



Labor Fax

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FEELING THE HEAT

By Charles Wowkanech & Laurel Brennan

A thank you is in order to all of our members, guests and friends that attended the New Jersey State AFL-CIO 26th Constitutional Convention. The three day event gave all of us an opportunity to celebrate the victories the Labor Movement has achieved in the last four years here in New Jersey, and to look forward to the work that still needs to be done.

We heard from many inspiring speakers and were especially honored to deliver our endorsement to Presidential Candidate Senator John F. Kerry. The enthusiasm and energy from the crowd put any doubters on notice that union members will not sit idly by and allow the Bush Administration another term in which to export jobs and enact policy contrary to the needs of America's working families. Our voices, the voice of labor, will be heard this November.

We also want to extend a very special thank you to everyone in our labor family for supporting our efforts to secure another term in office. We are proud to hold these positions and are honored by the faith and trust you place in us.

As has become tradition, the first edition of Labor Fax during the Legislature's summer recess is a review of what has been accomplished legislatively in the first half of the year. You will see reviews of bills that have been signed into law by Governor McGreevey, are awaiting his signature, or are waiting for action by either the General Assembly or Senate. We will also ask you to take action on A-2133 which is a bill to stop American jobs funded by taxpayer dollars from being shipped overseas.

The length of this Labor Fax clearly reflects the amount of work the labor movement in New Jersey is putting into their legislative agenda. Together we have achieved many victories. As you will read, there is much work left to be done.



1998
Labor Fax
APEX Award

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OF NOTE

Our condolences to the family of Brother Jack Merkel, founder and of the American Federation of State, County and Municipal Employees union in New Jersey, on his recent death.

GOT ON THE BUS

Over 300 New Jersey union members joined their labor brothers and sisters in Pennsylvania in a joint effort to secure that state's electoral votes for Presidential Candidate Senator John F. Kerry on Saturday June 26. Similar events will be held every Saturday between now and Election Day. To "Adopt-A-Saturday-NJ/PA. Labor Walk" call John Shea, COPE Director, at 609-989-8730.

GET E-ACTIVE

All members of the New Jersey State AFL-CIO are encouraged to visit our website at www.njaflcio.org to register for our new E-Activist network. This program allows union members, and anyone interested in important legislative issues, to contact their elected officials directly through our site. To register, visit www.njaflcio.org and enter your email address in the box under Legislative Corner. Sign up today to thank the co-sponsors of the Employee Free Choice Act, and contact members of New Jersey's Congressional Delegation who have not yet signed on as co-sponsors.

NURSING A WIN

Seeking a voice in improving patient care and working conditions, 358 nurses at two facilities operated by the St. Barnabas Health Care System voted to join the New Jersey Nurses Union/Communications Workers of America Local 1091 on May 28.

NEW COMMISSIONER

Congratulations to Kevin McCabe on his appointment and confirmation as the Commissioner of Labor and Workforce Development.

Upcoming Events

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|--------------|---|
| September 14 | PEC Meeting
New Jersey State AFL-CIO
Trenton |
| September 15 | HAAC Meeting
New Jersey State AFL-CIO
Trenton |
| October 4-6 | Legislative Conference
Borgata, Atlantic City |

- NJ State AFL-CIO: The Voice for Working Families in New Jersey -

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**SUMMER RECESS LEGISLATIVE WRAP-UP:
2003-2004 SESSION**SUMMER "TAKE ACTION" LEGISLATIVE SPOTLIGHT:**"ANTI-OUTSOURCING" LEGISLATION PASSES THE STATE SENATE,
ACTION NEEDED BY THE ASSEMBLY IN SEPTEMBER**

S-494, sponsored by Senator Shirley Turner (D-15) and Senator Joe Coniglio (D-38) passed the State Senate on June 17, 2004 by a vote of 29-5-6. The New Jersey State AFL-CIO thanks the Senators who voted in favor of this bill, the most important job protection bill of the legislative session. Visit www.njafclcio.org to view the official vote. The following Senators voted "no" on the bill, and therefore have opted not to support efforts to stop American jobs, funded by your tax dollars, from being shipped to foreign countries via outsourcing: Bark (R-8), Ciesla (R-10), Connors (R-9), Kean (R-21), Lance (R-23). "Not voting" on the bill were Senators Allen (R-6), Bryant (D-5), Cardinale (R-39), Littell (R-24), Martin (R-26) and McNamara (R-40).

