

SENATE, No. 4040

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED NOVEMBER 8, 2021

Sponsored by:

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

SYNOPSIS

Provides super conciliation for certain emergency responder service employees, and requires continuation of contract provisions during negotiations.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning super conciliation for certain emergency
2 responder service employees and supplementing P.L.1941, c.100
3 (C.34:13A-1 et seq.).
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. As used in this act:

9 “Commission” means the New Jersey Public Employment
10 Relations Commission.

11 “Emergency responder service employees”, or “employees”
12 means emergency medical technicians, paramedics, public safety
13 dispatchers, 9-1-1 operators, and other public safety
14 telecommunicators.

15 “Employer” means the State of New Jersey, any instrumentality
16 of the State, or any of its counties, municipalities, or other political
17 subdivisions, which employs emergency responder service
18 employees which are included in a negotiating unit exclusively
19 comprised of one or more types of emergency responder service
20 employees.
21

22 2. a. In any case in which collective negotiations between an
23 employer and a majority representative of emergency responder
24 service employees have failed to result in the parties reaching
25 agreement on the terms of a negotiated agreement and the
26 commission's mediation and factfinding procedures have been
27 exhausted with no final agreement having been reached, the parties
28 shall be required to utilize a super conciliator, randomly selected
29 from a list developed by the commission. The super conciliator
30 shall utilize procedures, and be subject to qualifications, established
31 by the commission. The super conciliator shall promptly schedule
32 proceedings to:

33 (1) Investigate and acquire all relevant information regarding
34 the failure to reach agreement;

35 (2) Discuss with the parties their differences, and utilize means
36 and mechanisms, including but not limited to requiring 24-hour per
37 day negotiations, until a voluntary settlement is reached, and
38 provide recommendations to resolve the parties' differences; and

39 (3) Institute any other non-binding procedures deemed
40 appropriate by the super conciliator.

41 The super conciliator shall complete the proceedings not later
42 than 90 days after the super conciliator is selected. If the actions
43 taken by the super conciliator fail to resolve the dispute, the super
44 conciliator shall issue a final report not more than 30 days after the
45 completion of the proceedings, which shall be provided to the
46 parties promptly and made available to the public within 10 days
47 after it issued.

1 telecommunications. The bill also requires the continuation of
2 existing provisions of collective negotiation agreements during
3 negotiations.

4 In any case in which collective negotiations between an
5 employer and a majority representative of the employees have
6 failed to result in the parties reaching agreement, and mediation and
7 factfinding procedures of the Public Employment Relations
8 Commission have been exhausted without an final agreement, the
9 parties shall be required to utilize a super conciliator which shall
10 promptly schedule proceedings to:

11 1. Investigate and acquire all relevant information regarding
12 the failure to reach agreement;

13 2. Discuss with the parties their differences, and utilize means
14 and mechanisms, including but not limited to requiring 24-hour per
15 day negotiations, until a voluntary settlement is reached, and
16 provide recommendations to resolve the parties' differences; and

17 3. Institute any other non-binding procedures deemed
18 appropriate by the super conciliator.

19 The super conciliator is required to complete the proceedings not
20 later than 90 day after the super conciliator is selected. If the
21 actions taken by the super conciliator fail to resolve the dispute, the
22 super conciliator is required to issue a final report not more than 30
23 days after the completion of the investigatory proceedings, to be
24 provided to the parties promptly and made available to the public
25 within 10 days after it issued.