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HUDSON COUNTY
BOARD OF CHOSEN FREEHOLDERS

RE:

REGULAR MEETING : TRANSCRIPT OF
OF THE :
HUDSON COUNTY BOARD OF : PROCEEDINGS
CHOSEN FREEHOLDERS :
:

O P E N S E S S I O N
Hudson County
Administration Building,
Freeholders Chambers
567 Pavonia Avenue
Jersey City, New Jersey
Monday, December 30, 2013
4:30 p.m.

B E F O R E:

ANTHONY ROMANO, CHAIRMAN
DOREEN DiDOMENICO, Freeholder
JEFFREY DUBLIN, Freeholder
E. JUNIOR MALDONADO, Freeholder
JOSE C. MUNOZ, Freeholder
WILLIAM O'DEA, Freeholder

A L S O P R E S E N T:

EDWARD J. FLORIO, ESQ., Board Counsel
DONATO J. BATTISTA, Hudson County Counsel
ABRAHAM ANTUN, County Administrator
ALBERTO G. SANTOS, County Clerk

Job No. NJ1784727

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1 THE CLERK: Freeholder Cifelli,
 2 absent. DiDomenico.
 3 FREEHOLDER DiDOMENICO: Here.
 4 THE CLERK: Dublin.
 5 FREEHOLDER DUBLIN: Here.
 6 THE CLERK: Liggio, absent.
 7 Maldonado.
 8 FREEHOLDER MALDONADO: Here.
 9 THE CLERK: Munoz.
 10 FREEHOLDER MUNOZ: Here.
 11 THE CLERK: O'Dea.
 12 FREEHOLDER O'DEA: Here.
 13 THE CLERK: Rivas. Chairman Romano.
 14 CHAIRMAN ROMANO: Here.
 15 THE CLERK: In accordance with the
 16 provisions of the Open Public Meetings Act, notice
 17 was provided that the Hudson County Board of
 18 Freeholders will hold a Special Meeting, December
 19 30th, 2013, at 4:30 p.m., at the Administration
 20 Building Annex, Third Floor, 567 Pavonia Avenue,
 21 Jersey City, New Jersey. The purpose of this
 22 Special Meeting is to discuss the quality of health
 23 care at the Jersey City Medical Center.
 24 Formal action may be taken. Copies of
 25 this notice have been posted on the Freeholder's

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1 bulletin board, filed at the Office of the County
 2 Clerk, and copies of the notice were faxed and
 3 mailed to the editors of the Jersey Journal and the
 4 Star Ledger on December 13, 2013.
 5 FREEHOLDER O'DEA: Do we have
 6 sign-ups?
 7 THE CLERK: Yes, there are cards here
 8 if there are any speakers. Mr. Kabili -- do you
 9 want to open with speakers right away, Mr. Chairman?
 10 FREEHOLDER O'DEA: I mean the purpose
 11 of this meeting was based on information provided to
 12 us at a prior Freeholder meeting. Concerns have
 13 been raised as to whether or not health care at the
 14 facility has been adversely impacted by events that
 15 are occurring there related to the unions there and
 16 their efforts to decertify unions there, et cetera,
 17 and based on information provided to us, the
 18 concerns are some of those efforts that the
 19 administration at the hospital have either fostered
 20 or allowed, have, in fact, had an adverse impact on
 21 the health care being provided.
 22 The purpose of this hearing is a
 23 fact-finding effort from individuals who work at the
 24 facility, potentially could have been patients at
 25 the facility, et cetera, to gather information to

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1 determine what's happening and what we as a Board
 2 may do. In all likelihood, we will send the
 3 transcript to either a State level to the
 4 Commissioner of Health based on information, or
 5 other entities that may contract with them or have
 6 oversight.
 7 THE CLERK: Proceed with speakers,
 8 Mr. Chairman?
 9 CHAIRMAN ROMANO: Yes, please.
 10 THE CLERK: Do you wish to keep time
 11 on speakers?
 12 CHAIRMAN ROMANO: What do we usually
 13 give the speakers?
 14 FREEHOLDER O'DEA: Kindly limit your
 15 comments to ten minutes.
 16 THE CLERK: Kabili Tayari.
 17 FREEHOLDER O'DEA: He's here. We'll
 18 come back to him.
 19 THE CLERK: Steven Tully.
 20 MR. TULLY: Good afternoon, ladies
 21 and gentlemen, Freeholders. My name is Steven
 22 Tully, Kearny, New Jersey. I am the assistant
 23 director for A.F.S.C.M.E. Council 52. I am proud
 24 and priveledged to represent workers at the Jersey
 25 City Medical Center.

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1 I have appeared before you a couple of
 2 times before, and I have told you about constant
 3 attacks on our members, our union members, in an
 4 effort to try to get rid of the union. During this
 5 effort the Medical Center has put forward to rid the
 6 employees of their representation, we have received
 7 many reports and calls, quite frankly, horror
 8 stories, about the tactics the Medical Center was
 9 using to get rid of the union.
 10 There were promises made of giving workers
 11 more money if they got rid of the union. The
 12 Medical Center, after we had filed unfair labor
 13 practice charges, went so far as to schedule an
 14 illegal vote to try to get rid of the union. We
 15 filed unfair practices charges with the National
 16 Labor Relations Board. But during this process of
 17 holding this illegal vote, the Medical Center held
 18 mandatory captive audience meetings with our
 19 members.
 20 These meetings were often held with the
 21 employees under the guise of trainings. There was
 22 no training that went on. It was strictly an effort
 23 to get rid of the union. While members expressed
 24 concerns about the nature of the meetings, many
 25 people were appalled by the fact that these meetings

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1 were scheduled and called in without any regard to
 2 the impact that it had on patient care.
 3 Tonight, we have some speakers who are
 4 members from the Jersey City Medical Center, some
 5 employees who are going to speak up, but I hope you
 6 understand that the atmosphere at the Medical Center
 7 right now for the workers is one of tremendous
 8 intimidation and fear. It is rampant in the Medical
 9 Center right now. Now management is telling the
 10 workers that they have no union, which means they
 11 have no protections.
 12 Now, we have continued to actively
 13 represent the members, despite what the Medical
 14 Center says and their false claim that there is no
 15 union, and we have continually challenged the
 16 Medical Center aggressively for their illegal
 17 contact through charges at the National Labor
 18 Relations Board, and we've been advised by the labor
 19 board that they will be issuing complaints on the
 20 unfair practice charges that we filed.
 21 We have also asked them to go into Federal
 22 Court to get injunctive relief to overturn these
 23 illegal actions immediately. We will handle our end
 24 at the labor board. That's for to us do, and
 25 there's a process to handle that. I don't want to

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1 talk about that tonight. The focus tonight should
 2 be on the impact that the Medical Center's tactics
 3 have had on patient care.
 4 I mentioned before about intimidation and
 5 fear. Tonight you're going to hear from courageous
 6 people who are willing to speak out about what's
 7 been going on at the Medical Center. I hope you
 8 appreciate how much courage it takes for them to
 9 stand up before you, to go on the record and speak
 10 out. I also want to just state for the record that
 11 if there is any retaliation by the Medical Center
 12 against these members speaking before you, we will
 13 handle it through our process in the National Labor
 14 Relations Board, but we will also be back here to
 15 report it to you immediately.
 16 When things are not right, people
 17 shouldn't be afraid to speak out. They should have
 18 the right to speak out and speak the truth,
 19 particularly in an area as sensitive as patient
 20 care. So I ask you tonight to listen to what these
 21 workers have to say, listen carefully, and take a
 22 good long look at what has been happening at the
 23 Medical Center in Jersey City. Thank you.
 24 THE CLERK: Abigail Luistro.
 25 FREEHOLDER O'DEA: We had several

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1 people come in. Anyone who just came in and you
 2 would like to speak, we have cards to sign up at the
 3 front.
 4 CHAIRMAN ROMANO: We are going to
 5 have a ten-minute limit, and we will be keeping on
 6 topic, affect on patient care.
 7 MS. LUISTRO: Good evening. My name
 8 is Abigail Luistro. For the record I am not part of
 9 the officers of A.F.S.C.M.E., I'm just at the
 10 Medical Center and part of the community, and excuse
 11 me, I'm not an expert speaker, and I will read from
 12 this paper.
 13 Hello, my name is Abigail Luistro. I'm a
 14 registered voter, and I am currently employed at the
 15 Jersey City Medical Center since September 11th,
 16 2000. At you know from the last time we were here,
 17 we asked Joe Scott to return to the table.
 18 Unfortunately, the issue has not been not resolved,
 19 nor do we have a contract. Instead matters have
 20 gotten worse.
 21 The IEP consultant, a/k/a, a union buster,
 22 has launched an antiunion campaign. What was once a
 23 collective bargaining for a fair contract, is the
 24 management's bid to have full control of their
 25 employees through fear and deception. Yes, I am

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1 scared like many of my co-workers. I am afraid of
 2 backlash and retaliation from management. But the
 3 truth of the matter is, my ethical purpose has given
 4 me courage to stand here today to speak out and not
 5 to look the other way.
 6 I am devoted to my patients as well my
 7 job. Since the past two or three months, there is
 8 an antiunion campaign. My co-workers and I have
 9 been called to mandatory training. Mind you, the
 10 timing is during working hours. I was working in
 11 ICU doing a one-to-one, for those who don't know,
 12 one who manages the safety for a suicidal watch. I
 13 was working with two other PCTs. They worked on the
 14 floor while I stayed with the patient.
 15 When it was time for me to attend the
 16 meeting, I had one of the techs cover for me,
 17 leaving the floor with just one tech. Mind you, you
 18 the floor is usually run by three techs. There is
 19 no training done, just a group of seven tech
 20 employees put in a room to intimidate, persuade and
 21 to instill fear, to divide and conquer. I don't
 22 know about you, but the time spent during the
 23 meeting should have been spent with patients
 24 instead.
 25 Another thing during the election, the

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1 hospital had an election to decertify the union on
 2 November 13th and 14th. Note, the voting was done
 3 in pencil. The management had offered
 4 transportation and childcare to encourage and scare
 5 employees that the vote is mandatory. Why scare?
 6 Because I have witnessed for a long time, a majority
 7 of the time, weren't offered transportation during
 8 inclement weather, so why is it okay for us to have
 9 available transportation to vote, but we had to
 10 manage on our own to go to work for the purpose of
 11 patient care?
 12 Another incident was after the election.
 13 I was working on a psych tour. The supervisor told
 14 the techs go to the seventh floor solarium for a
 15 town hall meeting in regards to our benefits as a
 16 nonunion member. They had left the floor for the
 17 nurses to do our job as well theirs just to attend
 18 another management meeting. So in conclusion I ask,
 19 why is management putting patients at risk just so
 20 they can decertify our union? Shouldn't patients
 21 and safety be the priority?
 22 FREEHOLDER O'DEA: Ms. Abigail, the
 23 mandatory training meetings that took place prior to
 24 the vote on the decertification, what transpired at
 25 the meeting?

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1 MS. LUISTRO: Basically, it was to
 2 get to the meetings, the union was showed the
 3 National Labor Board Manual describing what would
 4 happen if we ever went on strike, how we would be
 5 replaced, how they promised we will get more if we
 6 get rid of our union.
 7 FREEHOLDER O'DEA: So the mandatory
 8 training actually consisted of Mr. Yessin providing
 9 information and speaking on what occurs if employees
 10 should strike, and explaining to the employees I
 11 guess the benefits of what would happen if you
 12 didn't have a union?
 13 MS. LUISTRO: Yes.
 14 FREEHOLDER O'DEA: You said that this
 15 session took approximately how long?
 16 MS. LUISTRO: Two hours, and we were
 17 going to have an election, and it was up to us if we
 18 still wanted the union to be the one to represent
 19 us.
 20 FREEHOLDER O'DEA: How many people
 21 approximately attended -- first of all, do you
 22 remember the date or approximate date this occurred?
 23 MS. LUISTRO: Three weeks before the
 24 November 13th and 14th.
 25 FREEHOLDER O'DEA: Approximately how

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1 many other employees in the session that you
 2 attended?
 3 MS. LUISTRO: Like seven. It was
 4 just one session, two hours, about seven to ten
 5 employees in the room.
 6 FREEHOLDER O'DEA: And to your
 7 knowledge, were any of these sessions held for other
 8 employees?
 9 MS. LUISTRO: It was all for the
 10 union members of A.F.S.C.M.E.
 11 FREEHOLDER O'DEA: So to your
 12 knowledge, are you aware of the fact that similar
 13 sessions were held on time for all other employees
 14 of that union?
 15 MS. LUISTRO: Yes.
 16 FREEHOLDER O'DEA: Thank you.
 17 FREEHOLDER MALDONADO: I have one
 18 question. The employees were working their regular
 19 working hour at the juncture that they were called
 20 into this two-hour mandatory meeting?
 21 MS. LUISTRO: Correct.
 22 FREEHOLDER MALDONADO: If you work in
 23 ICU --
 24 MS. LUISTRO: I do.
 25 FREEHOLDER MALDONADO: During that

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1 session, you were responsible for overseeing a
 2 potential suicidal patient, and you were asked to go
 3 to a mandatory, leaving that person, that patient,
 4 attended by only one tech, when there should have
 5 been three on the floor?
 6 MS. LUISTRO: One tech to watch the
 7 patient, and the one tech who watch the whole ICU.
 8 FREEHOLDER MALDONADO: When there
 9 should be how many?
 10 MS. LUISTRO: Two to three.
 11 CHAIRMAN ROMANO: What is your
 12 position?
 13 MS. LUISTRO: Patient care
 14 technician, I'm also like a medical assistant.
 15 CHAIRMAN ROMANO: That would be the
 16 RNs are on the floor, it's not what you do, in other
 17 words, you're not a CNA?
 18 MS. LUISTRO: Somewhat like one.
 19 CHAIRMAN ROMANO: There are a certain
 20 number of CNAs. Other than nurses, they have the
 21 techs just in case?
 22 FREEHOLDER O'DEA: Are you in a
 23 position to have the requisite expertise to answer
 24 that question?
 25 MS. LUISTRO: (Nods.)

