

STATE OF NEW JERSEY,

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**PUBLIC AND SCHOOL EMPLOYEES'  
GRIEVANCE PROCEDURE  
STUDY COMMISSION**



**FINAL REPORT  
TO THE  
GOVERNOR AND THE LEGISLATURE**

*January 9, 1968*

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PUBLIC AND SCHOOL EMPLOYEES' GRIEVANCE  
PROCEDURE STUDY COMMISSION  
STATE OF NEW JERSEY

January 9, 1968

GOVERNOR RICHARD J. HUGHES  
MEMBERS OF THE LEGISLATURE

Gentlemen:

The New Jersey Public and School Employees' Grievance Procedure Study Commission has the honor to submit its Report containing recommendations for legislative and administrative action.

In considering at length the complex issues raised in New Jersey by the nation-wide trend toward more militant organization by employees of state and local governments, the Commission, with the exception of Assemblyman (Senator-elect) Frank X. McDermott,\* has reached unanimity on nearly all major aspects. We believe that the general approach and the specific steps recommended by the Commission are broadly in the public interest and will provide an effective foundation for labor relations in government service in New Jersey.

Respectfully yours,

MARVER H. BERNSTEIN, *Chairman*  
WILLIAM M. WEINBERG, *Vice Chairman*  
JOHN A. KERVICK  
CHARLES A. KIENZT, JR.  
WALTER E. KOPS  
ROBERT R. LUSE  
GEORGE M. MILLER  
WILLIAM V. MUSTO  
RICHARD R. STOUT  
ROBERT N. WILENTZ  
FLORENCE WILLIAMS

\* Assemblyman (Senator-elect) McDermott will issue a separate statement explaining his position at a later time.

**PUBLIC AND SCHOOL EMPLOYEES' GRIEVANCE  
PROCEDURE STUDY COMMISSION  
STATE OF NEW JERSEY**

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Dean, Woodrow Wilson School of Public and  
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International Representative, International  
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## ACKNOWLEDGMENTS

On behalf of the Commission, I wish to express our appreciation for the assistance rendered by many individuals during the course of our work. As Chairman, I am personally grateful for the sustained interest, thoughtfulness, and full co-operation given by members of the Commission, especially the Vice Chairman, Dr. William Weinberg. During the many months of the Commission's work, we did not once lack a quorum for official business, and attendance at meetings was unusually high.

We were most fortunate in having the expert guidance and counsel of a number of individuals with long experience appropriate to our work, and we wish to express our appreciation to: Mr. David Cole, Arbitrator; Mr. Herbert Haber, Director of Labor Relations, New York City; Dr. Frederick H. Harbison, Director of the Industrial Relations Section of the Department of Economics of Princeton University and Chairman of the New Jersey State Mediation Board; Dr. Robert D. Helsby, Chairman of the New York State Public Employment Relations Board; Dr. Richard A. Lester, Professor of Economics at Princeton University; Mr. Eli Rock, Arbitrator; and Mr. Maurice Slavney, Chairman of the Wisconsin Employment Relations Board. Mr. Samuel A. Alito, Research Director, Division of Legislative Information and Research, Law Revision and Legislative Services, and his staff ably assisted the Commission throughout its work.

As Secretary and Staff Director for the Commission, Dr. Harry F. Stark served with great effectiveness and contributed his specialized knowledge and experience in labor-management relations and in New Jersey affairs to our deliberations. We are grateful to the Institute of Management and Labor Relations at Rutgers University for contributing his services. We were also most fortunate in having as the Commission's Staff Research Associate, Mrs. Glorienne H. Robbi, and we acknowledge the courtesy of the Eagleton Institute of Politics at Rutgers University in releasing her for the Commission's work.

MARVER H. BERNSTEIN  
*Chairman*

## CONTENTS

	PAGE
Summary .....	1
Introduction .....	5
Basic Considerations .....	11
Recommendations .....	18
Conclusion .....	27
Appendices	
1. Proposed Organization Chart .....	28
2. Statutes Establishing Commission .....	29
3. Interim Report .....	33
4. Persons Appearing at Public Hearings .....	35
5. Persons Appearing at Executive Sessions .....	38
6. Persons Submitting Written Statements .....	39
7. Reports and Legislation Reviewed .....	40
8. Extracts from Census Reports .....	41

## SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

### 1. The Public Interest

The public interest requires that public employers and public employees be provided with an effective procedure for the mutual resolution of disputes involving terms and conditions of employment. We recommend legislation setting forth a procedure that is fully compatible with and complementary to existing Civil Service systems and present laws and regulations governing personnel matters in public employment at all governmental levels in New Jersey.

### 2. Rights of Parties

a. Legislation should establish the obligation of public employers at all levels of government in New Jersey to meet with employees through representatives of their own choosing for the mutual resolution, within the law, of grievances and proposals.

b. Public employees should be protected by statute in their right to join or refrain from joining employee organizations for the purpose of collective resolution of disputes.

c. Issues subject to mutual resolution are those relating to wages, salaries, working conditions, and other terms of employment. The scope of collective negotiations should not exceed the legal jurisdiction of appointing authorities of public employers and their legal power to determine or recommend policy.

d. The essential distinction between joint negotiations in public and private employment is that the parties in the public sector do not enjoy the formal coercive power of parties in the private sector, namely the legal right to strike and lockout. In other respects, the broadest latitude for collective negotiations should be available to public employers and public employees.

### **3. Settlement of Disputes**

a. Legislation should place primary responsibility on public employers and public employees to develop effective procedures for settlement of disputes in keeping with the needs of the agencies and individuals concerned. Statutory prescription of procedures should be minimal.

b. Public employees should continue to have the option of presenting individual grievances through established Civil Service procedures or through procedures mutually agreed to by appointing authorities and employee organizations.

c. Procedural agreements and dispute settlements made by the parties should be recorded in written form.

d. Public employers and public employees should be empowered to use the facilities of appropriate public and private agencies and individuals to assist in the resolution of disputes on a voluntary basis.

e. Collective negotiations should be scheduled and disputes resolved with due regard for budget submission dates and other functional time requirements, but precise deadlines should not be fixed by statute.

### **4. Administrative Procedures**

a. When a majority of employees in a given negotiating group or unit indicate by secret election a preference for a specific representative organization, no other organization should be designated, certified, or recognized for the purpose of collective negotiations.

b. Dues deduction by an employing agency must be authorized for such a majority designated organization but only with the express written permission of individual employees. Such permission may be withdrawn at the employee's option at any time.

c. The recognized majority organization must represent all employees in the relevant unit who wish to utilize its representational services whether or not they are members, and

settlements negotiated likewise apply to all employees in the unit.

d. Negotiating units should be determined in accordance with the community of interest among employees and the structure of the appointing authorities.

## **5. Administrative Organization**

a. There should be one dispute settlement machinery and agency for all public employees.

b. A New Jersey Employment Relations Agency should be created by law to provide services for settling disputes when public employers and public employee organizations have reached an impasse and to administer provisions of the recommended legislation covering matters specified below.

c. The Agency should be administered through the New Jersey Department of Labor and Industry with specific provision for managerial and fiscal autonomy, and its Director should be appointed by the Governor.

d. The New Jersey State Board of Mediation should be abolished and its functions and staff should be transferred to the New Jersey Employment Relations Agency.

e. 1. The Agency should have a Division of Dispute Settlement with discretionary authority to employ a range of procedures to resolve an impasse, including mediation, fact finding, public reporting of fact finding, advisory arbitration, and where acceptable to the parties involved, binding arbitration.

