

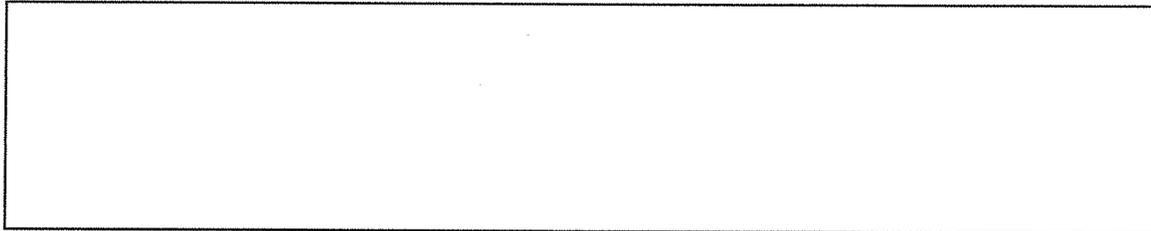
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Masser, Michelle

From: Lashway, Lisa
Sent: Tuesday, March 05, 2013 3:08 PM
To: Canning, Sean; Masser, Michelle
Subject: FW: I. Follow up to Appellate Court Decision II.Survey on the Impact of Hurricane Sandy

Lisa Lashway
Mt. Olive Twp. Clerk
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From: NJLM to Municipal Officials [mailto:njlm-clerks@njslom.org]
Sent: Tuesday, March 05, 2013 2:49 PM
To: Lashway, Lisa
Subject: I. Follow up to Appellate Court Decision II.Survey on the Impact of Hurricane Sandy



Mayors Advisory

March 5, 2013

**Re: Follow up to Appellate Court decision in Keyport v. IUOE Local 68, Belmar v. CWA
AFL-CIO, Mount Laurel v. CWA and AFSCME Council 71**

Dear Mayor:

I wanted to follow up with our mayor's letter of February 27, 2013, informing you of the decision from the Appellate Division in the above case. This case has important implications for municipalities in the Civil Service system that you should be aware of. You can find our February 27 letter here: <http://www.njslom.org/letters/2013-0227-Keyport.html>

Although the court in its decision focused on the now expired emergency rule, we believe the finding, that Civil Service regulations preempt required labor negotiations, has applicability beyond the expired rule. For example, Keyport did not rely on the emergency rule, but instead the still extant layoff requirements in the Civil Service regulations. Their layoffs were upheld.

Additionally, although Mount Laurel and Belmar submitted their plans prior to the official repeal of the Emergency Rule, both plans were consonant with temporary layoff plans that had been approved by the Civil Service Commission prior to the rule, and neither municipality relied on the Emergency Rule in their briefings or arguments.

We again urge you to discuss this case with your municipal attorney and labor counsel to determine how it may affect your personnel and labor decisions going forward. You can find a copy of the case here: <http://www.njslom.org/documents/2013-Keyport-Court-Decision.pdf>.

If you have any questions, please do not hesitate to contact Matthew Weng at 609-695-3481 ext 137 or at mweng@njslom.com.

Very truly yours,

William G. Dressel, Jr.
Executive Director

Re: Survey on the Impact of Hurricane Sandy

Dear Mayor:

On behalf of the School of Public Affairs and Administration at Rutgers-Newark, we respectfully request that you or your appropriate staff member take a few minutes to complete a survey regarding Hurricane Sandy. Your responses will help us document key aspects of the impact of Hurricane Sandy in New Jersey and improve performance for the future.

The survey is available on-line at
https://rutgers.qualtrics.com/SE/?SID=SV_3rAlmxPjmqL2TQ1

If you have any questions about the survey, please contact the Director of the NJ DataBank, Stephanie Hoopes Halpin at hoopes.halpin@rutgers.edu.

We understand this is still a busy time, and we greatly appreciate your willingness to share your view from the front lines.

Very truly yours,

William G. Dressel, Jr.
Executive Director

*If you would like to be removed from receiving faxed advisories please contact Shirley Cade at scade@njslom.com or 609-695-3481 ext. 114 with the name of your municipality and fax number. Thank you.

Please be advised that the information you receive is not legal advice. You must consult your town attorney to make sure that any of the material you receive is in accordance with current state law and your particular facts and situation.

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New Jersey League of Municipalities
222 West State Street, Trenton, NJ 08608
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