



INTERNATIONAL FEDERATION of PROFESSIONAL and TECHNICAL ENGINEERS

LOCAL 195 NEWS

NEW JERSEY PUBLIC EMPLOYEES UNION

INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL ENGINEERS
186 NORTH MAIN STREET, MILLTOWN, NJ 08850 • PHONE: 800-316-0351

VOL. 17, NO. 1 SPRING 2016
TIMOTHY J. RUDOLPH, PRESIDENT

LOCAL 195 NEWS

NEW JERSEY PUBLIC EMPLOYEES UNION

A publication of Local 195
Public Employees Union
186 North Main Street
Milltown, NJ 08850

Phone: 732-247-0350

Fax: 732-247-2474

www.local195.org

www.facebook.com/local195IFPTE



Editor In Chief: Gerald Newsome

Editor: Deborah Spencer

Support Staff: Cheryl Catananzi

IN THIS ISSUE

President Timothy J. Rudolph	1
Update on Contract Negotiations.....	2
Local 195 Officers Elected	2
Workmen's Compensation & Union Member.....	2
Increment Withholding Decision.....	3
The Importance of Political Action.....	3
William Paterson Chapter News.....	3
Pension Contribution Decision	4
State Guards Responsible In Suspect Apprehension	4
Welcome New Chapter Officers	5
Welcome New Stewards.....	5
Retirees.....	5
Local 195's 23rd Annual Picnic Has Been Scheduled.....	6
View From the Statehouse.....	6
2016 Scholarship Application Available	7
Congratulations to the 2015 Donald R. Philippi Scholarship Awards	7
Protect Your Pension.....	8
Executive Officers	8

From the Desk of President **TIMOTHY J. RUDOLPH**



Greetings Union Brothers and Sisters, we find ourselves still facing battles with the issues & concerns to all Public Employees. 2016 will be a continuation of the 2015 problems facing each one of us.

As your Union President, I will assure you of Local 195's tenacious commitment to remain in opposition to the prejudicial attacks against New Jersey's Working Families. The perpetual pension controversy tops the list of all our concerns. Public Employees have never skipped on a pension payment; the State's mismanagement has delivered the pension system to the brink of disaster.

Local 195 is supporting a Ballot question in November 2016 that would require the State to live up to its pension funding obligation. We will be asking each IFPTE member to actively support & campaign to have this Constitutional Amendment to save worker's pensions passed.

The Governor's FY17 Budget address makes NJ Working Families in even worse shape than the last six State Budgets. Jobs aren't being created, jobs are being lost, huge tax breaks are made to large Corporations, Millionaires aren't made to pay their fair share, property taxes are higher than any other State & raising the minimum wage to a living wage is not the Governor's concern. There is no plan to fund the State's transportation fund and worst of all the Governor has reneged on his own pension reform law resulting in a spiraling credit rating for New Jersey. We need our State to be NJ BC (New Jersey Before Christie).

We are currently in negotiations. The Local 195 Negotiation Committee and myself are taking each step forward to ensure & secure a fair contract that will benefit everyone.

We are watching closely the California Friedrich's case which threatens to eliminate the Unions ability to empower working people to fight for fair treatment, collective bargaining, dignity, justice and earned respect. The U.S. Supreme Court has heard the case & will be issuing a ruling. I participated with other unions in the making of a video discussing the importance why I and Local 195 Members are proud to be union & are union strong. I strongly encourage you to view & share the video with others. The video is available for viewing on our Local website- www.local195.org.

In closing, I, as well as the Officers of Local 195 continue to move forward along with the membership. Never grow tired for what you believe, the only true tired is giving in.

The probability that we may fail in the struggle should not deter us from the support of a cause we believe to be just.

