

34:13A-5.1

September 30, 1974

C.2

LEGISLATIVE HISTORY OF R.S. 34:13A-5.1
(State Board of Mediation)

See legislative history of 34:13A-1 et seq. for history of L. 1941, c. 100 and L. 1968, c. 303.

Laws of 1973, chapter 326

A 2625 - establishes the independence and autonomy of the State Board of Mediation.

November 12 - Introduced by Kean, J. Horn, Hurley.

November 26 - Passed in Assembly.

November 29 - Passed Senate under emergency resolution.

December 18 - Approved, Chapter 326.

Statement (copy enclosed).

Reports and hearings: None located.

Governor's Message: Press release-December 18, 1973.

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ASSEMBLY, No. 2625

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 12, 1973

By Assemblymen KEAN, J. J. HORN and HURLEY

(Without Reference)

AN ACT concerning the "New Jersey Employer-Employee Relations Act," amending and supplementing P. L. 1941, c. 100 and amending P. L. 1968, c. 303.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Section 4 of P. L. 1941, c. 100 (C. 34:13A-4) is amended to
2 read as follows:

3 4. State Board of Mediation; establishment; membership. There
4 is hereby established in the Department of Labor *and Industry* a
5 board to be known as the New Jersey State Board of Mediation.
6 The membership of such board shall consist of seven persons to be
7 appointed by the Governor, by and with the advice and consent of
8 the Senate. Of such members, two shall be representative of em-
9 ployees, two shall be representative of employers and three shall
10 be representative of the public. Of the members first appointed,
11 one shall be appointed for a term of 1 year; two for a term of 2
12 years and two for a term of 3 years. Of the two additional members
13 provided for by this amendment, the original appointees shall hold
14 office for 2 years. Their successors shall be appointed for terms of
15 3 years. The chairman of the board shall be a member who shall
16 have been designated a representative of the public and who shall
17 be named as chairman by the Governor: the chairman so named
18 shall serve as chairman during his term as a member of the board.
19 A vacancy occurring in the membership of the board for any cause,
20 other than expiration of term, shall be filled by the Governor and
21 the person so appointed shall hold office for the unexpired term of
22 the member whose office has become vacant.

23 Of the members whose terms have not expired, the Governor
24 shall designate each as a representative of either employees or
25 employers or the public, which designation shall be filed with the
26 Secretary of State, and all appointments hereafter made shall in-
27 clude a designation indicating that such appointee is to be a repre-
28 sentative of employees, employers or the public, as the case may be.

29 For the purpose of complying with the provisions of Article V,
 30 Section IV, paragraph 1 of the New Jersey Constitution, the New
 31 Jersey State Board of Mediation is hereby allocated within the
 32 Department of Labor and Industry and assigned for administrative
 33 purposes to the Assistant Commissioner of Labor for Labor Rela-
 34 tions and Work Place Standards, but notwithstanding said alloca-
 35 tion and assignment, the board shall be independent of any
 36 supervision or control by the department or by any board or officer
 37 thereof.

1 2. Section 5 of P. L. 1968, c. 303 (C. 34:13A-5.1) is amended to
 2 read as follows:

3 5. There is hereby established a Division of Public Employment
 4 Relations and a Division of Private Employment Dispute Settle-
 5 ment.

6 (a) The Division of Public Employment Relations shall be con-
 7 cerned exclusively with matters of public employment related to
 8 determining negotiating units, elections, certifications and settle-
 9 ment of public employee representative and public employer
 10 disputes and grievance procedures. For the purpose of complying
 11 with the provisions of Article V, Section IV, paragraph 1 of the
 12 New Jersey Constitution, the Division of Public Employment
 13 Relations is hereby allocated within the Department of Labor and
 14 Industry, and located in the city of Trenton, but notwithstanding
 15 said allocation, the office shall be independent of any supervision
 16 or control by the department or by any board or officer thereof.

17 (b) The Division of Private Employment Dispute Settlement
 18 shall assist *the New Jersey State Board of Mediation* in the resolu-
 19 tion of disputes in private employment. The New Jersey State
 20 Board of Mediation, its objectives and the powers and duties
 21 granted by this act and the act of which this act is amendatory
 22 and supplementary shall be concerned exclusively with matters of
 23 private employment and the office shall continue to be located in
 24 the city of Newark.

