

GRIEVANCE SETTLEMENT AGREEMENT

BETWEEN

CWA 1075 & COUNTY OF OCEAN

RELATIVE TO "LANDSCAPE IRRIGATION LICENSE STIPEND" OF PARAGRAPH J. OR ARTICLE 18

WHEREAS, the County of Ocean ("County") and Communications Workers of America 1075 ("CWA") are parties to a Collective Negotiations Agreement (CNA), which is in effect from April 1, 2020 through March 31, 2023; and

WHEREAS, the parties agree that in 2020 they negotiated a stipend for landscape irrigation work performed by members of the Blue-Collar bargaining unit; and

WHEREAS, the stipend was the subject of a Sidebar Agreement executed on December 21, 2020 "(December 2020 Sidebar Agreement)"; and

WHEREAS, the CWA believes certain employees are otherwise eligible for the landscape irrigation stipend; and

WHEREAS, the CWA has indicated it intends to file a grievance relative to this matter; and

WHEREAS, both parties acknowledge the intent of the original agreements set forth in the collective negotiations agreement and December 2020 Sidebar Agreement was to provide special compensation to employees routinely performing such work; and

WHEREAS, the requirement of the license issued by the State of New Jersey is unnecessary at this time, as such a license is not specifically required to performing such work within the County operations:

WHEREAS, the circumstances of this matter are unique to this situation, and neither party concedes, nor agrees with, the position of the other party, but in the interests of resolving this matter without costly legal fees, the parties have agreed to resolve this matter at this time; and

WHEREAS, both parties have agreed to resolve this dispute and grievance at this time based upon the mutual satisfaction of each, in accordance with the terms set forth below:

NOW, THEREFORE, BE IT AGREED, AS FOLLOWS:

1. During the time frame of April 1, 2022 – March 31, 2023, for the stipend set forth in paragraphs J. (Landscape Irrigation License) of Article 18, the possession of a certification issued by "Toro" for irrigation work performance shall satisfy the requirement of the "license" set forth in Paragraph J, and shall entitle the employee to the stipend. Thus, in order to be eligible for the Stipend, the employee must hold a certification/license and be designated to install and/or maintain landscape irrigation systems.
2. For the time period of April 1, 2021 – March 31, 2022, the following employees are entitled to the Irrigation stipend of Paragraph J of Article 18:

Parks employees: John Monsolino, Phillip David Jorden, and Daniel Zarillo

B&G Employees: Michael Hunt, Jason Jankowski, and John Kozak.

3. However, commencing April 1, 2022, the employees set forth in paragraph 2. shall only be eligible for the landscape Irrigation stipend if the individual possess either the "Toro" license described above in Paragraph 1., or a landscape irrigation

license issued by the State of New Jersey, and be designated to install and/or maintain landscape irrigation systems.

4. This Settlement Agreement accurately reflects all the terms and understanding between the parties. The County and CWA explicitly specifically acknowledges, understands, and agrees that if either party does not comply with all terms and conditions of this Settlement Agreement, this Settlement Agreement shall be null and void in its entirety.
5. The CWA explicitly acknowledges, understands, accepts, and agrees, on behalf of itself and its members, that aside from what is set forth in Paragraphs 1. And 2. above, no employee represented by the CWA is owed any money and/or compensation pursuant to Paragraph J. of Article 18 of the collective negotiations agreement.

By executing below, the undersigned hereby enter into this Settlement Agreement. Further, the undersigned hereby agree to the above terms and conditions and specifically indicated and acknowledge no other promises have been made to either party.

 8/16/21

Tom Fagan, CWA Local 1075 (date)
Executive Vice President

 8/16/21

Robert Greitz, Director (date)
Office of Employee Relations