

P.L.2010, CHAPTER 105, *approved December 21, 2010*
Assembly Committee Substitute (*First Reprint*) for
Assembly, No. 3393

1 AN ACT concerning police and fire arbitration and amending and
2 supplementing P.L.1977, c.85.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1 Section 3 of P.L.1977, c.85 (C.34:13A-16) is amended to
8 read as follows:

9 3. a. (1) Negotiations between a public fire or police
10 department and an exclusive representative concerning the terms
11 and conditions of employment shall begin at least 120 days prior to
12 the day on which their collective negotiation agreement is to expire.
13 The parties shall meet at least three times during that 120-day
14 period. The first of those three meetings shall take place no later
15 than the 90th day prior to the day on which their collective
16 negotiation agreement is to expire. By mutual consent, the parties
17 may agree to extend the period during which the second and third
18 meetings are required to take place beyond the day on which their
19 collective negotiation agreement is to expire. A violation of this
20 paragraph shall constitute an unfair practice and the violator shall
21 be subject to the penalties prescribed by the commission pursuant to
22 rule and regulation.

23 Prior to the expiration of their collective negotiation agreement,
24 either party may file an unfair practice charge with the commission
25 alleging that the other party is refusing to negotiate in good faith.
26 The charge shall be filed in the manner, form and time specified by
27 the commission in rule and regulation. If the charge is sustained,
28 the commission shall order that the respondent be assessed for all
29 legal and administrative costs associated with the filing and
30 resolution of the charge; if the charge is dismissed, the commission
31 shall order that the charging party be assessed for all legal and
32 administrative costs associated with the filing and resolution of the
33 charge. The filing and resolution of the unfair practice charge shall
34 not delay or impair the impasse resolution process.

35 (2) Whenever those negotiations concerning the terms and
36 conditions of employment shall reach an impasse, the commission,
37 through the Division of Public Employment Relations shall, upon

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly floor amendments adopted December 13, 2010.

1 the request of either party, or upon its own motion take such steps,
2 including the assignment of a mediator, as it may deem expedient to
3 effect a voluntary resolution of the impasse.

4 b. (1) In the event of a failure to resolve the impasse by
5 mediation, the Division of Public Employment Relations, at the
6 request of either party, shall invoke factfinding with
7 recommendation for settlement of all issues in dispute unless the
8 parties reach a voluntary settlement prior to the issuance of the
9 factfinder's report and recommended terms of settlement.
10 Factfindings shall be limited to those issues that are within the
11 required scope of negotiations unless the parties to the factfinding
12 agree to factfinding on permissive subjects of negotiation. [In the
13 event of a continuing failure to resolve an impasse by means of the
14 procedure set forth in this paragraph, and notwithstanding the fact
15 that such procedures have not been exhausted, the parties shall
16 notify the commission, at a time and in a manner prescribed by the
17 commission, as to whether or not they have agreed upon a terminal
18 procedure for resolving the issues in dispute. Any terminal
19 procedure mutually agreed upon by the parties shall be reduced to
20 writing, provide for finality in resolving the issues in dispute, and
21 shall be submitted to the commission for approval.]

22 (2) Notwithstanding the provisions of paragraph (2) of
23 subsection a. of this section or paragraph (1) of this subsection,
24 either party may petition the commission for arbitration on or after
25 the date on which their collective negotiation agreement expires.
26 The petition shall be filed in a manner and form prescribed by the
27 commission. The party filing the petition shall notify the other
28 party of its action. The notice shall be given in a manner and form
29 prescribed by the commission.

30 [Within 10 days of the receipt of the notice by the non-
31 petitioning party, the parties shall notify the commission as to
32 whether or not they have agreed upon a terminal procedure for
33 resolving the issues in dispute. Any terminal procedure mutually
34 agreed upon by the parties shall be reduced to writing, provide for
35 finality in resolving the issues in dispute, and shall be submitted to
36 the commission for approval. If the parties fail to agree on a
37 terminal procedure, they shall be subject to the provisions of
38 subsection d. of this section.] Any mediation or factfinding
39 invoked pursuant to paragraph (2) of subsection a. of this section or
40 paragraph (1) of subsection b. of this section shall terminate
41 immediately upon the filing of a petition for arbitration.

