

President's Report December 2011

Respectfully Submitted – Dominick Marino, President

PENSION:

2012 is a Pension Election year. Our candidate is Firefighter Tim Colacci, from IAFF Local 3950, North Hudson Firefighters. Tim has been a firefighter for 10 years and is currently the North Hudson Fire Fighters Association vice president. It is imperative that our members are notified that Tim is the candidate their union is asking them to vote for and that when the voting process begins, they vote. The ballots will be mailed to the employer on or about March 1st. All presidents and delegates are urged to work to get our candidate elected. Tim is available to meet with you and your executive board and can attend your local meeting so that your members can put a face to the candidate.

Valor Award Ceremony – 3/29/12

In last month's packet was a copy of the PFANJ Valor awards application. We have included another copy of the application in this month's packet. I encourage all locals to submit the applications as soon as possible. The date's for recognition is the current year, January 2011 through December 2011. This year's Valor award program will be on Thursday March 29th at 6pm. We are moving away from a brunch and having a sit down dinner.

Asbury Park Fire – 1/10/11

We have been in contact with the DOL as to the status of the investigation report. They have stated that the final interview was held on November 21st and once all the documentation has been evaluated, they will release their findings. At this point, no timeline can be provided.

PFANJ Facebook page:

We hope to have our face book page fully operational again by the first of the year.

Legislative activity:

The leadership in the Democratic Party for both houses has changed for the next legislative session. Senator Buono and Assemblyman Cryan will no longer be the Senate and Assembly Majority leaders. Assemblyman Greenwald and Senator Weinberg will be the Assembly and Senate Majority leaders in January for the next two years.

In the last two weeks, we have testified in Trenton on numerous legislative bills. This lame duck session is proving to be very active.

S2794/A3918 – Encourages local unit sharing of services; makes appropriation.

Under current law, the Local Unit Alignment, Reorganization, and Consolidation Commission (LUARCC) examines the consolidation of municipalities, the merger of autonomous agencies into their parent municipal or county government, and the sharing of services between municipalities or between municipalities and other public entities. The bill would clarify LUARCC's powers to recommend specific consolidations and mergers under current law. The bill would also clarify and enhance LUARCC's powers to facilitate shared service agreements by authorizing LUARCC to recommend or to order the execution of specific shared service agreements. The provisions of Title 11A, Civil Service, would not apply to an employee affected by a shared services agreement ordered or recommended by LUARCC.

The bill would require LUARCC to include in every consolidation proposal and every shared services proposal an estimate of the savings that will result from implementation of the proposed consolidation or sharing of services. The bill allows local units to contest LUARCC's estimate of savings by appeal to the Commissioner of Community Affairs.

Current law provides for public hearings when municipal consolidations are being considered. The bill provides that when a LUARCC recommends a municipal consolidation, the commission must be present at one or more of those public hearings. The bill also requires LUARCC to hold at least two public hearings whenever the commission recommends or orders a sharing of services.

Under the bill, as under current law, LUARCC-recommended consolidation or shared service proposals would become effective upon adoption by a majority of the voters of each affected municipality. If the voters of a municipality do not approve a shared services proposal or if a municipality or other entity identified in a proposed shared services agreement does not enter into and implement the proposed shared services agreement within 14 months following the effective date of the proposal, the State would annually reduce that municipality's State aid by the amount of savings that was estimated by LUARCC.

With regard to a LUARCC-ordered sharing of services, if a municipality or other entity identified in a shared services order does not implement the order within 14 months of its effective date, the State would annually reduce the total amount of aid it provides to that municipality or entity by the amount of savings that was estimated by LUARCC. Furthermore, the bill provides that under these circumstances the State may take other steps it deems necessary to enforce the order, including withholding all State aid allocated to that municipality or entity until it complies with the order.

Additionally, the bill clarifies the Legislature's intention that LUARCC have sufficient resources to fulfill its statutory obligations by empowering LUARCC to request specific resources from the State and localities and to contract for necessary services. The bill would appropriate funds to LUARCC to cover the costs of operations and to fund extraordinary expenses of local units needed to implement a LUARCC-proposed consolidation plan or shared service agreement.

The bill also provides that when local units enter into, renew, or extend shared service agreements or joint meetings pursuant to the "Uniform Shared Services and Consolidation Act," P.L.2007, c.63 (C.40A:65-1 et seq.) or any other law providing for the sharing of services, the provisions of Title 11A, Civil Service, would not apply to employees affected by the shared service agreement or joint contract.