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1 FREEHOLDER O'DEA: We have to ask her
 2 some questions. They're not experts. Did you or
 3 anyone else you know at the meeting, the meeting you
 4 attended, raise a concern that the meeting was being
 5 held on a time and for an extended period of time
 6 that affected your performance or the work you were
 7 supposed to be doing related to health care?
 8 MS. LUISTRO: I mean like the
 9 one-to-one that was basically a suicidal, so I had
 10 to be there just to make sure for patient safety,
 11 that I had to be there. Apparently, since I was
 12 gone, somebody replaced me, but there was one less
 13 person to help on the floor if emergencies come.
 14 CHAIRMAN ROMANO: And someone did
 15 replace you?
 16 MS. LUISTRO: Yes.
 17 CHAIRMAN ROMANO: Then it wasn't
 18 dangerous for the patient?
 19 MS. LUISTRO: I was talking about the
 20 other patients.
 21 CHAIRMAN ROMANO: I'm trying to
 22 understand that one. It's not your expertise, but
 23 what my knowledge is by law the RN have requirements
 24 on them, and I was trying to find out what it is for
 25 you.

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1 FREEHOLDER O'DEA: I guess the
 2 question I would have is, as a normal routine of
 3 operation of that hospital, is one-to-one staffing
 4 provided to patients that fall into the category
 5 that you were treating on that day?
 6 MS. LUISTRO: Yes.
 7 FREEHOLDER O'DEA: So that is the
 8 normal policy and procedure of the hospital?
 9 MS. LUISTRO: Yes.
 10 FREEHOLDER O'DEA: During the period,
 11 excuse me, Mr. Chairman, during the period of time
 12 that you attended this training, it doesn't seem
 13 like it was training related to your job, it seems
 14 like it was training related to whether you should
 15 be in a union or not, during that period of time to
 16 the best of your knowledge, did someone else perform
 17 the one-to-one work that you were performing, or was
 18 there a reduction in staff within that unit?
 19 MS. LUISTRO: Reduction of staff for
 20 them to perform their work.
 21 FREEHOLDER O'DEA: Were you the only
 22 individual for that unit at that particular session
 23 that was pulled out?
 24 MS. LUISTRO: Yes.
 25 FREEHOLDER O'DEA: During other

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1 sessions that you know had occurred, are there other
 2 individuals that performed the same duties that you
 3 performed that were pulled out, others that would
 4 lead to the same exact reduction of staff during the
 5 two hours you were there?
 6 MS. LUISTRO: Not that I'm aware of.
 7 FREEHOLDER O'DEA: Thank you.
 8 THE CLERK: Elvin Santos.
 9 MR. SANTOS: Good afternoon, ladies
 10 and gentlemen, Board of Freeholders. My name is
 11 Elvin Santos, and I'm a proud resident of Jersey
 12 City. I'm a former employee. I recently got
 13 terminated October 24th of this year for being an
 14 elected official of A.F.S.C.M.E. During my time
 15 there before I was terminated, I went to two of
 16 these meeting.
 17 I have seen to my knowledge, I was a
 18 housekeeper there, but you know, if you pull
 19 housekeepers off of a patient floor, we were
 20 assigned to two housekeepers to each wing, each wing
 21 is east and west, one to each side, about ten to
 22 twelve rooms on each side on. If you pull a
 23 housekeeper off that floor for two hours, bed
 24 discharges are going to be behind. The rooms are
 25 not going to be cleaned how it's supposed to be

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1 cleaned.
 2 Just to touch on patient care techs,
 3 normally, we arrange three or five to a floor. If
 4 you remove even two, that's going to put a strain on
 5 any patient that's calling for help for anything,
 6 whether they need to use the bathroom, whether
 7 they're in pain, whether they have a simple question
 8 to ask anyone. They make a big deal about the
 9 pillars, economical health and patient safety. To
 10 my knowledge, that's not following through what they
 11 promised their patients coming into the hospital.
 12 Literally, it's not, because their main
 13 purpose was pushing their antiunion campaign just
 14 for their, you know, who knows what they want to do
 15 with us? Obviously, everyone in the hospital is
 16 terrified. I was terrified every time I came before
 17 this Board to speak. It was a large burden on my
 18 back. So I could understand the fears that my
 19 fellow colleague have. Unfortunately, they were
 20 able to, you know, do what they did to me to try to
 21 set an example so that nobody would come forward to
 22 speak.
 23 Unfortunately, you guys weren't aware of
 24 what actually was transpiring on behalf of the
 25 consultants roaming the floors, you know, at will

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1 freely in areas where you're supposed to have
2 specialized people to work, and you have consultants
3 roaming around the floors, pulling each and every
4 person one by one, on patient floors, next to
5 patients, just to tell them that they don't need a
6 union to represent them, not to worry, that they'll
7 take really good care of you if you give them the
8 only protection that you have in the hospital so.
9 FREEHOLDER O'DEA: How many
10 consultants on an average day were at the facility?
11 MR. SANTOS: I've seen at least three
12 to five new faces. Their badges always said
13 consultants. That led me to believe -- all our
14 badges have our job title and our name and
15 department you work for. When you just have a first
16 name on your badge, and it just says consultant, I
17 know who you work for. You were there to break us.
18 FREEHOLDER O'DEA: Did you ever
19 ascertain whether any of those people that had tags
20 that said "consultant" performed any work related to
21 the hospital, whether it was dietary, housekeeping,
22 clinical?
23 MR. SANTOS: No, they didn't. All
24 they did was walk the floors, pulling people while
25 they were working on work time just to tell them

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1 they don't need a union. They had a basically
2 captive audience. They were going from five to ten
3 co-workers within the building, people from the
4 second floor, people from the fourth floor, seven or
5 ten people at the meeting, sitting there two hours.
6 You have eight-hour shifts, you know, pulling them
7 for two hours and no time to get the break you get.
8 That's like three hours that your job is not getting
9 done. They tell you don't worry about it.
10 FREEHOLDER O'DEA: Did you ever
11 attend any of the sessions?
12 MR. SANTOS: No. They weren't going
13 to call me. I wasn't allowed to go because I was an
14 executive officer.
15 FREEHOLDER O'DEA: Did people that
16 attended meetings come to speak to you subsequent?
17 MR. SANTOS: Yes. I have given
18 testimony because I was assigned to represent my
19 members, I still am, and they basically came and
20 told me, I had one co-worker of mine, a patient
21 caretaker, she told me clearly that Brent Yessin
22 told him to his face that the only reason why he's
23 there is to decertify the union because that's what
24 Joe Scott is paying him for, and he said, ultimately
25 he ratified the contract and he did his job, and the

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1 only reason he's still around is because he wants to
2 decertify the union. That's what Joe Scott wants,
3 and that's what Joe Scott is paying for.
4 FREEHOLDER O'DEA: When you were
5 terminated, what was the official reason?
6 MR. SANTOS: They said I entered an
7 unrestricted area -- restricted area, sorry.
8 FREEHOLDER O'DEA: Prior to that
9 what, if any, disciplinary did you have on your
10 record?
11 MR. SANTOS: None, all verbal
12 warnings from years ago. I had a recent one, but it
13 got basically taken away. I got grieved.
14 FREEHOLDER O'DEA: You had never been
15 suspended?
16 MR. SANTOS: No.
17 FREEHOLDER O'DEA: This was you said
18 that happened on October 25th?
19 MR. SANTOS: Yes, I was terminated
20 October 25th.
21 FREEHOLDER O'DEA: Prior to the vote?
22 MR. SANTOS: Yeah, well, they
23 ultimately isolated me from all the members from the
24 main building. They shipped me to a whole other
25 building right across from the main hospital before

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1 that.
2 FREEHOLDER O'DEA: Do they operate
3 under a progressive discipline?
4 MR. SANTOS: Yes.
5 FREEHOLDER O'DEA: Based on your
6 knowledge, if you know, on what you were -- assuming
7 that you were guilty of what they charged you with,
8 and the fact that you had not been suspended before,
9 what normally would be the discipline?
10 MR. SANTOS: I'm going to tell you
11 exactly how my director handled his department. I
12 would have just got a verbal warning. That's it.
13 But clearly, like I was told when I had my meeting
14 when I was terminated, he clearly told me, I am just
15 doing what I was told to do.
16 FREEHOLDER O'DEA: Who said that to
17 you?
18 MR. SANTOS: My director, Wayne
19 Griffin.
20 FREEHOLDER O'DEA: He's the director
21 of what?
22 MR. SANTOS: Environmental services.
23 Environmental services.
24 FREEHOLDER O'DEA: How soon after the
25 alleged incident where were you allegedly entered a

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1 restricted area were you terminated?
 2 MR. SANTOS: Two days. It had
 3 happened Wednesday. I was terminated Friday.
 4 FREEHOLDER O'DEA: Since that
 5 facility still had a union, what was the process and
 6 procedure for the union in order to terminate?
 7 MR. SANTOS: Because you have
 8 basically a hearing with your director or manager
 9 whoever you want them to conduct, and they tell you
 10 to pick a union rep of your choosing. I chose to
 11 have my president represent me, and they had us wait
 12 for a very long time, at least a half an hour before
 13 they actually came into the room. Obviously, I had
 14 my manager who came in. He was actually the one to
 15 tell me I needed a union rep. I kind of laughed. I
 16 told him I would get one. I told him it seemed like
 17 every other day, this was happening to someone from
 18 the union. He said I don't know, I don't know
 19 anything, just tell him to come over there.
 20 I reached out to David Fleming and he
 21 reached out to David Pernell, and David Pernell is
 22 my president. He came to represent me. Initially,
 23 they said that I was getting written up, and I was
 24 supposed to get suspended for allegedly someone
 25 saying that a director from where I got sent to, the

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1 ATC building, allegedly saying that I was heard
 2 cursing by her, and anybody can tell you anything,
 3 obviously, if you want to believe it. So the last
 4 time David said he was going to grieve it, and at least
 5 ten or fifteen minutes after that, the director of
 6 ICU, nurse manager, Christine Quinones, said I'm
 7 investigating and I'll send it to my union.
 8 FREEHOLDER O'DEA: Are all the
 9 employees of your job category evaluated on an
 10 annual basis?
 11 MR. SANTOS: Yes.
 12 FREEHOLDER O'DEA: What were your
 13 evaluations prior to that?
 14 MR. SANTOS: Great. Top.
 15 FREEHOLDER O'DEA: Okay. I don't
 16 have any other questions.
 17 FREEHOLDER MALDONADO: Just to be
 18 clear, they definitely were not medical, they were
 19 not employees that were working on that shift or a
 20 different shift you didn't know that might have been
 21 there?
 22 MR. SANTOS: No, no. They -- I was
 23 there for seven years. I worked all shifts. I did
 24 a lot of overtime when it was given out. I would do
 25 a double, you know. I knew basically everybody, if

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1 not by face, by name. These were all new people
 2 that the administrator -- that badge didn't say
 3 administrator, it just said consultant.
 4 FREEHOLDER MALDONADO: Since you
 5 started working there, would these consultants have
 6 background checks done on them?
 7 MR. SANTOS: I wouldn't know.
 8 FREEHOLDER MALDONADO: Did you see
 9 some of these consultants walking in a restricted
 10 area?
 11 MR. SANTOS: Yeah, all around the
 12 building, I've seen them everywhere.
 13 FREEHOLDER MALDONADO: Did any
 14 consultants walk in the restricted area that you
 15 allegedly were walking in the restricted area and
 16 you got fired for that?
 17 MR. SANTOS: That's right.
 18 FREEHOLDER MALDONADO: Thank you.
 19 CHAIRMAN ROMANO: Next speaker,
 20 please.
 21 THE CLERK: David Pernell.
 22 MR. TULLY: May I just clarify
 23 something? We are grieving the unfair practice
 24 charges. That's the normal process.
 25 MR. PERNELL: David Pernell,