Fraternally,

Timothy J. Rudolph
President, Local 195, IFPTE

UPDATE ON CONTRACT NEGOTIATIONS

By: Gerald Newsome, Vice President, Local 195, IFPTE

We are receiving numerous calls from all chapters needing an update on contract negotiations. We need all to understand that before we started negotiating with the state we agreed that we will not do it publicly so there is only so much information we can give out. All we can say at this point is that we have only discussed non-economical items. Please understand that any and all we tentatively agree upon has to be ratified by the members of the local. We are currently trying to change language to make our work environment better for all. Any and all changes will be given to our executive board so they can pass on to our membership. We will also post on our website-www.local195.org so please check in and see what's happening within the local.

LOCAL 195 OFFICERS ELECTED

Nominations & Elections of the Local 195 Officers were completed in the 2015 Fall season. The slate of Local Officers ran unopposed & were given the oath of office for three (3) years on February 11, 2016 by Local 195 President Emeritus, Donald J. Buchanan. The term of office began January 2016 & will continue through December 31, 2019.



Officers (lf to rt) Sgt. At Arms - Raymond Cibo, Vice President - Gerald Newsome, President – Timothy J. Rudolph, Treasurer – Alan Renouf, Secretary – Deborah A. Spencer.



Trustees (lf to rt) Trustee Chairman – Michael Scorzetti, Trustee – Talaina Woodridge, Trustee – William O'Brien



Unit Presidents (lf to rt) Unit President of Maintenance –Steve Sharp, Unit President of Inspections, Investigations & Security – Leonard Ross, Unit President of Crafts – Ken Gaburo

WORKMEN'S COMPENSATION & THE UNION MEMBER

By: Deborah A. Spencer, Local Secretary

No one expects to be hurt while performing the duties of your job but it happens. Knowing what to do should an injury occurs is the first step towards recovery. Here is a brief guide to begin your thought process when the unexpected happens:

1. Worker's Compensation provides benefits to you when you are injured or contract an occupational disease while working.
2. Workers are covered when performing services for wages. Independent Contractors are excluded.
3. Important- notify your employer of any accident immediately, whether minor or major. Request medical treatment- treating physicians are the choice of employer or Worker Compensation insurance carrier.

4. Benefits are paid by the Workers Compensation insurance carrier.
5. You cannot file for Worker's Compensation benefits until after the 7th day; you must use your own earned accrued benefit time during this period.
6. Always seek out the services of a Worker's Compensation Lawyer for advice & representation.

Local 195, IFPTE recommends the Law Office of Oxfeld Cohen, P.C. Contact Mr. Barry Frank, Esq. for further information on your rights & benefits when you are injured and/or unable to work. The firm of Oxfeld Cohen, P.C. is located at 60 Park Place, Suite 600, Newark, NJ 07102. Contact information- Phone: 973-642-0161, Fax: 973-802-1055

INCREMENT WITHHOLDING DECISION

By: Arnold Shep Cohen

On March 9, 2016, a New Jersey appeals court decided In The Matter of County of Atlantic and PBA Local 243, where it held that contractual salary increments must be given after a labor agreement expires, to maintain the status quo during negotiations. It reinstated over 35 years of existing law. The preservation of salary increments beyond the expiration date of a collective agreement has an impact on a wide spectrum of public employees. Local 195 was part of this victory, as it filed an amicus curiae (friend of the court) legal brief.

The appeals court criticized the Public Employment Relations Commission's ("PERC") attempt to reverse decades of precedent in New Jersey. It preserved what is known as the "dynamic status quo" at the expiration of a labor contract. PERC was found to have improperly allowed employers to freeze salary increments during negotiations, with the net effect of allowing them to profit by delay tactics. This way, the employers were permitted to bring undue financial pressure on employee representatives to settle for less, because of the hardship imposed on their members.

The court's decision reinstates longstanding prior law and permits contract language for the payment of increments to public employees after their contracts expire. It forms a basis for union claims to preserve the right to the payment of increments until a new contract is negotiated.

Although Local 195 was not a party to the case, it still can strenuously argue to the State in the current negotiations that its members are entitled to the payment of increments. In 2011, increments were paid after the labor agreement expired. They were not paid in 2015, though, because of PERC's attempt to change the law. The Court's decision sets broad precedent that increments should be paid by the State retroactive to July 1, 2015. It permits increment payments for an unlimited period after a contract's expiration, until a new contract is negotiated.