S1141/A898 – Permits board of fire commissioners to amend fire district budget after adoption to insert special items of revenue. (passed both houses)

This bill provides that a board of fire commissioners may, by vote of a majority of the full membership of the fire commissioners, approve the insertion of any special item of revenue in a fire district budget when such item shall have been made available by any public or private funding source and the amount thereof shall not have been determined at the time of the adoption of the budget, and may approve the insertion of an appropriation item of an amount equal to any such special item of revenue making such item of revenue available for expenditure.

This bill would make the protocol for special items of revenue in fire district budgets parallel to the protocol for budgets of local governing bodies.

A3278/S2287 – Requires fire suppression systems in new single and two family homes

This bill would require the installation of a fire suppression system in new single and two family homes during the home's construction. This requirement would be instituted by a municipal ordinance. In order to ensure compliance with an ordinance requiring the installation of a fire suppression system in new single and two family homes, this bill would condition the issuance of a certificate of occupancy upon the installation of the system. All fire suppression systems required by such ordinances would have to conform to the requirements promulgated by the Commissioner of Community Affairs.

The Commissioner of Community Affairs is responsible for the State Uniform Construction Code, which includes the residential building subcode. Including provisions incorporating fire suppression systems in one- and two-family homes will provide protection for the State's residents and firefighters.

S1802 – Authorizes payment of funeral expenses for certain public safety employees killed in line of duty.

As amended and reported by the committee, this bill authorizes a State contribution to the funeral expenses of police officers; sheriff's officers; firefighters; first aid, ambulance and rescue squad members; and correctional officers who are killed in the line of duty.

The bill requires the State Treasurer to reimburse the actual funeral expenses of these public safety officers in an amount not to exceed \$10,000. This reimbursement would be reduced by any amount payable for funeral expenses from worker's compensation.

The bill would take effect immediately and be applicable to persons killed in the line of duty on or after the effective date.

According to the sponsor, this bill is intended to provide a token of public appreciation to the survivors of the brave men and women who risk their lives daily to protect the residents of this State.

The committee amendments clarify that sheriff's officers are included in the bill's provisions.

S787 – Establishes "New Jersey Fire and EMS Crisis Intervention Services" telephone hotline

This bill directs the Division of Fire Safety in the Department of Community Affairs, in conjunction with the University of Medicine and Dentistry of New Jersey/University Behavioral Health Care, to establish a 24-hour, toll-free "New Jersey Fire and EMS Crisis Intervention Services" telephone hotline. The hotline will be available to fire and emergency services personnel experiencing personal or job-related depression, anxiety, stress, or other psychological or emotional tension, trauma, pressure, or disorder.

When necessary and appropriate, hotline operators would refer callers to further debriefing and counseling services. The division, after consultation with the university, is to establish guidelines for tracking any fire or emergency services caller exhibiting such a severe emotional or psychological disorder or condition that it may result in harm to the caller or others.

The division and the university are to train the hotline operators. To the greatest extent possible, these operators are to be persons familiar with post trauma disorders and the emotional and psychological tensions, depressions, and anxieties unique to fire and emergency service personnel, or trained professionals able to provide counseling services involving marriage and family life, substance abuse, personal stress management and other emotional or psychological disorders or conditions that may adversely affect the personal and professional well-being of New Jersey's fire and emergency service personnel.

The bill also directs the division, after consultation with the university, to prepare a list of licensed or certified psychiatrists, psychologists, and social workers, qualified counselors, and experienced former fire and emergency services personnel who are willing to accept referrals and provide debriefing and counseling services.

This bill was pre-filed for introduction in the 2010-2011 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

S1080/A1463 – Requires designated fire command structure in municipal emergency operations plans involving mutual aid responses to fires.

This bill clarifies that the local fire mutual aid plan of each municipality or fire district shall include a proposed command structure that would afford appropriate command support for the designated battalion chief or incident commander. The bill specifically requires that battalion and deputy chiefs be included as part of the county fire mutual aid plan.

According to the sponsor, a clearly designated and delineated support command structure is essential when a number of different fire departments are called to respond to an emergency situation.

