

**SENATE BILL NO. 3839**  
(Second Reprint)

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I herewith return Senate Bill No. 3839 (Second Reprint) with my recommendations for reconsideration.

Senate Bill No. 3839 (Second Reprint) implements a policy for 10-minute shift overlaps, with compensation, for Department of Corrections ("DOC") correctional officers, sergeants, and lieutenants. This overlap allows for the exchange of pertinent information between the outgoing and incoming shifts and allows for the outgoing shift to download body-worn camera footage or perform any other end-of-shift duties that may be required. I agree with the sponsors of this bill that allowing shift overlap will enhance the safety and well-being of the officers and incarcerated population.

However, I am concerned that the current language of this bill references collective bargaining negotiations and agreements, which do not have explicit provisions relating to shift overlap or overlap compensation. Indeed, the bill as currently drafted inserts itself into collective bargaining undertaken in good faith between the pertinent unions and the DOC every four years. I recognize the value and importance of collective bargaining, and I stand firm in my commitment to ensuring that New Jersey is as supportive of labor as any state in the nation. I commend all who come to the bargaining table on behalf of correctional officers throughout the state to ensure safe and fair conditions on behalf of their members. In order for the DOC to implement the shift overlap policy as expeditiously as possible, and to ensure that the language best conforms to existing State and federal laws, including but not limited to the Fair Labor Standards Act, I am

recommending modest revisions to this bill to better outline the compensation to be paid for this work.

Therefore, I herewith return Senate Bill No. 3839 (Second Reprint) and recommend that it be amended as follows:

<u>Page 2, Section 2, Line 31:</u>	Delete "subject to the terms of a" and insert "to be paid at the applicable overtime rate at time and one-half."
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<u>Page 2, Section 2, Line 32:</u>	Delete in is its entirety
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Respectfully,  
/s/ Philip D. Murphy  
Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor