

North Jersey NIGP Chapter #7

Chartered October 26, 1977

President: *James J. Jorgensen*

Treasurer/Membership: *Jane Foti*

Vice President: *Cindy Lea Weber*

Secretary: *Paula S. Ferreira*

Minutes

Regular Meeting

March 2, 2011

The Imperia Conference Center

Somerset, New Jersey

The meeting was called to order at 10:00 am by President Jim Jorgensen. After the flag salute, self introductions were made. Minutes from December's meeting were approved. Treasurer's report was given by Jane Foti. Motion to approve Treasurer's report.

Guest Speakers:

Esther H. Nevarez
Community Relations Coordinator
Office of the Director
State of NJ, Division on Civil Rights

If you are responsible for playgrounds and swimming pools, the new anti bullying law will apply to you. There is now an anti bullying commission at the State set up to deal with children's issues. We now have an anti bullying law in NJ. The old law passed in 2005 was mediocre. Then comes along LW vs Toms River Board of Ed. LW was a 4th grader and his playmates thought he was gay. LW was miserable in school up until 8th grade. When LW went to high school the children progressed at taunting him. The school took action. They then sent him to a Vocational School. All the protection adults get in the workplace from harassment children will get now.

Toms River appealed because they couldn't afford it. We force kids go to school and do not protect them. With the mediocre law and commission one of the things they found out is that we have to review agreements and policies. They collected the anti bullying policies and a full 1/3 were not filled out or followed up on. This was reported to the Governor. The school administration wanted a mediocre law and, advocates for children wanted a tougher law. The school board won. The report was submitted to the Governor. Then Tyler Clemente died. So the tougher law was enacted. We need tougher laws because people in power are asleep at the switch. Small issues should be handled immediately so big issues don't arise.

(Esther H. Nevarez cont.)

Now on to the sexual harassment law, Hill and Thomas. What is quid pro quo? It's something for something. Perfect example is a supervisor using his position to get sex. . If it's the leader going after you, keep evidence. Hostile Work Environment Law must be based on a protected class. Sensory sensitivity and distinguishing characteristic were added to protected class. In NJ we have a lot of protected classes. Commonly abused classes are and what rises to level of hostile environment. Race, color, national origin and national ancestry. Since this law was first written in 1945 we have gotten away from the original. We have no idea what race is at this point. Anything that is hyphenated falls into ancestry. At the Warren County Corrections Dept. "the brass" was constantly telling Polish jokes to an employee. Even though it didn't bother him it was still wrong. If nobody cares what's the big deal. You never know if people are going along to get along. If you take care of the little things you won't have the big things.

When we are in the workplace we must be coworkers first. We must look at our own behaviors. We have protection based on color. There have been cases where companies were only hiring light skin blacks. Races are using color too. We must refer to people by their first name, last name and title only. National origin is birth place. Nationality is citizenship. We don't care if you hire undocumented day laborers, but you can't treat them unfairly. Have to be careful that you do not ask citizenship questions. Protection based on creed. Protection of whatever you believe. We will accommodate everything you need. Safety is an issue though. Everyone that we interact with on a professional level is protected. I recently went to a Hudson County municipality about a year ago. The priest was there giving ashes. They thought that nothing was wrong with that since they had been doing it forever. We have separation of Church and State. What is good for one is good for all. Not protected based on socio income status. We are not protected on education level like whether or not we have a college degree. It didn't work to try and protect ex-cons because it's tough for them to get a job. Dress codes are not discriminatory. Safety beats a dress code. Have to know when to call for help. Everything we use is paid by taxpayers who are different religions. Keep separation of church and state. Religion is a hot topic.

Disability protection is ADA times 100. We must not make fun of someone's accent, stutter, looks ect. Hostile environment by a reasonable person's standard. It's the number or incidents, severe or pervasive. Is it based on a protected class? Make sure that everyone is comfortable. Every single employee has to feel like the policies protect them. We must stop the misbehavior and protect them from retaliation.

*Joseph A. Valenti, Retired
Bureau Chief
NJ Department of Community Affairs*

Legislative Update

S2735-Office of the State Comptroller will have the right to review all practices and procedures concerning procurement. They will have the ability to look at goods and services. A Hudson County municipality put out an RFP for Professional Services. The town called it "Fair and Open" but they didn't use the 4 points. Better address all points of "Fair and Open". All non-bid professional services will now be competitively contracted. ELECT is coming out with there own rendition. They are going to do away with "Fair and Open".

S2630- form a coop when you have 3 or more municipalities for retail electric system...forming an electric company.

A3633-requires us to put language in specifications for soil contamination.

Local Finance Notice on BRC. The law has changed. You can ask for it after receipt of bids but before the award of contract.

S514-"Oops I made a mistake I want my bid back". A "mistake" is now defined. A clerical error that is unintentional like an addition mistake or omission on labor, material or both. Saturday is considered a working day. Must be sent certified mail within 5 days.

Auto Zone-State is thinking about privatizing repair of vehicles.

Eight more GSA contracts for Homeland Security.

*Kathy Cupano
Rutgers
Assistant Director for Curriculum Development*

Finishing up forums for the Purchasing Conference. There are 130 students registered for purchasing classes for the spring.

Next meeting June 8, 2011

With no more business, the meeting was adjourned at 12:00 pm. Networking and lunch were enjoyed by all.

Respectfully submitted,
Paula S. Ferreira
Secretary