A2095/S818 – Revises requirements for emergency medical services delivery

As reported, this substitute provides a new statutory approach to the regulation of emergency medical services that encompasses basic and advanced life support services, and governs the qualifications, training, and operations of paramedics, emergency medical technicians (EMTs), and emergency medical responders.

Under the direction of the Commissioner of Health and Senior Services, the Office of Emergency Medical Services in the Department of Health and Senior Services (DHSS) is to serve as the lead State agency for the oversight of emergency medical services delivery to ensure the continuous and timely Statewide availability and dispatch of basic and advanced life support in the State. The commissioner is to appoint a physician with relevant experience as State Medical Director for Emergency Medical Services, and the State Medical Director may appoint up to three regional medical directors to oversee their respective geographic areas. The commissioner is to ensure or arrange for the provision of advanced life support pre-hospital care in response to 9-1-1 calls within the State.

Paramedics who staff mobile intensive care units, EMTs who staff licensed ambulances, and emergency medical responders to 9-1-1 calls are required to apply for licensure, and submit to criminal history record background checks (EMTs with volunteer first aid, ambulance, or rescue squads are exempt from having to assume any costs for licensure or criminal history record background checks). The commissioner is authorized, after notice and hearing, to revoke the license of a paramedic, EMT, or emergency medical responder for violation of any provision of P.L.1984, c.146 (C.26:2K-7 et seq.) or applicable regulations. DHSS is to make available to the public a current list of licensed paramedics and EMTs on its Internet website.

Paramedics are authorized to perform advanced life support services if they maintain direct voice communication with a licensed physician or physician-directed registered professional nurse affiliated with a mobile intensive care program, or if they operate under standing orders developed or approved by a mobile intensive care program. The substitute adopts new requirements with respect to mobile intensive care units operated by hospitals. A hospital licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.) is authorized to develop and maintain a mobile intensive care program if it is licensed to do so pursuant to this substitute (the commissioner is directed to establish, by regulation, criteria which a hospital must meet). A hospital will be required, at a minimum, to maintain an accredited emergency department.

The commissioner is to establish a 16-member Emergency Medical Care Advisory Board (EMCAB), which replaces the State mobile intensive care advisory council. EMCAB will review regulations and make policy recommendations to the commissioner regarding emergency medical services. The commissioner, in consultation with EMCAB, is to establish minimum standards for training, response times, equipment, and quality of care with respect to basic life support pre-hospital care and advanced life support pre-hospital care.

EMCAB is to be comprised of 16 members, including the commissioner, the Director of the Office of Emergency Medical Services, the State Medical Director for Emergency Medical Services, or their designees, as ex officio members, and the President of the New Jersey State First Aid Council. The committee, in recognizing the importance of volunteers, expresses its sentiment that a designee may need to serve from time to time in place of the President of the New Jersey State First Aid Council.

Additionally, 12 public members, initially appointed by the commissioner and thereafter appointed in a manner specified by regulation, are to include one representative from each of the following: paid basic life support services

providers; emergency medical service helicopter response units; mobile intensive care programs; emergency physicians; general hospitals; emergency care nurses; municipal government; emergency telecommunications services; county offices of emergency management; trauma services or burn treatment providers; the Emergency Medical Services for Children program; and a member of the general public who is not involved with the provision of health care or emergency medical services.

The commissioner is to establish, maintain, and coordinate the activities of a New Jersey Emergency Medical Services Task Force, which will include emergency medical services providers from all regions of the State. The purpose of the task force will be to support and enhance the provision of specialized response services for both pre-planned and emergency events in order to reduce morbidity and mortality through appropriate triage, incident management, and coordinated pre-hospital care and transportation.

The substitute repeals: section 5 of P.L.1984, c.146 (C26:2K-11), concerning the performance of advanced life support procedures by a paramedic who is not in direct voice communication with a physician; section 12 of P.L.1984, c.146 (C26:2K-18), concerning a paramedic performing the duties or filling the position of another health care professional employed by a hospital; and section 4 of P.L.1986, c.106 (C26:2K-38), concerning immunity from liability for persons training for or rendering advanced life support services. These sections of law are obviated by the provisions of the substitute. Also repealed is P.L.1989, c.314 (C.26:2K-39 et seq.), concerning certification of EMT-Ds by the commissioner to perform cardiac defibrillation, which is obviated by the training in cardiac defibrillation provided to EMTs and First Responders to meet American Heart Association CPR certification requirements.