2. Dispute settlement services may be provided by staff mediators and other specialists as required, including elected and appointed public officials who have knowledge appropriate in specific functional areas and are acceptable to the parties.

3. The Division should assist the settlement of disputes in both public and private employment in order to maximize its effectiveness and promote flexibility and economy in the use of its resources.

- f. 1. The Agency should have a Division of Administration concerned solely with matters of public employment, including grouping employees in appropriate units for negotiations, elections, recognition, certification of representative organizations, and definition of negotiable issues.
2. The Division of Administration should be empowered to establish and enforce regulations and procedures concerning these matters.
3. The Agency must be adequately financed and staffed with personnel of the highest professional competence.

## **6. Research and Training**

Effective administration and use of dispute settlement procedures require continuing study of problems and preparation and training for public officials at all levels, and substantial resources for this must be made available.

## INTRODUCTION

The essential issues confronted by the Commission and its response must be viewed against the background of the conditions unique to New Jersey and the growing nationwide concern with problems arising from increasing organizational activity among public employees. The Commission's frame of reference included a legislative mandate and the State Constitution. In addition, the size and structure of public employment in New Jersey, the extent of employee organization, and the experience of other states and the federal government were factors affecting the definition of the Commission's approach and the development of its conclusions.

Under Chapter 170 of the Laws of 1966 of the State of New Jersey, as amended by Chapter 8 of the Laws of 1967, the Commission was "authorized, empowered and directed to study present procedures for the presentation of grievances by public and school employees and to develop and recommend, if they deem that such recommendations are necessary, a procedure or procedures for the presentation of grievances by public and school employees." Such a procedure "must take into consideration the rights and needs of public and school employees as well as a recognition of the legitimate concerns of the public in the efficient operation of government." To discharge its function, the Commission was directed to "study the respective situations of State employees, county employees, municipal employees, school district employees, employees of State, bistate and local authorities, and all other public employees."

Fundamental to the Commission's task was the provision in the New Jersey State Constitution, Article I, paragraph 19, that "Persons in private employment shall have the right to organize and bargain collectively. Persons in public employment shall have the right to organize, present to and make known to the State, or any of its political subdivisions or

agencies, their grievances and proposals through representatives of their own choosing." In the opening phrases of the law establishing the Commission, the Legislature noted that this Constitutional provision "explicitly distinguishes between persons in private employment and persons in public employment with respect to the constitutional right to bargain collectively; . . . ."

In undertaking its task, the Commission invited interested parties to present their views. Four days of public hearings were held, and the proceedings were published. In addition several individuals and organizations submitted written statements and communications. A number of public officials and experts in the field of labor-management relations gave the Commission the benefit of their views in executive sessions.

The Commission undertook its work at a time when problems of labor-management relationships in public employment were being considered by official bodies in a number of states and organizations of public employees were becoming more active. Reports by state commissions in Michigan, New York, and Illinois and legislation in a dozen states provided a basis for identifying critical issues and various ways of dealing with them. Special attention was given to experience in Wisconsin, Michigan, and New York. To supplement information available in published documents from other states, the Commission conferred with officials administering public labor-relations programs in other states.

With this background of experience in other states, the Commission was able to focus on special aspects of public employment in New Jersey. Perhaps the most significant feature of the New Jersey situation is the absence of any general legislation dealing with collective negotiations in either public or private employment, except for the provision of voluntary mediation services in private employment through the New Jersey State Board of Mediation.

In the absence of any procedure for settling disputes in public employment, an interim report was issued in May, 1967, (see Appendix 3) calling on the parties to use any and all

available voluntary procedures to assist in resolution of impasses. It also recommended legislation to establish responsibility for collective negotiation on the part of public employers and to authorize the New Jersey State Board of Mediation to enter public disputes at the request of the parties. The interim report did not lead to legislation.

The complexity of governmental structure in New Jersey is illustrated by the *1967 Census of Governments* which reported 1,421 local government units in the State including 21 counties, 335 municipalities, 232 townships, 522 independent school districts, and 311 special districts. Not counted in the total were 83 dependent school districts.

In February, 1967, New Jersey had an estimated 254,000 state and local government employees, including 48,000 in state government and 206,000 in local government. Of the total, 123,000 were in education and 131,000 in other activities, according to data prepared by the New Jersey Department of Labor and Industry in cooperation with the U.S. Bureau of Labor Statistics. U.S. Census Bureau statistics showing New Jersey public employment by function and by governmental jurisdiction are shown in the Appendix.

Until recently New Jersey has experienced relatively little activity by public employee organizations directed specifically toward collective negotiations. Of the quartered million public employees about 140,000 were members of public employee organizations in 1967.

The following membership among public employees in New Jersey was claimed by organizations presenting evidence to the Commission:

American Federation of State, County, and Municipal Employees, AFL-CIO .....	3,000
American Federation of Technical Engineers, AFL-CIO .....	3,000
Association of New Jersey State College Faculties	1,000
New Jersey Civil Service Association .....	40,000

New Jersey Education Association .....	57,000
New Jersey State Employees Association .....	5,000
New Jersey State Federation of Teachers, AFL-CIO .....	6,000
New Jersey State Patrolmen's Benevolent Association and	} 22,000
New Jersey State Firemen's Mutual Benevolent Association	

In the Commission's judgment, the number and variety of public employing authorities and the consequent potential for organizational and procedural variation in labor-management relations require a flexible, evolutionary approach to legislation dealing with dispute settlement.

Not insignificantly, there were also about 67,000 federal employees in New Jersey covered by Executive Order 10988 which has since 1962 accorded employee organizations a limited degree of formal representation rights and a system of collective negotiations.

The example of the federal government under Executive Order 10988 stimulated nationwide interest at state and local levels, and the public sector began to evolve through a phase which had previously been experienced in private employment. To the extent possible, the Commission has been alert to the applicability and limitations of private sector experience to public employment.

Throughout the period of the Commission's existence, public concern with basic issues of collective negotiations in public employment was mounting, and the activities of employee organizations were becoming more vigorous and widespread. The Commission has been increasingly aware of the need for constructive response by governmental authorities and at the same time impressed by the need for caution and flexibility in an extremely dynamic situation.

The national pace of labor organization and protest activities has been accelerating rapidly. A recent report by the U.S.

Bureau of Labor Statistics (*Work Stoppages Involving Government Employees, 1966*) indicated that the nationwide total number of stoppages in 1966 was greater than the four previous years combined. Of 142 stoppages in the United States, none were reported by federal employees, nine involved state governments, and 133 were at local government levels. This concentration of strikes in local government suggests that substantial attention must be given to problems of county, municipal, and other units of local government.

The functional area in which reported stoppages occurred is also significant. Among those for which such detail was provided, there were 54 in public schools and libraries, 36 in sanitation services, 19 in administration and protection services, 17 in hospitals and other health services.