If signed into law, the bill would be the first of its kind in the nation to ban state funded contracts from being performed overseas. The "outsourcing" of American jobs to cheaper labor markets overseas is the worst job trend affecting the labor market in decades, and this legislation would ensure that New Jersey tax dollars are spent to promote American jobs.

We applaud Governor McGreevey for announcing during his speech at the New Jersey State AFL-CIO 26th Constitutional Convention that he would support our efforts to pass the bill into law this session. New Jersey's labor movement is proud to have advocates such as the Governor and Senator Turner who aggressively seek to take a pro-active role in protecting American jobs from outsourcing.

Please take a moment to visit www.njafclcio.org and click on "Write Your State Representative" to send an automatic fax to the leadership of the state Assembly urging them to act on this important legislation. Please join our lobbying campaign this summer to promote action on this bill in the state Assembly and contact your Assembly representatives and ask them to become a co-sponsor of A-2133, sponsored by Assemblymen Reed Gusciora (D-15), Louis Manzo (D-33), Robert Gordon (D-38) and Jeff Van Drew (D-1). We also would like to thank Assemblyman Pat Diegnan (D-18) and John Gibson (R-1) for their co-sponsorship. For more information, please contact Legislative Affairs Coordinator Eric Richard at 609-989-8730.

SIGNED INTO LAW:**DEPARTMENT OF LABOR REORGANIZATION LAW**

S-1452, sponsored by Senator Wayne Bryant (D-5), Senator Steve Sweeney (D-3), Assemblywoman Bonnie Watson Coleman (D-15) and Assemblywoman Sheila Oliver (D-34) was recently signed into law. The law reorganizes the state's workforce development system to better coordinate job training initiatives and programs and eliminate unnecessary bureaucracy so those seeking employment may pursue it in a streamlined and efficient manor. The bill passed both houses unanimously.

The law also contains three additional strong pro-worker provisions. The first sets an economic self-sufficiency standard of 250% of the federal poverty level for all participants (over \$47,000 per year for a family of 4) and entitles each eligible applicant to the training needed to attain that standard. The second provision blocks any future privatization of One Stop Career Center operations, grandfathering existing non-profit community and faith based contractors, but limiting them to staffing levels agreed to before the bill goes into effect, and entirely bans for-profit businesses from serving as One Stop operators. The third provision extends to welfare recipient job trainees all of the worker and trainee rights provided under NJ's \$100 million per year Workforce Development Partnership (WDP) program.

“NURSING HOME QUALITY OF CARE FUND” AMENDED TO MAXIMIZE FUNDING

Last session, the “Nursing Home Quality of Care Assurance Fund Act” was signed into law, and generated additional federal matching Medicaid funds to enable New Jersey to enhance the quality of care for its nursing home residents. The law also recommended that nursing homes increase the nursing and direct care staffing ratios to above the State minimum requirement.

This session, A-3051/S-1710 sponsored by Assemblyman Herb Conaway (D-7), Assemblywoman Bonnie Watson Coleman (D-15), Senator Bernard Kenny (D-33) and Senator Nick Asselta (R-1) was signed into law. The bill passed the Senate by a vote of 34-4-2 and passed the Assembly by a vote of 68-9-2-1. The law makes various amendments to the Act to ensure compliance with federal requirements to enable the State to receive maximum federal Medicaid matching funds.

ON THE GOVERNOR’S DESK**PREVAILING WAGE EXTENSION BILL**

A-1819, sponsored by Assemblyman Joe Egan (D-17) and Assemblyman Jeff Van Drew (D-1) passed the state Assembly on June 21, 2004 by a vote of 63-14-2-1. S-598, sponsored by Senator Fred Madden (D-4) passed the Senate on June 24, 2004 by a vote of 28-12-0. Visit www.njaflcio.org to see how your representatives in the state Senate and state Assembly voted on this bill. The bills seek to extend prevailing wage requirements to construction projects financed by the Casino Reinvestment and Development Authority (CRDA), the Educational Facilities Financing Authority, the Health Care Facilities Financing Authority and County Improvement Authorities.