The commissioner is directed to report to the Governor and the Legislature, no later than December 31 of each year, on the adequacy of emergency medical services, and to identify funding needed for the succeeding fiscal year for infrastructure and research to encourage continued improvement of emergency medical services.

As reported, this substitute is identical to Assembly Bill No. 2095(2R) (Conaway/Fuentes/Evans/Quigley), which the committee also reported on this date.

A4262 – Requires DOT Commissioner to erect signs informing Motorists State’s “move over” law.

As reported, this bill requires the Commissioner of Transportation, in consultation with the Director of the Division of Highway Traffic Safety in the Department of Law and Public Safety, to erect appropriate signage in the State of New Jersey informing motorists of their duty to change lanes when approaching a stationary authorized emergency vehicle, tow truck, or highway maintenance or emergency service vehicle that is displaying flashing, blinking, or alternating emergency lights or, in the alternative, to reduce the speed of their vehicles if it is unsafe to move over one lane under the State’s “move over” law.

A4345 – Limits use of an supplemental compensation for certain accumulated leave; permits use of certain unused sick leave to offset post-retirement health care cost; limits employment for certain public employees

This bill imposes limits on the payment of supplemental compensation for unused accumulated sick leave to, and the accumulation of vacation leave by, any current or future State, local government, or board of education employee. Under this bill, unused sick leave payments will not be permitted upon retirement in any amount for any sick leave time accumulated after the bill’s effective date. Supplemental compensation for any time earned prior to that date is payable as under current law. For unused sick leave over 60 days earned and accumulated after the effective date, an employer will apply an actuarial value placed on that leave and the employer will appropriate that value, in monthly installments, to offset any cost of post-retirement health care charged to the employee. The portion the employer pays will not exceed \$7,500 in the aggregate.

In addition, the bill imposes limits on the carry-forward of vacation leave that is not used in a given year by any current or future employee of the State, a local government, or board of education. Also, the payment for unused accumulated sick leave and vacation leave will be suspended if the officer or employee is indicted for certain crimes that involve or touch the office or employment. The payments will be forfeited if the officer or employee is convicted. The bill requires the Attorney General to develop guidelines or establish procedures to provide the appropriate

governmental agency or public employer with notice of any indictment or conviction of a current or former officer or employee.

The bill prohibits the use of six or more consecutive days of accumulated sick leave in the twelve months prior to retirement, without medical necessity verified in writing by a physician, by a current or future public officer or employee. The employer may require the officer or employee to submit to an examination by a physician selected by the employer to verify the medical necessity. There are penalties for violations of this provision. For the first violation, the employer will treat the time taken as unpaid leave and impose a minimum disciplinary penalty of a fine in an amount equal to one and one-half times the daily rate of compensation for each day of violation. For the second violation, in addition to treating the time as unpaid leave, the employer will impose a minimum disciplinary penalty of a fine in an amount equal to three times the daily rate of compensation for each day of violation. For the third violation, in addition to treating the time taken as unpaid leave, the employer will have good cause to terminate the employee.

The minimum penalties set forth for the first and second violations may be increased at the discretion of the employer, based upon the prior record of the employee. The time converted to unpaid leave will also be deducted from the number of unused accumulated sick leave days credited on the effective date of retirement.

Certain provisions of the bill would apply after the expiration of a collective negotiations agreement or individual contract of employment with a relevant provision in effect on the bill's effective date.

Finally, this bill provides that a local government agency cannot employ any person in a full-time or part-time position while that person is on paid leave from a full-time or part-time position with a local government agency of another county or municipality.

The bill will take effect the third month after enactment.

A4346/S3104 – The “common sense shared services act”; concerns shared service agreements and joint contracts for certain local personnel under “uniformed shared services and consolidation act”.

This bill, the “Common Sense Shared Services Act,” revises current law to ensure that certain, statutorily-required municipal officials who earn tenure in their positions do not stand in the way of a shared service agreement, or joint contract for a joint meeting, for the provision of local services, to help control property taxes.

The bill would require that notwithstanding the statutory requirements that every municipality appoint a municipal clerk, chief financial officer, assessor, tax collector, public works manager, and municipal engineer, those requirements may be fulfilled by the sharing of those personnel with another municipality or municipalities under a shared service agreement or joint contract for a joint meeting entered into pursuant to the provisions of the “Uniform Shared Services and Consolidation Act,” P.L.2007, c.63 (C.40A:65-1 et seq.).

