

In the Matter of Arbitration Between:

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**UNION COUNTY PROSECUTOR'S OFFICE**

"Public Employer,"

- and -

**UNION COUNTY PROSECUTOR'S  
DETECTIVES, PBA LOCAL NO. 250**

"Union."

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Docket No. IA-2001-50

**CLARIFICATION  
OF  
AWARD**

**Before  
James W. Mastriani  
Arbitrator**

**For the Employer:**

Kathryn V. Hatfield, Esq.  
Schenck, Price, Smith & King LLP

**For the PBA:**

Richard D. Loccke, Esq.  
Loccke & Correia PA

This shall serve as a decision on Clarification of Award issued on January 20, 2003. I have considered and reviewed the PBA's submission dated February 24, 2003 and the Prosecutor's dated March 5, 2003. After doing so, I respectfully enter the following Clarification of Award:

1. The effective date for implementation of insurance premium contribution shall be as stated on page 47 of the Decision and Award which reads: "... the date of implementation shall be no earlier than January 1, 2004 ...". The July 1, 2003 reference on page 55 is simply a typographical error and shall be clarified to read January 1, 2004.
2. The "new employee" effective date for health insurance coverages shall be consistent with the January 1, 2004 implementation date for the insurance plan and not January 1, 2002 which appears on page 57 and is also a typographical error. The Award on page 55, point 7 does refer to the County's proposal but specifically modifies the proposal with respect to all effective dates. The Award states that "all effective dates specified herein shall be revised to January 1, 2004 at levels specified on January 1, 2004." This language overrides any reference to earlier effective dates included in the County's proposal.
3. The Prosecutor shall have the sole discretion to place individuals at any step on the salary guide upon hire with the Office. Notwithstanding the Prosecutor's discretion, under no circumstances shall a Detective, who has twenty (20) or more years of law enforcement experience, be placed at less than step 5 on the salary guide or the corresponding step

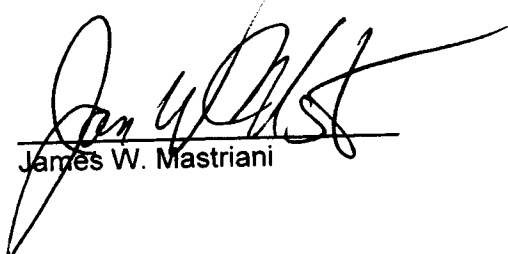
which would allow that Detective to reach step 10 upon accruing twenty-five (25) years of law enforcement experience.

4. The Senior Officer Stipend portion of the Award is clarified as follows:


The nature and history of employment in the Office of the Prosecutor requires an exception to the well-established contractual requirements in other law enforcement units requiring length of service to be calculated on service within the bargaining unit. This clarification is not intended to disturb those requirements which are well settled and founded upon the hiring practices in those units. Thus, the calculation of years of service for the purpose of eligibility for Senior Officer Stipend for Detectives and Investigators shall be based upon years of service as a law enforcement officer. The amount of stipend shall be those amounts as set forth in the Award. Because the clarification on the issue of qualification requires a substantial amount of money beyond anticipation for budget year 2002, the effective date for implementation of the Senior Officer Stipend shall be January 1, 2003.

Dated: April 7, 2003  
Sea Girt, New Jersey

State of New Jersey }  
County of Monmouth }ss:

  
James W. Mastriani

On this 7<sup>th</sup> day of April, 2003, before me personally came and appeared James W. Mastriani to me known and known to me to be the individual described in and who executed the foregoing instrument and he acknowledged to me that he executed same.

  
GRETCHEN L. BOONE  
NOTARY PUBLIC OF NEW JERSEY  
Commission Expires 8/13/2003