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LEGISLATIVE ALERT

April 11, 2008

To: All Members FOP
From: Chief George J DiBlasi
Director of Governmental Affairs
Re: Progress Report, Transportation Bond Bill

As you all know, we have been working diligently on the Flagman issue contained in the Transportation Bond bill. The Senate had voted 38-0 to insert language in the Bond Bill on this matter that was agreed upon by all parties. However, a motion was made to reconsider by the Senate in an informal session that changed the agreed language. The new language they inserted was then sent to and approved by the House of Representatives. The new language still states that Collective Bargaining Agreements, Town By-laws and City Ordinances will prevail over any state regulations or guidelines, but is vague on how the new rules for Flagmen will be developed. It appears that the legislation authorizes the Governor to have the Secretaries of Transportation and the Executive Office of Public Safety promulgate Rules or CMR's concerning this issue as stated on the old language. It also infers they shall consider grouping roads into tiers where Flagmen can be used. If the construction work is awarded by a municipality, they will decide how to utilize the proposed rules. On the other hand, if the job is at the state level, the state will make the decision on use of the rules. As I understand it, this language does not require them to do anything; it authorizes them to do it. This is still a fluid matter that is yet to be resolved that is on the front burner of all police groups. I will keep FOP members informed as the matter progresses. If you are in the process of collective bargaining, you should have your union make every effort to get language in your contract that insures police officers will be used on all paid details. It may also be possible to re-open existing agreements if both parties agree.

Fraternally,
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