42 c. [Terminal procedures that are approvable include, but shall
43 not be limited to the following:

- 44 (1) Conventional arbitration of all unsettled items.
45 (2) Arbitration under which the award by an arbitrator or panel
46 of arbitrators is confined to a choice between (a) the last offer of the

1 employer and (b) the last offer of the employees' representative, as
2 a single package.

3 (3) Arbitration under which the award is confined to a choice
4 between (a) the last offer of the employer and (b) the last offer of
5 the employees' representative, on each issue in dispute, with the
6 decision on an issue-by-issue basis.

7 (4) If there is a factfinder's report with recommendations on the
8 issues in dispute, the parties may agree to arbitration under which
9 the award would be confined to a choice among three positions: (a)
10 the last offer of the employer as a single package, (b) the last offer
11 of the employees' representative as a single package, or (c) the
12 factfinder's recommendations as a single package.

13 (5) If there is a factfinder's report with a recommendation on
14 each of the issues in dispute, the parties may agree to arbitration
15 under which the award would be confined to a choice on each issue
16 from among three positions: (a) the last offer of the employer on
17 the issue, (b) the employee representative's last offer on the issue,
18 or (c) the factfinder's recommendation on the issue.

19 (6) Arbitration under which the award on the economic issues in
20 dispute is confined to a choice between (a) the last offer of the
21 employer on the economic issues as a single package and (b) the
22 employee representative's last offer on the economic issues as a
23 single package; and, on any noneconomic issues in dispute, the
24 award is confined to a choice between (a) the last offer of the
25 employer on each issue in dispute and (b) the employee
26 representative's last offer on that issue. Deleted by amendment,
27 P.L. , c. (pending before the Legislature as this bill)

28 d. The **following procedure shall be utilized if parties fail to**
29 **agree on a terminal procedure for the settlement of an impasse**
30 **dispute:**

31 (1) In the event of a failure of the parties to agree upon an
32 acceptable terminal procedure the parties shall separately so notify
33 the commission in writing, indicating all issues in dispute and the
34 reasons for their inability to agree on the procedure. The substance
35 of a written notification shall not provide the basis for any delay in
36 effectuating the provisions of this subsection.

37 (2) Upon receipt of such notification from either party or on the
38 commission's own motion, the procedure to provide finality for the **]**
39 resolution of issues in dispute shall be binding arbitration under
40 which the award on the unsettled issues is determined by
41 conventional arbitration. The arbitrator shall **[separately]**
42 determine whether the total net annual economic changes for each
43 year of the agreement are reasonable under the nine statutory
44 criteria set forth in subsection g. of this section and shall adhere to
45 the limitations set forth in section 2 of P.L. , c. (C.)
46 (pending before the Legislature as this bill). The non-petitioning
47 party, within five days of receipt of the petition, shall separately

1 notify the commission in writing of all issues in dispute. The filing
2 of the written response shall not delay, in any manner, the interest
3 arbitration process.

4 e. (1) The commission shall take measures to assure the
5 impartial selection of an arbitrator or arbitrators from its special
6 panel of arbitrators. [Unless the parties, in a time and manner
7 prescribed by the commission, mutually agree upon the selection of
8 an arbitrator from the commission's special panel of arbitrators and
9 so notify the commission in writing of that selection, the
10 assignment of any arbitrator for the purposes of this act shall be the
11 responsibility of the commission, independent of and without any
12 participation by either of the parties. The commission shall select
13 the arbitrator for assignment by lot.

14 In any proceeding where an arbitrator selected by mutual
15 agreement is unable to serve, the two parties shall be afforded an
16 opportunity to select a replacement. If the two parties are unable to
17 mutually agree upon the selection of a replacement within a time
18 period prescribed by the commission, the commission shall select
19 the replacement in the manner hereinafter provided.

20 In any proceeding where an assigned arbitrator is unable to serve
21 or, pursuant to the preceding paragraph, the two parties are unable
22 to mutually agree upon a replacement, the commission shall assign
23 a replacement arbitrator. The assignment shall be the responsibility
24 of the commission, independent of and without any participation by
25 either of the parties. The commission shall select the replacement
26 arbitrator for assignment by lot.] On the first business day
27 following receipt of an interest arbitration petition, the commission
28 shall, independent of and without any participation by either of the
29 parties, randomly select an arbitrator from its special panel of
30 arbitrators. The selection by the commission shall be final and shall
31 not be subject to review or appeal.