If the State does not follow the Court's decision, Local 195 will be forced to exhaust its legal remedies, which have been on hold. These are an unfair practice charge at PERC and an arbitration hearing.

An appeal to the New Jersey Supreme Court is anticipated in the County of Atlantic case. The Supreme Court, however, is free to accept or reject the appeal. If it chooses to hear the appeal, that could delay the legal process.

In short, this decision is a great victory for public unions.

THE IMPORTANCE OF POLITICAL ACTION

By: Ray Cibo, Local 195 Sgt @ Arms, Political Action Committee Member



Rowan Chapter Political Action Committee members met Assemblyman Gilbert "Whip" Wilson, Legislative District 5. (left to right Taira McBride, Chris McBride, Assemblyman Wilson & Ray Cibo)

The Political Action Committee was active this past election as many of our endorsed candidates were victorious. The Democrats were not only able to maintain control of the General Assembly, but also gained an additional 4 seats. On the Senate side, Nilsa Cruz-Perez won the District 5 special election. With so many members generous contributions to the Political Action Committee Fund, we had the ability to donate to their campaigns and attend fundraisers. Once again, it's time to lobby our elected officials and ask them to support the November ballot constitutional amendment question which will require the Governor to make the proper pension payment. We will continue to oppose any attacks on public employees by Governor Christie. This is why it is important to be politically active and contribute to the Political Action Committee.

William Paterson Chapter News

Congratulations to William Paterson University's Jose Hernandez on winning a Beach Cruiser Bicycle in August of 2015. Jose joined a 6-week Cruise Into Better Health Program and had one of the overall best results. Congratulations!



PENSION CONTRIBUTION DECISION

By Arnold Shep Cohen

In *Burgos v. State of New Jersey*, decided June 9, 2015, the New Jersey Supreme Court found that a 2011 law that requires the State to make specified annual contributions to public employee pension funds did not create an enforceable contract, which is entitled to constitutional protection.

In 2011, with the enactment of Chapter 78, the Legislature added language to the pension law, explicitly declaring that each member of the State's pension systems "shall have a contractual right to the annual required contribution amount" and the failure of the State to make the required contribution "shall be deemed to be an impairment of the contractual right."

On May 20, 2014, Governor Christie issued Executive Order 156, which reduced the State's payments into the pension system for FY14, explaining that the reduction was due to a severe and unanticipated revenue shortfall. Instead of paying \$1.582 billion, the State made a total contribution of \$696 million for FY14. The next day, citing new information that placed the State's projected revenue at less than previous projections, the State Treasurer announced that the proposed budget for FY15 was being revised to reduce the amount that would be contributed to the pension system. The revised FY15 budget included a total contribution of \$681 million, reflecting \$1.57 billion less than what was required.

In response, plaintiffs — individuals and unions acting on behalf of hundreds of thousands of New Jersey public employees — filed legal actions.

The Plaintiffs argued that in enacting Chapter 78, the State made a contractual commitment to make certain payments to the pension system and that the State's failure to make full payments was an impairment of that contract, in violation of the State and Federal Constitutions. The Plaintiffs requested that the court require the Legislature and the executive

branch to adopt an appropriations act consistent with the contractual obligations outlined in Chapter 78.

In its decision, the Supreme Court created new law and held that Chapter 78 does not create a legally enforceable contract that is entitled to constitutional protection.

The Supreme Court reasoned that the Legislature and Governor were without power (absent voter approval of a constitutional amendment) to require payments. It found that the Legislature and Governor may have included contractual words in Chapter 78, but those words, no matter how clear, could not create an enforceable contract. Rather, voter approval of a constitutional amendment is required to make this a legally enforceable contractual agreement. Otherwise, this agreement is enforceable only as an agreement that is subject to appropriations.