S-596, sponsored by Senator Steve Sweeney (D-3) and Senator Ron Rice (D-28) passed the state Senate on June 21, 2004 by a vote of 26-9-5. A-265, sponsored by Assemblyman Joe Egan (D-18) and Assemblyman Joe Malone (R-30), passed the state Assembly on June 24, 2004 by a vote of 68-9-2-1. The bill seeks to extend the application of the prevailing wage to certain custom fabrication work. Visit www.njaflcio.org to see how your representatives in the state Senate and state Assembly voted on this bill.

If signed into law, these two bills and the three Prevailing Wage Laws passed last session, combined with continued aggressive enforcement within the NJ Department of Labor, comprise one of the strongest Prevailing Wage policies in the nation.

NOTICE OF EMPLOYEE “WHISTLEBLOWER RIGHTS” BILL

S-276, sponsored by Senator John Adler (D-6) and Senator Nia Gill (D-24) passed the state Senate unanimously on June 17, 2004. A-342, sponsored by Assemblywoman Loretta Weinberg (D-37), passed the state Assembly on June 24, 2004 by a vote of 72-7-0-1. To see how your Assembly representatives voted, please visit www.njaflcio.org. If signed into law, the bill would amend the Conscientious Employer Protection Act (CEPA) to require that certain employers notify their employees in writing every year of their rights to speak out about illegal employer activity.

PASSED ONE HOUSE

Creates the Health Care Worker Pension Study Commission (A-2425: Greenwald /Conaway/Van Drew/Weinberg & S-1337: Coniglio/Sweeney): The bill passed the Senate and the Assembly, but requires concurrence with Senate floor amendments.

Requires Hospitals and Nursing Homes to Compile and Provide Certain Staffing Information to the Public (A-1727: Thompson/Weinberg/Gusciora/Stanley): The bill passed the Assembly by a vote of 65-6-7. The Senate companion, S-689 (Vitale) is pending in the Senate Health Committee.

Establishes Health Care Professional Regulation Study Commission (A-1913: Weinberg/Vandervalk/Gordon): The bill passed the Assembly on March 15, 2004 by a vote of 77-2-0. There is no Senate companion.

OTHER LEGISLATIVE ISSUES

Ethics Reform: Over the past two months, the New Jersey State AFL-CIO worked with the leadership of both houses to assure that recently enacted ethics reform legislation did not have unintended consequences that could silence union member's rights to participate in politics. The New Jersey State AFL-CIO would like to thank Speaker Albio Sires, Majority Leader Roberts and Senate President Codey for their cooperation throughout this process.

"Help America Vote Act" (HAVA): Last session, Governor McGreevey vetoed a bill that would have implemented portions of the federal HAVA Law. The bill would have negatively impacted organized labor and other progressive organization's ability to register voters as well as force new registrants to comply with burdensome and complicated procedures in order to vote. This session, new HAVA legislation incorporating various provisions recommended by the New Jersey State AFL-CIO passed both houses and was signed by Governor McGreevey on July 9. We thank Governor McGreevey for his support on this issue, as well as Senator Joe Coniglio (D-38), the prime-sponsor of this session's bill.

"Millionaire's Tax": The New Jersey State AFL-CIO joined forces with over 100 other organizations that supported the "Fairness Alliance" in order to lobby in support of the "millionaire's tax," signed into law on June 28, 2004. The law redistributed a portion of the Bush Tax Cuts given to the wealthiest 1% of residents to people that actually need them – working families and seniors struggling to pay their property taxes.

04' UI Diversion Packaged with Pro-worker Amendments: The New Jersey State AFL-CIO continues to oppose the diversion of Unemployment Insurance funds in order to subsidize charity care. We believe that a long term solution to solve the growing problem of uninsured residents must be addressed by the Legislature in a comprehensive approach, rather than annually diverting money from a fund created to aid workers at a time of crisis.

In 2004, the legislature diverted \$100 million from the UI fund via A-3104. However, similar to last year's diversion, Senator Steve Sweeney (D-3) again negotiated various pro-worker amendments to attach to the bill in Committee.

Included was a provision to make permanent a provision of the UI law, which was scheduled to expire next year, which makes all claimants eligible for a number of weeks of benefits equal to the number of claimant's base weeks, up to 26 weeks. The bill also revises the trigger for cutting off benefits for new applicants participating in job training programs, but not yet employed.