32 (2) Applicants for initial appointment to the commission's
33 special panel of arbitrators shall be chosen based on their
34 professional qualifications, knowledge, and experience, in
35 accordance with the criteria and rules adopted by the commission.
36 Such rules shall include relevant knowledge of local government
37 operations and budgeting. Appointment to the commission's special
38 panel of arbitrators shall be for a three-year term, with
39 reappointment contingent upon a screening process similar to that
40 used for determining initial appointments. Arbitrators currently
41 serving on the panel shall demonstrate to the commission their
42 professional qualification, knowledge and experience, in accordance
43 with the criteria and rules adopted by the commission, within one
44 year of the effective date of this act. Any arbitrator who does not
45 satisfactorily demonstrate such to the commission within the
46 specified time shall be disqualified.

1 (3) Arbitrators serving on the commission’s special panel shall
2 be guided by and subject to the objectives and principles set forth in
3 the “Code of Professional Responsibility for Arbitrators of Labor-
4 Management Disputers” of the National Academy of Arbitrators,
5 the American Arbitration Association, and the Federal Mediation
6 and Conciliation Service.

7 ¹(4) Arbitrators shall be required to complete annual training
8 offered by the State Ethics Commission. Any arbitrator failing to
9 satisfactorily complete the annual training shall be immediately
10 removed from the special panel.¹

11 The commission may suspend, remove, or otherwise discipline
12 an arbitrator for a violation of P.L.1977, c.85 (C.34:13A-14 et seq.),
13 section 4 of P.L.1995, c.425 (C.34:13A-16.1) or for good cause.
14 An arbitrator who fails to render an award within the time
15 requirements set forth in this section shall be fined \$1,000 for each
16 day that the award is late.

17 f. (1) At a time prescribed by the commission, the parties shall
18 submit to the arbitrator **[or tripartite panel of arbitrators]** their final
19 offers on each economic and non-economic issue in dispute. The
20 offers submitted pursuant to this section shall be used by the
21 arbitrator for the purposes of determining an award pursuant to
22 paragraph (2) of subsection d. of this section. **[The commission**
23 **shall promulgate rules and procedures governing the submission of**
24 **the offers required under this paragraph, including when those**
25 **offers shall be deemed final, binding and irreversible.]**

26 (2) In the event of a dispute, the commission shall have the
27 power to decide which issues are economic issues. Economic
28 issues include those items which have a direct relation to employee
29 income including wages, salaries, hours in relation to earnings, and
30 other forms of compensation such as paid vacation, paid holidays,
31 health and medical insurance, and other economic benefits to
32 employees.

33 (3) Throughout formal arbitration proceedings the chosen
34 arbitrator **[or panel of arbitrators]** may mediate or assist the parties
35 in reaching a mutually agreeable settlement.

36 All parties to arbitration shall present, at the formal hearing
37 before the issuance of the award, written estimates of the financial
38 impact of their last offer on the taxpayers of the local unit to the
39 arbitrator with the submission of their last offer.

40 (4) Arbitration shall be limited to those subjects that are within
41 the required scope of collective negotiations, except that the parties
42 may agree to submit to arbitration one or more permissive subjects
43 of negotiation.

44 (5) The decision of an arbitrator or panel of arbitrators shall
45 include an opinion and an award, and shall be rendered within
46 **[120]** 45 days of the **[selection of the arbitrator by the mutual**
47 **agreement of both parties or the]** commission's assignment of that

1 arbitrator [or panel of arbitrators, as the case may be, pursuant to
2 paragraph (1) of subsection e. of this section; provided, however,
3 the arbitrator or panel of arbitrators, for good cause, may petition
4 the commission for an extension of not more than 60 days. The two
5 parties, by mutual consent, may agree to an extension. The parties
6 shall notify the arbitrator and the commission of any such
7 agreement in writing. The notice shall set forth the specific date on
8 which the extension shall expire].

9 Each arbitrator's decision shall be accompanied by a written
10 report explaining how each of the statutory criteria played into the
11 arbitrator's determination of the final award. The report shall
12 certify that the arbitrator took the statutory limitations imposed on
13 the local levy cap into account in making the award.