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1 paramedic. I work in the EMS department in Jersey
 2 City. I've been employed here for about eight
 3 years. First, I want to thank you for having us
 4 here to hear our stories, taking the time so our
 5 stories could be told. There are a lot of people
 6 who want to come forward, but because of the
 7 environment, because of the environment of fear,
 8 it's hard for people to come forward, and I'm going
 9 to give credit to a lot of people here for actually
 10 coming forward.
 11 I do have two stories to tell you. One story
 12 was a couple weeks ago, I was coming into the
 13 emergency room with a patient and my partner, and as
 14 we walked in the emergency room, there was only one
 15 nurse there. Normally there is a full staff of
 16 techs, housekeepers, clerks, normal staff. You
 17 can't miss them all over the place.
 18 We walked in and there was just one nurse.
 19 It was the charge nurse, and we have to give her our
 20 patient, you know, story, give her a report so she
 21 could take the patient. I don't see nobody around.
 22 Where is everybody? She said, Everybody is in one
 23 of those meetings again.
 24 I said, Oh, which meeting is that? One of
 25 those I forget what they call them, one of those

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1 training session meetings. So it was a patient over
 2 in Spot 4, which is about three or four cubicles
 3 down from where the charge nurse table is, and she
 4 was yelling for a nurse to come out, and the nurse,
 5 I could tell she was frustrated. She was trying to
 6 deal with us and deal with the phone ringing, and
 7 also this lady that was calling for her.
 8 She finally at that point got up, and
 9 said, I'm going to have to get me a nurse out of the
 10 meeting. So she left to get a nurse. I stayed with
 11 my patient until she got back, and my partner went
 12 to help the lady that at that point walked out of
 13 the room. The only thing she had on was one of
 14 those hospital gowns and some undergarment. He
 15 helped her back to her bed because at that point she
 16 was walking out, and she was yelling for a nurse for
 17 whatever. I don't know what she was looking for.
 18 My partner went and helped her back to
 19 bed. I stayed with my patient. The nurse went out
 20 and she came back with one nurse and finished taking
 21 a patient report, and we transferred our patient
 22 over, and we were there for a good 15 or 20 minutes
 23 by the time we finished our paperwork and stuff, and
 24 we still didn't see anymore nurses. So they were
 25 gone for quite a while.

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1 FREEHOLDER O'DEA: Did the nurse
 2 return that left to try to get another nurse?
 3 MR. PERNELL: Yeah, yeah. She left
 4 and came back with one nurse. She said, I found
 5 somebody, they let a nurse go for me. That nurse
 6 that came, she tended to the lady walking in the
 7 hallway and was also trying to tend to some of the
 8 other people until the other nurses were available.
 9 Like I said, I was there for 15 or 20 minutes before
 10 I left, and I didn't see anymore nurses come. There
 11 was nobody there except that one charge nurse, and I
 12 think it was like two or three clerical staff, doing
 13 some paperwork. As far as patient care people, no,
 14 just one nurse. That was it.
 15 FREEHOLDER O'DEA: This was
 16 approximately two weeks ago?
 17 MR. PERNELL: It was a couple weeks
 18 ago, maybe three weeks ago.
 19 FREEHOLDER O'DEA: Subsequent to
 20 November 13th?
 21 MR. PERNELL: Yeah, after, after they
 22 had the illegal vote that they had to remove the
 23 union. After they had the illegal vote, they were
 24 still having mandatory training sessions. That was
 25 the time for them to drive home the message that we

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1 don't have a union now, guys, so these are all of
 2 the great benefits you can get because you don't
 3 have a union. They're still trying to drive that
 4 message home after the vote.
 5 FREEHOLDER O'DEA: Did you attend any
 6 such meetings, are you in the same union?
 7 MR. PERNELL: I'm the president of
 8 2254.
 9 FREEHOLDER O'DEA: Were you ever
 10 brought into any of those meetings?
 11 MR. PERNELL: No, not into any of
 12 those town hall meetings. Funny that you said that
 13 because that brings me to my other point I was going
 14 to bring up. These training sessions, normally in
 15 our department, we have quarterly in-service, and
 16 during our in-service, they're for training
 17 purposes. They're suppose to go over the latest in
 18 CPR, strokes, traumas, heat emergencies, cold
 19 emergencies. Usually we go to these in-service
 20 quarterly, and we get credits for our certification
 21 to renew every two or three years.
 22 The last two in-services that we had, it
 23 started out as some basic training, and then halfway
 24 through the meeting, our meeting usually lasts about
 25 four hours. The first two hours we were dealing

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1 with training stuff, and the next two hours at the
 2 meeting was strictly union, antiunion message. They
 3 had one of their Brent Yessin staff there talking
 4 about decertification of the union, why we shouldn't
 5 have a union, and we should vote no for a union.
 6 There was definitely a couple of people that were at
 7 these meetings that didn't want to be there. As a
 8 matter of fact, they stood up and said, you know,
 9 Why are we here, I mean, I thought this was for
 10 training?
 11 It seemed like it was turning into a union
 12 meeting, and we didn't have a union rep there. I
 13 advised people not to stay. As a matter of fact, I
 14 wanted to leave. They were told they can't leave
 15 because we are paying you to be here, so you have to
 16 hear our message. So that was basically, you know,
 17 the message they were sending out in our training
 18 session.
 19 FREEHOLDER O'DEA: Approximately,
 20 when did that take place?
 21 MR. PERNELL: One was on March 23rd,
 22 around that time, that was one, and the last one we
 23 just had was a couple weeks ago, if I'm not
 24 mistaken. The one back in March was the one that
 25 they were actually pushing the contract -- at that

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1 point they were talking about the actual -- the
 2 actual contract and our vote that we had initially
 3 voted no for the contract. They were trying to say,
 4 we're going to give you the contract anyway because
 5 that is what we have to do because of Obamacare and
 6 some of the different things they were bringing up.
 7 FREEHOLDER O'DEA: In the meeting in
 8 March, you're saying that in-service training
 9 sessions are normally four hours and related to
 10 in-service training in order to have the latest
 11 knowledge and knowledge of changes in the field,
 12 generally that would take four hours?
 13 MR. PERNELL: Yes, it usually takes
 14 about four hours.
 15 FREEHOLDER O'DEA: So as a result of,
 16 as you stated, only two hours were spent on that,
 17 and that resulted those individuals not getting an
 18 adequate amount of in-service training, and they
 19 should be up to date on all the areas?
 20 MR. PERNELL: I wouldn't say that
 21 because we have mandatory training all throughout
 22 the year. What we don't cover in one, we'll make up
 23 in another session. About half the time, about two
 24 hours spent is on trauma, trauma protocol, and then
 25 it ended when the union buster people came in.

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1 FREEHOLDER O'DEA: My concern is that
 2 if it takes four hours regularly, when did they make
 3 two hours up for whatever in-service training?
 4 MR. PERNELL: How we get our
 5 recertification, whatever they actually are
 6 instructing us on, I think at the end of the year,
 7 what they will do is write down the clinical hours
 8 that we spent on various subjects. If it's an hour
 9 on overdose, we'll get a one-hour credit for
 10 overdose, so at the end of the year, we generally
 11 have more than enough credits.
 12 FREEHOLDER O'DEA: My concern is
 13 that, for instance, the Administrator is required to
 14 take what is called, continuing education hours?
 15 MR. ANTUN: Yes.
 16 FREEHOLDER O'DEA: In the field of
 17 our government, they're called continuing education
 18 hours. You're required to take X amount of
 19 continuing education per year to keep your
 20 certification.
 21 So if you're required to take sixteen,
 22 which is usually the number, and two of the sixteen
 23 had nothing do with continuing education
 24 certification, only about how to not be in the union
 25 anymore, one would argue the hospital misrepresented

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1 that for people that are in your field?
 2 MR. PERNELL: I guess you can say
 3 that.
 4 FREEHOLDER O'DEA: That's a concern
 5 that I have, and Mr. Chairman, I would like
 6 particularly to find out if this particular training
 7 session on or about March 23rd, if the hospital
 8 categorized it as four hours of actual training
 9 for -- how to categorize it if it was part of four
 10 hours required by them. The hospital people may
 11 have -- the administrative individual may have
 12 falsified documents.
 13 CHAIRMAN ROMANO: It's the in-service
 14 coordinator that generally does the scheduling, and
 15 the in-service training that you're supposed to have
 16 mandatory in-service, you sign, in other words you
 17 have to sign in?
 18 MR. PERNELL: Yeah. What happens is
 19 when I come in, I sign my name that I attended, I
 20 guess our clinical educator, clinical educator,
 21 corresponded how many hours that I did.
 22 CHAIRMAN ROMANO: What is the name of
 23 the clinical educator?
 24 MR. PERNELL: His name would be Steve
 25 Cohen, C-o-h-e-n.

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1 CHAIRMAN ROMANO: Thank you.
 2 FREEHOLDER MALDONADO: For
 3 clarification, it was two sessions, right, you went
 4 to two separate sessions, and both sessions, they
 5 did the same thing, first two hours were training
 6 and the last two hours was a union decertification
 7 conversation?
 8 MR. PERNELL: Yes, that was basically
 9 more the first one. The second one, as a matter of
 10 fact, the second was on September 11th, and that one
 11 was more of the, there's a vote coming, and
 12 everybody should vote no.
 13 FREEHOLDER O'DEA: Was that the last
 14 two hours again, sir?
 15 MR. PERNELL: Yeah, yeah, yeah.
 16 FREEHOLDER MALDONADO: You can say
 17 that four hours of those two sessions were antiunion
 18 rhetoric and non-work-related?
 19 FREEHOLDER O'DEA: Not related to the
 20 in-service training they're required to provide to
 21 you on an annual basis as part of your
 22 certification?
 23 MR. PERNELL: Yeah.
 24 CHAIRMAN ROMANO: Thank you. Next
 25 speaker.

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1 THE CLERK: Lillian Perez.
 2 MR. PEREZ: Good evening. I'm just
 3 here to talk about a few instances that I witness
 4 with the consultants. I actually had a weekend
 5 where I was called into work on my weekend off, and
 6 two lower level management, I believe one was a
 7 supervisor from the pharmacy department and other
 8 one was from laboratory --
 9 THE CLERK: For the record there are
 10 four Freeholders, so you can meet as a committee.
 11 If the fifth returns, we'll note it for the record.
 12 CHAIRMAN ROMANO: I'm sorry, Miss.
 13 MR. PEREZ: I was also on a
 14 one-to-one safety watch because the patient was at
 15 risk of a fall.
 16 FREEHOLDER O'DEA: What is your
 17 title?
 18 MR. PEREZ: I'm a patient care
 19 technician on the medical floor. So I heard my name
 20 being called. I wasn't sure who it was from because
 21 I wasn't able to leave the patient. Finally, I did
 22 hear my charge nurse outside, and she asked the
 23 supervisors, who are you looking for? She said,
 24 Right now she's not available because she's on a
 25 one-to-one safety watch, and their response was, We

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1 can wait out here, is the patient coherent, are we
 2 able walk in and speak with her? She said, No, I
 3 don't think it's appropriate for the patient to hear
 4 anything concerning what's not patient-related.
 5 They walked off.
 6 On another occasion I was approached about
 7 thirty minutes prior to me punching out. I was
 8 approached by one consultant, and he basically had a
 9 forty-five minute conversation with me about not
 10 needing the union, we were better off without it,
 11 and the benefits of not being a union members.
 12 FREEHOLDER O'DEA: After you punched
 13 out?
 14 MR. PEREZ: No, I was still on the
 15 clock. I actually punched about 15 minutes later
 16 than three o'clock, which is the normal time that I
 17 actually leave. Basically, the month of October you
 18 know, it was a constant harassment. We were
 19 approached every day by lower level supervisors on
 20 the benefits of us not being a union member, and you
 21 know, this was during like us trying to provide
 22 patient care for our patients.
 23 And eventually, like I started telling the
 24 people I wasn't interested, I didn't want to hear
 25 it. They would still walk behind you. And I would

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1 say a week before the, I'm sorry, elections, that we
 2 had, I was approached by two of our managers, and
 3 they spoke with me once again, and they actually
 4 waited for me outside the room, and they were
 5 calling me. I asked them to wait about five
 6 minutes. I finally walked out of the room, and they
 7 just followed me talked to me about the training
 8 that I had to attend, and basically asked me what I
 9 did get out from it. I told them basically to vote
 10 no, to decertify the union, and so that was
 11 basically the feeling.
 12 FREEHOLDER O'DEA: So the people that
 13 approached you, were they always these so-called
 14 consultants, were they consultants and you said
 15 something about lower level supervisors?
 16 MR. PEREZ: If we had a -- there is
 17 basically a job title that was given to patient care
 18 coordinators. They basically are RNs, and they
 19 basically from what I have seen, they were talking
 20 about the union and how it wasn't benefiting us, and
 21 they attend meetings from what I see, and just
 22 supervisors from housekeeping, laboratory, pharmacy
 23 and separate -- I'm sorry. On two occasions they
 24 were the consultants from Brent Yessin. I was
 25 actually approached by two consultants that were

