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June 22, 2021

**Urgent Alert – Action is Needed Immediately
Responsible Collective Negotiations Bill Just Added to
Today’s Assembly Committee Hearing**

Municipal Clerks: Time sensitive. Please forward to Mayor and Governing Body members.

Dear Mayors:

Late last night the “Responsible Collective Negotiations” bill ([A-5862](#)) was added to today’s 1:00 p.m. [Assembly Budget Committee](#) meeting. Although this legislation is being touted as providing additional worker safeguards in response the 2018 U.S. Supreme Court Janus v. AFSCME ruling, it includes numerous troubling provisions that would further unlevel the playing field in public sector negotiations in favor of labor by eliminating the function and rights of management to effectively govern its affairs with property taxpayer dollars.

The Senate companion S-3810 was amended on the Senate floor yesterday. The proposed Senate amendments makes the items for collective bargaining permissive for local governments but it subjects items never negotiable before to be negotiated. It still expands the items that become mandatory subjects during negotiations, effectively removing management prerogative.

The amendments also expands the areas subject to binding arbitration in a manner that is not entirely clear and of which could lead to costly litigation.

In addition, the bill, among other provisions:


- abolishes the last best offer as a critical management tool;
- provides broad privileged communication protections for labor on business involving union matters but no such protection for management;

- provides a disincentive for labor to negotiate what controls remain in place when an existing contract expires and the parties have failed to reach an agreement on a successor contract;
- creates a tremendous administrative burden by requiring management to share detailed information on non-union members with unions; and
- expands the date certain when employees may opt-out under the "Workplace Democracy Enhancement Act".

Moreover, this legislation ignores the multilayered and unparalleled protections already afforded public sector workers in the State of New Jersey by the Civil Service Commission (CSC), the Public Employment Relations Commission (PERC), the "Workplace Democracy Enhancement Act," the collective bargaining process, and more.

Please take action. The bill can be before the full Assembly and Senate as early as this Thursday, June 24. We urge you to contact your Assembly representatives to urge them to vote no on A-5682 and please ask your State Senator to oppose S-3810




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