14 Any arbitrator [or panel of arbitrators] violating the provisions
15 of this paragraph may be subject to the commission's powers under
16 paragraph [(2)] (3) of subsection e. of this section. The decision
17 shall be final and binding upon the parties and shall be irreversible,
18 except:

19 (a) Within [14] seven days of receiving an award, an aggrieved
20 party may file notice of an appeal of an award to the commission on
21 the grounds that the arbitrator failed to apply the criteria specified
22 in subsection g. of this section or violated the standards set forth in
23 N.J.S.2A:24-8 or N.J.S.2A:24-9. The appeal shall be filed in a form
24 and manner prescribed by the commission. In deciding an appeal,
25 the commission, pursuant to rule and regulation and upon petition,
26 may afford the parties the opportunity to present oral arguments.
27 The commission may affirm, modify, correct or vacate the award or
28 may, at its discretion, remand the award to the same arbitrator or to
29 another arbitrator, selected by lot, for reconsideration. The
30 commission's decision shall be rendered no later than 30 days after
31 the filing of the appeal with the commission.

32 Arbitration appeal decisions shall be accompanied by a written
33 report explaining how each of the statutory criteria played into their
34 determination of the final award. The report shall certify that in
35 deciding the appeal, the commission took the local levy cap into
36 account in making the award.

37 An aggrieved party may appeal a decision of the commission to
38 the Appellate Division of the Superior Court.

39 (b) An arbitrator's award [that is not appealed to the
40 commission] shall be implemented immediately. [An award that is
41 appealed and not set aside by the commission shall be implemented
42 within 14 days of the receipt of the commission's decision absent a
43 stay.]

44 (6) The parties shall [bear] share equally the costs of arbitration
45 subject to a fee schedule approved by the commission. The fee
46 schedule shall provide that the cost of services provided by the
47 arbitrator shall not exceed \$1,000 per day. The total cost of

1 services of an arbitrator shall not exceed \$7,500. If the parties
2 cancel an arbitration proceeding without good cause, the arbitrator
3 may impose a fee of not more than \$500. The parties shall share
4 equally in paying that fee if the request to cancel or adjourn is a
5 joint request. Otherwise, the party causing such cancellation shall
6 be responsible for payment of the entire fee.

7 g. The arbitrator [or panel of arbitrators] shall decide the
8 dispute based on a reasonable determination of the issues, giving
9 due weight to those factors listed below that are judged relevant for
10 the resolution of the specific dispute. In the award, the arbitrator or
11 panel of arbitrators shall indicate which of the factors are deemed
12 relevant, satisfactorily explain why the others are not relevant, and
13 provide an analysis of the evidence on each relevant factor;
14 provided, however, that in every interest arbitration proceeding, the
15 parties shall introduce evidence regarding the factor set forth in
16 paragraph (6) of this subsection and the arbitrator shall analyze and
17 consider the factors set forth in paragraph (6) of this subsection in
18 any award:

19 (1) The interests and welfare of the public. Among the items
20 the arbitrator or panel of arbitrators shall assess when considering
21 this factor are the limitations imposed upon the employer by
22 P.L.1976, c.68 (C.40A:4-45.1 et seq.).

23 (2) Comparison of the wages, salaries, hours, and conditions of
24 employment of the employees involved in the arbitration
25 proceedings with the wages, hours, and conditions of employment
26 of other employees performing the same or similar services and
27 with other employees generally:

28 (a) In private employment in general; provided, however, each
29 party shall have the right to submit additional evidence for the
30 arbitrator's consideration.

31 (b) In public employment in general; provided, however, each
32 party shall have the right to submit additional evidence for the
33 arbitrator's consideration.

34 (c) In public employment in the same or similar comparable
35 jurisdictions, as determined in accordance with section 5 of
36 P.L.1995, c.425 (C.34:13A-16.2); provided, however, that each
37 party shall have the right to submit additional evidence concerning
38 the comparability of jurisdictions for the arbitrator's consideration.

39 (3) The overall compensation presently received by the
40 employees, inclusive of direct wages, salary, vacations, holidays,
41 excused leaves, insurance and pensions, medical and hospitalization
42 benefits, and all other economic benefits received.

43 (4) Stipulations of the parties.

44 (5) The lawful authority of the employer. Among the items the
45 arbitrator or panel of arbitrators shall assess when considering this
46 factor are the limitations imposed upon the employer by P.L.1976,
47 c.68 (C.40A:4-45.1 et seq.).