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1 dealing with Brent Yessin.
 2 FREEHOLDER O'DEA: Did these
 3 consultants identify who they were? Did anyone ever
 4 say, I'm Bill O'Dea, my job is to do this or were
 5 they just?
 6 MR. PEREZ: They did introduce
 7 themselves. They did tell me that they were
 8 consultants, and basically, they just wanted my
 9 feedback how I felt about the union and how I felt
 10 that they can benefit us and how they felt we were
 11 better off without the union.
 12 FREEHOLDER O'DEA: Did you tell them
 13 what your feedback was or no?
 14 MR. PEREZ: Yes. I told them I was
 15 prounion, and I did believe that the union did
 16 benefit us, and he basically told me it was
 17 different, it's a job setting. He felt like the
 18 union wasn't necessary in a hospital setting. I
 19 also asked him, you know, I thought it was a little
 20 unfair that we weren't allowed to have our union
 21 meetings within the building, but he was able to
 22 approach me on a medical floor without there being
 23 any problem, and his response was basically, Well,
 24 you know, we're here with management, and basically
 25 management has --

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1 THE CLERK: For the record we have a
 2 quorum present again.
 3 FREEHOLDER O'DEA: Did all of these
 4 incidents occur while you were working?
 5 MR. PEREZ: Yes.
 6 FREEHOLDER O'DEA: And at any time
 7 did you mind what they were saying or their approach
 8 to you was detracting from your ability to perform
 9 your work if you're in the middle with the patient
 10 and somebody comes up?
 11 MR. PEREZ: Absolutely.
 12 FREEHOLDER O'DEA: The reason why, I
 13 guess, they didn't want the union to have meetings
 14 there, if they work for them, whether that was --
 15 whether you found that distracting and potentially
 16 detrimental to your ability to carry out your
 17 duties?
 18 MR. PEREZ: Yes, because there were
 19 plenty of times where I was rushing to finish
 20 whatever I had to do with the patient, just to get
 21 it over with to hear whatever they had to say.
 22 Also, I asked about my patient care coordinator not
 23 to attend training because I heard from other
 24 co-workers of mine basically what the training was
 25 about, and I wasn't really interested in attending.

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1 She said it was mandatory.
 2 FREEHOLDER O'DEA: You did attend the
 3 two-hour training?
 4 MR. PEREZ: Uh-huh. Yes, I did.
 5 FREEHOLDER O'DEA: And during the
 6 period of time, do you remember about what date you
 7 attended it?
 8 MR. PEREZ: I believe I attended one
 9 of the later meetings. I would say the first week
 10 of November.
 11 FREEHOLDER O'DEA: Prior to the
 12 election?
 13 MR. PEREZ: Prior to the election.
 14 The election was held the 13th and 14th.
 15 FREEHOLDER O'DEA: What was the
 16 approximate time that your sessions were?
 17 MR. PEREZ: I attended the session
 18 from eleven a.m. to one p.m.
 19 FREEHOLDER O'DEA: During the time
 20 that you were there, did someone replace you on the
 21 floor?
 22 MR. PEREZ: Well, what we would do,
 23 like when other co-workers went to the meeting, we
 24 would just take on -- carry on their job duties and
 25 basically have more patients.

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1 FREEHOLDER O'DEA: So the answer is
 2 no?
 3 MR. PEREZ: No.
 4 FREEHOLDER O'DEA: The answer is if
 5 regularly five people served ten patients, while you
 6 were there only four?
 7 MR. PEREZ: Yes.
 8 FREEHOLDER O'DEA: But you shared the
 9 workload, the work was expanded for those who
 10 remained working?
 11 MR. PEREZ: Yes.
 12 FREEHOLDER O'DEA: During the
 13 training sessions, was it an interactive session,
 14 were you allowed to speak?
 15 MR. PEREZ: We were allowed to speak.
 16 There was one person that was very verbal during the
 17 whole thing, and there was occasions where the
 18 consultant, I guess, didn't like the feedback she
 19 was getting from her, and basically just ignored
 20 her, and just continued on talking.
 21 FREEHOLDER O'DEA: While the person
 22 was in the room?
 23 MR. PEREZ: Yeah.
 24 FREEHOLDER O'DEA: I have had that
 25 feeling sometimes. Not much lately though. Okay.

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1 I don't have any further questions.
 2 FREEHOLDER MALDONADO: During the
 3 incident that you highlighted, at any juncture were
 4 you situated in an area that was restricted, that
 5 the consultant was in an area that was restricted,
 6 that shouldn't have been there?
 7 MR. PEREZ: I don't think it was
 8 appropriate for the supervisors and consultants to
 9 wait outside the patient's room. You know, patients
 10 have privacy and that was violated.
 11 CHAIRMAN ROMANO: Thank you.
 12 THE CLERK: Mattie Morgan.
 13 MS. MORGAN: Good evening. My name
 14 is Mattie Morgan, and I'm a patient care technician
 15 at Jersey City Medical Center, and I also have
 16 stories about some of the antiunion meetings and how
 17 the managers, they were like front lines with these
 18 antiunion meeting propaganda tactics.
 19 CHAIRMAN ROMANO: I would like to
 20 know how it affected you on the performance of your
 21 job function and patient care.
 22 MS. MORGAN: For instance, I had -- I
 23 was working on a weekend, and I was doing an EKG on
 24 my patient. I heard the charge nurse call my name
 25 over the overhead. She called my whole name, and I

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1 was wondering why. She called me again when I was
2 in the midst of doing something. So I wrapped up
3 real quick because I didn't know what was going on.
4 When I came out of the room, there were two
5 pharmacists at the door, approaching me about the
6 vote, the vote no against the union.
7 I thought it was odd because the
8 pharmacist don't come out of the pharmacy to
9 socialize with any of the staff except for nurses.
10 They might come up to the medications room and check
11 on the medication, but don't interact with the rest
12 of us. I thought they were strange that they were
13 sent there to talk about voting against the union,
14 and at the time, it was very stressful in that
15 hospital, very stressful.
16 I also -- we had -- I went to one of those
17 meetings with Brent Yessin. I think it was the
18 first one that they had. My boss told me that my
19 name was written down to go because everybody's name
20 was on the roster to attend these meetings. I
21 didn't want to go, but I wanted to know what was
22 going on so I went. I went from 1:45 to almost
23 three o'clock. I had to leave to because I have a
24 bus to catch.
25 Brent Yessin, he was talking about voting

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1 no, and he had a booklet about the NLRB, and how we
2 benefit without a union, and the different places he
3 went, and how the companies got -- how they did well
4 without a union, and my shift was covered. They
5 used other techs to cover you when you go to
6 meetings. My patients were given to somebody else
7 while I attended those meetings that they had, and
8 then there was another meeting after the vote no --
9 it was before the vote. I'm not sure. I think it
10 was after the vote.
11 We had the town hall meeting. We had
12 scheduled meetings every day from October 23rd to
13 October 31st, at different times, and we were
14 talking to consultants that was with Brent Yessin.
15 He came to the unit at seven o'clock in the morning.
16 He wanted all techs, anybody from 2254, to come out
17 to these meetings, and the charge nurse, I heard her
18 say, I can't make them go. He was insisting that we
19 go to the meetings. I think about four of us went.
20 It's like maybe five techs, four of us went, so
21 there may have been one tech to the floor.
22 FREEHOLDER O'DEA: How long was that
23 meeting?
24 MS. MORGAN: With Mr. Scott, that
25 meeting took place maybe 45 minutes or a little over

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1 that.
2 FREEHOLDER O'DEA: You're saying that
3 there was a date during the period of October 23rd
4 and October 31st, where there were areas that would
5 normally be served by five techs, only had one tech?
6 MS. MORGAN: Yes.
7 FREEHOLDER O'DEA: For forty-five
8 minutes?
9 MS. MORGAN: Yes. He said everybody
10 come from different units. They were techs. My
11 unit, four from mine, or three from another, whoever
12 wanted to come, all of them.
13 FREEHOLDER O'DEA: If five techs
14 wanted to go --
15 MS. MORGAN: He would have took all
16 five them of.
17 FREEHOLDER O'DEA: He would allowed
18 all five techs and leave not one person there?
19 MS. MORGAN: Maybe they might have
20 had one tech.
21 FREEHOLDER O'DEA: Well, you said
22 that everyone was invited?
23 MS. MORGAN: Everybody was, but you
24 know, there was charge nurse had all the special
25 requests. If she was really, you know, our charge

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1 nurse would want to have the techs there.
2 FREEHOLDER O'DEA: In your case the
3 charge nurse allowed four out of the five, what is
4 the exact title?
5 MS. MORGAN: Patient care technician.
6 FREEHOLDER O'DEA: Allowed four of
7 the five patient care techs to leave?
8 MS. MORGAN: Yes.
9 FREEHOLDER O'DEA: For 45 minutes,
10 what is that charge nurse's name?
11 MS. MORGAN: Her my name was
12 Carmella, Carmella Abrams, but she's not there
13 anymore.
14 FREEHOLDER O'DEA: She no longer
15 works at the hospital?
16 MS. MORGAN: No.
17 FREEHOLDER O'DEA: Did she leave?
18 MS. MORGAN: She left, yes.
19 FREEHOLDER O'DEA: Do you have any
20 idea why she left?
21 MS. MORGAN: I have an idea. I don't
22 know why not. It's my own idea.
23 CHAIRMAN ROMANO: Thank you.
24 MS. MORGAN: Our boss was there for
25 42 years.

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1 FREEHOLDER O'DEA: What was your
 2 boss's name?
 3 MS. MORGAN: Marilyn Sarnatora.
 4 FREEHOLDER O'DEA: Spell the last
 5 name.
 6 MS. MORGAN: S-a-r-n-a-t-o-r-a. That
 7 brings me to another story with Marilyn before she
 8 left. She started coercing us and harassing us
 9 about these votes and these meetings, you know, you
 10 have to vote, what is your union doing for you, and
 11 why do you think you need a union. I thought that
 12 was very strange. Marilyn never did that. I've
 13 been with her for 12 years. She never brought up
 14 about our union. But when Brent Yessin came, that's
 15 when everybody went crazy and changed, and they
 16 started harassing us because he put the managers on
 17 the front lines to attack us basically.
 18 FREEHOLDER O'DEA: What was Marilyn
 19 Sarnatora's job title?
 20 MS. MORGAN: She was the director of
 21 CTs.
 22 FREEHOLDER O'DEA: The patient care.
 23 She retired?
 24 MS. MORGAN: She abruptly retired.
 25 She did. We were at work. It was a Thursday, and I

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1 don't know, she -- I don't know, something happened,
 2 and the next thing I know, we get a text, Marilyn
 3 has just retired. It was on the e-mail that evening
 4 within an hour. We were all in shock because she
 5 didn't say she was retiring, and we were sad because
 6 Marilyn was a nice boss.
 7 CHAIRMAN ROMANO: Thank you. Next
 8 speaker. It seems to me, correct me if I'm wrong, I
 9 think we should ascertain what the legal standing is
 10 on how many patient care technicians are required to
 11 be on a floor at a certain time. I think that's a
 12 question that we need to hear, and in-service
 13 training, is it a violation of State law of the
 14 medical field if it's used for anything but the
 15 performance and enhancement of the education?
 16 FREEHOLDER O'DEA: Jose, you just
 17 shut the lights.
 18 CHAIRMAN ROMANO: That's two of the
 19 keys from my point of view, correct me if I'm wrong,
 20 from what the speaker is bringing out, obviously.
 21 On another note, harassment by pharmacists and
 22 consultants is inconceivable, but I guess that
 23 counsel can tell us what the legal standing is as
 24 far as the number of patient care technicians that
 25 they need.