1 3. To the extent that the reorganization plan of the Department
 2 of Labor and Industry which was submitted to the Legislature on
 3 May 11, 1972 (effective July 10, 1972) is inconsistent with, changes
 4 or alters the powers of either the New Jersey Public Employment
 5 Relations Commission in the Division of Public Employment Rela-
 6 tions or the Board of Mediation in the Division of Private Employ-
 7 ment Dispute Settlement as they existed prior to the effective date
 8 of said reorganization, such reorganization plan shall be to such
 9 extent superseded and inoperative.

1 4. This act shall take effect immediately.

STATEMENT

It is the purpose of this bill to establish or clarify by legislation the independence and autonomy of the New Jersey State Board of Mediation and to ensure that the board will have the same degree of independence from supervision and control as exists for the Public Employment Relations Commission.

FROM THE OFFICE OF THE GOVERNOR

DECEMBER 18, 1973

FOR RELEASE: IMMEDIATE

Governor William T. Cahill today signed into law a bill clarifying the independence and autonomy of the State Board of Mediation.

Assembly Bill No. 2625, sponsored by Assemblyman Thomas H. Kean (R., Essex), establishes the Board as an independent unit, but stipulates that its administrative services be provided by the Department of Labor and Industry.

The Governor also signed into law the following bills:

ACS for Senate Bill No. 1, sponsored by Senator Alfred N. Beadleston (R., Monmouth), which requires the State to provide by contract or otherwise all necessary transportation for pupils maintained at the Katzenbach School for the Deaf.

S-224, sponsored by Senator James H. Wallwork (R., Essex), which permits any 1st class county, for county parks to raise an additional $\frac{1}{2}$ mill on the dollar of the aggregate true or full value of all property in the county.

S-1215, sponsored by Senator Barry T. Parker (R., Burlington), which increases the salaries of the Director of the Division of Workmen's Compensation and the Judges of Compensation.

S-2290, sponsored by Senator John F. Brown (R., Ocean), which authorizes Seaside Heights to make permanent the appointment of S. Matejkowski to the police department.

S-2322, sponsored by Senator William E. Schluter (R., Hunterdon), which authorizes Hightstown to make permanent the appointment of D.V. Stanziale to the police department.

S-2331, sponsored by Senator Frank C. Italiano (R., Camden), which authorizes Mount Ephraim to make permanent the appointment of J. Graham, Jr. to the police department.

S-2357, sponsored by Senator James S. Cafiero (R., Cape May), which authorizes Woodbine to make permanent the appointment of W.S. Holmes to the police department.

Senate Committee Substitute for Assembly Bill 544, sponsored by Assemblyman Robert E. Littel (R., Warren), which permits an "in-transit empty" license to be issued for trucks, tractors, trailers or semi-trailers that are empty and being transported from one terminal to another terminal.

A-1264, sponsored by former Assemblyman Richard W. DeKorte (R., Bergen), which prescribes the qualifications for members of county board of taxation; effective January 1, 1974.

A-1600, sponsored by Assemblyman David A. Wallace (D., Hudson), which authorizes East Newark to make permanent the appointment of Samuel Latini to the police department.

A-2317, sponsored by Assemblyman Carl A. Orechio (R., Essex), which requires the disclosure of the cost of laboratory services rendered for physicians and other practitioners by clinical, or bio-analytical or hospital laboratories.

A-2396, sponsored by Assemblyman Joseph W. Chinnici (R., Cape May), which validates certain proceedings for the issuance of bonds of school districts and any bonds issued or to be issued in pursuance of such proceedings.

A-2575, sponsored by Assemblywoman Josephine S. Margetts, (R., Morris) which provides for the issuance of special bingo licenses to senior citizens associations or clubs.

A-2618, sponsored by Assemblyman Karl Weidel (R., Hurderton), which authorizes Hopewell to make permanent the appointments of W. Seas, E. Glembocki and E. Erdelsky to the police department.

A-2627, sponsored by Assemblyman Eugene J. Bedell (D., Monmouth), which authorizes Union Beach to make permanent the appointment of R. Erven, E. Lockman, V. Tuberton and A. Wayde to the police department.

S-2299, sponsored by Senator Peter W. Thomas (R., Morris) which makes technical amendments to the health insurance reserves, the standard valuation and the standard nonforfeiture law.