The Court recognized that the present level of funding for the pension system is of increasing concern. It added, however, that its obligation is to enforce the State Constitution's limitations on legislative power. It found that the Constitution does not permit Chapter 78's payment provisions to have any more binding effect than any other contract that is subject to appropriations. The Court's holding is, simply, that Chapter 78 cannot constitutionally create a legally binding, enforceable obligation on the State to annually appropriate funds.

The legislature is considering a constitutional amendment to be presented to the voters this November, enforcing Chapter 78's requirement that the funding's requirements must be met. Under the proposed amendment, the State will have until July 1, 2021 to start making each year's pension payment in full. Until then, the State will make a partial, but increasing, payment each year. The payment will be made on a quarterly basis.

STATE GUARDS RESPONSIBLE IN SUSPECT APPREHENSION

Four State DEP Guards were recognized for their outstanding work efforts while protecting their building & employees. On February 26, 2016, Guards Benjamin Bryant, Janice Hobbs, Kevin Jackson & Jacinda Monday alerted State Police that the suspect wanted for a series of recent harassment incidents was observed trying to gain access to State property. The individual was positively identified and subdued until the State Police arrived & made the arrest.

Local President Timothy J. Rudolph acknowledged their accomplishments with a letter of accommodation for their dedication to their job positions as New Jersey Public Employees & members of Local 195, IFPTE. Guards Bryant, Hobbs, Jackson & Monday are members of the Trenton I&S Chapter.



(It to rt) Security Officer Kevin Jackson, Guard Jacinda Monday, Mobile Benjamin Bryant, and Security Officer Janice Hobbs

Welcome New Chapter Officers

Keyonna Blaine – Ancora
Antoine Council – Ancora
Anthony Johnson - Ancora
Christina Jackson – Central Jersey Corrections
Yahadia Nelson – College Of New Jersey
Daniel Oatman – College of New Jersey
William Owens – College of New Jersey
Raul Rodriguez – College of New Jersey
Rueban Roman – College of New Jersey
Tilisha Ellison – Green Brook
Nancy Nieto – Green Brook
Luz Reyes – Green Brook
Seaton Samuel – Green Brook
Anthony Amante – Greystone
Tracey Brown – Greystone
John Karkoska – Hunterdon
Paul Sbanco - Hunterdon
Jose Laranjeira – Kean University
Katy Martinez – Menlo Park
Shawn Seymore – Menlo Park
Larry Austin – Montclair University
Dion Cashaw - Montclair University
Bobby Hill – Montclair University
Zachary Perrotta – Montclair University
Phaenehas Lubrin – New Jersey City University
Jay Smaw – New Jersey City University
Vera Superville – New Jersey City University
Adrian Gremesperger – No. Jersey DOT
Daniel Ferrara – Palisades Interstate Park
Howard Wilson – Palisades Interstate Park
Jhony Cruz - Paramus
Martin Errico - Paramus
James Hearney – Paramus
Andrae Johnson – Paramus
Jamie Kifferly – Rowan University
Leonard Savidge – Rowan University
Paul Jeffries – Southern OMSC
Anthony Siciliano – Southern OMSC
Frank Governale – Stockton College
Jennifer Hicks Coogan - Trenton Complex
Leonard Ross – Trenton I&S
Ernest Conner – Trenton Psych.
Warren Wormley – Trenton Psych.
Robert Lovett - Vineland
Brenda Dolly – Woodbine
James Gervasi – Woodbine
Richard McCandless – Woodbine
Miriam Rodriguez – Woodbine
Clayton Russell – Woodbine