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1 FREEHOLDER MALDONADO: It would be
 2 interesting to find out how much harassment does
 3 management employees like pharmacists received in
 4 order to get the pressure put on them.
 5 CHAIRMAN ROMANO: Next speaker.
 6 THE CLERK: Lorena Ronquillo.
 7 MS. RONQUILLO: God evening. My name
 8 is Lorena Ronquillo, and I worked there for about
 9 six years. I think during the month of October,
 10 everything just got really insane. Everybody was
 11 being harassed. I was approached. My first
 12 incident was when I was working overtime. I was not
 13 doing my shift. I was working a different unit, and
 14 I was with a patient at the time, a nurse, and what
 15 we were doing, we were washing the patient and
 16 cleaning the patient, and we were very busy, and I
 17 heard my name being called on a page.
 18 One of the nurses said, she's in the room
 19 with the nurse. They said, It's okay, we'll wait.
 20 So I came out and stuck my head out of the room, and
 21 I said, Is everything okay? I saw two people from
 22 the pharmacy. I had never spoken to them before.
 23 I've seen them around. They said, It's okay, we'll
 24 wait here. And finally, I wrapped up and we came
 25 and I asked what was going. They had the list of

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1 names. One of the guys said, We need to speak to
 2 you. I said, what is this regarding to. They said,
 3 it's in regarding to your union, we wanted to know
 4 what do you think of your union, if you feel like
 5 the benefits are suitable for you because we feel
 6 like at this moment you don't get a lot, and we can
 7 do a lot better without, what is your opinion on
 8 that?
 9 I was aggravated. I just kind of brushed
 10 them off. I said, I have heard about that, I don't
 11 feel like I really need to hear it again, so if it's
 12 okay, I have a lot of things to do and patients to
 13 take care of. They said, We want to just speak to
 14 you for two minutes, it's going to be quick. So we
 15 talked about that, and they bothered somebody else
 16 in the union. They had a roster on a clipboard. He
 17 was going person by person that afternoon,
 18 approaching PCTs and union members.
 19 And then another incident was when I was
 20 on my lunch break. One of the consultants
 21 approached me when I was sitting on my break in a
 22 corner eating my food. He started asking me about
 23 the union. I got really aggravated because this
 24 whole time I'm being harassed, I feel like you're
 25 harassing me, right, no disrespect to you, this

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1 whole week everybody has been coming up to us and
2 questioning, and I don't know who you are.
3 He said his name and he said, I'm sorry, I
4 just want to talk to you for a second. I said, I'm
5 on my lunch break right now, it's not even work
6 time, it's my only 45 minutes, and I'm really tired,
7 and I want to eat. He spoke to me about it. I
8 asked where did he come from because I have never
9 seen him before. He said he came from Florida only
10 for about two weeks, and he was working there with
11 Mr. Yessin, and they had given him an apartment and
12 a vehicle to move around for the two weeks that he
13 was here, and he was here to do his job. He just
14 wanted to get my feedback.
15 I finished my food. I left. I said, I
16 think I have had everything I need to know from you
17 guys. He kind of followed me after that, and I was
18 really angry. I didn't want to be mean, but I was
19 aggravated. This has been ongoing for -- my nurse
20 manager she was a patient care coordinator, she's
21 kind of like the supervisor of our nurses. I don't
22 really know her title. I don't know her new title.
23 She was harassing us all in our lounge area, and
24 every time I came in there to grab coffee, she would
25 be, what are you going to do about the union. I told the

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1 employees, We don't have to listen to this, we have
2 thing to do.
3 I had to leave. I don't like lot of
4 things that were going on. Every time I turned
5 around and I walked the other way, it was too much.
6 If I was with a patient, they would wait outside of
7 the room. They don't care.
8 FREEHOLDER O'DEA: Was anyone else
9 besides four people, if not more than that, people
10 from the pharmacy, did anybody have the names of who
11 these individuals were? Obviously, it would appear
12 these individuals were doing this while they were
13 being paid in the pharmacy, which obviously has
14 probably a very serious potential impact on health
15 care if there were no individuals in the pharmacy to
16 dispatch medication, the medications that patients
17 are required to take. Does anybody who spoke know
18 the names of the individuals?
19 CHAIRMAN ROMANO: It doesn't have to
20 be the same ones.
21 FREEHOLDER O'DEA: I'm trying to find
22 out who they are. I would like to know.
23 MS. RONQUILLO: Stefano is the first
24 name. I don't know the last name. Michael Kursey.
25 FREEHOLDER O'DEA: Stefano and

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1 Michael Kursey, are they both what?
2 MS. RONQUILLO: They were from
3 pharmacy. I saw them.
4 FREEHOLDER O'DEA: Were they the two
5 individuals?
6 MS. RONQUILLO: Yes.
7 FREEHOLDER O'DEA: Is that consistent
8 with anybody's testimony that spoke and said they
9 were approached by people from pharmacy?
10 MS. RONQUILLO: Yeah.
11 FREEHOLDER O'DEA: They were males,
12 okay. Thank you.
13 THE CLERK: Rosemary Simpson.
14 MS. SIMPSON: Hello. My name is
15 Rosemary Simpson. I've been working -- first if
16 all, I'm a unit clerk, a floor clerk. It changes
17 depending on what their needs are. I was working
18 for the Jersey City Medical Center 28 years. I'm
19 also an ex-president of this union.
20 The first thing I would like to clarify is
21 the importance of our patient care technicians. To
22 have a patient care technician leave the unit, a
23 number of them at a time, does cause quite a bit of
24 problems. They draw blood. They do so many -- I
25 want to sum this up. They do most of the work that

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1 now the nurse used to do. They do all the bedside
2 care. Nurses no longer do bedside care. Our
3 patients care technicians do all of the bedside
4 care, drawing blood, EKG, all of the things except
5 give medication and do their notes. That is what
6 our patient care technicians do now. I just want to
7 really express --
8 FREEHOLDER O'DEA: Has the ratio of
9 patient care technicians to nurse increased, so
10 there are now more patient care technicians?
11 MS. SIMPSON: Yes.
12 FREEHOLDER O'DEA: Are there more
13 patient care technicians?
14 MS. SIMPSON: No. They used to be
15 nurses' aides. So they used to be nurses' aides.
16 The hospital kind of pretty much forced them to
17 become patient care, another one of those
18 threatening things, you either do this or you don't
19 have a job. Because of that, I was the president at
20 the time, and because of that, I --
21 FREEHOLDER O'DEA: How long were you
22 president, when?
23 MS. SIMPSON: Oh, well, up until a
24 year and a half, yeah, about a year and a half or so
25 ago.

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1 FREEHOLDER O'DEA: How long were you?
 2 MS. SIMPSON: Well, I've been
 3 involved in some of type leadership of this union, I
 4 guess, at least ten years. I've been there doing
 5 quite a bit, a lot of things, and changes that have
 6 been implemented by Brent Yessin, he actually -- I
 7 know you want to stick to patient care, but I think
 8 it's very important for you to understand that what
 9 came out of these contract negotiations was that
 10 every situation, ever case that we won that was
 11 positive in our contract was stripped from that
 12 contract. Everything positive was gone. So I mean,
 13 that's whole other story. I need for you to know
 14 that. I know the history of what is being offered
 15 now was -- it's not even offered, just rammed down
 16 our throats. This is horrible. I want to say that.
 17 Another thing I would like to say, I did
 18 go to one of the town hall meetings that Joe Scott
 19 ran after the election. Myself, I went to this
 20 meeting. I don't usually attend these meetings, but
 21 I wanted to hear what he was going to say. I was
 22 away from the unit at least an hour. Initially,
 23 where it was to supposed to be, they found out it
 24 wasn't going to be there, and we ended all traipsing
 25 through the halls of the hospital to go down to the

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1 emergency room so that we can all squeeze in this
 2 area standing around while he expressed to us that
 3 we no longer have a union.
 4 Now that we're no longer union employees,
 5 now sometime in March, we will be able to have the
 6 advantages of all the other non-union employees. So
 7 just to sum that up, that was the whole thing. He
 8 spoke very, you know, really I'm like pissed off at
 9 them so, but I just wanted to show you the
 10 importance. You're telling me, I have to answer the
 11 phones, I have to enter all of the patients orders,
 12 you know, some of them critical, but off the unit an
 13 hour.
 14 So another reason I want to bring that
 15 hour up is because we used to have an hour lunch.
 16 Now, tell me how you can take an employee off a unit
 17 for two hours, housekeeper, clerk, tech, otherwise,
 18 and let them go to a class, which I was told it was
 19 a class, I'll get to the reason why I was unable to
 20 go. I was told it was a class. So now, you can
 21 take an employee off the union for two hours, but
 22 then say, Well, you can have a 45-minute lunch,
 23 which is what our lunch hour is now because we've
 24 been told it's just so important you have under that
 25 unit that extra 15 minutes, but you can take us off

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1 the unit for two hours. I needed to stress that so
 2 you understand that part.
 3 What happened with me, when I, at the time
 4 my head nurse manager was expressing to another
 5 employee about these classes. It wasn't told to me.
 6 So I said, Wait a minute, what kind of classes? She
 7 said, Oh, the hospital is giving a class. I said, I
 8 want to go. Well, she came outside, she placed a
 9 call, she said, I need to -- and I'm listening to
 10 her end of the conversation, she said I need you to
 11 add Simpson to the list. Oh, I didn't know. So she
 12 hangs up, and I said, What happened?
 13 She said, Well, you can't go. I said, Why
 14 can't I go? She said, Come in here, I have to tell
 15 you in private. So I go in this little area. She
 16 said, Well, I've been told you can't go because they
 17 already know how you're going to vote. That
 18 happened to me on October 15th. I documented and I
 19 also sent a text. I was like, If this was truly a
 20 class, something that was educational, I'm also an
 21 employee of this hospital, why am I not allowed to
 22 attend so?
 23 FREEHOLDER O'DEA: Were these
 24 sessions held only for individuals of unions, and do
 25 you know only which union?

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1 MS. SIMPSON: Only our union, Local
 2 2254, the only union, yes. They were geared for us
 3 because the hospital was having this feud with us.
 4 We got caught up in the middle. There was a feud
 5 going on, but my problem here too is that, I mean,
 6 you have this gentleman that Brent Yessin brought,
 7 and the gentleman that I encountered. First of all,
 8 everyone is staying away from me like I had the
 9 plague. No one was telling me what was going on.
 10 They don't want me to know what was going on. I
 11 never work overtime.
 12 MR. FLORIO: Ten minutes, Chair.
 13 MS. SIMPSON: I just want to show you
 14 how they tried their best to keep the information
 15 from me, and me away from the other employees. A
 16 lot of the employees were coming to me telling me
 17 what was going on in the meetings. They came back
 18 to me with their copy of the -- from the labor
 19 board, which by the way, they put little marks in
 20 the book to highlight areas that benefited them.
 21 That's the first problem.
 22 So here I am working at night. All of a
 23 sudden, I get a call. Everybody wants to know why
 24 is Rose Simpson working the three-to-eleven shift.
 25 They called me up and said, Rose, I've been told to

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1 get another person, I said, No, the nurse manager
 2 was sitting there. But anyway, what was going on
 3 during the night shift, two managers came while I
 4 was there, and I said, Hello, and I asked them what
 5 was going on. They told me nothing, but what was
 6 truly going on, they were pulling employees in the
 7 conference room talking to them about coming out of
 8 the union.

9 So what this guy Brent Yessin brought in
 10 was there for two weeks. The very last day of the
 11 election, he approached me, and he tells me, he
 12 finally approached me, I know your name is Simpson.
 13 The point I'm trying to make here is these people
 14 were brought, they are not employees of the Jersey
 15 City Medical Center. He would walk up to you with a
 16 basket in his hand and say, Take a piece of candy.
 17 He had candy in a basket. He's walking all over the
 18 hospital with a basket full of candy, take a piece
 19 of candy.

20 If you take a piece candy, now he would
 21 say, well, now, you have to take a card. So the
 22 card might have a message that said, Well, what has
 23 the union done for you lately, and then you're
 24 expected to answer that. These are the games that
 25 they were playing. I need you to understand. I

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1 wanted to be able to show you some of the things
 2 that they were doing truly does not make sense. I
 3 wanted you to have a better picture of the patient
 4 care techs' responsibility and how valuable they
 5 were on the unit, and just to see how far the Jersey
 6 City Medical Center have gone to really try to get
 7 rid of the union, when they should have been putting
 8 all of this energy into taking care of patients.

9 That's truly what I wanted you to get a
 10 better picture of and to see that everything that is
 11 happening and transpired in contract negotiations,
 12 you have to be there to get really a full
 13 understanding what is truly happening at the Jersey
 14 City Medical Center. I wanted you to get a better
 15 picture.

16 FREEHOLDER O'DEA: Thank you.
 17 MS. SIMPSON: Thank you.
 18 MR. FLORIO: Next speaker is Susan
 19 Cleary.

20 MS. CLEARY: Good evening, Chairman
 21 Romano, Board of Freeholders. I really came here
 22 tonight to support my sisters and brothers of
 23 A.F.S.C.M.E. I'm Sue Cleary, president District
 24 1199J. I wasn't going to speak, but I want to
 25 clarify a couple of things.

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1 First, we also represent members at the
 2 Jersey City Medical Center. We've got about 45
 3 workers in the dietary department, 150 professional
 4 workers, and we have 500 registered nurses. I
 5 believe A.F.S.C.M.E. has about 600. We represent a
 6 lot of workers inside. We settled our contracts
 7 with our professional and dietary groups, and I
 8 would tell you it was like swallowing castor oil.
 9 We settled, we didn't want to, but we didn't have
 10 much choice.

11 And I'm particularly concerned, I heard
 12 some testimony earlier about nurses being pulled
 13 from the emergency room. Our registered nurse
 14 agreement expires at the end of January of 2014.
 15 They will not spared from this kind of treatment. I
 16 will say that very clearly. They're not here to
 17 tell you horror stories, but I think next month we
 18 will back here with a bunch of registered nurses
 19 telling you their stories, if we're not out on the
 20 picket line.