To put the extent of reported work stoppages into perspective, they directly involved about 105,000 out of 8.3 million state and local employees, and about 2 days were lost due to stoppages for every 10,000 days worked. The corresponding ratio for private industry was 19 days in 1966. The subject matter identified with the reported stoppages was revealing. The major issues in 78 stoppages were salaries and related supplementary benefits. However, organization and recognition disputes were central in 36 cases, and matters of administration were the principal issues in 21 cases. Thus it appears that unresolved disputes are evident in various functional areas and that non-wage issues are a significant element in public sector collective negotiations.

The Commission was faced with the complex task of developing legislative recommendations designed to provide public employees with more effective and equitable procedures for resolving their problems with their government employers. It found that lack of machinery for resolving representation and substantive disputes has been a significant cause of dissatisfaction among public employees.

The other causes were related to compensation and working conditions which were beyond the direct competence and concern of the Commission. However, the importance of adequate

wages and terms of employment as a prerequisite for constructive employer-employee relations cannot be over-estimated. Dispute settlement machinery alone cannot cope with these underlying factors, and work stoppages can only be minimized where appropriate attention is given to substantive conditions of work.

## BASIC CONSIDERATIONS

The fundamental task before the Commission is to identify the most effective way to implement the Constitutional rights of New Jersey public employees to organize and to present grievances and proposals through representatives of their own choosing consistent with the protection of the general public interest and the maintenance of stable and effective Civil Service systems. The Commission has considered at length whether the existing grievance procedures under State and local laws and regulations should be supplemented by other procedures for the resolution of disputes affecting public employers and public employees; and, if so, what form these procedures should take. In particular, we are dealing with the issue whether there should be joint resolution of grievances and proposals by public employers and representatives of their employees through collective negotiations and the limits within which a system of dispute settlement should operate.

Since the New Jersey Constitution differentiates between the rights of persons in public and private employment, a prime concern is the difference between collective settlement of disputes in the two sectors. A major issue of public policy is whether the commonly accepted right in private employment to withhold services by concerted action extends appropriately to public employment.

Three principal avenues are available to public employees for the redress of grievances and advancement of proposals. One is the redress of individual grievances as provided by existing Civil Service laws and regulations. The second is the traditional practice of interest groups seeking to advance their objectives through direct appeals to legislative bodies and public opinion, including political action with special relevance to wage issues not entirely within the province of executive authority. The third method is collective negotiation on issues amenable to resolution by employing authorities and organizations of public employees.

While these three approaches overlap and are not mutually exclusive, the Commission is concerned with the third approach. It has developed its recommendations in the area of collective negotiations with several fundamental policy considerations in mind.

First, the Commission believes that the Civil Service system must be protected, and that Civil Service procedures for the settlement of grievances must remain available to serve their intended purpose. However, these procedures must be supplemented by other procedures for settling disputes through collective negotiations. As President Kennedy's task force noted in 1962 in recommending adoption of Executive Order 10988 providing certain collective negotiating procedures for federal employees:

"The task force wishes . . . to note its conviction that there need be no conflict between the system of employee-management relations proposed . . . and The Civil Service Merit System, which is and should remain the essential basis of the personnel policy of the Federal Government. . . ."

Civil Service systems provide an established method of recruiting, selecting, and promoting government employees on the basis of merit. However, Civil Service systems on the whole do not establish a means by which employees acting in concert may promote the collective interests of civil servants. On the other hand, a system of collective negotiations and dispute settlement in public employment is compatible with Civil Service. Implementing legislation should not abrogate, modify, or hinder established Civil Service law, regulations, or procedures in New Jersey.

Second, the Commission believes strongly that the primary obligation for evolving and using appropriate and effective machinery for settling disputes should be placed on public employers and public employee organizations. They should be encouraged to carry out this obligation with the greatest possible latitude for them to develop feasible techniques with a minimum of statutory prescription.

Experience in other jurisdictions has indicated that a flexible approach is most conducive to the constructive evolution of stable employer-employee relationships. New Jersey should take advantage of the opportunity to develop machinery consistent with its history and institutions rather than to adopt solutions that may be appropriate to other state and local governments.

The Commission has considered and rejected compulsory arbitration as incompatible with the intent to place basic responsibility on the parties to achieve a settlement. The availability of mandatory third party determination is inconsistent with the context of a free economy and tends to encourage the parties to shift responsibility or to delay settlement in the hope of a favorable adjudication.

The Commission believes that the parties should have the fullest opportunity to make a voluntary system work, and there is ample evidence from other jurisdictions that compulsion should be a last resort rather than a first. Similarly, the Commission has concluded that experience elsewhere indicates the extreme difficulty of defining and applying effective sanctions, and attempts to specify sanctions should be deferred until their need and feasibility can be ascertained.

If experience and events prove to the contrary, additional legislative direction can always be provided in response to demonstrated need. But at this early stage of development of public employee organization in New Jersey, a pragmatic approach offers the greatest promise of effectiveness in the public interest. We should preserve and adopt what is usable in the existing structure of labor-management relationships in the State and incorporate it where possible into a new framework to meet the requirements of the public service.

**Third**, the Commission's recommendations must give substance to the constitutional right of public employees to present "their grievances and proposals through representatives of their own choosing." This significant phrase implies that public employees have substantial rights to collective representation

and negotiation, although perhaps not the full right of collective bargaining accorded to persons in private employment. The critical distinction is in the right to strike, which is commonly regarded as an essential ingredient in free collective bargaining.

The Commission has taken careful account of the varying judicial and administrative interpretations related to the legal right of public employees collectively to withhold their services. The Commission on balance believes that neither the public employer nor the public employee has the right to withhold services as a form of coercion to induce settlement of disputes.\* It recognizes that both public sentiment and judicial opinion may alter over time. This is a contentious issue that is likely to be the subject of continuing legal action.

Governmental employers and employees have a mutual obligation to resolve disputes without interruption of service to the public. Community opinion and the Constitution of New Jersey now support this principle, and the Commission's proposals are predicated on the existence of such a principle in fact and in law. Consequently, the Commission's conclusions and recommendations focus on a system of relationships for resolving disputes compatible with the existing constitutional framework and mindful of the public interest which constrains both public employers and public employees.

The Commission recognizes that unauthorized work stoppages may occur in public employment and effective sanctions may be difficult to administer and enforce. The constructive approach, in the Commission's view, is to provide the fullest and most workable procedure for collective negotiation and

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\* Mrs. Williams, Mr. Kops, and Mr. Miller wish to note their objection to this policy insofar as it denies public employees the legal right to stop work in concerted action. They believe that public employees should enjoy the same rights as persons in private employment and that the prohibition of legal work stoppages by public employees should not be specified in this report or in recommended legislation. They wish to point out that the intent of the Constitution in Article I, para. 19, is subject to dispute and varying legal interpretations, and consequently the Commission should not accept the status quo as a basis for proposals. They believe the legislature has the power to regulate labor-management relations in public employment including the authorization of work stoppages, and that in any event the federal constitution guarantees the same basic freedom to withhold services to all citizens..

resolution of disputes in public employment so that work stoppages will be minimized if not eliminated.

While the rights of persons in public and private employment differ, the Commission holds that the difference should be minimal. The public employer is sovereign, but responsible action by public employees cannot be expected unless they are given the greatest measure of freedom of action consistent with the denial to them of the legal right to strike. As experience in private employment suggests, stable negotiating relationships will benefit both public employees and the general public. Multiplicity of organizations claiming or possessing representation rights for the same group or unit of employees has long been regarded as undesirable. Multiple representation of employees encourages rivalries among employee groups and severely handicaps private and public employers in the development of effective negotiations and stable relationships.