1 (6) The financial impact on the governing unit, its residents, the
2 limitations imposed upon the local unit's property tax levy pursuant
3 to section 10 of P.L.2007, c.62 (C40A:4-45.45), and taxpayers.
4 When considering this factor in a dispute in which the public
5 employer is a county or a municipality, the arbitrator or panel of
6 arbitrators shall take into account, to the extent that evidence is
7 introduced, how the award will affect the municipal or county
8 purposes element, as the case may be, of the local property tax; a
9 comparison of the percentage of the municipal purposes element or,
10 in the case of a county, the county purposes element, required to
11 fund the employees' contract in the preceding local budget year with
12 that required under the award for the current local budget year; the
13 impact of the award for each income sector of the property
14 taxpayers of the local unit; the impact of the award on the ability of
15 the governing body to (a) maintain existing local programs and
16 services, (b) expand existing local programs and services for which
17 public moneys have been designated by the governing body in a
18 proposed local budget, or (c) initiate any new programs and services
19 for which public moneys have been designated by the governing
20 body in a proposed local budget.

21 (7) The cost of living.

22 (8) The continuity and stability of employment including
23 seniority rights and such other factors not confined to the foregoing
24 which are ordinarily or traditionally considered in the determination
25 of wages, hours, and conditions of employment through collective
26 negotiations and collective bargaining between the parties in the
27 public service and in private employment.

28 (9) Statutory restrictions imposed on the employer. Among the
29 items the arbitrator or panel of arbitrators shall assess when
30 considering this factor are the limitations imposed upon the
31 employer by section 10 of P.L.2007, c.62 (C.40A:4-45.45).

32 h. A mediator, factfinder, or arbitrator while functioning in a
33 mediatory capacity shall not be required to disclose any files,
34 records, reports, documents, or other papers classified as
35 confidential received or prepared by him or to testify with regard to
36 mediation, conducted by him under this act on behalf of any party
37 to any cause pending in any type of proceeding under this act.
38 Nothing contained herein shall exempt such an individual from
39 disclosing information relating to the commission of a crime.

40 (cf: P.L.2007, c.62, s.14)

41
42 2. (New section) a. As used in this section:

43 "Base salary" means the salary provided pursuant to a ¹salary
44 guide or table and any amount provided pursuant to a¹ salary
45 increment, including any amount provided for longevity or length of
46 service. It also shall include any other item agreed to by the parties,
47 or any other item that was included in the base salary as understood

1 by the parties in the prior contract. Base salary shall not include
2 non-salary economic issues, pension and health and medical
3 insurance costs.

4 “Non-salary economic issues” means any economic issue that is
5 not included in the definition of base salary.

6 b. An arbitrator shall not render any award pursuant to section
7 3 of P.L.1977, c.85 (C.34:13A-16) which, on an annual basis,
8 increases base salary items by more than 2.0 percent of the
9 aggregate amount expended by the public employer on base salary
10 items for the members of the affected employee organization in the
11 twelve months immediately preceding the expiration of the
12 collective negotiation agreement subject to arbitration; provided,
13 however, the parties may agree, or the arbitrator may decide, to
14 distribute the aggregate monetary value of the award over the term
15 of the collective negotiation agreement in unequal annual
16 percentages. An award of an arbitrator shall not include base salary
17 items and non-salary economic issues which were not included in
18 the prior collective negotiations agreement.

19

20 3. (New section) a. There is established a task force, to be
21 known as the Police and Fire Public Interest Arbitration Impact
22 Task Force.

23 b. The task force shall be comprised of eight members as
24 follows:

25 (1) four to be appointed by the Governor;

26 (2) two to be appointed by the Senate President; and

27 (3) two to be appointed by the Speaker of the General
28 Assembly.

29 c. All appointments shall be made within 30 days of the
30 effective date of P.L. , c. (C.) (pending before the
31 Legislature as this bill). Vacancies in the membership shall be
32 filled in the same manner as the original appointments. The
33 members of the task force shall serve without compensation but
34 may be reimbursed, within the limits of funds made available to the
35 task force, for necessary travel expenses incurred in the
36 performance of their duties.

37 d. (1) The task force shall organize as soon as is practicable
38 upon the appointment of a majority of its members and shall select
39 a chairperson from among the appointees of the Governor and a
40 vice chairperson from among the appointees of the Legislature. The
41 Chair of the Public Employment Relations Commission shall serve
42 as non-voting executive director of the task force.

