

34:13A-5.10

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2005 **CHAPTER:** 142

NJSA: 34:13A-5.10 (Designates ten collective negotiations unit categories for State Executive Branch employees)

BILL NO: A3816 (Substituted for S2235)

SPONSOR(S): Sires and Malone

DATE INTRODUCED: February 14, 2005

COMMITTEE: **ASSEMBLY:** Labor
SENATE:

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** June 27, 2005

SENATE: June 23, 2005

DATE OF APPROVAL: July 7, 2005

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (1st reprint enacted)

A3816

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** [Yes](#)

SENATE: No

[FLOOR AMENDMENT STATEMENT:](#) [Yes](#)

LEGISLATIVE FISCAL ESTIMATE: No

S2235

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: [Yes](#)

[FLOOR AMENDMENT STATEMENT:](#) [Yes](#)

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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No

NEWSPAPER ARTICLES:

No

IS 7/26/07

P.L. 2005, CHAPTER 142, *approved July 7, 2005*
Assembly, No. 3816 (*First Reprint*)

1 **AN ACT** concerning the collective negotiations units for employees in
2 the Executive Branch of State government and supplementing
3 P.L.1941, c.100 (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. a. The Legislature finds and declares that, for more than three
9 decades, there have been broad-based collective negotiations units for
10 the employees in the Executive Branch of State government. This
11 existing unit structure has contributed to the stability of labor relations
12 between the public employees and the Executive Branch and has
13 served to avoid disruption of services to the public. To foster
14 continued harmonious labor relations between State employees and the
15 Executive Branch, the existing structure for collective negotiations
16 units must be codified.

17 b. (1) There shall be only ten collective negotiations units for
18 civilian employees of the Executive Branch of State government. The
19 units shall be as follows: administrative and clerical; professional;
20 primary level supervisory; high level supervisory; operations,
21 maintenance and services; crafts; inspection and security; health care
22 and rehabilitation services; State colleges and universities; and State
23 colleges and universities adjuncts.

24 (2) An existing or newly established title that is not assigned
25 managerial, executive or confidential duties, as defined in subsections
26 (f) and (g) of section 3 of P.L.1941, c.100 (C.34:13A-3), may be
27 placed in one of the ten collective negotiations units for civilian
28 employees ¹by the Governor's Office of Employee Relations. Such
29 placements may be challenged¹ through a unit clarification procedure
30 pursuant to the rules of the New Jersey Public Employment Relations
31 Commission.

32 ¹[(3) In determining the proper unit placement of a title with
33 supervisory responsibilities, a title that is assigned supervisory duties
34 relative to a title in the higher level supervisory unit shall be
35 considered a special circumstance, for the purposes of section 7 of
36 P.L.1968, c.303 (C.34:13A-5.3), and such a title may be included in
37 the higher level supervisory unit under the special circumstances
38 exception.]¹
39

40 2. This act shall take effect immediately.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate floor amendments adopted June 20, 2005.

1

2

3 Designates ten collective negotiations unit categories for State

4 Executive Branch employees.

ASSEMBLY, No. 3816

STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED FEBRUARY 14, 2005

Sponsored by:

Assemblyman ALBIO SIRES

District 33 (Hudson)

Assemblyman JOSEPH R. MALONE, III

District 30 (Burlington, Mercer, Monmouth and Ocean)

Co-Sponsored by:

Assemblyman Connors

SYNOPSIS

Designates ten collective negotiations unit categories for State Executive Branch employees.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/15/2005)

1 AN ACT concerning the collective negotiations units for employees in
2 the Executive Branch of State government and supplementing
3 P.L.1941, c.100 (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. a. The Legislature finds and declares that, for more than three
9 decades, there have been broad-based collective negotiations units for
10 the employees in the Executive Branch of State government. This
11 existing unit structure has contributed to the stability of labor relations
12 between the public employees and the Executive Branch and has
13 served to avoid disruption of services to the public. To foster
14 continued harmonious labor relations between State employees and the
15 Executive Branch, the existing structure for collective negotiations
16 units must be codified.

17 b. (1) There shall be only ten collective negotiations units for
18 civilian employees of the Executive Branch of State government. The
19 units shall be as follows: administrative and clerical; professional;
20 primary level supervisory; high level supervisory; operations,
21 maintenance and services; crafts; inspection and security; health care
22 and rehabilitation services; State colleges and universities; and State
23 colleges and universities adjuncts.