Expert witnesses and representatives of interested employer and employee groups appearing before the Commission were almost unanimous in their opposition to multiple representation within any employee negotiating unit. Michigan, Wisconsin, Connecticut, Rhode Island, and Massachusetts have recognized this danger and have sought to minimize it in some fashion, as did the federal government in Executive Order 10988. The New Jersey Department of Civil Service, in its presentation to the Commission, accepted this viewpoint and advocated restriction of multiple bargaining following the pattern of the federal executive order. Both the Illinois Governor's Advisory Commission on Labor-Management Policy for Public Employees and the New York Governor's Committee on Public Employee Relations concluded that multiple representation was inadvisable.\* The New York report recommended that the matter be left for further study and for settlement by the parties.

The Illinois Report specifically recommended that multiple representation be restricted on condition that individual employees have the right to process their own grievances so long

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\* In their reports, both issued in March, 1967.

as the settlements are not in conflict with the terms of the pertinent collective agreement. The New Jersey Commission has concluded that a comparable approach is pertinent in New Jersey and consistent with our legal framework.

**Fourth**, the Commission has sought to provide stability in negotiating arrangements; and for efficiency and equity, to devise a single system for settling disputes which would accord the same services and privileges to all State and local public employees in New Jersey with flexibility to accommodate occupational and institutional differences. As a practical matter wide variations among levels, units, and functions of government make it difficult to provide separate arrangements for a major group of employers or employees without providing similar arrangements for other groups.

And **fifth**, in devising an agency suited to New Jersey's circumstances, the Commission sought to provide for administrative effectiveness, political accountability, and maximum use of representative panels with a clear tripartite structure. An agency headed by a single executive was regarded as meeting these criteria more effectively than a multi-headed board or commission.\*

In concluding that the administrative agency should be located in the New Jersey Department of Labor and Industry, the Commission was guided by experience in other states and by the impracticality of creating a new administrative department of the executive branch of State government. The protection and independence of the Civil Service system as well as its function as a general personnel administration for the State make it inadvisable to link the new agency with the Civil Service Department. In reviewing the experience of other states, the Commission found that responsibility for labor-management relations in the public sector is vested either in independent agencies or in special state labor relations or mediation boards, even where their jurisdiction extends only to selected groups of public employees. The relevant New York

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\* The recently created New York State Public Employment Relations Board has three members, but only the chairman serves full time.

State agency is an autonomous Board responsible to the Governor although located administratively in the New York State Department of Civil Service. The New York State law does not cover New York City, where the roughly comparable labor relations agency has no connection with the Civil Service system.

In its administrative design, the Commission has sought to include all dispute settlement in one division and to create another administrative division to enforce laws and regulations respecting public employment. The Commission believes that the experience of the private sector in dispute settlement should be applied to public employment when it is relevant and that functions of administration and enforcement that are pertinent only to public employment should be organized separately. Other states such as Wisconsin and Michigan have established a single agency providing dispute settlement services in both public and private employment, and this approach was taken in New Jersey for reasons of efficiency, economy, and flexibility.

New Jersey may be at the threshold of major developments in public personnel administration, but procedures for collective negotiations constitute only one element in an improved public personnel system. The promotion of stable relationships and minimization of personnel turnover require both competitive compensation and skilled management. Experience in other states indicates that these are particularly essential for effective regulation of governmental relations. Competent administrative and mediation talent is costly. Wisconsin has a professional staff of about twenty-five, and New York State already has twice that number, not including New York City. New Jersey may well begin more modestly in size, but must maintain the highest quality from the outset.

## RECOMMENDATIONS

1. The Commission recommends the enactment of legislation to facilitate and encourage the peaceful resolution of disputes in public employment and to require public employers at all levels of state and local government in New Jersey to meet with employees through representatives of their own choosing for the mutual resolution, within the law, of grievances and proposals. This legislation should encourage public employers and representatives of public employees to develop effective procedures for settlement of disputes with maximum flexibility to accommodate the varying needs and circumstances of individual governments, public programs, and professional services. Public employers and employee organizations should be empowered to use the facilities of appropriate public and private agencies and individuals to assist in the peaceful resolution of disputes on a voluntary basis with the mutual consent of the parties.

There is a duty to negotiate, and it is the basic obligation of public employers and public employee organizations to fashion and use their own dispute settlement machinery within the limits set by law. The procedures and machinery recommended below are to be utilized in the event that the parties are unsuccessful in resolving their own disputes, and the proposals are intended to encourage mutual resolution by the parties.

2. For the purposes of the recommended legislation, the terms "public employer" and "appointing authority" include the state of New Jersey and a county, municipality, township, school district, special district, department, board, commission, institution, agency or authority created by any thereof. A "public employee" is any person holding a position by appointment or employment in the service of a public employer, except elected officials, heads and deputy heads of departments and agencies, and members of boards and commissions.

3. Collective negotiations can be effective in public employment despite the fact that executive bodies often lack final authority to determine matters of wages, salaries, and working conditions and are limited to making recommendations to chief executives and legislators. Many issues can be resolved by negotiation between public employers and employee organizations. However, the scope of negotiations should be limited by the discretionary or recommending power of the appointing authority in public employment, which should guide both the definition of negotiating agencies and the range of subject matter considered. Accordingly, appropriate subjects for negotiation include the determination of public employees' terms and conditions of employment, such as salaries, wages, hours, and other terms and conditions of employment within the power of the appointing authority to determine or recommend.

4. The proposed legislation should protect the right of public employees to join or to refrain from joining organizations for the purpose of collective resolution of disputes. Employees should continue to have the option of presenting individual grievances through the established Civil Service procedures or through procedures mutually agreed to by appointing authorities and employee organizations. Disposition of individual grievances should be consistent with agreements or understandings resulting from joint resolution of employment terms by collective negotiations where such may exist.

5. The Commission recommends one general procedure for settlement of disputes applicable to all groups and categories of State and local public employees. A new administrative body, The New Jersey Employment Relations Agency, should be created, headed by a full-time Director of the highest professional caliber, appointed by the Governor with the advice and consent of the Senate to serve at the Governor's pleasure.

The Agency should have two divisions operating separately: a Division of Administration and a Division of Dispute Settlement. The Division of Administration would be concerned solely with the sector of public employment, and would deal with matters of determining negotiating units, elections,

recognition, certification of representative organizations and definition of negotiable issues. The Division should be empowered to establish and enforce regulations concerning these matters, including procedures for the disposition of unfair practice charges which should not be specified by statute.

The Commission believes that settlement of disputes in public employment can be materially guided by the experience in private employment with the mutual resolution of disputes by employers and employee groups. The Commission further believes that the use of a single division for settlement of disputes in both public and private employment would be more economical and efficient than administration through separate divisions for public and private employment.\*

Accordingly, the Division of Dispute Settlement should be responsible for assisting in the resolution of disputes in both public and private employment. It should be assigned discretionary authority to provide a range of procedures to resolve an impasse in joint negotiations, including voluntary mediation, fact finding, public reporting of fact finding, advisory arbitration, and where acceptable to the parties involved, binding arbitration. Dispute settlement services may be provided by staff mediators and *per diem ad hoc* specialists as required, including elected and appointed public officials having knowledge appropriate in specific functional areas and being acceptable to the parties. The Division should also continue to make available the voluntary arbitration panel service for grievance or contract dispute settlement now provided by the New Jersey State Board of Mediation.

