



LUCY LANG  
Inspector General

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August 30, 2023

Roberta Reardon  
Commissioner  
New York State Department of Labor  
Building 12  
Harriman State Office Campus  
Albany, New York 12226

Re: NYSIG 1203-023-2023

Dear Commissioner Reardon:

On April 27, 2023, the New York State Department of Labor (DOL) alleged to the Offices of the New York State Inspector General that [REDACTED] a senior safety and health inspector in DOL's Bureau of Public Employee Safety and Health (PESH), attempted to take a razor blade into the Rikers Island Correctional Facility on April 20, 2023, while investigating a PESH complaint. DOL further advised that the matter was reported to the New York City Department of Correction, New York City Department of Investigation, and Bronx County District Attorney's Office (Bronx DA).

In conjunction with the Bronx DA, the Inspector General reviewed all relevant evidence, including, but not limited to, video surveillance from the Rikers Island security checkpoint, the PESH complaint that [REDACTED] was assigned to inspect, the PESH employee work equipment checklist, and explanations provided by [REDACTED] of the incident to his supervisors.

The video surveillance from Rikers Island revealed the following: [REDACTED] wearing a baseball style cap, approached the security checkpoint, placed his belongings on the security conveyer belt for scanning, and proceeded through the security metal detector while wearing the cap. As [REDACTED] walked through the metal detector, its alarm sounded. Rikers Island security then searched [REDACTED] cap and discovered a razor blade in the cap's interior band. A review of DOL records, which reflected that [REDACTED] visited Rikers Island for PESH matters on four dates since 2021, did not reveal any provable contact with any incarcerated individual at that facility on those dates.

[REDACTED] spoke to his supervisor immediately after the discovery and subsequently provided written statements asserting that he did not intentionally attempt to

bring the razor blade into Rikers Island but rather, the blade fell into his cap while it was inside his PESH equipment work bag. He further asserted that he had changed a box cutter's blade while in the PESH New York City District Office a few days before the incident and placed the used blade in his work bag for later disposal, but then forgot about it. An administrative assistant in the office confirmed that [REDACTED] had changed a box cutter's blade a few days prior to April 20, 2023.

Given these findings, the Inspector General and Bronx DA were unable to conclusively determine that his actions were intentional, and the Bronx DA advised it was declining to prosecute [REDACTED]. Therefore, I am referring this matter to DOL for any action it deems appropriate. [REDACTED]

Please advise me of any action taken by your agency in response to this referral within 45 days of the date of this letter. If you require further information, please contact Deputy Inspector General Michele Bayer at [REDACTED].

Sincerely,



Lynn Tabbott  
Chief Deputy Inspector General

cc: Jill Archambault, Esq.  
Deputy Commissioner and General Counsel

Ryan O'Donnell, Esq.  
Associate Counsel