

ASSEMBLY, No. 2980

STATE OF NEW JERSEY

INTRODUCED MAY 12, 1997

By Assemblymen GEIST and KRAMER

1 AN ACT concerning certain salary policies adopted by boards of
2 education and amending N.J.S.18A:29-4.1.

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

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7 1. N.J.S.18A:29-4.1 is amended to read as follows:

8 18A:29-4.1 A board of education of any district may adopt a [one,
9 two or three year] salary policy, including salary schedules for all
10 full-time teaching staff members which shall not be less than those
11 required by law. [Such] The policy and schedules shall be binding
12 upon the adopting board and upon all future boards in the same district
13 for [a] the entire period [of one, two or three years from the effective
14 date of such] covered by the policy but shall not prohibit the payment
15 of salaries higher than those required by [such] the policy or schedules
16 nor the subsequent adoption of policies or schedules providing for
17 higher salaries, increments or adjustments.

18 Upon expiration of any salary policy adopted pursuant to this
19 section, a board of education shall be obligated to pay all increments
20 due under the expired salary policy until a salary policy for a
21 subsequent time period is agreed upon through collective bargaining
22 negotiations.

23 Every school budget adopted, certified or approved by the board,
24 the voters of the district, the board of school estimate, the governing
25 body of the municipality or municipalities, or the commissioner, as the
26 case may be, shall contain such amounts as may be necessary to fully
27 implement [such]the policy and schedules for that budget year.

28 (cf: P.L.1987, c.123, s.1)

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30 2. This act shall take effect immediately.

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

Matter underlined thus is new matter.

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STATEMENT

This bill provides that a board of education may adopt a salary policy and schedule for teaching staff members in excess of three years. In addition, the bill would obligate a board to pay all increments due under an expired salary policy until a new salary policy is agreed upon through collective bargaining.

This would reverse the New Jersey Supreme Court's decision in Bd. of Ed. of Tp. of Neptune v. Neptune Tp. Ed. 144 N.J. 16 (1996), where the court held that under current education law set forth at N.J.S.A.18A:29-4.1, a school district could not be required to pay any salary increments following the expiration of a three year contract.

Permits a board of education to adopt a salary policy in excess of three years and requires the payment of increments pursuant to an expired policy in certain circumstances.