

CITY OF HACKENSACK

INTEROFFICE COMMUNICATION

DATE: September 20, 2016

TO: Alexander Carver, City Attorney
Kathryn Walsh, City Attorney
James Mangin, CFO
Simeon Cumberbatch, Personnel Director

FROM: David R. Troast, City Manager

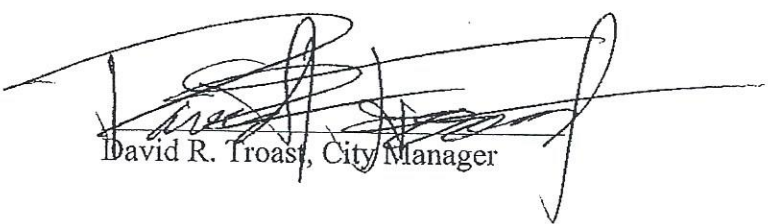
SUBJECT: Alvarez v. City of Hackensack

I am exercising my authority under the 1923 Council/ Manager form of government to settle the legal proceeding before Federal Court; Alvarez v. City of Hackensack.

The following increases are authorized pending verification that the case has been dropped by the Plaintiffs.

I have attached the interoffice communication memos authorizing the increase of 5% to all plaintiffs with the exception of [REDACTED]. Ms. [REDACTED] is only permitted an increase to the maximum level stated within the Salary Ordinance adopted April 18, 2016.

Thank you,


David R. Troast, City Manager



STATE OF NEW JERSEY
 PUBLIC EMPLOYMENT RELATIONS COMMISSION
 PO Box 429
 TRENTON, NEW JERSEY 08625-0429
UNFAIR PRACTICE CHARGE

For Courier Delivery
 495 West State St.
 Trenton, NJ 08618

www.state.nj.us/perc

Phone: 609-292-6780

Fax: 609-777-0089

	DO NOT WRITE IN THIS SPACE
	DOCKET NO. CO-2017-106
DATE FILED:	

1. CHARGING PARTY

Full Name: UNITED PUBLIC SERVICE EMPLOYEES UNION	County:
Address of Charging Party (Street and Number, City, State and Zip Code): 3555 VETERANS HIGHWAY, SUITE H, RONKONKOMA, NY 11779	
Name and Title of Representative/Attorney/Consultant to Contact: JAMES BUSH, LABOR RELATIONS REPRESENTATIVE	Telephone No.: (201) 336-6274
Representative/Attorney/Consultant Address (Street and Number, City, State and Zip Code): ERIC J. LARUFFA, ESQ., ROTHMAN ROCCO LARUFFA, LLP, 3 WEST MAIN ST, STE. 200, ELMSFORD, NY 10523	

2. RESPONDENT(S) (public employer and/or employee organization against whom the charge is made)

Respondent 1	Full Name: CITY OF HACKENSACK	County: Bergen <input checked="" type="checkbox"/>
Address of Respondent (Street and Number, City, State and Zip Code): 65 CENTRAL AVENUE, HACKENSACK, NEW JERSEY 07601		
Name and Title of Representative/Attorney/Consultant to Contact: TED EHRENBURG		Telephone No.: (201) 646-3900
Representative/Attorney/Consultant Address (Street and Number, City, State and Zip Code): UNKNOWN		
Respondent 2 (if Any)	Full Name:	County:
Address of Respondent (Street and Number, City, State and Zip Code):		
Name and Title of Representative/Attorney/Consultant to Contact:		Telephone No.:
Representative/Attorney/Consultant Address (Street and Number, City, State and Zip Code):		

INSTRUCTIONS FOR FILING AN UNFAIR PRACTICE CHARGE

- (1) Type or clearly print all information and complete all sections of the charge.
- (2) Under "Statement of Charge," provide a **CLEAR AND CONCISE statement of the facts constituting the alleged unfair practice.** If you need more space for your statement, then attach it to the charge. You may **not** rely on other documents (such as letters or memoranda) submitted with the charge to constitute your statement.
- (3) The charge must:
 - a. list the subsections of the Act alleged to have been violated;
 - b. specify the **date**, and, to the extent known, the **place** the alleged acts occurred and the **names** of the persons alleged to have committed such acts.
- (4) State specifically the remedy you are asking the Commission to order.
- (5) Sign the Certification in box #6.
- (6) File an original and four copies with the Director of Unfair Practices, Public Employment Relations Commission, *at the above address.*
- (7) Include with your filing proof that you served a copy of the charge on the respondent(s). Proof can take the form of a statement explaining how, when, and on whom the charge has been served.

A CHARGE WILL NOT BE PROCESSED IF THE ABOVE REQUIREMENTS ARE NOT MET.

3. STATEMENT OF CHARGE

Pursuant to the New Jersey Employer-Employee Relations Act, as amended, the charging party hereby alleges that the above-named respondent(s) has (have) engaged or is (are) engaging in an unfair practice within the meaning of N.J.S.A. 34:13A-5.4(a), subsection(s) (1) AND (5) and/or N.J.S.A. 34:13A-5.4(b), subsection(s) _____ in that: _____ (List subsections)

Statement of Charge Continued

ON OR ABOUT OCTOBER 28, 2016, THE ABOVE-NAMED EMPLOYER, BY AND THROUGH ITS OFFICERS, AGENTS AND REPRESENTATIVES, UNILATERALLY IMPLEMENTED PAY INCREASES FOR SEVEN EMPLOYEES IN THE BARGAINING UNIT REPRESENTED BY THE UNION, I.E., LUZ ALVAREZ, CAMILE DEGENNARO, EDITHA GARCIA, MARY KURZUM, MAYLEN MARTINEZ, ELAINE MONTALBANO AND SILVANA VALESKI, WITHOUT BARGAINING OVER THE WAGE INCREASES WITH THE UNION.

4. REMEDY SOUGHT (State the remedy you request the Commission to order)

THE UNION SEEKS AN ORDER FROM THE COMMISSION DIRECTING THE EMPLOYER TO IMPLEMENT EQUIVALENT WAGE INCREASES FOR ALL OTHER BARGAINING UNIT EMPLOYEES OR, ALTERNATIVELY, AN ORDER DIRECTING THE EMPLOYER TO RESCIND THE WAGE INCREASES IT UNILATERALLY GAVE TO THE AFOREMENTIONED AFFECTED EMPLOYEES AND DIRECTING THE EMPLOYER TO BARGAIN WITH THE UNION REGARDING THE IMPLEMENTATION OF WAGE INCREASES TO ANY BARGAINING UNIT EMPLOYEE(S).

5. PLEASE ADVISE:

1) Has a grievance been filed which is based upon the same facts alleged in the charge or is otherwise related to the charge?

Yes No

If yes, what is the status of the grievance?

2) Are there any filings at PERC, in court, at the Office of Administrative Law, or before any other administrative agency which are based upon the same facts alleged in the charge or are otherwise related to the charge?

Yes No

If yes, please specify what they are. If possible, please include docket numbers.

3) Are the parties in negotiations?

Yes No

If yes, in what stage of the negotiations process are the parties (negotiations, mediation, fact-finding, super conciliation, interest arbitration)? Please include the date of the next scheduled negotiations session.

6. CERTIFICATION

I declare that I have read the above charge and that the information is true to the best of my knowledge and belief.

By _____

(Signature)

11/10/16
(Title)

Nov 10, 2016

(Date)