



# NJSOA

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## NEW JERSEY SUPERIOR OFFICERS ASSOCIATION

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July 21, 2005

Mr. Devon Brown, Commissioner  
New Jersey Department of Corrections  
P. O. Box 863  
Trenton, NJ 08625-0863

Sir:

It has recently come to my attention, both through member complaints and through recent newspaper articles that the New Jersey Department of Corrections has capriciously set about removing fire safety equipment from several of the department's prisons. I am completely blind-sided by this revelation since our bargaining unit was never notified of any plan to change the terms and/or conditions of employment of our members, nor were we asked to enter into any "good faith" negotiations regarding same. Although this is not completely uncommon for the Department of Corrections under your tenure, I find this issue completely "off-limits" with regard to any reduction in staff safety.

Please be cognizant the our collective bargaining agreement defines "terms and conditions of employment" as those matters which intimately and directly affect the work and welfare of our members! Also be mindful that our collective bargaining agreement mandates that the State will "continue to make reasonable provisions for the safety and health of its employees during the hours of their employment and will continue to provide appropriate safety devices for their protection and to provide a reasonably safe and healthful place of employment."

As I noted, all of my information has come to me second-hand. Therefore, I demand an account of the department's intent, and plan concerning the removal of any safety devices that have been available to employees in the event of a fire in the workplace. Also, if the department has removed any previously available fire safety equipment from any work site, I demand that the equipment be returned immediately.

Any removal of fire safety equipment from the prisons will not only diminish staff safety, but will also place inmate residents at risk, as well as open the door for legal challenges should an unfortunate fire injury occur.

As always, I am free to discuss this very important matter with you. I anxiously await your response.

Sincerely,

Jeffrey Smith

CC:

Membership  
Mario Iavicoli, Counsel  
Joint Labor/Management Safety Committee  
NJ State Law Enforcement Member groups  
File