



Borough of Oakland
Bergen County, New Jersey

Resolution 21-306
Resolution to Oppose S-3810 & A-5862

WHEREAS, legislation which may again be considered by the State Legislature, S-3810 and A-5862, would substantially expand the power and influence of public sector labor unions in collective bargaining negotiations with county and municipal governments across the State; and

WHEREAS, this legislation would empower organized labor to negotiate previously non-negotiable items such as performance evaluations, transfers, assignments, disciplinary procedures, and more; and,

WHEREAS, local governing bodies negotiate with property taxpayer dollars and the public's vested interest in limiting the scope of labor negotiations; and,

WHEREAS, this legislation would eliminate long-established precedent in public sector labor negotiations by creating permissive issues of negotiations that would broaden the category to include all collective bargaining units, eliminate the category's temporary nature, and subject previously non-negotiable items to binding arbitration; and,

WHEREAS, this legislation would provide broad privileged communication protections in legal matters, with no exceptions, for labor but no such protections for management; and,

WHEREAS, this legislation would create a disincentive for labor to negotiate what controls remain in place when an existing contract expires and where the parties have failed to reach an agreement on a successor contract; and,

WHEREAS, this legislation would place the burden of proof on management in grievance proceedings subject to binding arbitration even where labor is the moving party; and,

WHEREAS, this legislation would impose a significant administrative burden on human resource departments by requiring management to share detailed information on non-union members with union representatives and by expanding the date certain when employees may opt-out of a collective bargaining unit under the "Workplace Democracy Enhancement Act"; and

WHEREAS, the governing body of the Borough of Oakland strong believes that S-3810/A-5862 will not only infringe upon the ability of public sector management to manage it will drive up costs borne by local government and, ultimately, our taxpayers;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Oakland strongly oppose S-3810/A-5862 and urge the Legislature to vote no on S-3810/A-5862; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Senate President Stephen Sweeney, Assembly Speaker Craig Coughlin, Senator Holly Schepisi, Assemblyman Robert Auth, Assemblywoman DeAnne DeFuccio, Governor Phil Murphy and New Jersey State League of Municipalities.

LINDA H. SCHWAGER, MAYOR

ATTEST:

LISA M. DUNCAN, BOROUGH CLERK

DATE ADOPTED

	Motion	Second	Ayes	Nays	Abstain	Absent
Biale						
Kulmala						
Pignatelli						
Slasinski						
Talamini						
Van Eck						
Mayor Schwager						