

RESOLUTION NO. 2022-298

**RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR,
COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING
THE EXECUTION OF A MEMORANDUM OF AGREEMENT WITH
USWU LOCAL 255**

WHEREAS, the Township of Little Egg Harbor and USWU, Local 255 are parties to a collective negotiations agreement effective January 1, 2017 through December 31, 2021 concerning the terms and conditions of employment for the various members of the Department of Community Affairs; and

WHEREAS, the parties were actively engaged in negotiations for a successor agreement; and

WHEREAS, on May 13, 2022, the Union presented a grievance to the Township concerning an item that was being negotiated during contract negotiations; and

WHEREAS, since the subject of the grievance was an item for negotiation, the parties agreed to hold the grievance in abeyance until after ratification of the new collective negotiations agreement governing the 2022 calendar year; and

WHEREAS, the governing body wishes to authorize execution of the Memorandum of Agreement with the USWU Local 255 concerning the above mentioned agreement.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey as follows:

1. That the governing body does hereby authorize the execution of the memorandum of agreement with the USWU Local 255 to hold the grievance in abeyance until after ratification of the new collective negotiations agreement governing the 2022 calendar year in a form acceptable to the Township Labor Counsel.

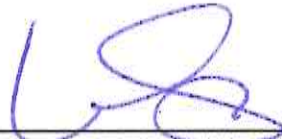
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to the Memorandum of Agreement with the USWU Local 255.

3. That this resolution shall take effect immediately.

4. That a certified copy of this resolution shall be forwarded to the USWU Local 255 and the Chief Financial Officer/Township Administrator.

CERTIFICATION

I, **KELLY LETTERA, RMC**, Municipal Clerk of the Township of Little Egg Harbor do hereby certify that the foregoing resolution was duly adopted by the Township of Little Egg Harbor Township Committee at a meeting held on the **8th** day of **December, 2022**.



KELLY LETTERA, RMC
Township Clerk
Little Egg Harbor Township

Memorandum of Understanding

This Memorandum of Agreement ("Agreement") is made this ____ day of _____ 2022, by and between the USWU, Local 255, (Union) and Township of Little Egg Harbor.

WHEREAS, the Township of Little Egg Harbor and USWU, Local 255 are parties to a collective negotiations agreement effective January 1, 2017 through December 31, 2021 concerning the terms and conditions of employment for the various members of the Department of Community Affairs; and

WHEREAS, the parties are actively engaged in negotiations for a successor agreement; and

WHEREAS, on May 13, 2022, the Union presented a grievance to the Township concerning an item that was being negotiated during contract negotiations; attached hereto as Exhibit A; and

WHEREAS, since this is an item for negotiation, the parties have mutually agreed to hold the grievance in abeyance until after ratification of the new collective negotiations agreement governing the 2022 calendar year.

NOW THEREFORE, the Parties hereby agree to the following terms as full and final settlement of the above matter:

1. The parties agree to hold the grievance in abeyance pending the negotiation and ratification of the new collective bargaining agreement applicable to the 2022 calendar year between the parties.
2. The Union shall have the right to reinstate the grievance by providing written notice to the Township Administrator/ Human Resources within 30 days of the full ratification of a new collective negotiation agreement applicable to the 2022 calendar year.
3. If the Union fails to reinstate the grievance within the time period specified in paragraph 2, the grievance is deemed to be abandoned and there shall be no further appeal.
4. If the Union reinstates the grievance as specified in Paragraph 2 of this agreement, the Township agrees to waive the procedural defense of abandonment of the grievance.
5. This agreement is non-precedential and shall not be used as any admission of contract interpretation for any dispute between any of the parties to this agreement.
6. This Agreement may not be modified, altered, changed, discharged, terminated or waived, except upon express written consent of the Parties.
7. The Parties agree that if any portion of this Agreement is deemed unenforceable, the remainder of the Agreement shall be fully enforceable.
8. The Parties acknowledge that they have entered into this Agreement voluntarily and hereby sign it without duress or coercion.
9. This Agreement shall be governed by the laws of the State of New Jersey.

The Parties hereby acknowledge their agreement to the terms and conditions set forth above by signing below.

IN WITNESS WHEREOF, the parties hereto have executed this agreement.

WITNESS & ATTEST:

Township of Little Egg Harbor

Kelly Lettera
Township Clerk
(Seal)

By _____

Honorable John Kehm, Jr, Mayor

For Union:

Witness

Test
By



USWU Business Agent