

# SENATE, No. 993

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JANUARY 30, 2020

**Sponsored by:**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Senator TROY SINGLETON**

**District 7 (Burlington)**

**Co-Sponsored by:**

**Senators Gill, Turner, Brown, Gopal, Addiego, Thompson and Madden**

**SYNOPSIS**

Concerns arbitration for certain non-teaching school staff.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 3/19/2020)**

1 AN ACT concerning arbitration for certain non-teaching school staff  
2 and amending P.L.1989, c.269.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

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7 1. Section 8 of P.L.1989, c.269 (C.34:13A-29) is amended to  
8 read as follows:

9 8. a. The grievance procedures that employers covered by this  
10 act are required to negotiate pursuant to section 7 of  
11 P.L.1968, c.303 (C.34:13A-5.3) shall be deemed to require binding  
12 arbitration as the terminal step with respect to disputes concerning  
13 imposition of reprimands and discipline as that term is defined in  
14 this act.

15 b. In any grievance procedure negotiated pursuant to this act,  
16 the burden of proof shall be on the employer covered by this act  
17 seeking to impose discipline as that term is defined in this act.

18 c. In addition to any rights provided pursuant to subsection a.  
19 of this section, an employee who is not a teaching staff member  
20 shall have the right to submit to binding arbitration any dispute  
21 regarding whether there is just cause for a disciplinary action,  
22 including, but not limited to, reprimands, withholding of  
23 increments, termination or non-renewal of an employment contract,  
24 expiration or lapse of an employment contract or term, or lack of  
25 continuation of employment, irrespective of the reason for the  
26 employer's action or failure to act, and irrespective of any  
27 contractual or negotiated provision or lack thereof. In the  
28 arbitration, the burden of proof shall be on the employer.

29 d. Nothing in this section shall be regarded as affecting the  
30 right of any teaching staff member or majority representative to  
31 submit to binding arbitration any dispute involving or relating to a  
32 teaching staff member.

33 (cf: P.L.1989, c.269, s.8)

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35 2. This act shall take effect immediately.

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#### STATEMENT

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40 This bill provides to non-teaching employees of local, county or  
41 regional school districts, boards or commissions the right to submit  
42 to binding arbitration any dispute regarding whether there is just  
43 cause for a disciplinary action, including, but not limited to,  
44 reprimands, withholding of increments, termination, non-renewal,  
45 expiration or lapse of an employment contract or term, or lack of

**EXPLANATION** – Matter enclosed in bold-faced brackets **[ thus ]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

**S993 GREENSTEIN, SINGLETON**

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1 continuation of employment, irrespective of the reason for the  
2 employer's action or failure to act, and irrespective of any  
3 contractual or negotiated provision or lack thereof. The bill places  
4 the burden of proof in the arbitration on the employer.