24 (2) An existing or newly established title that is not assigned
25 managerial, executive or confidential duties, as defined in subsections
26 (f) and (g) of section 3 of P.L.1941, c.100 (C.34:13A-3), may be
27 placed in one of the ten collective negotiations units for civilian
28 employees through a unit clarification procedure pursuant to the rules
29 of the New Jersey Public Employment Relations Commission.

30 (3) In determining the proper unit placement of a title with
31 supervisory responsibilities, a title that is assigned supervisory duties
32 relative to a title in the higher level supervisory unit shall be
33 considered a special circumstance, for the purposes of section 7 of
34 P.L.1968, c.303 (C.34:13A-5.3), and such a title may be included in
35 the higher level supervisory unit under the special circumstances
36 exception.
37

38 2. This act shall take effect immediately.
39
40

41 STATEMENT
42

43 For more than three decades, there have been broad-based
44 collective negotiations units for the employees in the Executive Branch
45 of State government. Because this existing unit structure has
46 contributed to the stability of labor relations between public employees

1 and the Executive Branch and served to avoid disruption of services
2 to the public, this bill codifies the existing structure for collective
3 negotiations units.

4 Under the bill, collective negotiations units for civilian employees
5 of the Executive Branch of the State will be as follows: administrative
6 and clerical; professional; primary level supervisory; high level
7 supervisory; operations, maintenance and services; crafts; inspection
8 and security; health care and rehabilitation services; State colleges and
9 universities; and State colleges and universities adjuncts.

10 An existing or newly established title that is not assigned
11 managerial, executive or confidential duties may be placed in one of
12 the ten units through a unit clarification procedure pursuant to the
13 rules of the New Jersey Public Employment Relations Commission. In
14 determining the proper unit placement of a title with supervisory
15 responsibilities, a title that is assigned supervisory duties relative to a
16 title in the higher level supervisory unit may be included in the higher
17 level supervisory unit under the special circumstances exception of
18 current law.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3816

STATE OF NEW JERSEY

DATED: MARCH 7, 2005

The Assembly Labor Committee reports favorably Assembly Bill No. 3816.

For more than three decades, there have been broad-based collective negotiation units for the employees in the Executive Branch of State government. Because this existing unit structure has contributed to the stability of labor relations between public employees and the Executive Branch and served to avoid disruption of services to the public, this bill codifies the existing structure for collective negotiation units.

The bill limits the number of collective negotiation units for civilian employees of the Executive Branch of the State to ten, and specifies the following units:

1. Administrative and clerical;
2. Professional;
3. Primary level supervisory;
4. High level supervisory;
5. Operations, maintenance and services;
6. Crafts;
7. Inspection and security;
8. Health care and rehabilitation services;
9. State colleges and universities; and
10. State college and university adjuncts.

An existing or newly established title that is not assigned managerial, executive or confidential duties may be placed in one of the ten units through a unit clarification procedure pursuant to the rules of the New Jersey Public Employment Relations Commission. In determining the proper unit placement of a title with supervisory responsibilities, a title that is assigned supervisory duties relative to a title in the higher level supervisory unit may be included in the higher level supervisory unit under the special circumstances exception of current law.

STATEMENT TO
ASSEMBLY, No. 3816

with Senate Floor Amendments
(Proposed By Senator VITALE)

ADOPTED: JUNE 20, 2005

These Senate floor amendments make the Governor's Office of Employee Relations the entity responsible for placing existing or new titles that are not assigned managerial, executive or confidential duties in one of ten negotiations units for civilian State employees in the Executive Branch. Such placements may be challenged through a unit clarification procedure under the rules of the New Jersey Public Employment Relations Commission.

The amendments also delete the special circumstances exception that permitted inclusion in the higher level supervisory unit of a title with supervisory responsibilities relative to a title in the higher level supervisory unit.

SENATE, No. 2235

STATE OF NEW JERSEY
211th LEGISLATURE

INTRODUCED JANUARY 24, 2005

Sponsored by:
Senator JOSEPH F. VITALE
District 19 (Middlesex)

SYNOPSIS

Designates ten collective negotiations unit categories for State Executive Branch employees.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the collective negotiations units for employees in
2 the Executive Branch of State government and supplementing
3 P.L.1941, c.100 (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. a. The Legislature finds and declares that, for more than three
9 decades, there have been broad-based collective negotiations units for
10 the employees in the Executive Branch of State government. This
11 existing unit structure has contributed to the stability of labor relations
12 between the public employees and the Executive Branch and has
13 served to avoid disruption of services to the public. To foster
14 continued harmonious labor relations between State employees and the
15 Executive Branch, the existing structure for collective negotiations
16 units must be codified.