Under the Commission's plan, the New Jersey State Mediation Board would be abolished and its functions and staff transferred to the new Agency. The New Jersey Employment Relations Agency would be administered through the New Jersey Department of Labor and Industry with specific assurance of its managerial and fiscal autonomy and provision for the high level of technical and professional staff required.

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\* Senator Stout, Mr. Kientz, and Mr. Kops wish to note their objection to the procedure which places the responsibility for dispute settlement in public and private employment in the same division of the Agency.

For the performance of its work, the Agency should be authorized, subject to available appropriations, to appoint employees as required and to prescribe their duties and fix compensation in accordance with laws and regulations applicable to State employees.

6. The Commission recommends that two panels, one on Public Employment and one on Dispute Settlement in Private Employment, be established to advise the Director of the Agency on matters of policy and to recommend policy changes to the Director, the Governor, and the State Legislature. The members and chairmen of the panels should be appointed by the Governor and should receive *per diem* compensation and reimbursement for necessary expenses relating to panel activities. A single person may serve as chairman of both panels.

a. The Public Employment Panel should have eleven members: three public members, one of whom would be designated chairman; four representatives of public employers; and four representatives of public employee organizations. The Panel would consider policies of labor-management relations in public employment, including matters of dispute settlement as well as administration and enforcement of statutory provisions concerning representation, elections, negotiating units, scope of negotiations, and related matters.

b. The Panel on Dispute Settlement in Private Employment should have seven members: three public members, one of whom would be designated chairman; two representatives of private employers; and two representatives of labor organizations in private employment. The Panel should provide advice on policy matters relating to voluntary settlement of labor-management disputes in private employment.

7. Within the Agency, the Division of Administration should deal with matters of public employment related to determination of relevant groups or units of employees for negotiating, elections, recognition, certification of representative organizations, and definition of negotiable issues. The Director of the Agency should be authorized to promulgate

regulations and procedures necessary or desirable for effective administration and enforcement of the proposed statute.

With respect to the conduct of elections:

a. The Agency should be authorized to establish rules and procedures to determine employees' choice of a representative organization, the representation status of an employee organization, a proper negotiating unit, and certification of an employee organization as a representative organization for purposes of negotiation.

b. The Agency should determine the eligibility of individuals or specific groups of employees to participate in representation elections consistent with its determination in specific cases of the appropriate negotiating unit and the statutory definition of public employees.

c. When a majority of employees in a given negotiating unit have indicated by secret election a preference for a specific representative organization, no other organization should be designated, certified, or recognized for the purpose of collective negotiations, but this should not preclude an employee's right to process grievances individually.

d. Designation of a majority negotiating representative should bar a representation election for a specified period to be determined or approved by the Agency. When a representation election results in no designation of a negotiating organization, the Agency should have discretion to fix a time limit on another election.

e. An election should be mandatory to establish the initial arrangement concerning recognition of an employee organization by an employer.

With respect to other matters of administration:

a. A recognized majority organization must represent all employees in the relevant unit who wish to utilize its services for processing grievances whether or not they are members, and settlements negotiated by such an organization likewise must apply to all employees in the unit.

b. The Agency should be authorized to determine, when necessary, the appropriate negotiating unit. In doing so, it shall consider the "community of interest" among employees. Whether determined by the Agency or by the negotiating parties, negotiating units must be consistent with the jurisdiction of the government involved.

c. The subject matter covered in negotiations should be consistent with the discretionary or recommending authority of the public employer.

d. Dues deduction by an employer should be regarded as a right accompanying designation as a majority representative organization. It may be authorized only for such a majority designated organization and only with the express written permission of individual employees, who may withdraw such permission at any time.

e. The Agency should not intervene in matters of recognition and unit definition except in the event of a dispute.

f. The Agency should be authorized to study and resolve disputes related to appropriate subjects for negotiation and to refer impasses over negotiable issues to the dispute settlement machinery.

g. The duration of a negotiated agreement should not be specified by legislation. This matter should be left to the parties to resolve through negotiation.

h. Negotiated agreements should be written.

8. The Agency should be authorized to establish procedures for settling disputes in public employment, including the definition of an impasse and the time limits for subsequent action such as mediation or fact finding. These matters should not be fixed by statute. The Agency should be given discretionary authority to employ various procedures to resolve an impasse. In the event of an unresolved dispute, it should be authorized to intervene and offer third party mediation on its own initiative.

With respect to mediation services:

a. The Agency should also have authority to provide mediation services from its own full time staff or from panels of individuals serving on a part time basis. Such mediation services should be provided at no cost to the parties. The need for acceptance by the parties of individual mediators should be recognized as a matter of practicality.

b. The members of the two advisory panels should be eligible to participate in settling disputes in public and private employment and should receive appropriate *per diem* compensation for such services.

c. The mediation staff of the Division of Disputes Settlement should include the present staff of the New Jersey State Board of Mediation and such additional specialists as may be required for disputes settlement in the various fields or functions of government. The specialists should be available for settlement of disputes in subject areas where their particular knowledge or experience may be pertinent, such as education, health services, and protective services.

d. This staff should be supplemented as required by part time specialists compensated on a *per diem* basis, and officials or administrators of public agencies should be authorized to serve in such capacity when requested by the Agency or parties to a dispute. The assignment to disputes settlement activity of full or part time staff mediators should be at the discretion of the Agency.

To resolve disputes or encourage the parties to reach agreement:

a. The Agency should encourage the parties to use their own procedure for the settlement of a dispute, including fact finding. If they are unable to reach agreement, the Agency should have the discretion to employ appropriate techniques for settling the dispute.

b. In the event of an impasse the Agency should determine when fact finding should begin. It should also have the power

to recommend or invoke fact finding, the cost of which should be borne by the parties equally.

c. The Agency should be authorized to determine a terminal date for resolving disputes. The deadline may be related to legally designated budget submission dates or to other significant functional dates such as the expiration of agreements or governmental service schedules.

Determination of a deadline by administrative action rather than by statute allows for the constructive flexibility that is needed in dealing with sensitive and contentious situations. In this, as in other aspects of its recommendations, the Commission believes that statutory procedures should be kept to a minimum. Instead, the Agency should be given wide authority to develop procedures appropriate to New Jersey's needs and to retain sufficient flexibility to respond to circumstances which cannot be fully anticipated.

9. As part of its evolutionary approach, the Commission believes that specific statutory sanctions should be avoided. Enforcement should be sought through the courts as at present. The prevailing public and legal opinion barring strikes in public employment should be expressly incorporated into the statute creating the new agency.

10. The Agency should be empowered directly and in cooperation with the Civil Service Commission and other governmental, educational, and research organizations, to develop and apply research and training programs to assist employers and public employees effectively to discharge their obligations.

Effective administration of dispute settlement machinery requires preparation and training for public officials at all levels, and substantial resources for this must be made available. Research and education must be given high priority so that experience can be applied to improve techniques. The best statutes and procedures will not minimize disputes unless public employers and employees alike have both the knowledge and skills required for constructive dispute settlement.

In addition to skills in the procedures of collective negotiation, fuller knowledge and understanding of developing trends in public employment is essential. Adequate communication between public employers and public employees provides a foundation for understanding and a disposition toward accommodation.

