



OFFICE OF THE COUNTY COUNSEL

Hall of Records, Room 535, Newark, New Jersey 07102

973.621.5003 --- 973.621.4599 (Fax)


www.essexcountynj.org

Joseph N. DiVincenzo, Jr.
Essex County Executive

James R. Paganelli
Essex County Counsel

MEMORANDUM

TO: Ralph J. Ciallella, Essex County Administrator
Paul J. Hopkins, II – Deputy County Administrator
James R. Paganelli, Essex County Counsel
Anibal Ramos, Jr., Director – Citizen Services
Yvonne Davis, Director - Welfare
Mark Acker, Director – Administration & Finance
Norman Willis, Assistant Controller
Kim Smeraldo, Supervising Accountant
Alan Abramowitz, Director – Human Resources
Michael Decker, Personnel Officer
Joseph Faccone, Samuel Klein & Company

FROM: Dolores Capetola, Assistant County Counsel 

DATE: September 19, 2011

RE: Memorandum of Agreement Between the County of Essex
and the Communications Workers of America (Professionals)
Local 1081
January 1, 2011 through December 31, 2013

Enclosed please find a copy of the above mentioned document, as well as a copy of the accompanying Resolution.

DC/mb
Enc.

cc: Brian W. Kronick, Esq.
David H. Weiner, President

Putting Essex County First

ESSEX COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER

RESOLUTION OF THE BOARD OF FREEHOLDERS
COUNTY OF ESSEX

4

RESOLUTION NO. R-11-0548 AUTHORITY FOR RESOLUTION: N.J.S.A. 40:41A-38(n)

PROPOSED BY: COUNTY EXECUTIVE AUTHORITY FOR ACTION: N.J.S.A. 40:41A-36(i)

SUBJECT: OFFICE OF COUNTY COUNSEL – MEMORANDUM OF AGREEMENT
BETWEEN THE COUNTY OF ESSEX AND THE COMMUNICATIONS
WORKERS OF AMERICA (PROFESSIONALS) – LOCAL 1081 – JANUARY 1,
2011, THROUGH DECEMBER 31, 2013

WHEREAS, the County of Essex has negotiated a Memorandum of Agreement with the Communication Workers of America (Professionals) Local 1081 covering the period January 1, 2011 through December 31, 2013; and

WHEREAS, the Chief Financial Officer has certified the availability of funds to pay the salary and benefits of the contract (which certification is attached hereto); and

WHEREAS, the Board of Freeholders, by this resolution, wishes to approve said contract; now, therefore be it

RESOLVED, by the Essex County Board of Chosen Freeholders as follows:

1. That said Memorandum of Agreement with the Communication Workers of America (Professionals) Local 1081, a copy of which is annexed hereto, be and hereby is approved.
2. That the County Executive is hereby authorized to execute said contract on behalf of the County.
3. That three (3) fully executed copies of this Memorandum of Agreement and certified resolution be forwarded to the Office of County Counsel, Attn: Dolores Capetola, Assistant County Counsel.

Approved as to form and legality Robert G. [Signature] [Signature] Date 9-1-11

ESSEX COUNTY COUNSEL

RECORD OF VOTE (X=Vote N.V.=Abstention ABS=Absent)

Moved By Freeholder CLARK
 Second by Freeholder Beasley

Freeholder	Yes	No	N.V.	ABS	Freeholder	Yes	No	N.V.	ABS
Beasley	✓				Payne, Jr.	✓			
Caputo, V.P.	✓				Bobadilla			✓	
Clark	✓				Sebold	✓			
Johnson				✓	Watson, Pres.	✓			
Luciano	✓								

It is hereby certified that the foregoing Resolution was (adopted () defeated () tabled by roll call vote at a Regular meeting of the Board of Chosen Freeholders of the County of Essex, New Jersey held on Sept. 7, 2011.

Is Publication Required () Yes () No

Date Published _____

Blonnie R. Watson
 Blonnie R. Watson, President

ESSEX COUNTY
 BOARD OF
 CHOSEN FREEHOLDERS

2011 SEP 07 A 11:33

RECEIVED
 CLERK OF THE BOARD

CWA (Professionals) Local 1081

jf08/29/11

R-11-0588
97-11

MEMORANDUM OF AGREEMENT

Agreement made this _____ day of August, 2011 by and between the County of Essex (hereafter "County") and the Communications Workers of America, Local 1081- Professionals (hereinafter "Union").