17 b. (1) There shall be only ten collective negotiations units for
18 civilian employees of the Executive Branch of State government. The
19 units shall be as follows: administrative and clerical; professional;
20 primary level supervisory; high level supervisory; operations,
21 maintenance and services; crafts; inspection and security; health care
22 and rehabilitation services; State colleges and universities; and State
23 colleges and universities adjuncts.

24 (2) An existing or newly established title that is not assigned
25 managerial, executive or confidential duties, as defined in subsections
26 (f) and (g) of section 3 of P.L.1941, c.100 (C.34:13A-3), may be
27 placed in one of the ten collective negotiations units for civilian
28 employees through a unit clarification procedure pursuant to the rules
29 of the New Jersey Public Employment Relations Commission.

30 (3) In determining the proper unit placement of a title with
31 supervisory responsibilities, a title that is assigned supervisory duties
32 relative to a title in the higher level supervisory unit shall be
33 considered a special circumstance, for the purposes of section 7 of
34 P.L.1968, c.303 (C.34:13A-5.3), and such a title may be included in
35 the higher level supervisory unit under the special circumstances
36 exception.
37

38 2. This act shall take effect immediately.
39
40

41 STATEMENT
42

43 For more than three decades, there have been broad-based
44 collective negotiations units for the employees in the Executive Branch
45 of State government. Because this existing unit structure has

S2235 VITALE

1 contributed to the stability of labor relations between public employees
2 and the Executive Branch and served to avoid disruption of services
3 to the public, this bill codifies the existing structure for collective
4 negotiations units.

5 Under the bill, collective negotiations units for civilian employees
6 of the Executive Branch of the State will be as follows: administrative
7 and clerical; professional; primary level supervisory; high level
8 supervisory; operations, maintenance and services; crafts; inspection
9 and security; health care and rehabilitation services; State colleges and
10 universities; and State colleges and universities adjuncts.

11 An existing or newly established title that is not assigned
12 managerial, executive or confidential duties may be placed in one of
13 the ten units through a unit clarification procedure pursuant to the
14 rules of the New Jersey Public Employment Relations Commission. In
15 determining the proper unit placement of a title with supervisory
16 responsibilities, a title that is assigned supervisory duties relative to a
17 title in the higher level supervisory unit may be included in the higher
18 level supervisory unit under the special circumstances exception of
19 current law.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 2235

STATE OF NEW JERSEY

DATED: MARCH 7, 2005

The Senate State Government Committee reports favorably Senate, No. 2235.

For more than three decades, there have been ten broad-based collective negotiations units for the employees in the Executive Branch of State government. This bill codifies the existing structure for collective negotiations units.

Under the bill, the ten collective negotiations units for civilian employees of the Executive Branch of the State will be as follows: administrative and clerical; professional; primary level supervisory; high level supervisory; operations, maintenance and services; crafts; inspection and security; health care and rehabilitation services; State colleges and universities; and State colleges and universities adjuncts.

The bill permits an existing or newly established title that is not assigned managerial, executive or confidential duties to be placed in one of the ten units through a unit clarification procedure pursuant to the rules of the New Jersey Public Employment Relations Commission. In determining the proper unit placement of a title with supervisory responsibilities, a title that is assigned supervisory duties relative to a title in the higher level supervisory unit may be included in the higher level supervisory unit under the special circumstances exception of current law.

This bill is identical to Assembly, No. 3816.

STATEMENT TO
SENATE, No. 2235

with Senate Floor Amendments
(Proposed By Senator VITALE)

ADOPTED: JUNE 20, 2005

These Senate floor amendments make the Governor's Office of Employee Relations the entity responsible for placing existing or new titles that are not assigned managerial, executive or confidential duties in one of ten negotiations units for civilian State employees in the Executive Branch. Such placements may be challenged through a unit clarification procedure under the rules of the New Jersey Public Employment Relations Commission.

The amendments also delete the special circumstances exception that permitted inclusion in the higher level supervisory unit of a title with supervisory responsibilities relative to a title in the higher level supervisory unit.