Further, increasing employee organization requires a response from the public employer beyond the province of collective negotiation. The organization and functioning of management processes in public employment provide the context in which mutual resolution of disputes takes place. Pressures for clarification of administrative policy and procedure are generated by increasing employee participation, and in turn, the generation and disposition of grievances is in part a consequence of management action. The Commission recognizes the contribution which management at all levels in the public service must make in creating an institutional environment in which a constructive response to the opportunity for participation will be maximized. Consequently, the need for research and the practical application of the findings through training in both general management and in labor-management relations cannot be overstressed.

## CONCLUSION

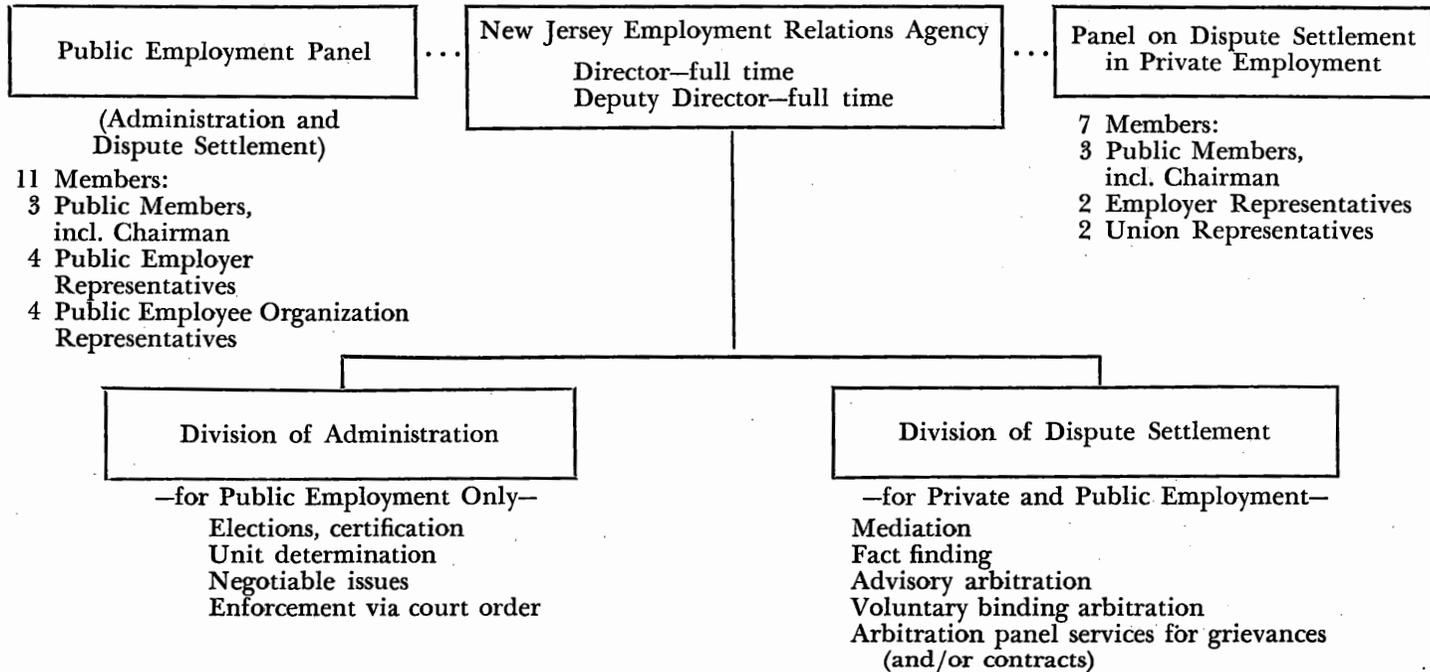
Responsibility and restraint are essential for constructive negotiations, and are products of competence and confidence derived not only from experience and education, but also from respect for the rights of others. Consideration for the rights of the public at large is a critical element in the public service and necessary if public servants are to enjoy the respect of the public. A legal framework provides the basis for shared power and shared respect, but the determination and skill of dedicated citizens make the system work.

The Commission has tried to provide a minimal, but positive, framework which places the primary burden on the public employer and public employee to develop and perfect their own techniques for the resolution of disputes without detailed prescription. New Jersey has the opportunity to evolve a system deliberately applicable to its own unique circumstances and to benefit from the experience in other jurisdictions which suggests that a period of flexible accommodation is preferred, even at some risk, to a legalistic approach which may provoke rather than minimize disputes.

Participation in basic decisions affecting one's work life can be as satisfying and productive in public employment as in private employment, and the Commission believes that the law should facilitate public employees' use of collective negotiations for this purpose when they so desire. In the absence of implementing legislation, public employees in New Jersey do not in fact enjoy the privileges extended by Article I, paragraph 19 of the State Constitution, and on balance, the Commission holds that enactment of its recommendations is necessary, timely, and in the public interest.

APPENDIX 1.

PUBLIC AND SCHOOL EMPLOYEES' GRIEVANCE PROCEDURE STUDY COMMISSION  
STATE OF NEW JERSEY  
PROPOSED ORGANIZATION CHART



## APPENDIX 2.

### LAWS ESTABLISHING AND RECONSTITUTING THE COMMISSION

#### Chapter 170, Laws of 1966 (Approved June 18, 1966)

(Assembly Bill Number 717, introduced May 9, 1966 by Assemblymen Policastro, Halpin, A. S. Smith and McDermott)

"An act creating a commission to be known as the 'Public and School Employees' Grievance Procedure Study Commission,' to study the need for a procedure to be established for the presentation of grievances by public and school employees, to provide for reports and recommendations by said commission to the Governor and the Legislature, and making an appropriation for the expenses thereof.

"WHEREAS, Article I, paragraph 19 of the New Jersey Constitution of 1947 explicitly distinguishes between persons in private employment and persons in public employment with respect to the constitutional right to bargain collectively; and

"WHEREAS, There has been a growing awareness of the increasing need for establishing an effective procedure for considering the grievances of public and school employees; and

"WHEREAS, It is necessary that any such procedure must take into consideration the rights and needs of public and school employees as well as a recognition of the legitimate concerns of the public in the efficient operation of government; and

"WHEREAS, It is deemed desirable by the Legislature that a study commission be established to study and determine the most effective procedure for the presentation and resolution of the grievances of public and school employees; now therefore,

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

“There is hereby created a commission to be known as the ‘Public and School Employees’ Grievance Procedure Study Commission.’ The commission shall consist of 12 members, 2 to be appointed from among the members of the Senate by the President of the Senate, 2 to be appointed from among the members of the Assembly by the Speaker of the General Assembly, and 8 to be appointed by the Governor from among the citizens of the State. No more than one of each group of 2 and no more than 4 of the group of 8 respectively, shall be of the same political party. Vacancies in the membership of the commission shall be filled in the same manner as the original appointments were made.

“All members of the commission shall serve without compensation but they shall be entitled to be reimbursed for all necessary expenses incurred in the performance of their duties.

“The commission shall select from among its members a chairman and a vice-chairman and also shall select a secretary who need not be a member of the commission.

“The commission is hereby authorized, empowered and directed to study present procedures for the presentation of grievances by public and school employees and to develop and recommend, if they deem that such recommendations are necessary, a procedure or procedures for the presentation of grievances by public and school employees.

