

10/17/12

**STATE OF CONNECTICUT  
BOARD OF LABOR RELATIONS**

**AGENDA**

**BOARD MEETING**

Wednesday, October 17, 2012  
9:30 a.m.

1. Approval of Minutes
2. General Counsel's Report
  - a.) Decisions
  - b.) Litigation Update
3. Agent's Report
  - a.) Statistics
4. Chairman's Report
5. Adjournment

# CONNECTICUT STATE BOARD OF LABOR RELATIONS

## BOARD MEETING (Pending Approval)

October 17, 2012  
9:30 a.m.

### MINUTES

Present: Patricia V. Low, Chairman, Wendella A. Battey, Barbara J. Collins, Katherine C. Foley, Harry B. Elliott, Jr. and Joanne Coligan

The meeting was called to order by Chairman Low at 9:30 a.m. The Board took a few moments to read over the minutes of the September 10, 2012 Board Meeting.

#### I. ACCEPTANCE OF MINUTES

Upon a motion duly made by Wendella A. Battey and seconded by Barbara J. Collins, the Board unanimously

**VOTED** to accept the Minutes of the September 10, 2012 Board Meeting as presented.

Patricia Low welcomed Joanne Coligan back from being out of the office for three weeks on medical leave. She stated that Judy Englehart should be commended for so graciously taking on the extra workload in Joanne's absence. She noted that a letter should be sent to Judy expressing the Board's appreciation for the extra work she performed during Joanne's absence.

#### II. GENERAL COUNSEL'S REPORT

- a.) **Decisions** - Harry Elliott reported that since the last Board meeting on September 10<sup>th</sup>, two (2) decisions have been issued (Waterbury, Dec. #4617 and New Haven, Dec. #4618). There are currently five (5) cases with briefs/records pending – one due in October, three due in November and one in December. Pat commented on the extended time since the Board has received a record, to which Harry stated that numerous unopposed requests for extensions have caused this delay. Harry also reported that two (2) draft decisions are pending review, Enfield and Middlebury. Kathy requested that the Board expedite the Middlebury case as it involves an election and certification.

- b.) **Litigation Update** – Harry reported that the Motion to Dismiss in **UPSEU v. SBLR (Decision No. 4606)** was argued in Hartford on October 11, 2012. He noted that the judge was very deliberate, asking a lot of questions about the argument. He has until February 10, 2013 (120 days) to issue his decision. In **State of Connecticut v. AFSCME, Local 387 (Corrections)**, a pre-trial hearing was conducted on October 10, 2012. The parties are exploring possible reservation of stipulated question to the Appellate Court. Harry noted that this was the procedure used in a recent Supreme Court case in which the State Department of Education reconstituted the Bridgeport Board of Education. Harry does not feel it is likely that an agreement can be reached on the stipulated question. In **Board of Regents v. SBLR**, a pre-trial is scheduled for October 25, 2012. The last pre-trial was held last spring. In **AFSCME Local 1186 v. New Britain**, the Union's brief is due on October 22, 2012 and SBLR's brief is due on November 21, 2012.

### III. **AGENT'S REPORT**

**Statistics** – Kathy Foley reported that 154 cases were filed so far this fiscal year, 139 cases have been closed during this time period and 304 cases remain open. She does, however, see an upswing in recent activity.

### IV. **CHAIRMAN'S REPORT**

Chairman Low stated that the Board will enter into an Executive Session for the sole purpose of discussing a personnel matter and that the Agent and General Counsel will be included in the session. No votes are expected to be taken while in Executive Session.

### V. **EXECUTIVE SESSION**

Upon a motion duly made by Barbara Collins and seconded by Wendella A. Battey, the Board unanimously

**VOTED** to enter into an Executive Session for the sole purpose of discussing a personnel matter and that no votes are expected to be taken.

Upon a motion duly made and seconded, it was unanimously

**VOTED** to reconvene the public session of the Board Meeting. No votes were 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.