



AFT New Jersey, AFL-CIO

629 Amboy Avenue, 3rd Floor Edison, New Jersey 08837

Phone: (732) 661-9393 Fax: (732) 661-1776

Website: www.aftnj.org

Testimony

Nat Bender, Communications Director

American Federation of Teachers New Jersey, AFL-CIO

In support of A-3627 before the Assembly Education Committee

Feb. 11, 2013

To the Honorable Patrick Diegnan, Chairperson, the Honorable Bonnie Watson Coleman, Vice-Chairperson and the Honorable Assemblypersons and committee members Ralph Caputo, Betty Lou DeCroce, Mila Jasey, Angelica Jimenez, Scott Rumana, Troy Singleton, Connie Wagner and David Wolfe,

On behalf of President Donna M. Chiera and 30,000 members of American Federation of Teachers locals in pre-kindergarten to 12 and institutions of higher education, I am here to testify in favor of A-3627. This legislation seeks to regulate the impact of subcontracting in school districts and higher education, providing common-sense measures to protect workers and existing collectively bargained contracts.

The popular rush to subcontract—or privatize—education, state and local government functions is concerning to public workers and citizens. This legislation could help reduce the damage to communities when school districts and institutions of higher education subcontract vital services; causing job loss and economic instability for locally employed residents.

Clarifying timing for subcontracting and requiring meeting and conferring with workers are important elements in the legislation. The NJ Privatization Task Force report recommends meeting with public employees and managers prior to initiating a privatization plan because, “The public employees who actually provide a service on a day-to-day basis often have the most knowledge about potential efficiencies.” (p. 10). This legislation’s mandate to negotiate the impact of subcontracting could foster communication that might save both jobs and money in its implementation.

Certainly, having more ground for equal footing in communication in these complex situations is better than less.

American Federation of Teachers New Jersey (AFTNJ), AFL-CIO

www.aftnj.org | www.facebook.com/aftnj | twitter [@aftnj](https://twitter.com/aftnj)



AFT New Jersey, AFL-CIO

629 Amboy Avenue, 3rd Floor Edison, New Jersey 08837

Phone: (732) 661-9393 Fax: (732) 661-1776

Website: www.aftnj.org

AFTNJ Testimony, Page 2

We see media reports of outsourcing in school districts ranging from foodservice workers in West Windsor, to a host of jobs titles and functions in Trenton starting with cafeteria, security and transportation titles then moving into the classroom. Englewood has had controversy around outsourced functions such as school nurses, secretaries, occupational and physical therapists and the child study team.

In my career working at Rutgers University, subsequently serving as a union leader and in my current staff role, I have seen outsourcing in janitorial operations, skilled trades, security and printing at institutions of higher education. This legislation would have benefitted members impacted by decisions to outsource operations, where otherwise management invoked its prerogative to act unilaterally.

Our state federation would also like to encourage the legislature to consider comparable legislation for all public workers. Implementation of such legislation may be too late for workers at Buttonwood Hospital in Burlington County or New Jersey Network, but perhaps it will help public workers who work for the state functions such as the lottery or many other roles considered for subcontracting.

This legislation does not consider the pros or cons of subcontracting in general and does nothing to eliminate the option. The Star-Ledger opines, "Lawmakers should move cautiously. They must make sure each proposal will save money and that mechanisms are in place to protect those savings from evaporating in poorly negotiated contracts." (July 18, 2010). This legislation simply provides a framework for some measure of fairness for education workers and should be moved forward to passage.

On behalf of our state federation, I offer a thank you to Assemblyman Conaway and Assemblywoman Wagner for co-sponsoring this bill, and thank you all on the Education Committee for your time and consideration.

American Federation of Teachers New Jersey (AFTNJ), AFL-CIO

www.aftnj.org | www.facebook.com/aftnj | twitter [@aftnj](https://twitter.com/aftnj)