“The commission shall report to the Governor and the Legislature on or before January 10, 1967, setting forth the results of its study and may include therewith recommendations for legislative enactment.

“The commission shall be entitled to accept the assistance and services of such employees of any State, county and municipal department, board, bureau, commission or agency or any school district or board as may be made available to it, particularly the personnel of the Department of Education, and the Department of Civil Service may employ such legal, steno-

graphic, technical and clerical assistance and incur such traveling and necessary expenses as may be necessary in order to perform its duties and as may be within the limits of appropriations to it or otherwise made available to it for its purposes.

"In discharging its functions, powers and duties pursuant to this act, the commission shall study the respective situations of State employees, county employees, municipal employees, school district employees, employees of State, bistate and local authorities, and all other public employees.

"There is hereby appropriated to the commission the sum of \$25,000.00 to carry out the purposes of this act.

"This act shall take effect immediately and shall expire January 10, 1967."

#### **Chapter 8, Laws of 1967 (Approved March 13, 1967)**

(Senate Bill Number 12, introduced January 10, 1967 by Senators Giblin, Fernicola, Waddington, Goldman, Musto, Ridolfi, Kiefer, Feldman and Lynch)

"An act reconstituting and continuing a commission known as the 'Public and School Employees' Grievance Procedure Study Commission,' to study the need for a procedure to be established for the presentation of grievances by public and school employees and to provide for reports and recommendations by said commission to the Governor and the Legislature, created by chapter 170 of the laws of 1966, approved June 18, 1966, and reappropriating an amount for the expenses thereof.

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

"The commission heretofore created under chapter 170 of the laws of 1966 is hereby reconstituted and continued with the same membership and the same officers as it last had and with the same powers and duties vested in and imposed upon it by the said chapter.

"Vacancies in the membership of the commission occasioned by any cause shall be filled in the same manner as the original appointments were made.

"The commission shall report to the Governor and the Legislature during the 1967 session of the Legislature, setting forth the results of its study, and may include therewith recommendations for legislative enactment.

"The appropriation of \$25,000.00 heretofore made under chapter 170 of the laws of 1966 is hereby continued to carry out the purposes of this act.

"This act shall take effect immediately."

### APPENDIX 3.

## INTERIM REPORT TO THE GOVERNOR AND THE LEGISLATURE

APRIL 6, 1967

Pending completion of our full study and conclusions, the Commission recommends immediate enactment of legislation to facilitate the settlement of disputes in public employment.

In order to minimize disputes, reduce uncertainties concerning the obligations of public employers and their employees to meet and resolve differences on grievances and proposals, and to make available procedures for resolving disputes in public employment in New Jersey, the Commission believes that the public interest will be promoted by immediate enactment of the recommended legislation dealing with the settlement of disputes.

We believe that prompt attention to this limited aspect of the more general problem of establishing adequate procedures for the resolution of public and school employee grievances would be in the public interest and effective until such time as it is altered or replaced by more comprehensive proposals still under consideration by the Commission.

We are convinced that a constructive approach toward responsible settlement of disputes can and should be encouraged now by implementing the constitutional right given to all public employees to organize and to present grievances and proposals through the representatives of their own choosing.

Nothing in the following interim recommendations should be construed as intending to abrogate, modify or hinder established Civil Service Law, regulations or procedures at State or local levels.

1. Legislation should declare public policy in support of peaceful resolution of disputes in public employment and

should establish the responsibility of public employers at all levels of government in New Jersey to meet with employees through representatives of their own choosing for the mutual resolution, within the law, of grievances and proposals.

2. Further, legislation should encourage public employers and representatives of public employees to develop effective procedures for settlement of disputes with maximum flexibility to accommodate the varying needs and circumstances of the agencies and individuals concerned.

Public employers and employee organizations should be empowered to use the facilities of appropriate public and private agencies and individuals to assist in the peaceful resolution of disputes on a voluntary basis with the mutual consent of the parties.

3. Appropriate private agencies to assist in disputes settlement could include such organizations as the American Arbitration Association. State officials, such as the State Commissioner of Education, and county and local government officials, should be authorized to participate as individuals in voluntary mediation when requested to do so with the mutual consent of all of the parties.

The New Jersey State Board of Mediation should be authorized to make available its services for voluntary settlement of disputes at the invitation of either party to a dispute or on its own initiative, but such services shall be performed only with the voluntary and mutual acquiescence of all of the parties.

4. For the purposes of the recommended legislation, "public employer" includes the State or a county, municipality, school district, department, board, commission, institution, agency or authority created by any thereof. "Public employee" includes the holders of any office, position or employment with any public employer.

5. In order to underline the interim character of the recommended legislation, it should provide for its expiration on June 30, 1968. The Commission earnestly hopes that comprehensive legislation will replace this proposed interim law before the expiration date.

## APPENDIX 4.

### Persons Appearing at Public Hearings

**March 15, 1967, Assembly Chamber, State House, Trenton:**

Witnesses, in order of appearance:

Charles Marciante, Secretary-Treasurer, New Jersey  
AFL-CIO

Thomas L. Parsonnet, General Counsel, New Jersey  
AFL-CIO

Joel Jacobson, President, New Jersey Industrial Union  
Council, AFL-CIO

Dr. Frederick L. Hipp, Executive Secretary, New Jersey  
Education Association

Mrs. Ruth H. Page, Executive Director, State Federation  
of District Boards of Education

Donald Nicholas, President, New Jersey State Federation  
of Teachers

**March 21, 1967, Robert Treat Hotel, Newark:**

Witnesses, in order of appearance:

John N. Matzer, Jr., Business Administrator, City of  
Trenton, and New Jersey League of Municipalities

Francis A. Forst, International Representative, American  
Federation of Technical Engineers

Robert R. Turner, President, New Jersey State Highway  
Engineers and Employees Association

Gennaro Battaglia, Employee, New Jersey Turnpike  
Authority

Robert C. Murphy, President, New Jersey Civil Service  
Association

Lee A. Holly, Counsel, New Jersey Civil Service Association

Al Bilik, Assistant to the President, American Federation of State, County and Municipal Employees, AFL-CIO

Edward Schultz, Director, Council #73, American Federation of State, County and Municipal Employees, AFL-CIO

Allan Weisenfeld, Secretary, State Mediation Board, New Jersey Department of Labor and Industry

**March 28, 1967, Assembly Chamber, State House, Trenton:**

Witnesses, in order of appearance:

Lawrence L. Arcioni, President, Trenton Chapter of the New Jersey State Employees Association

Norman N. Schiff, Corporation Counsel, City of Newark

Dr. Donald R. Raichle, President, New Jersey State Conference, American Association of University Professors

Dr. Joseph T. Skehan, Chairman, Legislative Committee of the American Association of University Professors

Hugh Langcaskey, Vice President, New Jersey Patrolmen's Benevolent Association

**April 6, 1967, Senate Chamber, State House, Trenton:**

Witnesses, in order of appearance:

Dr. Irwin H. Gawley, President, Association of New Jersey State College Faculties

Michael Moskow, Assistant Professor, Drexel Institute of Technology

Frederick R. Livingston, Esq., Kaye, Scholer, Fierman, Hays & Handler

Donald H. Wollett, Esq., Kaye, Scholer, Fierman, Hays & Handler

Mrs. Sara M. Errickson, Executive Director, New Jersey  
State Nurses' Association

Donald MacDonald, Board of Education, Woodbridge  
Township

Roy J. Mundy, President, Middlesex County School  
Boards Association

The published transcript of the hearings, in four volumes, is  
available at the State Library, Trenton.