21 I want to say two more things. One, I
 22 will tell you throughout the entire process since
 23 February with the union busters from out of state,
 24 our nurses have told us just how bad it was for the
 25 patient care techs, for the union clerks, for the

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1 housekeepers, for all of the folks that work on the
 2 floors with them. They told us about the morale,
 3 about the fear and about the intimidation.

4 And I suggest to you even without hearing
 5 specifics of patient neglect while people are being
 6 pulled into meetings, I think it's common sense that
 7 when you have a thousand folks working in a
 8 hospital, that every day they come to work, they
 9 don't know what is going to happen next, who is
 10 going to get fired for looking at somebody the wrong
 11 way or for doing absolutely nothing, that absolutely
 12 will affect patient care, absolutely will affect
 13 patient care. It doesn't matter what you do. If
 14 you build cars for a living, if you go into work
 15 every day not knowing whether or not you're going to
 16 be fired, or you're going to have some supervisor or
 17 consultant sneaking up on you, talking in your ear
 18 about something that is important to you like your
 19 union, you're going to probably mess up some of that
 20 car, and hospital workers are no different.

21 So I think it's really important to focus
 22 on that. I hope, I think you should be commended
 23 for setting up this kind of a meeting. I think it
 24 would be even better if there could be even a
 25 subcommittee formed to hear some private testimony

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1 from folks who may not have the courage to come
 2 forward. We have also in our union seen retaliation
 3 and leaders fired for no reason, made up stories
 4 about arguments in the hallway, that witnesses
 5 somehow heard things that were never said. We know
 6 that. That's why we're here today in solidarity
 7 with our sisters and brothers.

8 I think this is a situation that has
 9 gotten out of hand. We're not in Florida. We're in
 10 New Jersey. We're in Hudson County. This is
 11 labor-friendly County. For me to listen to these
 12 stories, I have to tell you, you guys are so
 13 courageous. You should be so proud of yourselves.
 14 We've got to do something about this. You're the
 15 best Freeholder Board in the state. You are.
 16 You're the first ones that passed a living wage
 17 ordinance. You've been proactive Freeholders, going
 18 back to when our nursing homes were privatized. You
 19 were great, and you were always worker-friendly.
 20 Let's do something about it. Let's ask how much
 21 money is being spent on consultants and cars and
 22 hotel and meals and time and money.

23 FREEHOLDER O'DEA: We have asked for
 24 that.

25 MS. CLEARY: And we still have not

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1 gotten an answer, right? We've got to press
 2 further. I think we have to do it together. You
 3 know, enough is enough here. That affects patient
 4 care. When you're taking dollars, and all you know,
 5 anybody who lives in or works around Hudson County
 6 knows that the Medical Center has been financially
 7 troubled for years, but to find magical dollars to
 8 pay out-of-state consultants, not just one but a
 9 whole bunch of them is mystifying to me.

10 I think there is has to be some more
 11 investigation. They get County dollars. They get
 12 County patients. Hudson County workers are in the
 13 State health benefits. I believe the Medical Center
 14 is part of that plan. We're going through health
 15 care reform and health care dollars are for
 16 patients, and that's not happening in the Medical
 17 Center. I just want to, I guess, echo the request
 18 that you pay attention to some of the retaliation.

19 I expect hard work for the union. We get
 20 punished as a union because I'm here. I think they
 21 will try to retaliate against my members at the
 22 bargaining table. We'll fight that fight. Again, I
 23 really want to thank you. I know that you've very
 24 proactive, and it is a great start. Let's hope that
 25 we can keep going and get some justice for the

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1 workers and the patients of the Medical Center.
 2 Thank you.

3 CHAIRMAN ROMANO: It's good to hear
 4 from you.

5 MR. FLORIO: The next speaker is
 6 Kerry, J-i-c-h-a. I don't want to mispronounce your
 7 name.

8 MS. JICHA: My name is Kerry Jicha.
 9 I've been working in the Medical Center since 2005.
 10 I became active with my union in the fall of 2012.
 11 Before that, I was considered an exemplary employee.
 12 Since then, I have been suspended without pay for --
 13 suspended without pay for violating a policy I
 14 didn't know existed. I was terminated from a union
 15 position very recently in early October, and
 16 mandatorily reassigned to nonunion post at an
 17 off-site clinic.

18 FREEHOLDER O'DEA: Can you explain
 19 what that means?

20 MS. JICHA: I was called in. I
 21 worked the night shift in the ER. I was hired. I
 22 recently finished school as a patient care
 23 technician. I was hired for a position. I was
 24 training. I was getting great feedback from my
 25 supervisors. One morning, I was called while I was

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1 sleeping because I'm night shift, I sleep during the
 2 day. I was told in four very vague messages to come
 3 into HR immediately, no reason why, nothing.

4 So the next day I go into work as normal.
 5 I'm getting continuing training on my duties as a
 6 patient care tech because I'm seven days into ten
 7 days of training, and the very next day I set out to
 8 find out what was going on at HR. They don't open
 9 until nine a.m. I told that I was not in trouble,
 10 but I needed to come in for a career opportunity.
 11 When I came in, I was told that my position has been
 12 given to someone else. They decided to go a
 13 different way, though I had done nothing wrong.

14 They cited their implemented contract that
 15 they had the option to go with a worker that had
 16 been there longer than I was but did not have my
 17 seniority as a union member. When I asked questions
 18 as to who this person was or why this person never
 19 made it into the initial hiring process, they
 20 weren't answered. I was told that I couldn't get
 21 that information. I was then offered a job on a
 22 off-site clinic in a non-union position, or I was
 23 told that I can go ask my boss if he has already
 24 filled my job in patient transport for less money,
 25 if it still existed.

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1 I was told when I asked to leave the
 2 office and think about it that it wouldn't be there
 3 for long so I should make a decision quickly, and I
 4 chose to go work in the off-site clinic because I
 5 really believed they had gotten to my previous
 6 supervisor. I felt retaliation from the very
 7 beginning when I started working with the contract
 8 negotiation committee, when I represented members as
 9 shop steward, and I filed a grievance because I
 10 wanted my old job. I felt I was qualified. I
 11 didn't feel what happened to me was justified.
 12 A few weeks after that initial meeting on
 13 November 7th, I was called into a meeting with Mary
 14 Cataudella and Brent Yessin. I asked that a union
 15 rep be present. I was told that I was a nonunion
 16 employee.
 17 FREEHOLDER O'DEA: Mary?
 18 MS. JICHA: Cataudella, I'm not
 19 certain of the spelling of that. She is the vice
 20 president of human resources, and their consultant
 21 Brent Yessin. I tried to bring a rep, but they told
 22 me I wasn't entitled to bring a union rep. I told
 23 them I would feel comfortable to have a witness. I
 24 was told again that I was not in trouble. This was
 25 career development, career development, and my rep

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1 was not allowed to come in with me. I was then
 2 offered money to drop my charges against the
 3 hospital because by this point I had several
 4 National Labor Relations Board charges against the
 5 hospital that are still pending.
 6 FREEHOLDER O'DEA: When you said you
 7 were offered money, can you elaborate?
 8 MS. JICHA: I prefer not to go into
 9 the detail because it's still pending with the NLRB,
 10 but I was called into a private meeting, and I was
 11 told that if I dropped these charges, I would get a
 12 sum of money.
 13 MR. FLORIO: Freeholder, you don't
 14 want to jeopardize the speaker, she's still waiting
 15 on the NLRB. She's wise to put that on the record
 16 and should refrain from speaking on that all.
 17 MS. JICHA: I was pulled off the main
 18 building as a union officer in the beginning of the
 19 harassment that started with these employees.
 20 FREEHOLDER O'DEA: What was the time
 21 frame for this?
 22 MS. JICHA: I was removed from my PCT
 23 position on October 9th. I was called in for the
 24 meeting with Mary and Brent Yessin on November 7th.
 25 As of October 21st, one of my members of my old

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1 department was transferred, and I actually just
 2 prior to, I had had a promotion. I received a grant
 3 to study to become a patient care tech. That was
 4 how I got the position in the ER. I was promoted by
 5 the hospital because they helped facilitate this
 6 grant, and I was told that I was the first person
 7 and how well I was doing in my position before they
 8 terminated me.
 9 I've also had members because I had been a
 10 shop steward bring to me complaints of harassment.
 11 On the evening of October 21st, several members of
 12 my old department in transport were called into
 13 labor orientation sessions. They were mandatory
 14 only for union employees. At least four members
 15 were pulled off the unit for two hours at a time.
 16 They were sent down one-on-one with management, and
 17 basically fed antiunion propaganda and were being
 18 told how they should vote in the upcoming elections.
 19 They felt intimidated because there was no
 20 buffer. There was one person in a room full of
 21 administrators being told that they were getting
 22 some sort of training that had something to do with
 23 their job, and some of them are older and don't feel
 24 comfortable being confrontational. They were pulled
 25 off for two hours at a time, and I know of at least

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1 three members that were pulled off that day, which
 2 left that department severely short-staffed.
 3 FREEHOLDER O'DEA: What department is
 4 that?
 5 MS. JICHA: This is patient
 6 transport. Those meetings, the first one took place
 7 from three to five p.m. I know another took place
 8 from five to seven p.m. These were not the
 9 employees' lunches, but they were counted as well as
 10 the 45-minute lunch that they were entitled to. The
 11 department was severely short-staffed that night.
 12 Patient care suffered. Patients weren't getting to
 13 tests in a timely manner.
 14 FREEHOLDER O'DEA: When you said the
 15 individuals were brought into one-on-one with
 16 administrators, that's administrators as opposed to
 17 consultants?
 18 MS. JICHA: They were management.
 19 FREEHOLDER O'DEA: They were actually
 20 employees of the hospital that serve in management
 21 titles?
 22 MS. JICHA: Yes, sir.
 23 FREEHOLDER O'DEA: You were not --
 24 you were not at those sessions?
 25 MS. JICHA: I was not in those

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1 sessions.

2 FREEHOLDER O'DEA: At that point in

3 time, you were no longer in the union.

4 MS. JICHA: I was no longer in the

5 union, and a member that was afraid to go to her

6 session had called me and asked me whether or not

7 she had to attend that session.

8 FREEHOLDER O'DEA: Did she attend it?

9 MS. JICHA: She did attend the said

10 session. She was felt coerced, but she went because

11 she was told it was mandatory, that it wasn't an

12 option for her not go.

13 FREEHOLDER O'DEA: Did she or anyone

14 else tell you the names of any of the administrators

15 who were in those sessions?

16 MS. JICHA: She didn't, sir, because

17 she felt afraid of retaliation.

18 FREEHOLDER O'DEA: Again, as we've

19 stated, the main focus is to see how these actions

20 impacted the quality of care and patient care, and

21 obviously administrators, who should have been

22 administering and overseeing or conducting sessions,

23 I don't know if you call these training sessions, it

24 wasn't training related to your job, that is also a

25 factor towards the issue of whether or not patient

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1 care and health care was impacted.

2 FREEHOLDER MALDONADO: When you were

3 called into the -- when they were called into the

4 session, transport, how many others were left there

5 to do the remainder of the work?

6 MS. JICHA: At that time of the

7 evening, there are four people scheduled until about

8 eight o'clock. At any given time, there were about

9 two people on the floor because one was always on

10 lunch and one was always in a meeting. You had two

11 people covering a hospital of three to 400 beds.

12 FREEHOLDER O'DEA: Normally, how

13 many?

14 MS. JICHA: Normally it's four.

15 FREEHOLDER O'DEA: Any questions.

16 MR. FLORIO: That ten minutes is up.

17 FREEHOLDER O'DEA: I would just for

18 information of Susan Cleary. Susan, I think that if

19 there is any issue, we may be taking testimony about

20 what has occurred. Obviously, I think that we would

21 ask that now this is occurring with another group of

22 employees for similar reasons that we should be

23 alerted immediately, and Mr. Florio, it's one thing

24 for us to take action or ask that someone look into

25 something had occurred.

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1 And Mr. Administrator, I think we have an

2 even higher level of responsibility if it's brought

3 to our attention, if that action is occurring and

4 taking place that may impact the health care of

5 individuals relative to any fact that we're paying

6 the hospital for pursuant to our contract. I would

7 ask that if that is the case that information be

8 brought to our attention immediately, and we

9 Mr. Administrator, you may want to meet with the

10 Executive, Tom, to discuss that. God forbid, now

11 knowing that this is happening, and it's affecting

12 lives, we have an obligation to take action, and

13 it's our responsibility to not go back and forth.

14 This continues to be occurring in a

15 similar pattern, which quite frankly I find is

16 extremely, extremely disturbing. You said that is

17 Hudson County, not Florida. For Florida, this is

18 pretty good. This is kind of something I read about

19 in a political science class in countries that do

20 not have a democratic process, and people taught

21 lessons trying to organize a union. I have to tell

22 you, taking it on its face, I'm very disturbed.