The bill also provides that, notwithstanding the tenure in office that can be earned by a municipal clerk, chief financial officer, assessor, tax collector, public works manager, and municipal treasurer (a municipal engineer is not able to earn tenure under current law), these personnel may be removed from office to effectuate a shared service agreement or a joint contract for a joint meeting for the services of their positions. The bill requires that the definition of good cause, or just cause, as the case may be, for removal of one of these tenured local officials, shall include the elimination of the position in the municipality as the result of the municipality's entering into a shared service agreement or a joint contract for a joint meeting for the provision of municipal treasurer services with another municipality or municipalities pursuant to the provisions of the “Uniform Shared Services and Consolidation Act.” The bill further requires that the removal of a tenured local official shall not require a municipality to fulfill the requirements of current law regarding the removal of a tenured official; instead, a municipality simply must provide the tenured local official with a written copy of the shared service agreement or joint contract for a joint meeting entered into by the municipality, together with a letter stating that the tenured official's position in the municipality is being eliminated as the result of the shared service agreement or joint contract for a joint meeting.

Finally, the bill authorizes municipalities to enter into shared service agreements or joint contracts for joint meetings for fire protection purposes (the fire departments must be paid fire departments, not volunteer or part-paid departments), and allows for the recognition and preservation of the seniority, pension rights and tenure of every full-time firefighter involved in the shared service or joint meeting.

The purpose of this bill is to remove any impediment to the sharing of the services of the afore-mentioned tenured local officials, and to authorize the sharing of firefighter personnel, either by a shared service agreement or by a joint contract for a joint meeting, in order to ensure that local property taxpayers can be provided with more efficient, and less-costly, local government services.

A4348/S3123 – Replaces TPAF, PERS, PFRS and SPRS accidental disability benefit with reduced work-related disability benefit; modifies JRS disability benefit

This bill replaces the accidental disability benefit available to members of the Teachers' Pension and Annuity Fund (TPAF), the Public Employees' Retirement System (PERS), the Police and Firemen's Retirement System (PFRS) and the State Police Retirement System (SPRS) with a new work-related disability benefit that is the same as the TPAF, PERS, PFRS and SPRS ordinary disability benefit of 1½% of compensation for each year of service but no less than 40% of compensation. The bill also (1) reduces the percentage applied to compensation to 1½% from 1.64% for TPAF and PERS to parallel to the benefits of PFRS and SPRS; (2) increases to ten from four the years of service credit required before a PFRS or SPRS member becomes eligible for ordinary disability retirement to parallel the requirements of TPAF and PERS; (3) repeals sections of P.L. 2010, c. 3 providing that new TPAF and PERS members would be eligible for disability insurance instead of a disability pension; and (4) repeals the accidental disability allowance sections of law for TPAF, PERS, PFRS and SPRS.

Under the bill, any TPAF, PERS, PFRS or SPRS member under normal retirement age who has fewer than 10 years of creditable service may be retired on a work-related disability retirement allowance, if the member meets the requirements of a medical examination certifying that the member is mentally or physically incapacitated for the performance of usual duty and of any other available duty, and the incapacity from the performance of duties is the direct result of an accident or occupational exposure occurring during and as a result of regular and assigned duties and not the result of willful negligence. In order to qualify for a work-related disability benefit, the member must receive a workers' compensation award of permanent disability. The requirement for a medical examination may be waived when the Division of Workers' Compensation in the Department of Labor and Workforce Development has determined that the member is 100% totally and permanently disabled. The bill defines "normal retirement age" for these systems as the age at which a member is first eligible for a service retirement benefit.

The bill allows SPRS to require any disability retiree who is under normal retirement age to undergo a medical examination by a physician or physicians designated by the system for a period of five years following retirement in order to determine whether or not the disability has vanished or has materially diminished. TPAF, PERS and PFRS members are already subject to this requirement. In addition, the bill provides that if the PFRS or SPRS disability retiree is under normal retirement age and engaged in an occupation, then the amount of the disability pension will be reduced to an amount which when added to the amount then earned will not exceed the amount of the salary now attributable to the retiree's former position. TPAF and PERS disability retirees are already subject to such a reduction. A work-related disability benefit will be reduced by the amount of workers' compensation benefits in the same manner as currently provided with regard to an accidental disability benefit.