WHEREAS, the County and the Union are parties to a Collective Negotiations Agreement which expired on December 31, 2010; and

WHEREAS, the County and Union have engaged in good faith collective negotiations for a successor agreement; and

WHEREAS, the County and Union have reached agreement on the terms and conditions for a successor agreement subject to ratification by the Union membership and approval by the Essex County Executive and Essex County Board of Chosen Freeholders.

NOW, THEREFORE, in consideration of the mutual covenants and undertaking herein set forth the parties agree as follows:

1. The terms of the prior Collective Negotiations Agreement between the parties shall remain in full force and effect except as herein modified.

2. **Term:** The term of the new agreement shall be for a period of three (3) years from January 1, 2011 through December 31, 2013.

3. **Salaries and Compensation**

A) Effective July 1, 2011, a two percent (2 %) across the board increase. In order to be eligible for this increase, employees, except for retirees, must have been employed by the County on or prior to July 1, 2011 and

must still be employed by the County when this Agreement is ratified by the Board of Chosen Freeholders.

B) Effective July 1, 2012, a one and one-half percent (1 ½ %) across the board increase.

C) Effective September 1, 2013, a two percent (2%) across the board increase.

4. **Waiver/Opt-Out**

Effective January 1, 2012 the County will implement a waiver program for health benefits insurance costs for active employees. The waiver program will consist of the following:

- a. Employees may waive family coverage to be capped at \$4,000 or 25% of the amount saved by the County, whichever is less.
- b. Employees may waive parent/child or husband/wife coverage to be capped at \$3,000 or 25% of the amount saved by the County, whichever is less.
- c. Employees may waive single coverage to be capped at \$2,000 or 25% of the amount saved by the County, whichever is less.
- d. In order to be eligible for the waiver, the employee must be enrolled in other health care coverage and provide the County proof of creditable coverage.
- e. If an employee continues to receive prescription coverage from the County, the employee must pay the applicable amount as set forth by legislation.
- f. An employee who waives coverage shall be permitted to resume coverage under the same terms and conditions as apply to initial coverage if the employee ceases to be covered through the employee's spouse for any reason, including, but not limited to, the retirement or death of the spouse or divorce. An employee who resumes coverage shall repay, on a pro rata basis, any amount received which represents an advance payment for a period of time during which coverage is resumed. An employee who wishes to resume coverage shall file a declaration with the County, in such form as the County shall prescribe, that the waiver is revoked. The decision of the County to

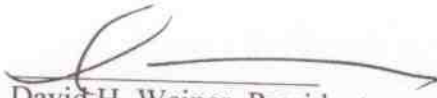
allow its employees to waive coverage and the amount of consideration to be paid therefore shall not be subject to the collective bargaining process.

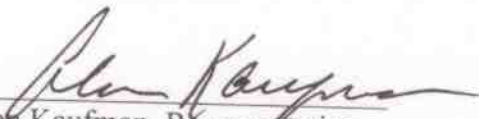
5. This Memorandum of Agreement represents the complete and final agreement between the parties and is contingent upon ratification and approval of the union membership, the Essex County Executive and Essex County Board of Chosen Freeholders. All proposals, whether written or oral, presented by the County and the Union during the course of negotiations are deemed withdrawn and not a part of this Agreement. This Agreement cannot be modified except by a writing signed by the parties.

IN WITNESS WHEREOF, the parties have, by their authorized representatives,
set their hands and seals this 7th day Sept, 2011.

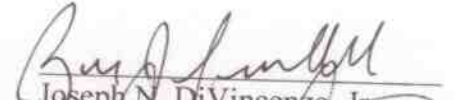
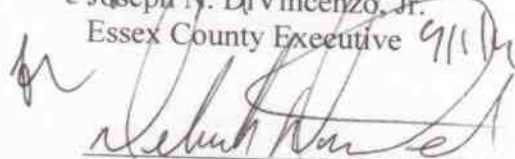
**COMMUNICATIONS WORKERS
OF AMERICA, LOCAL 1081 -
PROFESSIONALS**

FOR THE COUNTY

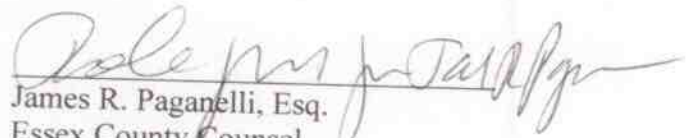

By: David H. Weiner, President
CWA Local 1081


Alan Kaufman, Representative
CWA

Dolores/CWA1081 Professionals 2011


Joseph N. DiVincenzo, Jr.
Essex County Executive 9/11/11

Deborah Davis Ford, Clerk of the
Board of Chosen Freeholders

Approved as to Form


James R. Paganelli, Esq.
Essex County Counsel