

**RESOLUTION OF THE BOARD OF FREEHOLDERS
COUNTY OF ESSEX**

#59

RESOLUTION NO. _____ **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(i)

SUBJECT:

MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF ESSEX, AND THE ESSEX COUNTY SUPERIOR OFFICERS ASSOCIATION – (JAIL) – FOP LODGE 106 – JANUARY 1, 2014 THROUGH DECEMBER 31, 2017

WHEREAS, the County of Essex has negotiated a Memorandum of Agreement with the Essex County Superior Officers Association, FOP Lodge #106 (Jail) covering the period January 1, 2014 through December 31, 2017; and

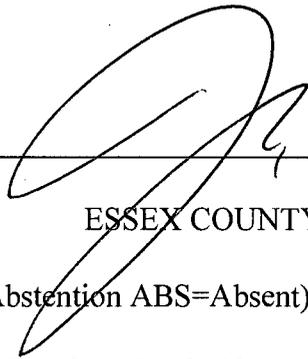
WHEREAS, the Chief Financial Officer has certified the availability of funds to pay the salary and benefits portion of the Memorandum of Agreement (which certification is attached hereto); and

WHEREAS, the Board of Chosen Freeholders, by this resolution, wishes to approve said Memorandum Agreement; now, therefore, be it.

RESOLVED, by the Essex County Board of Chosen Freeholders:

1. That said Memorandum of Agreement with the Essex County Superior Officers Association, FOP Lodge #106 (Jail) a copy of which is annexed hereto, be and hereby is approved.
2. That eight (8) fully executed copies of said Memorandum of Agreement and this Resolution be forwarded to Courtney M. Gaccione, Esq. – Chief, Labor and Employee Section, Office of County Counsel.

Approved as to form and legality _____



Date 4/16/15

ESSEX COUNTY COUNSEL

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

Moved By Freeholder _____

Second by Freeholder _____

Freeholder	Yes	No	N.V.	ABS	Freeholder	Yes	No	N.V.	ABS
Bobadilla					Richardson				
Gill, V.P.					Sebold				
Johnson					Timberlake, Pres.				
Jones					Toro				
Luciano									

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

Is Publication Required () Yes () No

Date Published _____

Britnee N. Timberlake, President

Superior Officers Association - FOP Lodge 106

jf 4/16/15

RECEIVED
CLERK OF THE BOARD
2015 APR 17 PM 3:13
ESSEX COUNTY
BOARD OF
CHOSEN FREEHOLDERS

April 15, 2015
Meeting Back-up
Documentation
For Resolution
#59



COUNTY OF ESSEX

DECISION MEMORANDUM

COUNTY EXECUTIVE

BOARD AGENDA ITEM

COUNTY ADMINISTRATOR

TO: Ralph J. Ciallella
Essex County Administrator

DEPARTMENT: County Counsel
DIVISION: _____

THRU: James R. Paganelli, Esq. *(JRP)*
Essex County Counsel

FROM: Courtney M. Gaccione, Esq. *CMG*
Chief, Labor & Employment

DATE: April 16, 2015

RE: Memorandum of Agreement between the County of Essex, and the
Essex County Superior Officers Association – (Jail)
FOP Lodge 106
January 1, 2014 - December 31, 2017

INTRODUCTION

Attached please find four (4) copies of the above-referenced Memorandum of Agreement.

RECOMMENDATION

The recommendation to approve the Memorandum of Agreement is based upon the following pertinent data:

1. **Duration:**
Four (4) years
2. **Wages:**
 - A. Effective and retroactive to January 1, 2014 – 2.00% increase in base pay;
 - B. Effective and retroactive to January 1, 2015 – 2.00% increase in base pay;

15 APR 16 PM 3:51

- D. Effective January 1, 2016 – 2.00% increase in base pay;
- E. Effective January 1, 2017 – 2.00% increase in base pay.

3. **Health Benefits**

Employees may select any health plan offered by the County. Employees hired after the full execution of this agreement shall not be eligible for Traditional coverage.

4. **Health Benefits**

Revise to provide:

“Employees shall contribute amounts as set forth by Chapter 78, P.L. 2011. Once full implementation is reached, the contributions shall remain at the maximum level of contribution set forth in Chapter 78, P.L. 2011 for the remainder of this Collective Negotiations Agreement, through December 31, 2017.”