43 (2) The task force shall meet within 60 days of the effective date
44 of P.L. , c. (C.) (pending before the Legislature as this bill)
45 and shall meet thereafter at the call of its chair. In furtherance of its
46 evaluation, the task force may hold public meetings or hearings
47 within the State on any matter or matters related to the provisions of

1 this act, and call to its assistance and avail itself of the services of
2 the Public Employment Relations Commission and the employees
3 of any State department, board, task force or agency which the task
4 force determines possesses relevant data, analytical and
5 professional expertise or other resources which may assist the task
6 force in discharging its duties under this act. Each department,
7 board, commission or agency of this State is hereby directed, to the
8 extent not inconsistent with law, to cooperate fully with the task
9 force and to furnish such information and assistance as is necessary
10 to accomplish the purposes of this act. In addition, in order to
11 facilitate the work of the task force, the Public Employment
12 Relations Commission shall post on its website all collective
13 negotiations agreements and interest arbitration awards entered or
14 awarded after the date of enactment, including a summary of
15 contract or arbitration award terms in a standard format developed
16 by the Public Employment Relations Commission to facilitate
17 comparisons. All collective negotiations agreements shall be
18 submitted to the Public Employment Relations Commission within
19 15 days of contract execution.

20 e. (1) It shall be the duty of the task force to study the effect
21 and impact of the arbitration award cap upon local property taxes;
22 collective bargaining agreements; arbitration awards; municipal
23 services; municipal expenditures; municipal public safety services,
24 particularly changes in crime rates and response times to emergency
25 situations; police and fire recruitment, hiring and retention; the
26 professional profile of police and fire departments, particularly with
27 regard to age, experience, and staffing levels; and such other
28 matters as the members deem appropriate and necessary to evaluate
29 the effects and impact of the arbitration award cap.

30 (2) Specifically, the task force shall study total compensation
31 rates, including factors subject to the arbitration award cap and
32 factors exempt from the arbitration award cap, of police and fire
33 personnel throughout the state and make recommendations thereon.
34 The task force also shall study the interest arbitration process and
35 make recommendation concerning its continued use in connection
36 with police and fire labor contracts disputes. The task force shall
37 make findings as to the relative growth in total compensation cost
38 attributable to factors subject to the arbitration award cap and to
39 factors exempt from the arbitration award cap, for both collective
40 bargaining agreements and arbitration awards.

41 f. The task force shall report its findings, along with any
42 recommendations it may have, to the Governor and the Legislature
43 annually, on or before April 1 of each year. The task force's final
44 report due on or before April 1, 2014 shall include, in addition to
45 any other findings and recommendations, a specific
46 recommendation for any amendments to the arbitration award

1 cap. Upon the filing of its final report on or before April 1, 2014,
2 the task force shall expire.

3
4 4. This act shall take effect ~~'[immediately, and] January 1,~~
5 ~~2011; provided however, section 2'~~ shall apply ~~'only'~~ to ~~'[all]'~~
6 collective negotiations between a public employer and the exclusive
7 representative of a public police department or public fire
8 department that relate to a negotiated agreement expiring on that
9 effective date or any date thereafter until ~~'[the first day of the 40th~~
10 ~~month] April 1, 2014'~~, whereupon ~~'[its] the'~~ provisions ~~'of section~~
11 ~~2'~~ shall become inoperative for all parties except those whose
12 collective negotiations agreements expired prior to ~~'[the first day of~~
13 ~~the 40th month] April 1, 2014'~~ but for whom a final settlement has
14 not been reached ~~'[; provided, however, when].~~ ~~When'~~ final
15 settlement between the parties ~~'[is reached]'~~ in all such
16 negotiations ~~'is reached'~~, the provisions of ~~'[this amendatory and~~
17 ~~supplementary] section 2 of this'~~ act shall expire. ~~'[Any] In the~~
18 ~~case of a'~~ party that entered into a contract that expires on the
19 effective date of this act or any date thereafter until ~~'[the first day~~
20 ~~of the 40th month] April 1, 2014'~~, and where the terms of that
21 contract otherwise meet the criteria ~~'[of this act] set forth in~~
22 ~~section 2 of this act'~~, ~~'that party'~~ shall not be subject to ~~'[this act]~~
23 ~~the provisions of section 2'~~ when negotiating a future contract.

24

25

26

27

28 Revises procedure for police and fire contract disputes; imposes
29 a “cap” on certain arbitration awards.