

EMPLOYEE STATEMENT OF GRIEVANCE:

Article XXXIV; E., of the Collective Bargaining Agreement between the New Jersey Superior Officers Association, Fraternal Order of Police Lodge #183 (Grievant), and the State of New Jersey, requires that a Joint Safety and Health Committee be established. The Committee is to consist of three (3) members from each party. The Committee is required to conduct quarterly meetings to discuss safety and health problems and to make recommendations concerning improvement or modification of conditions regarding health and safety.

The Grievant has repeatedly requested the establishment of this contractually mandated Joint Safety and Health Committee, both verbally and in writing. Both the State and the Department of Corrections have exchanged correspondence with the Grievant, however neither has initiated the Committee as required. The State has also placed the responsibility of establishing the Committee on the Department of Corrections. The Department of Corrections has refused and/or neglected to act in creating the Committee.

On January 01, 2005, there was a serious incident at Bayside State Prison where dozens of staff members were injured. Immediately following the incident the Grievant contacted both the State and the Department of Corrections regarding concerns with safety issues. The Grievant again requested that the parties immediately establish the Joint Safety and Health Committee so that safety concerns that came to light out of the incident at Bayside State Prison could be addressed. Again, the State and the Department of Corrections has failed to act upon the request.

The employer's refusal to establish the Joint Safety and Health Committee diminishes the employees' ability to promptly report hazardous or unhealthy conditions. This will lead to a work environment that is potentially unsafe or unhealthy. By not having an avenue to report and discuss safety and health problems, improvements and/or modifications of conditions could be delayed, leading to employee injuries or health problems.