



## New York State Correctional Officers & Police Benevolent Association, Inc.

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April 13, 2009

**HAND DELIVERED** April 14, 2009

Dear Commissioner Fischer:

I am writing to you in connection with the staffing reductions that the Department is pursuing under the Workforce Reduction Plan Targets announced by the Governor. In an attempt to identify positions that are appropriate for elimination, some facility superintendents are soliciting input and suggestions from NYSCOPBA's Chief Sector Stewards. As explained below, we do not think this practice is appropriate and we request that it be discontinued.

Meetings and discussions concerning the positions that should be targeted for elimination are not within the jurisdiction of local labor management committees. Article 25 of the collective bargaining agreement between the State of New York and NYSCOPBA does not empower local labor management committees to negotiate staffing reductions. Further, expecting local union officials to play a role in deciding which positions held by their fellow officers should be eliminated is both unfair and inappropriate. As your representatives have often reminded us, staffing decisions are managerial prerogatives. As provided in Article 6 of the collective bargaining agreement, such rights are retained by the employer.

To the extent that the Department wishes to discuss with NYSCOPBA the implementation of workforce reductions, the proper way to do so is through my office. We ask that the Department direct and enforce that no facilities negotiate with or otherwise seek input from NYSCOPBA's local representatives regarding the positions that should be targeted for elimination.

Thank you for your anticipated cooperation.

Very truly yours,

Donn Rowe, President