Welcome New Stewards

Jovan Villafane – Ancora Chapter
Antonio Milano – Bedminster Chapter
William Downs – Central I&S Chapter
Thomas Stanley – Central I&S Chapter
Tina Cole-Davis – Central Jersey Corrections Chapter
Wayne Hoagland – Central Jersey Corrections Chapter
Lisa Benjamin – College of New Jersey Chapter
Annette Council – College of New Jersey Chapter
Raul Rodriguez – College of New Jersey Chapter
Russell Bramble – Fernwood OMSC Chapter
Seaton Samuel – Green Brook Chapter
Quaseem Dent- Montclair State University Chapter
Monice Lawrence- Montclair State University Chapter
Vera Superville – New Jersey City University Chapter
Sherry Thomas – New Jersey City University Chapter
Todd Hoppock – New Jersey Water Supply, Hunterdon Chapter
Adrian Gremesperger – No. Jersey DOT Chapter
Howard Wilson – Palisades Interstate Park
James Hearney – Paramus Chapter
Leonard Savidge – Rowan University Chapter
Kenneth DelRossi – South Jersey Corrections
Anthony Siciliano – Southern OMSC Chapter
Arthur J. Jones- Stockton University Chapter
Leah Matthews- Trenton Complex Chapter
Richard McCandless – Woodbine Chapter

Retirees

Dolores Gorczyca – Belmar Chapter
Brenda Flim – Trenton I & S Chapter
Earnest McBride –Trenton Psychiatric Chapter
Jean Merisier – Trenton Psychiatric Chapter

REMINDER

If you have changed your mailing address or email address please contact the Local with your current information. You can email local195@local195.org.

LOCAL 195's 23RD ANNUAL PICNIC HAS BEEN SCHEDULED FOR:

Date: Saturday, July 9th, 2016
(rain date – Sunday, July 10, 2016)

Time: 12:00pm till 6:00pm



Location: Eagles Landing Day Camp at Mill Road
74 Davidson Mill Road
North Brunswick, NJ 08902

There will be a minimum charge of \$30.00 to anyone other than Local 195 members and their immediate families. RSVP by JUNE 15th.

Sign up at your chapter meetings or call the Local office at 800-316-0351 or email local195@local195.org. More information and directions to Eagles Landing Day Camp at Mill Road can be found on our website www.local195.org.



VIEW FROM THE STATEHOUSE

Dr. Robert Angelo, Legislative Consultant

The Good News is, that Chris Christie will not be taking his anti-public worker campaign to Washington. The Bad News is, that with his Presidential campaign over, the Governor limped back to Trenton and immediately restarted his attacks on public sector benefits, and public sector unions. Despite an embarrassing performance in the Republican primaries and record low approval ratings in New Jersey, he's still same old Christie with the same old tired message. And his recent endorsement of Trump and continued absence from the State, only serve to complicate a confusing political environment in Trenton.

Christie's proposed FY 16-17 State Budget, unveiled in February, slashes health benefits by \$250 million with no explanation of how or where these cuts will be implemented. Will they be negotiated, legislated, unilaterally mandated, or maybe appear out of thin air? But he didn't stop with health benefits, he also proposed contributing only 40% of what is needed for our state pension funds. Once again he is kicking the can down the road, refusing to offer solutions to the persistent and problematic pension underfunding crisis that threatens the retirement of all public employees, and ultimately, the pocketbooks of all taxpayers.

Thankfully, the Democrats control both the State Senate and General Assembly and can put the brakes on most of

Christie's proposals. Without this roadblock things would be even worse for public workers. The efforts that Local 195 and the rest of the New Jersey labor movement put into electing democrats during the 2015 election cycle have proven to be decisive in our fight to preserve our benefits!

2016 is, of course, a Presidential Election year and naturally the bulk of the attention will be focused on the national race. But for New Jersey public employees and public sector retirees, Election Day 2016 has even greater importance. The ballot will include a proposal, led by Senator Steve Sweeney, to amend the State Constitution "to mandate that the State of New Jersey make its' full, annual contribution to the state pension funds." There has never been a ballot question more important to all public employees and their families. Every public sector union member must make it their responsibility to mobilize their friends, family, and neighbors to support this question.

The 6+ years of the reign of Chris Christie has been a war to protect our pensions and health benefits, and so far we are holding our own. Our most powerful weapon against the likes of Christie is the solidarity of our members and solidarity among public employee unions to put up a united front against a common enemy. The end is in sight, let's keep fighting!