23 Mr. Chairman, I would also recommend that

24 someone mentioned we have employees that want to

25 testify to their stories, there are some others who

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1 may not want to be here or are not capable of coming

2 out to do that. We should take separate testimony

3 for individuals that want to share their stories

4 about the health care situation that's affected

5 their job, and if they want to share it with us, we

6 should take their written testimony to combine with

7 the other testimony.

8 Beyond that, someone suggested earlier

9 that, I would defer to either Chairman Romano or the

10 incoming Chairman, to name a committee who can meet

11 in a closed format and take additional testimony

12 from individuals who may be more inclined to speak

13 in that format rather than the public record where

14 obviously their names are read in.

15 MR. FLORIO: And the last card I have

16 is for Kabili Tayari.

17 MR. TAYARI: I first want to commend

18 the Board of Freeholders for asking these persons

19 who want come forward on the record. I want to

20 commend the employees for coming forward.

21 There are, as many of you know, for the

22 past four year, I was appointed by Mayor Jeremiah

23 Healy and confirmed by the City Council of Jersey

24 City to be a citizen member of the Jersey City

25 Medical Center Board of Trustees. I note that in

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1 September, the Board was being told that, quote, the
 2 town hall meetings were going to be held with
 3 employees. I for one definitely volunteered to
 4 attend such town hall meetings because I had
 5 question marks in my own head.
 6 March the 7th, I think it was, there was a
 7 change of location in the Jersey City Board of
 8 Trustees meeting. I went to the Jersey City Medical
 9 Center to attend that meeting only to discover that
 10 the meeting had been changed and I found out the
 11 next day it had been changed, without informing me
 12 where that was because I was always an advocate for
 13 the lack of fairness that were given to the
 14 employees in the negotiations.
 15 From March the 7th until at least
 16 September the 5th or the 4th, I had not received any
 17 communication of any kind from the Jersey City
 18 Medical Center concerning board meetings or any
 19 other meetings.
 20 FREEHOLDER O'DEA: Do you know if any
 21 meetings were held?
 22 MR. TAYARI: Oh, certainly. Yes,
 23 they were. When I was finally contacted, I had
 24 asked why was I being contacted to sign certain
 25 documents, when we had not had any meetings. I was

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1 told we had meetings. At that point I said, Well,
 2 why wasn't I contacted? I was told that a motion
 3 was taken at the September meeting, they were not
 4 clear that I was a board member. I was reappointed
 5 to the board December the 10th. The City Council --
 6 I should say the City Council ratified my
 7 reappointment on December the 10th.
 8 On March the 7th, I was contacted to come
 9 to a board meeting, which was later on changed, and
 10 there was interaction as a board member between me
 11 and the administration, so there is was no question
 12 then I was a member. I opposed that motion at the
 13 September 25th meeting. I want to make something
 14 very clear to sum it up.
 15 FREEHOLDER O'DEA: I want to
 16 understand that. There was a motion made on
 17 September 25th, that did what?
 18 MR. TAYARI: That motion was to
 19 affirm that the reason that I had not been contacted
 20 since March the 7th about any board meetings was
 21 because the administration at the Jersey City
 22 Medical Center did not know that I was an official
 23 board member.
 24 FREEHOLDER O'DEA: Did they -- did
 25 they explain at that time what actions they took to

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1 determine whether or not you were a board members?
 2 MR. TAYARI: The only action that
 3 they could speak to was it was a failure of the City
 4 to properly, whatever that meant, to properly notify
 5 them that I had been reappointed, and I pointed out
 6 the fact that it was customary that any board or any
 7 agencies receives a notice from the City Clerk
 8 immediately after the City Council takes action, and
 9 I'm sure that that had occurred. Number two, there
 10 was no confusion in the month of March, so where did
 11 all of this confusion come from?
 12 FREEHOLDER O'DEA: Does the City only
 13 have one representative?
 14 MR. TAYARI: The City has three, a
 15 newly appointed woman. She's a vice president of
 16 Starbucks, I can't think of her name, and Harry
 17 Melendez, so there's three of us.
 18 FREEHOLDER O'DEA: When did they --
 19 MR. TAYARI: Oh, I'm sorry. I lied.
 20 Not Mr. Melendez, the head of the golf course. Oh,
 21 God.
 22 FREEHOLDER O'DEA: We can try to find
 23 that out.
 24 MR. TAYARI: But anyway, he's the
 25 manager of the Liberty National Golf Course.

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1 FREEHOLDER O'DEA: I'm just curious.
 2 Did they continue to be notified?
 3 MR. TAYARI: Well, the woman who is
 4 the vice president of Starbucks was just recently --
 5 FREEHOLDER O'DEA: I understand. She
 6 probably replaced Melendez.
 7 MR. TAYARI: The gentleman from
 8 Liberty National Golf Course and myself were
 9 reappointed, and she was just newly appointed.
 10 FREEHOLDER O'DEA: So you were
 11 reappointed, were both of you reappointed at the
 12 same time?
 13 MR. TAYARI: I think so. I think so.
 14 I think so, but I was mainly focusing on December
 15 the 10th, I know I was reappointed.
 16 FREEHOLDER O'DEA: I would be curious
 17 as to whether or not if he was reappointed on or
 18 about the same time as you were, were they notified
 19 of his reappointment? If they weren't, did he
 20 continue to be an attendee?
 21 MR. TAYARI: I know he wasn't
 22 attending meeting. Why he wasn't attending, I don't
 23 know.
 24 FREEHOLDER O'DEA: Was he at the
 25 meeting of the 25th of September?

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1 MR. TAYARI: Yes.
 2 FREEHOLDER O'DEA: I'm sorry.
 3 MR. TAYARI: It's quite all right. I
 4 just want to say in relationship to the
 5 September 25th and the November board meeting, it's
 6 very important that I'm on the right road. I'm glad
 7 the attorney raised what he did in the sense of the
 8 person that was just up here speaking. I think
 9 first and foremost, what are the procedures spelled
 10 out by the National Labor Relations Board as to how
 11 to decertify a union? That's number one. I think a
 12 lot of incorrect things that occurred in how this
 13 occurred. The vote was 267 to a hundred and
 14 something. There are six hundred employees at the
 15 Jersey City Medical Center.
 16 It was already stated that they went from
 17 one hour lunch to a 45-minute lunch. It was
 18 explained over and over again, the critical
 19 necessity to have people on the floor in their unit
 20 over and over again. Somebody said something about
 21 a legal requirement for nurses. I can tell you what
 22 you want a copy of is the Patient Quality Care
 23 Report that we hold so high. That's a national
 24 report. That is something that we have to submit.
 25 That is based upon how well we cover whether it's

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1 patient technicians, nurses, people taking blood or
 2 whatever. We brag about this patient care that is
 3 already there.
 4 I want to note that union officials were
 5 not allowed to put up in literature in the elevator
 6 or bulletin board about union meetings. They were
 7 telling them we can no longer meet after hours on
 8 the Medical Center property, whether that was the
 9 cafeteria or in a conference room somewhere to the
 10 point that they were renting space from the church
 11 on Jersey Avenue to have their meetings. They were
 12 not allowed to communicate with workers after they
 13 got off their shift. In fact, if a worker was off
 14 his shift, let's say I worked to three to eleven, at
 15 eleven o'clock, I wanted to stand outside on the
 16 property and pass out something. No, no, it was
 17 grounds to have me removed.
 18 So it's kind of ironic that people are
 19 mandated to come to these so-called training
 20 sessions, and yet all of these things started
 21 occurring February, March, April, to allow them to
 22 even talk to each other, even organize. The other
 23 thing I want to raise that I think is very
 24 important, I have heard, I don't know whether this
 25 is true, and I think it was suggested that you meet

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1 with people in closed session because people are
 2 scared. Some people said they were promised an
 3 increase in their pay if they voted for the union.
 4 You need to follow up.
 5 I also want you for know some of us have
 6 already contacted the Attorney General's office
 7 because there is an Attorney General that oversees
 8 all hospitals. Also, the Department of Labor needs
 9 to be involved in this. There are many things. But
 10 these people do not have the wherewithal or
 11 resources. I think somebody said earlier about
 12 working together, and I'm here not to hurt my
 13 hospital, I mean my hospital, I just stood before
 14 the City Council and demanded that the ambulance
 15 contract should remain there.
 16 But I do believe in what's fair and just.
 17 We just celebrated Jesus Christ's birthday, and in
 18 Matthew, there is a subject to talk about Joseph,
 19 Jesus's earthly father being a just man. We are
 20 celebrating Kwanza. Today is the fifth day, Nia or
 21 purpose. Who other purpose should we be about than
 22 standing up for the least of these workers, 600 of
 23 them? I think Ms. Clearly is correct. It's coming
 24 up to lead to some other things.
 25 I don't want us to get caught up in

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1 technicalities of how many nurses should have been
 2 on the floor, and how many nurses should have not
 3 been there and what the legal requirements are. I'm
 4 a bureaucrat, and I'm glad to be one, I'm a public
 5 servant, and I'm glad to be one, and we know we can
 6 flip requirements any time we want to. So let's not
 7 get into all of that. Let's get into what is the
 8 process for decertification, how should that process
 9 be handled? Also, who were the people who were
 10 manipulating this that were paid, and why were
 11 consultants?
 12 I am a board member. I have a badge.
 13 When I walk around that hospital, I must show
 14 security first who I am. It states my name is
 15 Kabili Tayari. It states I'm a board of trustee
 16 member, and there's a code in that badge that gives
 17 me permission when I hit the key code that allows me
 18 into certain areas and certain areas I'm not allowed
 19 in.
 20 MR. FLORIO: Ten minutes.
 21 MR. TAYARI: Thank you. I just want
 22 to sum up and say I know that the Board asked me,
 23 Board of Freeholders, to get a copy of Mr. Brent
 24 Yessin's contract, and I am a board member, cannot
 25 even have it, and that was asked for before you

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1 asked me to do that. God Bless you. Thank you.
 2 FREEHOLDER O'DEA: Kabili, do you
 3 recall voting on this contract?
 4 MR. TAYARI: Oh, let me say to you
 5 straight up, I have a lot of concerns about things
 6 we don't vote on that are told we don't have to vote
 7 on because there is another board that does the
 8 voting for the Jersey City Board of Trustees, which
 9 is another question that needs to be examined. I
 10 mean, Mr. Freeholders, you're asking some valid
 11 things, and I only say people are going to accuse us
 12 of trying to be political. The campaign is over.
 13 It's over with. Whoever the mayor is, we know who
 14 the mayor is. That campaign is over with. I'm glad
 15 to see that you have continued to be on top of this
 16 because that is another question too.
 17 Why is it that the Jersey City Medical
 18 Center Board of Trustees is not voting on these
 19 things, and particularly as we're in the middle of a
 20 transaction with St. Barnabas? I would make one
 21 last suggestion. Contact through your lawyer and
 22 your BA, the CEO and law department of St. Barnabas
 23 Hospital, and sit down and have a discussion about
 24 all of this formally. Thank you.
 25 MR. FLORIO: There are no other

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1 speakers, Freeholders.
 2 FREEHOLDER O'DEA: Mr. Florio, I
 3 think that it behooves us to have you ascertain a
 4 few things. First is, who is the governing body of
 5 the Jersey City Medical Center? Legally, if you
 6 need to do research, if you need to file an action
 7 in court, I think we can give you the authority on
 8 our behalf to do that because we requested nine
 9 months ago, maybe longer.
 10 MR. TAYARI: March the 14th.
 11 FREEHOLDER O'DEA: It's interesting
 12 that you were here on the 14th, and you didn't get
 13 invited to a meeting until six month later. I'm
 14 sure that was coincidence.
 15 But Mr. Florio, the fact that we have a
 16 contract with that hospital, we have several
 17 contracts with that hospital, we have a legal
 18 responsibility to understand what is the makeup.
 19 Who is the governing body of that hospital? I would
 20 like to know they are. I would like to know the
 21 names of those individuals. I would like to know
 22 the process upon which they are named.
 23 Similarly, I would like to know what is
 24 the process and procedure for entering into any
 25 contracts that the hospital entered into as a

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1 not-for-profit, what or how much of that information
 2 is accessible to the public as a hospital, as a
 3 not-for-profit that gets charity care and Medicare
 4 and Medicaid, but also public funds and public
 5 contracts with the City and the County contract,
 6 what OPRA requirements they may be subject to
 7 because of the sources of funding that impact them.
 8 MR. FLORIO: Freeholder, when you ask
 9 about contracts, are you are speaking specifically
 10 with reference contracts of collective bargaining
 11 units?
 12 FREEHOLDER O'DEA: Contracts for --
 13 MR. FLORIO: Expanded to goods and
 14 services?
 15 FREEHOLDER O'DEA: Professional
 16 service contracts, what level, to what level of
 17 their books are required to be open to the public as
 18 a result of that funding sources they receive from
 19 the State of New Jersey, from the County of Hudson
 20 pursuant to the contract relations we have with the
 21 City of Jersey City, et cetera. We really need to
 22 understand. We asked for that ten months ago.
 23 We asked relatively simple questions for
 24 simple documents that we never received, and then we
 25 never understood the amount and level of

