

**THE NEUBERGER FIRM**  
ATTORNEYS AND COUNSELLORS AT LAW

TWO EAST SEVENTH STREET  
SUITE 302  
WILMINGTON, DELAWARE 19801-3707

WWW.NEUBERGERLAW.COM  
EMAIL: INFO@NEUBERGERLAW.COM

THOMAS S. NEUBERGER, ESQUIRE  
STEPHEN J. NEUBERGER, ESQUIRE  
CHERYL A. HERTZOG, ESQUIRE\*

PHONE: (302) 655-0582  
FAX: (302) 655-9329

\*(Licensed Only in PA and NJ)

**September 25, 2006**

**EMBARGOED FOR RELEASE AT 10:00 AM EST**

## **WIDOW SUES CORRECTIONS FOR WORKER SUICIDE**

Wilmington: On behalf of herself, her 11 year old son and 9 year old daughter, today in federal court the widow of Correctional Officer Corporal John J. Balas sued the Department of Correction for driving her husband to kill himself due to unremitting retaliation against him for his pro Union activities. Also sued are Commissioner Stan Taylor, H.R. Director Alan Machtinger, Deputy Warden Michael Deloy, Capt. David Wilkinson and Lt. Truman Mears.

Cpl. John Balas was an outstanding long term Correctional Officer assigned to the Sussex Correctional Institution. On behalf of her son Jonathan, daughter Lauren and herself, Cindy Balas alleges that Commissioner Taylor gave orders in August 2004 to break the job action which had spontaneously started among Union members. Employees were refusing to work forced voluntary overtime to transport prisoners to court. Cpl. Balas and 9 others were ordered to cross the picket lines to become strike breakers. They did so for one day and then refused any more and joined the solidarity of their Union ranks.

Cindy alleges this infuriated Taylor, Machtinger and the others who then set out to break her husband and make him an example of what would happen to any Union member who defied management. A long course of on the job harassment began against Cpl. Balas which broke his spirit over the next six months. In February of 2005 he then admitted to family that he was on the verge of suicide. His family then tried unsuccessfully to get him medical help, but that was slow in coming.

Cindy also alleges that three weeks before he took his life a fellow employee reported to deputy Warden Deloy that Balas was threatening suicide. But Deloy did nothing, according to the allegations of the Complaint, which charge that as a result of a far reaching policy of retaliating against Union members no State resources were brought to bear to help this man who was crying out for help. His pleas were ignored by his management. Then on February 19, 2005 Cpl. John Balas took his life in his back yard with a weapon while his son, daughter and wife were in their Sussex County home.

“This tragic loss, and all John’s suffering and hurt, should have been avoided “ stated his widow. “The public needs to know that all the brave men and women working to keep us safe from violent convicted criminals are working under management which deliberately seeks to intimidate them and deny their basic human rights as workers.”

Her attorney, Thomas S. Neuberger added that “efforts this past spring to have the General Assembly step in to correct the many abuses in the working conditions of correctional officers failed because there were not enough men and women of good will there to end the abuses of these employees. For example, Cindy did not even have enough employer provided life insurance to bury her dear husband. Two thousand dollars is all officers get. And the Department refused to even give her that and said, ‘too bad, he killed himself, so we will not pay’ even that pittance. That kind of attitude is right from the pit of Hell and that is what these people must daily work under.”

Neuberger concluded: “Now a federal jury will try to right this wrong for this poor family. I expect the citizens of our good State will see that each individual defendant has to pay massive punitive damages for taking this man away forever from his loving wife and children. We will do all in our power to get justice for this family from the cold hearted managers in the Department who allegedly do this kind of thing every day.”

Announcement to send to the media on Friday September 20, 2006 -

EMBARGOED FOR RELEASE ON MONDAY SEPTEMBER 25, 2006 AT 10:00 AM EST

## **WIDOW WILL SUE CORRECTIONS FOR WORKER SUICIDE**

The Neuberger Firm announces that a press conference will be held in its offices on Monday September 25, 2006 at 10:00 am, to announce the filing of its most important federal lawsuit arising from mistreatment of a member of the Correctional Officers Association of Delaware, which lead to that Sussex County Officer's suicide because of retaliation by management for his Union activity.