2016 SCHOLARSHIP APPLICATIONS AVAILABLE

The Donald R. Philippi Memorial Scholarship applications are available to any graduating High School Student whose parent is a member of Local 195, IFPTE. Applications may be obtained from a member's Chapter President, the Local 195 website www.local195.org or by calling the Local Office 732-247-0350. Deadline to submit an application is June 1, 2016. Winners will be notified & scholarships will be awarded at the annual Local 195 Picnic. This year's annual picnic is scheduled for July 9, 2016.

Below are the 2015 recipients of the Donald R. Philippi Memorial Scholarship Fund

Congratulations to the 2015 Donald R. Philippi Scholarship Awards



First Place \$1500

Shaye DiPasquale

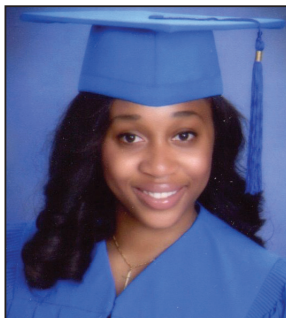
Father- Eugene DiPasquale, works for the Dept. of Community Affairs and belongs to the Central I&S Chapter. Shaye will be attending Elizabethtown College.



Second Place \$1500

Leah Milano

Father- Tony, works for the Dept. of Law & Public Safety and belongs to the Bedminster Chapter. Leah will be attending Seton Hall University.



Third Place \$1,000

Autumn Ellison

Mother- Adrian, works for the Dept. of Banking & Insurance and belongs to Central I&S Chapter. Autumn will be attending Hampton University.



Fourth Place 1,000

Colleen M. Loges

Father- Tom, works for the Dept. of Corrections and belongs to the Central Jersey Corrections Chapter. Colleen will be attending Moore College of Art & Design

PROTECT YOUR PENSION

- William O'Brien, Local 195 Trustee

You work for years building your pension benefit. Do you know what your benefits are, now? Well it depends on the date that you were enrolled into the pension system. Since July 1, 2007 there are now five types of membership, called Tiers, with different benefit levels. You can look at your Tier and benefits on line at <http://www.state.nj.us/treasury/pensions/pers1.shtml> then scroll down to click on "PERS Membership Tiers". That will show a chart of benefits for the five Tiers.

For those following the court actions about pension issues and funding, it is expected that arguments will be submitted by this Summer, then, more action by early Autumn.

For those retired or expecting to retire soon, be aware of rules about returning to any government work. The regulations were updated in recent years, but, not all

employers are familiar with the change. This may hurt you and even stop your monthly pension. For example, a craftsmen or inspector at a higher salary retires at half pay. Later their friend suggests a job with the town or school as a crossing guard or teacher's aide. They say it is not covered by pension that it is only part-time. But, the job is considered a 10 month, full-time position by the Pension division. The Pensions office discovers this a year later. The employee may be required to surrender all salary or refund all pension received. They also may require re-enrollment, which may be at another Tier.

More information on this may be found on the Pension Fact Sheet replacing Fact Sheet 21 at <http://www.state.nj.us/treasury/pensions/fact-sheets.shtml>. Then, information on more topics are given on a number of Fact Sheets.

Good luck and good health.
Enjoy your retirement.



International Federation of Professional and Technical Engineers, AFL-CIO-CLC

THE EXECUTIVE OFFICERS OF LOCAL 195 IFTPE

TRUSTEES
Timothy J. Rudolph, President
Gerald Newsome, Vice President
Alan Renouf, Treasurer
Deborah A. Spencer, Secretary
Ray Cibo, Sgt.-At-Arms

UNIT PRESIDENTS
Leonard J. Ross, Inspection & Security
Steve Sharp, Maintenance
Ken Gaburo, Crafts

PRESIDENTIAL ASSISTANTS
Angelique Hewitt, Diane Moore, Matt Carcich,
Bridget Bryant, Steve Pinto, Sherry Thomas

Returned Service Requested



LOCAL 195
186 North Main Street
Milltown, NJ 08850

NON-PROFIT ORG.
U.S. POSTAGE
PAID
NEW BRUNSWICK, NJ
PERMIT NO. 50768