

# NEW JERSEY STATE AFL-CIO

106 West State Street  
Trenton, New Jersey 08608  
(609) 989-8730  
FAX (609) 989-8734  
[www.njafICIO.org](http://www.njafICIO.org)



CHARLES WOKKANECH      LAUREL BRENNAN  
PRESIDENT                      SECRETARY-TREASURER  
CHARLES H. MARCIANTE  
PRESIDENT EMERITUS

## EXECUTIVE BOARD MEMBERS

JOYCE ALSTON	THOMAS GIBLIN	JOHN T. NICCOLLA, JR.	JOHN SHINN
THOMAS ASHTON	RAYMOND GREAVES	GERALD OWENS	JOSEPH SORESI
MICHAEL BARNES	CHARLES HALL, JR.	DEBBIE PARKS	RICHARD SWEENEY
KAREN BELLAMY LEWIS	VINCENT LANE	STEPHEN F. PETTIT	BUDDY THOMAN
JAMES R. CHEW, JR.	MICHAEL MALONEY	RAYMOND POCINO	RICHARD TOLSON
NOEL CHRISTMAS	DOMINICK MARINO	JOHN POTTS	STEVEN M. TULLY
JOSEPH DEMARK, JR.	MATTHEW McCARTY	HETTY ROSENSTEIN	ANN TWOMEY
WYATT EARP	C. ROBERT McDEVITT	TIMOTHY RUDOLPH	HARVEY WHILLE
SHARON EASTWICK	JAMES McMANUS, JR.	RONALD E. SABOL	
LYNNE P. FOX	JUAN NEGRON	DAVID SCHNECK	

April 12, 2018

Dear Members of the State Senate & Assembly:

### **Please Support S-2137 (Sweeney) & A-3686 (Couglin): The Workplace Democracy Enhancement Act**

The bill before you today seeks to provide stability and streamline communication provisions that impact public sector unions and their members in light of the Janus vs. AFSCME case currently being debated before the U.S. Supreme Court.

Oral arguments on the case began last month and it is anticipated that the court will rule in favor of Mark Janus, the plaintiff. This ruling will undue over 40 years of precedent that began with the Abood v. Detroit Board of Education. In that ruling, the court stated that “fair share” fees for union representation of non-members was constitutional. When Janus is decided, not only will “fair share” fees most likely be declared unconstitutional, but 100% of union dues could be ruled as a violation of the First Amendment. This would basically allow all union members and “fair share” non-members to get the benefits associated with collective bargaining and union representation without having to pay dues. The Janus v. AFSCME case is basically a nationwide Right-to-Work law for all public sector union members.

The main components of this bill seek to:

1. Prohibit public employers from encouraging workers to stop paying fees to their union (neutrality clause).
2. Requires a public employer to provide the labor representative the right to conduct worksite meetings during lunch, before and after the workday, and other non-work breaks to discuss workplace issues, collective negotiations, the administration of collective negotiations agreements, other non-political matters related to the duties of the organization, and internal union matters involving the governance or business of the organization.
3. Requires a public employer to provide the union representative the right to meet with newly hired employees, without charge to the pay or leave time of the employees, for a minimum of 30 minutes (and maximum of two hours), within 30 calendar days from the date of hire of each employee, during new employee orientations. If the employer does not conduct new employee orientations, they have the right to meet at individual or group meetings.
4. The bill requires public employers to provide the public-sector union with contact information on file, the date of hire and email address within ten days of the hiring of any new negotiating unit employee.

- Over -

5. Every 120 days beginning January 1 following the effective date of this act, the public employer would also be required to send the public-sector union a list of the information above for all negotiating unit employees.

Here in New Jersey, many state level policy makers recognize the value of workplace employee organizations and the benefits they bring. These same policy makers and the sponsors of this bill recognize that it is in the public's interest to maintain public sector unions as well as the collective bargaining process in general. To that end, this bill makes several adjustments so these negotiating units can effectively carry out their duties by having access to and free communication with the employees it represents.

Thank you and we respectfully ask for your support.

Sincerely,



Charles Wowkanech  
President



Laurel Brennan  
Secretary-Treasurer

CW:LB:jd  
OPEIU:153