5. **Meal and Break Periods**

Modify the last sentence of the last paragraph of Article 20 as follows, “...unless authorized by the Director or his designee.”

6. **Retention of Existing Benefits**

Revise the first sentence of Article 4 to say as follows:

“The rights, privileges and benefits which these employees have heretofore and are enjoying via this Agreement shall be maintained and continued by the County during the term of this Agreement until the ratification/approval of a successor agreement notwithstanding any statute, law, ordinance, precedent or ruling by a Court or State agency.”

7. **Reciprocal Days**

Delete last sentence of Article 11.

8. **Retroactive Pay**

Add provision:

“Employees who sever employment with the County prior to the execution of this Agreement will not be included in this wage increase, with the exception of retirees in good standing.”

9. **Extent of County Liability**

Amend Article 13 to provide for counsel rate of \$80.00 per hour.

REASON FOR RECOMMENDATION

This Memorandum of Agreement provides for a fair economic settlement for the employees and the County.

FISCAL IMPACT

The Office of the County Treasurer estimates the fiscal impact to be 1,366,296.00.

ALTERNATIVE

The alternative is to reject the Memorandum of Agreement and to proceed to Interest Arbitration.

Ralph J. Ciallella, Essex County Administrator
April 16, 2015
Page 4

CONCLUSION

Upon receipt of approval from the Board of Chosen Freeholders, the Memorandum of Agreement will be fully effective.

GMG/mb
Encls.

cc: Mark Acker, County Treasurer
Norman Willis, Chief Financial Officer
Alfaro Ortiz, Director – Department of Corrections
David Boyd, Deputy Director – Department of Corrections
Charles Green, Warden – Department of Corrections
Kim Smeraldo, Supervising Accountant
Alan Abramowitz, Director - Office of Human Resources



OFFICE OF ACCOUNTS AND CONTROL
HALL OF RECORDS, ROOM 542
NEWARK, NEW JERSEY 07102

CERTIFICATION OF FUNDS

Vendor Name Essex County Superior Officers Association, FOP Lodge #106 (Jail)
Account Name 2015 County Budgets-PS-Correctional Services-Salaries and Wages
Account and Project #
Contract Period (If Applicable) 01/01/2014 12/31/2017
Purpose of Contract A Memorandum of Agreement with the Essex County Superior Officers
Association, FOP Lodge #106 (Jail)

1,366,296.00 Contract Amount

Funding

	Temporary Budget Amount
404,451.00	Current Fund Budget Amount
	Contingent Current Year Amount
	Grant Funding
	Capital Funding
	Trust Funding
961,845.00	Contingent Subsequent Years

I, do hereby certify that the funding is legally appropriated per the above information for the purpose specified in the attached contract. Furthermore, it has been represented to me that the contracts have been processed in accordance with the applicable provisions of the Optional County Charter Law, the Essex County Administrative Code and the Essex County Standard Operating Policies and Procedures.

Norman A. Willis
Chief Financial Officer

CM Date: 4/16/2015
Cert: 2311



DEPARTMENT OF ADMINISTRATION AND FINANCE

Hall of Records, Room 549, Newark, New Jersey 07102

973.621.4393 --- 973.621.5209 (Fax)

www.essexcountynj.org

Joseph N. DiVincenzo, Jr.
Essex County Executive

Mark E. Acker
Director

TO: Courtney M. Gaccione
Esq. Chief, Labor & Employment

FROM: Annette M. DiBlasio *AMD*
Office of Management & Budget

DATE: April 16, 2015

SUBJ: Essex County Corrections Superiors FOP #106
Memorandum of Agreement

The impact of the Memorandum of Agreement for the 68 members for the above union is as follows:

		COST
01/01/14	2% increase on 12/31/13 base \$ 6,696,211	\$ 133,924
01/01/15	Rollover	\$ 133,924
01/01/15	2% increase on 12/31/14 base \$ 6,830,135	\$ 136,603
01/01/16	Rollover	\$ 270,527
01/01/16	2% increase on 12/31/15 base \$ 6,966,738	\$ 139,335
01/01/17	Rollover	\$ 409,862
01/01/17	2% increase on 12/31/16 base \$ 7,106,073	\$ 142,121
	TOTAL	\$ 1,366,296

Funding will be provided within the budget for the Corrections Dept.