## APPENDIX 5.

### Persons Appearing at Executive Sessions

Joseph E. Clayton, Acting Commissioner, N.J. Department of Education

David Cole, Arbitrator, Paterson, New Jersey

David J. Goldberg, Commissioner, N.J. Department of Transportation

Herbert Haber, Director of Labor Relations, New York City

Dr. Frederick H. Harbison, Director, Industrial Relations Section, Princeton University; Chairman, N.J. State Board of Mediation

Dr. Robert D. Helsby, Chairman, New York State Public Employment Relations Board

Dr. Roscoe Kandle, Commissioner, N.J. Department of Health

Dr. Richard A. Lester, Professor of Economics, Princeton University

Lloyd W. McCorkle, Commissioner, N.J. Department of Institutions and Agencies

George McGuinness, Fiscal and Personnel Officer, N. J. Department of Labor and Industry

Eli Rock, Arbitrator, Philadelphia, Pennsylvania

Mrs. Thelma P. Sharp, President, New Jersey Civil Service Commission accompanied by John J. Farrell, Chief Examiner and Secretary, and William Druz, Assistant Chief Examiner and Secretary

Arthur J. Sills, New Jersey Attorney-General

Maurice Slavney, Chairman, Wisconsin Employment Relations Board

## APPENDIX 6.

### Persons Submitting Written Statements (other than statements submitted during public hearing)

Lawrence L. Arcioni, President, New Jersey State Employees Association

Bertram H. Davis, General Secretary, American Association of University Professors

Francis A. Forst, International Representative, American Federation of Technical Engineers

Dr. Frederick H. Harbison, Chairman, New Jersey State Board of Mediation

John J. Heffernan, President, New Jersey State Patrolmen's Benevolent Association

Dr. Frederick L. Hipp, Executive Secretary, New Jersey Education Association

Dr. Leonard B. Irwin, President, New Jersey Association of School Administrators

William F. Mallon, President, New Jersey State Firemen's Mutual Benevolent Association

Charles H. Marciante, Secretary-Treasurer, New Jersey State AFL-CIO

John H. Metzler, Associate Professor of Industrial Relations, Newark College of Engineering and Dr. Oscar W. Knade, Jr., Assistant Executive Director, State Federation of District Boards of Education

Robert Murphy, President, New Jersey Civil Service Association

Peter J. Paglia, President, Newark Teachers' Association

Thomas L. Parsonnet, General-Counsel, New Jersey State AFL-CIO

Mrs. Thelma P. Sharp, President, Civil Service Commission

## APPENDIX 7.

### States whose Reports and/or Legislation Was Reviewed

California	Michigan	Oregon	Wisconsin
Connecticut	Minnesota	Pennsylvania	
Illinois	Missouri	Rhode Island	
Massachusetts	New York	Washington	

In addition, from Canada:

Royal Commission Report on Employer-Employee Relations in Public Services of New Brunswick

Royal Commission Report on Compulsory Arbitration in Disputes Affecting Hospitals and their Employees

Report of a Study on the Labour Injunction in Ontario

## APPENDIX 8.

### EXTRACTS FROM CENSUS—NUMBER OF GOVERNMENT UNITS

NEW JERSEY. Summary of Local Government Structure,  
1967.

Source: U.S. Bureau of Census, *Census of Govern-  
ments, 1967*. (Under preparation.)

Total number of local governments .....	1,421
Counties .....	21
Municipalities .....	335
Townships .....	232
School Districts .....	522
Special Districts .....	311
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Fire protection districts .....	97
Highway districts .....	42
Housing districts .....	52
Natural resource districts .....	14
Utility districts .....	6
Sewage districts .....	62
Other single-function districts .....	25
Multi-function districts .....	13

**EXTRACTS FROM CENSUS—EMPLOYMENT  
BY GOVERNMENT TYPE**

**NEW JERSEY.** Employment of State and local governments,  
by type of government.

October, 1966.

Source: U.S. Bureau of Census, *Public Em-  
ployment in 1966. Series GE-No. 4.* U.S.  
Government Printing Office, Washington, D.C.,  
1966. (p. 16)

Total no. of employees	
full-time and part-time .....	255,001
full-time and equivalent .....	223,296
State, total no. of employees	
full-time and part-time .....	47,860
full-time equivalent .....	43,173
Local, total no. of employees	
full-time and part-time .....	207,141
full-time equivalent .....	180,123
Counties, total no. of employees	
full-time and part-time .....	28,267
full-time equivalent .....	27,308
Municipalities, total no. of employees	
full-time and part-time .....	80,342
full-time equivalent .....	69,626
Townships, total no. of employees	
full-time and part-time .....	15,116
full-time equivalent .....	11,177
School Districts, total no. of employees	
full-time and part-time .....	77,488
full-time equivalent .....	67,262
Special Districts, total no. of employees	
full-time and part-time .....	5,927
full-time equivalent .....	4,750

**EXTRACTS FROM CENSUS—EMPLOYMENT  
BY FUNCTION**

**NEW JERSEY.** Full-time equivalent employment of state and local governments, by function. October, 1966.

Source: U.S. Bureau of Census, *Public Employment in 1966. Series GE-No. 4.* U.S. Government Printing Office, Washington, D.C., 1966. (pp. 19-23)

**All functions**

State & local govts. ....	223,296
State govt. only .....	43,173

**Education**

Total, state & local govts. ....	108,173
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State govt. only .....	9,712
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**Local schools**

State & local govts., total .....	98,206
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....., instructional staff .....	771,881
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....., other .....	26,325
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**Institutions of higher education**

State & local govts., total .....	8,399
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....., instructional staff .....	4,276
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....., other .....	4,123
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State govt. only, total .....	8,144
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....., instructional staff .....	4,145
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....., other .....	3,999
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**Other education**

State & local govts. ....	1,568
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State govt. only .....	1,568
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**All functions other than education**

State & local govts. ....	115,123
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State govt. only .....	33,461
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Highways	
State & local govts. ....	15,148
State govt. only .....	6,644
Public Welfare	
State & local govts. ....	4,468
State govt. only .....	951
Hospitals	
State & local govts. ....	21,309
State govt. only .....	9,940
Health	
State & local govts. ....	3,221
State govt. only .....	906
Police protection	
State & local govts. ....	16,257
State govt. only .....	1,750
Local fire protection .....	6,829
Sewage .....	2,028
Sanitation, other than sewage .....	3,892
Local parks and recreation .....	3,880
Natural resources	
State & local govts. ....	2,012
State govt. only .....	1,712
Correction	
State & local govts. ....	4,044
State govt. only .....	2,028
Local libraries .....	2,279
Employment security administration, State ...	2,565
Financial administration	
State & local govts. ....	5,828
State govt. only .....	2,400
General Control	
State & local govts. ....	7,485
State govt. only .....	916

<b>Local Utilities</b>	
Water supply .....	2,353
Other .....	208
<b>Other and unallocable</b>	
State & local govts. ....	11,317
State govt. only .....	3,649