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RULE ADOPTIONS

**LABOR AND WORKFORCE DEVELOPMENT
NEW JERSEY STATE BOARD OF MEDIATION**

46 N.J.R. 859(a)

Adopted New Rules: N.J.A.C. 12:105

Arbitration

Proposed: June 3, 2013, at *45 N.J.R. 1350(a)*.

Adopted: April 25, 2014, by Harold J. Wirths, Commissioner, Department of Labor and Workforce Development.

Filed: April 25, 2014, as R.2014 d.092, **without change**.

Authority: *N.J.S.A. 34:1-20, 34:1A-3(e)*, and *34:13A-1* et seq., specifically, 34:13A-11.

Effective Date: May 19, 2014.

Expiration Date: May 19, 2021.

Summary of Hearing Officer's Recommendations and Agency's Response:

A public hearing regarding the proposed new rules was held on June 21, 2013, at the Department of Labor and Workforce Development, John Fitch Plaza, Trenton, New Jersey. David Fish, Executive Director, Legal and Regulatory Services, was available to preside at the hearing and to receive testimony. No one testified at the public hearing. The Department received a single written comment. The hearing officer reviewed the single written comment and recommended that the Department proceed with the new rules without change.

Summary of Public Comment and Agency Response:

A written comment was submitted by Jean Public (address unknown).

COMMENT: The following is the commenter's remarks in their entirety:

The board of mediation is making decisions without having any concern for making taxpayers into bankrupt [sic] citizens. They just keep approving raises after raises for govt [sic] workers, which far exceed private salaries. Its [sic] time for the nj det [sic] of labor make sure the govt [sic] agencies know what the rates are in private industry for jobs, instead of making up high rates so everybody gets over \$ 100,000 per year plus endless days off - must be 100 by now

every year. This mediation process is gouging taxpayers. Too many mediators seem to not understand that taxpayers in NJ are suffering in these economic doldrums. How can they keep paying more and more govt [sic] salaries when their own salaries have gone down and have not gone up. The mediators are all evidently very wealthy and cannot understand that the govt [sic] has to respond to all salaries, those low too. This comment is for the public record please acknowledge receipt.

RESPONSE: As explained in the June 3, 2013, notice of proposal for the expired *N.J.A.C. 12:105*, which were proposed as new rules, the chapter "applies to private employers and employees who either have provisions for arbitration in their collective bargaining agreements or who voluntarily agree to abide by the rules for arbitration." In other words, these rules have nothing whatsoever to do with the establishment of salaries for public sector workers. Consequently, the commenter's remarks are entirely inapposite and no further response is necessary.

Federal Standards Statement

The expired rules adopted herein as new rules do not contain any standards or requirements that exceed those imposed under the Federal Labor Management Relations Act, 29 *U.S.C.* §§ 141 et seq. There are no other Federal standards applicable to the expired rules adopted herein as new rules. Therefore, a Federal standards analysis is not necessary.

Full text of the expired rules adopted herein as new rules can be found in the New Jersey Administrative Code at *N.J.A.C. 12:105*.