The bill also modifies the law governing the Judicial Retirement System to provide disability retirement benefits in an amount comparable to other State employees. Under current law, a judge of the several courts may be retired for disability if the member has become physically or otherwise incapacitated for full and efficient service to the State in his judicial capacity. The bill changes the amount of the disability retirement benefit from 75% of final salary to 1½% of salary multiplied by his number of years of aggregate service as a judge, or in office, position, or employment of this State or of a county, municipality, board of education or public agency of this State; and further provides, that in no event shall the allowance be less than 40% of final salary. If the disability beneficiary is engaged in an occupation, then the amount of his pension shall be reduced to an amount which when added to the amount then earned by him, shall not exceed the amount of the salary now attributable to his former position. If his earnings have changed since the date of his last adjustment, then the amount of his pension may be further altered, but the new pension shall not exceed the amount of pension originally granted.

The bill also provides that the pension committees established pursuant to the amendatory sections 1 through 5 of P.L.2011, c.78, shall not modify the amount of a work-related disability retirement established under this act.

There are also three legislative bills that the PFANJ has been working on with the legislator's for some time now and we will continue to push to get the legislation through both houses.

A1469/S1771 – Permits municipality, fire district or authority to approve transfer of certain firefighters from PERS to PFRS

This bill provides that a firefighter, employed on the effective date of the bill by a municipality, fire district or authority, who (1) was not eligible for membership in the Police and Firemen's Retirement System (PFRS) at the time of appointment, (2) meets the PFRS definition of "fireman," and (3) is currently enrolled in the Public Employees' Retirement System (PERS), may transfer, subject to the approval of the municipal or other governing body, from PERS to PFRS, regardless of age.

Current law provides that a person appointed as a firefighter after the age of 35 years is not eligible for PFRS membership. A municipality may not appoint as a firefighter a person over age 35, except that a municipal volunteer firefighter may be appointed to a paid position with that municipality after age 35 but before age 40. A fire district or authority may appoint firefighters without an age restriction. Persons with legal appointments as firefighters after age 35 are enrolled in PERS.

Under the bill, a firefighter may receive full credit toward benefits under PFRS for the transferred PERS service credit upon the firefighter's payment of the full cost of the accrued liability associated with that transfer; otherwise, benefits will be apportioned between PERS and PFRS according to the ratios of PERS and PFRS service credit to the total amount of service credit.

The bill provides that the State will not be liable for additional costs incurred by a local employer as a result of the transfers permitted by the bill.

A1250/S1624 – "Thomas P. Canzanella Twenty First Century First Responders Protection Act"; concerns workers' compensation for public safety workers

This bill creates a rebuttable presumption of workers' compensation coverage for any death or disability, including post traumatic stress disorder, if the death or disability arises from the physical or psychological impact of stress or injury experienced by a public safety worker engaged in response to a terrorist attack, epidemic, or other catastrophic emergency, in which the worker is exposed to pathogens or biological toxins from biological warfare or epidemics, hazardous chemicals used in, or related to, chemical warfare, or cancer-causing radiation or radioactive substances, or witnesses death and suffering of a magnitude sufficient to cause significant psychological trauma. The bill requires employers of public safety workers expected to respond to terrorist attacks or catastrophic emergencies to have programs to provide needed psychological and social counseling for the workers during and after the incidents or emergencies.

The bill affirms that if, in the course of employment, a public safety worker is exposed to a serious communicable disease or a biological warfare or epidemic-related pathogen or biological toxin, all care or treatment of the worker, including services needed to ascertain whether the worker contracted the disease, shall be compensable under workers' compensation, even if the worker is found not to have contracted the disease. If the worker is found to have contracted a disease, there shall be a rebuttable presumption that any injury, disability, chronic or corollary illness or death caused by the disease is compensable under workers' compensation.

The bill affirms workers' compensation coverage for any injury, illness or death of any employee, including an employee who is not a public safety worker, arising from the administration of a vaccine relate to threatened or potential bioterrorism or epidemic as part of a inoculation program in connection with the employee's employment or in connection with any governmental program or recommendation for the inoculation of workers.