Putting Essex County First

ESSEX COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER

MEMORANDUM OF AGREEMENT
BETWEEN THE COUNTY OF ESSEX
AND THE ESSEX COUNTY SUPERIOR OFFICERS
ASSOCIATION, FOP LODGE 106

The County of Essex, (the "County") and the Essex County Superior Officers Association, FOP Lodge 106 (the "Association"), having engaged in collective negotiations, hereby mutually agree as follows with respect to modification of the terms of Memorandum of Agreement which expired on December 31, 2013.

1. The terms of the 2011-2013 Collective Bargaining Agreement between the parties shall remain in full force and effect except as herein modified.

2. **Term of Agreement**

A term of the new Agreement shall be for a period of four (4) years, effective January 1, 2014 through December 31, 2017.

3. **Wages**

Wages shall be increased as follows:

Effective and Retroactive to January 1, 2014	2.00%
Effective and Retroactive to January 1, 2015	2.00%
Effective January 1, 2016	2.00%
Effective January 1, 2017	2.00%

Step movement shall continue per Article 6.

4. **Health Benefits**

Employees may select any health plan offered by the County. Employees hired after the full execution of this agreement shall not be eligible for Traditional coverage.

5. **Health Benefits**

Revise to provide:

“Employees shall contribute amounts as set forth by Chapter 78, P.L. 2011. Once full implementation is reached, the contributions shall remain at the maximum level of contribution set forth in Chapter 78, P.L. 2011 for the remainder of this Collective Negotiations Agreement, through December 31, 2017.”

6. **Meal and Break Periods**

Modify the last sentence of the last paragraph of Article 20 as follows, “...unless authorized by the Director or his designee.”

7. **Retention of Existing Benefits**

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“The rights, privileges and benefits which these employees have heretofore and are enjoying via this Agreement shall be maintained and continued by the County during the term of this Agreement until the ratification/approval of a successor agreement notwithstanding any statute, law, ordinance, precedent or ruling by a Court or State agency.”

8. **Reciprocal Days**

Delete last sentence of Article 11.

9. **Retroactive Pay**

Add provision:

“Employees who sever employment with the County prior to the execution of this Agreement will not be included in this wage increase, with the exception of retirees in good standing.”

10. **Extent of County Liability**

Amend Article 13 to provide for counsel rate of \$80.00 per hour.

11. This Memorandum of Agreement, together with the 2011-2013 Collective Bargaining Agreement between the parties, represents the complete and final agreement between the parties, and is contingent upon ratification and approval of the association membership, the Essex County Executive and the Essex County Board of Chosen Freeholders.

12. All proposals, whether written or oral, presented by the parties during the course of the negotiations are deemed withdrawn and not a part of this Agreement. This Agreement cannot be modified except by a writing signed by the parties.

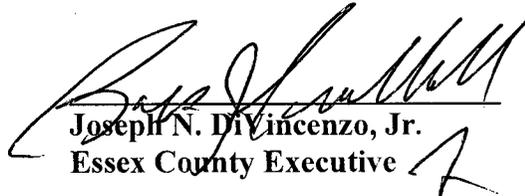
IN WITNESS WHEREOF, the parties have by their authorized representatives, set their hands and seals this day 2015.

For the FOP Lodge 106



James Troisi
State Delegate/Contract Chairperson
FOP Lodge 106

For the County of Essex

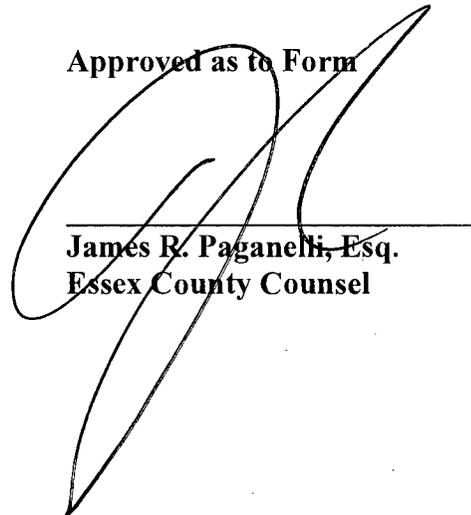


Joseph N. DiVincenzo, Jr.
Essex County Executive



**Deborah Davis Ford, Clerk of
Board of Chosen Freeholders**

Approved as to Form



James R. Paganelli, Esq.
Essex County Counsel