employees and current employees as of the date hereof which shall not expire with the expiration of this Memorandum or any Collective Bargaining Agreement.

Notwithstanding the requirements set forth in Paragraph A of Part II, and subject to all remaining terms, conditions and eligibility requirements contained in Part II, employees who elected retirement between January 1, 1998 and the date this provision was made part of the agreement shall be eligible for coverage outlined in this provision, provided that the first date of retirement occurred between January 1, 1998 and the date this provision was made a part of the agreement.

In the event that a retiree ceases to be eligible for, or to receive, health benefits from an employer or source other than Essex County and he/she then meets all the requirements of Part II, he/she shall be entitled to the benefits described in Part I of this provision.


5. All terms and conditions of the Collective Bargaining Agreement and related Memorandum of Agreement which expired on December 31, 2000 shall remain in full force and effect except as modified herein.

6. This Memorandum of Agreement is contingent upon approval and ratification by the Essex County Executive, the Essex County Board of Chosen Freeholders,

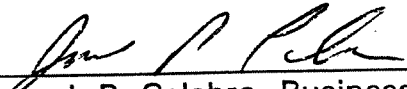
the I.B.E.W., and the vote of the I.B.E.W. membership. The parties' representatives agree to recommend the terms of this Agreement to their respective constituencies.

7. This Memorandum of Agreement represents the complete and final Agreement between the parties. All proposals, whether written or oral, presented by either party during the course of negotiations shall be deemed withdrawn and not a part of this Agreement. The Agreement cannot be modified except by a writing signed by both the undersigned parties.

**FOR COUNTY OF ESSEX  
NEW JERSEY**

By:   
James W. Treffinger  
County Executive


**FOR THE INTERNATIONAL  
BROTHERHOOD OF ELECTRICAL  
WORKERS LOCAL 1158**

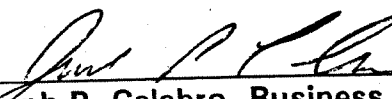
By:   
Joseph P. Calabro, Business Manager  
International Brotherhood of  
Electrical Workers, Local 1158

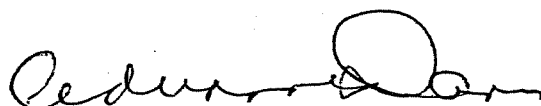
IN WITNESS WHEREOF, the parties have, by their authorized representative,  
set their hands and seals this 20 day of September, 2001.

FOR COUNTY OF ESSEX  
NEW JERSEY

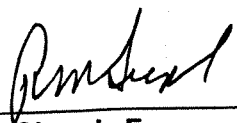
FOR THE INTERNATIONAL  
BROTHERHOOD OF ELECTRICAL  
WORKERS, LOCAL 1158

By:   
James W. Treffinger  
County Executive

By:   
Joseph P. Calabro, Business Manager  
International Brotherhood of  
Electrical Workers, Local 1158

  
Adrienne Davis, Clerk to the  
Board of Chosen Freeholders

Approved as to Form and Legality:

  
Richard Siegel, Esq.  
Acting County Counsel



County of Essex, New Jersey  
BOARD OF CHOSEN FREEHOLDERS

State of New Jersey, }  
County of Essex } ss

I ADRIANNE DAVIS Clerk

of the Board of Chosen Freeholders of the County of Essex in  
the State of New Jersey

Do Hereby Certify, the foregoing to be a true copy of a resolution

adopted at a meeting of said Board on WEDNESDAY

the 3RD day of October 2001.

together with the certifications, signatures and endorsements thereon.

RESOLUTION No. R-01-0695.

In Testimony Whereof, I have hereunto set my hand  
and affixed the official seal of said County at Newark  
this 14th day of  
October 19 2001

Adrienne Davis  
Clerk

RESOLUTION OF THE BOARD OF FREEHOLDERS  
COUNTY OF ESSEX

#5

RESOLUTION NO. R-01-0695 AUTHORITY FOR RESOLUTION: N.J.S.A. 40:41A-38(n)  
PROPOSED BY: COUNTY EXECUTIVE AUTHORITY FOR ACTION: N.J.S.A. 40:41A-36(f)  
SUBJECT: OFFICE OF LABOR RELATIONS - AGREEMENT WITH THE INTERNATIONAL  
BROTHERHOOD OF ELECTRICAL WORKERS, IBEW LOCAL 1158 - JANUARY 1, 2001 TO  
DECEMBER 31, 2001

WHEREAS, the County of Essex has negotiated a Memorandum of Agreement with the International Brotherhood of Electrical Workers, Local 1158, covering the period January 1, 2001 through December 31, 2001; and

WHEREAS, the Chief Financial Officer has certified the availability of funds to pay the salary and benefits portion of the contract (which certification is attached hereto); and

WHEREAS, the Board of Freeholders, by this resolution, wishes to approve said contract; now, therefore, be it

RESOLVED, by the Essex County Board of Chosen Freeholders as follows:

1. That said Memorandum of Agreement with the International Brotherhood of Electrical Workers, Local 1158, a copy of which is annexed hereto, be and hereby is approved.
2. That the County Executive is hereby authorized to execute said contract on behalf of the County.
3. That two (2) fully executed copies of this Memorandum of Agreement and certified resolution be forwarded to the Director, Office of Labor Relations, and (1) copy to the Offices of County Counsel and Human Resources.

BOARD OF CHOSEN FREEHOLDERS

SEP 27 10 15 AM '01

CLERK OF THE BOARD

Approved as to form and legality \_\_\_\_\_

*[Signature]*

ESSEX COUNTY COUNSEL / DEPUTY CO. COUNSEL

RECORD OF VOTE (X=Vote N.V.=Absention ABS=Absent)

Moved by Freeholder \_\_\_\_\_

*Cavanaugh*

Second by Freeholder \_\_\_\_\_

*Sebold*

Freeholder	Yes	No	N.V.	ABS	Freeholder	Yes	No	N.V.	ABS
CAVANAUGH	X				SCARPELLI	X			
JACKSON	X				SEBOLD	X			
JONES	X				WATSON, V.P.				
MARTINEZ									
PAGANELLI	X				DiVINCENZO, PRES.	X			

It is hereby certified that the foregoing Resolution was  adopted ( ) defeated ( ) tabled by roll call vote at a Special meeting of the Board of Chosen Freeholders of the County of Essex, New Jersey held on October 3, 2001

Is Publication Required ( ) Yes ( ) No

Date Published \_\_\_\_\_

*[Signature]*  
Joseph N. DiVincenzo, President



Approved as to form and legality *Ramsey*  
 ESSEX COUNTY COUNSEL

RECORD OF VOTE ( X = Vote N.V. = Abstention ABS = Absent )

Moved by Freeholder Martinez  
 Seconded by Freeholder Sebold

Freeholder	Yes	No	N.V.	ABS	Freeholder	Yes	No	N.V.	ABS
CAVANAUGH	X				ROLLI	X			
JONES	X				SEBOLD	X			
MARTINEZ	X				WATSON, V.P.	X			
OLIVER	X								
PALAGANO	X				DIVINCENZO, PRES.	X			

It is hereby certified that the foregoing Resolution was (X) adopted ( ) defeated  
 ( ) tabled by roll call vote at a REGULAR meeting of the Board of Chosen  
 Freeholders of the County of Essex, New Jersey, held on February 11, 1998

Is Publication Required ( ) Yes ( ) No

Date Published \_\_\_\_\_

*Joseph N. DiVincenzo, Jr.*  
 Joseph N. DiVincenzo, Jr. President