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1 expenditures related to those, again, clearly would
 2 have an impact on the quality health care provided
 3 at the facilities. Millions of dollars are being
 4 spent on so-called consultants. You know, we need
 5 to understand why that money is not being spent on
 6 health care for the patients.
 7 As it relates to this particular hearing
 8 today, you stepped out temporarily, and one of the
 9 recommendations is that, and I don't know if we need
 10 a special committee hearing. It would probably make
 11 a sense for the Chair of the Health Committee to
 12 take it upon herself to conduct an additional
 13 committee hearing, which would not be subject to the
 14 Open Public Meetings Act, upon which additional
 15 individuals could come give testimony.
 16 I would leave it -- I would leave it to
 17 the Chair obviously of the committee, but it could
 18 be conducted in a manner where individuals would be
 19 invited to sit here or wherever. They could be
 20 invited into the caucus or committee room so there
 21 is a much greater sense of fact that the information
 22 they are providing is provided in a more private
 23 setting. I leave that up to the Chair.
 24 Lastly, from my perspective, I would ask
 25 that we as a Board be provided with an expedited

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1 transcript of this meeting here today, and in
2 addition to it being provided to us --
3 MR. TAYARI: Can I have a copy?
4 FREEHOLDER O'DEA: Once we have it,
5 it's available to the public. In addition to being
6 provided to us, that it be provided to the outgoing
7 and incoming Speaker of the State Assembly, the
8 current President of the State Senate, the Office of
9 the Governor, the Congressional representative that
10 represents Hudson County, the two United States
11 Senators that represent the State of New Jersey, and
12 particularly the State Senator and State Assembly
13 Members, who represent the City of Jersey City and
14 the County of Hudson. I believe one of our
15 Legislators is on the Health Committee, correct?
16 Can we determine, Mr. Florio, who is, if
17 any of the County delegations sits on the House
18 Committee?
19 MR. FLORIO: Yes, sir.
20 FREEHOLDER O'DEA: I would suggest
21 that we not simply send those transcripts to those
22 individuals, but that we send with that a letter
23 from us that requests at their earlier possible
24 convenience after reviewing that transcript, they
25 make arrangements to meet with us either personally

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1 or with their appropriate staff to further discuss
2 the information that was provided with that. I
3 don't want to put you on the spot, how soon can we
4 get that?
5 THE COURT REPORTER: Five days is
6 expedited.
7 FREEHOLDER O'DEA: So those are just
8 my recommendations to the Board of what our next
9 steps are. Part of the reality or the frustration
10 is that we don't have a direct control of the
11 facility. I would probably go out on a limb and say
12 even the hearing we held today will be viewed by
13 many as an extraordinary step as it relates to an
14 action of a legislative body that has no direct
15 control over it.
16 However, I think the information provided
17 today forwarded to Members of Congress and Members
18 of the State Legislature can certainly put them on
19 notice and warrant from their positions, who some
20 have direct control over things like licensing,
21 funding, charity care, Medicare, et cetera, may
22 warrant a hearing at a higher level, which obviously
23 many of us would attend and open up ourselves up to
24 be heard. I don't have any other comments. I will
25 leave it up to Freeholder DiDomenico with respect to

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1 the Health Committee.
2 FREEHOLDER DiDOMENICO: I would
3 reiterate the words that were said, and thank the
4 people that came today who had the courage to speak
5 out and share with us their experience and what they
6 have gone through, and I thank you certainly for the
7 care you provide your patients and the concern with
8 which you take your jobs.
9 As soon as we begin the New Year with our
10 new Chairperson, I will make every effort to set up
11 that committee meeting and go about contacting
12 employees or allowing anyone who would want to come
13 and speak to the committee to provide private
14 testimony can do so.
15 FREEHOLDER O'DEA: One last thing, I
16 would ask you to research whether it would be
17 reasonable and appropriate to forward a copy of the
18 transcript to the National Labor Relations Board.
19 It would appear that many of the items raised here
20 today are within their purview, whether it's part of
21 a current investigation that there may be complaints
22 that they're currently dealing with, whether they
23 have authority to go beyond that.
24 Obviously, it would appear that one of the
25 things we certainly have the power to do is make

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1 sure that the information provided to us today is
2 provided to agencies and entities who have more
3 authority than we would to take certain action. I
4 would just note for the record that we did invite
5 management from the Medical Center to attend. We
6 received a call from Joe Scott this afternoon that
7 he was not going to be able to attend, that he would
8 attempt to make himself available to attend the
9 meeting.
10 FREEHOLDER MALDONADO: I would add,
11 Mr. Chairman, after we ascertain who the Attorney
12 General official is that oversees hospitals, that
13 the transcript be sent to that person also, and that
14 we consider sending the Chairperson of the Senate
15 and Assembly Health Committees.
16 FREEHOLDER O'DEA: Again, it's
17 sending in that we want not only to send, we want to
18 send with it a letter that requests they have
19 themselves or their staff review it, and based on
20 that review, we would request that they contact the
21 Board Attorney or Board Clerk to arrange a meeting
22 to discuss what was within that transcript and what,
23 if any, actions they deem they may have the
24 authority to take to look into as a result of the
25 information. Because they like us are elected

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1 officials, and once an elected official is put on
 2 notice of a situation, those elected officials are
 3 held to a higher level of responsibility as it
 4 relates to what they should do.

5 MR. TAYARI: Mr. Chair, you asked
 6 who, Kabili Tayari; Nevin McCann, and the new
 7 person -- and the new person, she was just
 8 appointed, if I understand she's vice president of
 9 Starbucks, but she lives in Jersey City, Veronica
 10 Pack -- Park, Park.

11 FREEHOLDER O'DEA: I've seen e-mails
 12 from her. Mr. Florio, can you as expeditiously as
 13 possible ascertain what the authority of the two
 14 board are? There are two boards?

15 MR. TAYARI: Yes, sir.

16 FREEHOLDER O'DEA: What is within
 17 their governance or within their operating
 18 agreements, what each of those are, and then I have
 19 to tell you that if that also is reflected by an
 20 agreement, it's probably in place with the City of
 21 Jersey City where -- did Mrs. Simpson leave?

22 Mrs. Simpson, you mentioned 1985 when you
 23 first started to work at the hospital. There was a
 24 very young man there who was a Councilman elected in
 25 1985, and that young man in his first term of office

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1 had to deal along with the late former Mayor of
 2 Jersey City, who was the president of the City
 3 Council Cunningham, and seven other Council Members,
 4 the issue of the closing of what was formerly the
 5 Medical Center.

6 And I don't know if I'm happy or sad to
 7 say it was me. Obviously, I am not that young
 8 anymore, still young at heart I think. Based upon
 9 that, I do know that the result of the agreement
 10 that was reached between the City of Jersey City and
 11 the Medical Center undertook to provide funding for
 12 both land and funding for construction of that
 13 hospital, giving to the City of Jersey City certain
 14 rights, which I believe, quite frankly, Kabili,
 15 that's why there are three people on the Board.

16 So what I would like for you to do,
 17 Mr. Florio, is to research from that going forward,
 18 what is that, how has that changed, et cetera. I
 19 don't think people have looked at that for quite
 20 some time.

21 FREEHOLDER MALDONADO: Kabili, I have
 22 a really quick question, Edgar Martinez served or
 23 does serve?

24 MR. TAYARI: Mr. Martinez is
 25 appointed by the board and he still serves.

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1 FREEHOLDER O'DEA: He serves on the
 2 same board?

3 MR. TAYARI: He serves with me. He
 4 and Melendez are appointed by the board. They are
 5 all Jersey City residents, and they were on the
 6 Board when I was appointed to the board as confirmed
 7 by the City Council.

8 FREEHOLDER MALDONADO: Juan Perez, is
 9 he still on?

10 MR. TAYARI: Juan Perez, when I came
 11 on the board four years ago, Juan Perez was no
 12 longer there. So it was, there was and still is
 13 Edgar Martinez, Harry Melendez appointees by the
 14 board, and the three names I just gave you.

15 FREEHOLDER MALDONADO: How many
 16 members are on the board?

17 MR. TAYARI: I think there are nine
 18 of us. I think they are nine of us.

19 FREEHOLDER MALDONADO: Would you know
 20 if any those individuals have been invited to these
 21 meetings that you were not invited to?

22 MR. TAYARI: If you look at the
 23 minutes, which I have reviewed, it appears that
 24 there was more phone conversations between those
 25 periods, and then only a few of us were actually

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1 able to physically attend. What began to happen, I
 2 think May, what began to happen in May, all of a
 3 sudden there was these joint meetings between the
 4 Liberty Health Care Board and the Jersey City
 5 Medical Center Board.

6 And what you see from reviewing the
 7 minutes is most of the Jersey City Medical Center
 8 Board Members were available by phone only, which
 9 raised questions to me as to how much of a timely
 10 fashion were they contacted because I would say
 11 Edgar and Harry and most of my colleagues are -- we
 12 have made it our business to physically be at our
 13 board meeting.

14 FREEHOLDER MALDONADO: Were they
 15 voting on issues telephonically?

16 MR. TAYARI: Yes.

17 FREEHOLDER MALDONADO: Do your bylaws
 18 allow for that occurrence?

19 MR. TAYARI: Well, that goes back to
 20 what Mr. O'Dea said. We're going through a struggle
 21 about where are our bylaws. We have a fact that
 22 that question has really come to our floor when
 23 these labor negotiations started because what we
 24 discovered is that we should have, we the Jersey
 25 City Medical Center Board, should at least have a

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1 financial and a labor negotiation committee as an
 2 actual function, not just by our bylaws, but what
 3 seems to be standard operating procedure by most
 4 boards of trustees of hospitals.
 5 Which is another reason why I suggested, I
 6 would suggested it again, Mr. Chairman, that you
 7 send a copy of this information to Mr. Barry
 8 Ostrowsky, the CEO of St. Barnabas Hospital. Be
 9 very clear there are serious discussions about there
 10 being a merger between the St. Barnabas and Jersey
 11 City Medical Center.
 12 FREEHOLDER O'DEA: The hospital, it
 13 says St. Barnabas. It's really serious. It's right
 14 in the lobby as you go in there.
 15 MR. TAYARI: Let me say, let me say
 16 very honestly that if there had been a vote, I have
 17 not seen those minutes and somebody better hurry up
 18 and tell us that we're in something other than
 19 transactions and discussions.
 20 FREEHOLDER O'DEA: I don't want to
 21 cut you off, but we advertised a special meeting,
 22 and our special meeting is limited.
 23 MR. TAYARI: That's correct. Send it
 24 to the CEO.
 25 FREEHOLDER O'DEA: I don't want to go

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1 (Whereupon the proceeding is then
 2 concluded at 7:03 p.m.)
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1 far afield. We have to limit our scope because we
 2 could -- someone could argue our position is tainted
 3 beyond the scope.
 4 FREEHOLDER DUBLIN: I have a question
 5 for Mr. Florio, can we found out if they are
 6 governed by the Sunshine Law, are they?
 7 MR. FLORIO: The short answer is no,
 8 but if you look at it in light by which Freeholder
 9 O'Dea has tried to cast the inquiry, I won't say no.
 10 So I'll look at it, and I'll advised the board.
 11 FREEHOLDER O'DEA: I would tell you
 12 that there is case law that, Mr. Florio, has
 13 broadened the scope of which the Open Public
 14 Meetings Act applies. There is a case of a Trenton
 15 hotel or a parking deck in Trenton that broadened
 16 the groups that had to potentially be, you know,
 17 impacted or affected by -- forget about just the
 18 Open Public Meetings Act, more importantly, the Open
 19 Public Records Act. That would allow us the
 20 opportunity to be able to access information.
 21 Anything else? I'll take a motion to
 22 adjourn.
 23 MR. FLORIO: Move by Freeholder
 24 Dublin. Second by Freeholder Maldonado. All in
 25 favor? The meeting is adjourned at 7:03.

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1 CERTIFICATION
 2
 3
 4 I, SHARI CATHEY, CCR, RPR, License No.
 5 30XI00234700, and Notary Public of the State of New
 6 Jersey, hereby certify that the proceedings herein
 7 are from the notes taken by me of the Public Portion
 8 of the Special Meeting of the Hudson County Board of
 9 Chosen Freeholders, held on Monday, December 30,
 10 2013; and that this is a correct transcript of the
 11 same.
 12
 13
 14
 15 _____
 16 SHARI CATHEY, CCR, RPR
 17 A NOTARY PUBLIC of the
 18 State of New Jersey
 19 I.D. No. 2283786
 20 Commission Expires 2/4/17
 21
 22
 23
 24
 25

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