

CONNECTICUT STATE BOARD OF LABOR RELATIONS

BOARD MEETING

May 5, 2011
11:30 a.m.

MINUTES

Present: Patricia V. Low, Wendella A. Battey, Robert A. Dellapina,
Katherine C. Foley, Harry B. Elliott, Jr. and Joanne Coligan

The meeting was called to order by Patricia V. Low at 11:30 a.m. The Board took a few moments to read over the Minutes of the April 12, 2011 Board Meeting.

I. ACCEPTANCE OF MINUTES

Upon a motion duly made by Wendella Ault Battey and seconded by Robert A. Dellapina, the Board unanimously

VOTED to accept the Minutes of the April 12, 2011 Board Meeting as presented.

The Board decided to change the sequence of the Agenda and allow the Agent's Report to be presented first.

II. AGENT'S REPORT

Kathy Foley reported that she is trying to schedule the adjourned Weston hearing for June 22, but the Andrea Wilson case is scheduled for that date. This date has been cleared with Courtney George and a voice mail message has been left with Ms. Wilson.

Kathy Foley reported that deliberations are scheduled for May 11 and 12 (Norwalk Third Taxing District & Hamden) and that a Director's Meeting, originally scheduled for May 11, has been moved to May 12th. Kathy noted that since she will be attending the Director's Meeting on the 12th, she is requesting that the Hamden deliberations be moved to May 11. The Board agreed to reschedule the Norwalk Third Taxing District deliberations to May 9 at 11:30 a.m. and the Hamden deliberations to May 11 at 9:30 a.m.

Kathy Foley reported that Labor Relations is being audited. She noted that we have provided the documentation requested such as appointment

letters, Board fee schedule, hearing dates and agendas for Secretary of State's Office, posting of agendas and minutes on our web site, etc.

Kathy Foley reported that Ken Hampton has announced that he will be retiring on or before July 1, 2011. She expressed her regrets with his decision, noting that he has been a great asset to our staff. A retirement reception is being planned for June 24 at the Gallery in Glastonbury. Kathy noted that Ken has nearly 33 years with the State.

Kathy Foley reported that she suspects that the hiring freeze will lighten up after the fiscal year, but right now a hard freeze is in effect to the point that OPM is pulling back positions which were previously approved to fill.

Kathy Foley reported that Attorney Bill Gagne has expressed his displeasure regarding hearing dates unilaterally selected to schedule his cases. He stated that he is not available on Fridays and Mondays during the summer. He was given the opportunity to fax us a letter to that effect, but we never received such letter. Kathy stated that we will therefore continue to schedule his cases on Mondays and Fridays during the summer months. If the dates we select do not work for him, he can opt for the one free postponement option.

- a.) **Statistics** - Kathy Foley reported that 546 cases were filed since July 1, 2010, a decrease of 15 cases from the 559 cases which were filed last year at this time. She reported that 555 cases have been closed since July 1st and 312 remain open.

Weston (MPP-27,485) Scheduling – The Board agreed to move the June Board Meeting from June 15 to June 6 to make room for the adjourned Weston hearing. This hearing will also be held on May 19 and possibly June 22, depending on whether the Andrea Wilson case comes off.

III. NEW HAVEN/COUNCIL 4 – MEE-28,688 & MPP-28,691

Kathy Foley reported on the status of a New Haven case scheduled for hearing on May 18. The matter involves a petition filed by the City of New Haven seeking clarification of an existing Council 4 bargaining unit, claiming it encompasses supervisory job classifications, making it an illegal unit. The Union filed a counter complaint claiming that the petition filed was in retaliation of grievances and complaints filed against the City by the Local Union President. Kathy stated that the parties agreed to an interviewing process to determine whether the employees are supervisory or non-supervisory. A questionnaire was developed and Kathy Foley and

Ron Napoli have spent three days in New Haven conducting interviews. There are approximately 150 employees that will be interviewed. Kathy noted that the hearing is going forward to lock in Attorney Gagne to the process.

The Board welcomed Harry B. Elliott, Jr. as new General Counsel of the SBLR.

IV. GENERAL COUNSEL'S REPORT

a.) **Decisions** – Harry B. Elliott, Jr. reported that he has been provided with a priority writing list prepared by Kathy Foley and has been working on the Hamden/UPSEU (MPP-28,465) layoff case. He expects draft decisions to issue with increased frequency given full staffing (himself and Alex). He stated that the noted priority cases are orders and the balance are dismissals. He suggested that the writing order of the cases be mixed up so that it doesn't appear that we are only issuing orders (or dismissals). Pat Low informed Harry that he could change the order as he deems appropriate, but that she is concerned about getting the older cases issued first.

b.) **Scheduling** – Harry reported that deliberations are currently scheduled through May 12, 2011 as of this time. The Board agreed to the following deliberation schedule:

May 9 at 11:30 a.m. - Norwalk 3rd Taxing District (MPP-28,301)
May 11 at 9:30 a.m. - Hamden/UPSEU (MPP-28,465)
June 2 at 11:30 a.m. - Windsor/WPDEA (MPP-28,425)
June 20 at 11:30 a.m. - Norwich BOE/CCL 4 (MPP-28,001)
July 12 at 11:30 a.m. - Norwich/CILU (MEE-28,341)
July 22 at 9:30 a.m. - Stratford/FF (MPP-28,285)

Newtown will be deliberated on either May 17 or 24 after checking dates with Ken Leech.

c.) **Review of Records** - Harry reported that since the Board Meeting of April 12, three (3) records have been received and distributed to the Board. Harry stated that he does not expect additional records to be distributed to the Board this month.

d.) **Litigation** – Harry reported that in the Bridgeport Dispatchers case, the pretrial scheduled for May 2 was postponed and will be rescheduled for June 15. The Board of Trustees, Community Technical Colleges Petition case (Dec. 4480) is scheduled for a pretrial and briefing date on June 9 which Harry plans to attend.

IV. EXECUTIVE SESSION

Upon a motion duly made by Patricia V. Low and seconded by Wendella Ault Battey, it was unanimously

VOTED that the Board enter into an Executive Session to discuss personnel matters and that the General Counsel, Harry B. Elliott, Jr. and Agent, Katherine C. Foley, also attend. It was stated that no votes will be taken in Executive Session.

Upon a motion duly made and seconded, it was unanimously

VOTED to reconvene the public session of the Board Meeting at 1:20 p.m. There were no votes taken in Executive Session.

V. ADJOURNMENT

There being no further business to come before the meeting, a motion was duly made, seconded, and it was unanimously

VOTED to adjourn the meeting.