The bill creates a rebuttable presumption that any condition or impairment of health of a public safety worker which may be caused by exposure to cancer-causing radiation or radioactive substances, is a compensable occupational disease under workers' compensation if the worker was exposed to a carcinogen, or the cancer-causing radiation or radioactive substance, in the course of employment. Employers are required to maintain records of instances of the workers deployed where the presence of known carcinogens was indicated by documents provided to local fire or police departments under the "Worker and Community Right to Know Act," P.L.1983, c.315 (C.34:5A-1 et seq.) and where events occurred which could result in exposure to those carcinogens.

In the case of any firefighter with five or more years of service, due to the extremely high likelihood that such a firefighter will be repeatedly exposed to smoke and other carcinogens, the bill creates a rebuttable presumption that if the firefighter suffers an injury, illness or death which may be caused by cancer, that the cancer is a compensable occupational disease.

The bill provides that, with respect to all of the rebuttable presumptions of coverage, employers may require workers to undergo, at employer expense, reasonable testing, evaluation and monitoring of worker health conditions relevant to determining whether exposures or other presumed causes are actually linked to the deaths, illnesses or disabilities, and further provides that the presumptions of compensability are not adversely affected by failures of employers to require testing, evaluation or monitoring.

The public safety workers covered by the bill include paid or volunteer emergency, correctional, fire, police and medical personnel.

A386 – Increases membership of PFRS board of trustees.

This bill increases the membership of the board of trustees of the Police and Firemen's Retirement System from 11 to 19. The bill provides for four additional public members to be appointed by the Governor. It also replaces the two active policemen trustees and the two active firemen trustees, currently elected by active members of the retirement system, with eight active members appointed by the Governor, with the advice and consent of the Senate, two each upon the recommendation of the State Policemen's Benevolent Association, the State Fraternal Order of Police, the State Firemen's Mutual Benevolent Association, and the Professional Firefighters Association of New Jersey.

This bill was pre-filed for introduction in the 2010-2011 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

PFANJ's various programs to offset our financial needs and to offer discounted energy for our members:

There are two companies that the PFANJ have aligned with that offer cheaper energy services for our members; Viridian and Constellation. The state association also receives a charitable donation for every enrollment.

TD Bank also will donate to the PFANJ when we reach our target goal of 50 members. There is no fee for signing up with TD Bank and any existing account holders will be counted toward the 50, but the member has to tell TD Bank that they are members of the PFANJ.

Other functions that the PFANJ host to offset operating cost is the Football Frenzie and the Annual Golf outing.

These activities are only successful if our members participate.

Important dates and events:

January 11th – PFANJ Monthly Meeting and End of Year Party
January 21st – St. Barnabas FF Health & Safety Seminar
January 22nd through 24th – IAFF Human Resources Conference
January 24th through 26th – IAFF Affiliate Leadership Conference (ALTS)
February 8th – PFANJ Monthly Meeting
March 14th – PFANJ Monthly meeting
March 25th through 28th – IAFF Alfred K. Whitehead Legislative Conference
March 29th – PFANJ Valor Awards Dinner
April 11th – PFANJ Monthly Meeting
May 9th – PFANJ Monthly Meeting
May 29th – Annual PFANJ Golf Outing – Atlantic City Country Club
May 28th through June 1st – PFANJ Annual Convention
July 21st through July 27th – IAFF 51st Bi-Annual Convention in Philadelphia, PA

Included in December's packet:

- Statement of Finances – submitted by Treasurer Jeff Holtz
- CSC Fire promotion announcement & testing schedule
- CSC Fire Service State Report for December 2011
- Flyer – Save the Date May 28th through June 1st – PFAN Annual Convention
- Flyer – Save the Date March 29th – PFANJ Valor Dinner
- Copy of PFANJ Valor award application
- Copy of PFANJ Golf Outing application
- Saint Barnabas Fire Safety Seminar
- Copy of article – Police, fire disability reforms proposed
- U.S. Fire Department profile through 2010
- Frequently asked questions with respect to Interest Arbitration procedures
- Copy of report – Fire Service Deployment: Assessing Community Vulnerability
- Copy of NFPA report – U.S. Firefighter Injuries – 2010
- Copy of Article – Christie pushes for sick leave, civil service reforms
- Reprint of Article – In WNY, Christie sells sick pay overhaul while burnishing North Hudson Alliance
- Copy of Article – Christie displays mayoral alliances in calling for sick and vacation pay overhaul
- Copy of Article – Assembly Democrats: Peace reigns, for now