

1/30/13

**STATE OF CONNECTICUT
BOARD OF LABOR RELATIONS**

AGENDA

BOARD MEETING

Wednesday, January 30, 2013
9:30 a.m.

1. Acceptance 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

January 30, 2013
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 December 17, 2012 Board Meeting.

I. ACCEPTANCE OF MINUTES

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

VOTED to accept the Minutes of the December 17, 2012 Board Meeting as presented.

II. GENERAL COUNSEL'S REPORT

- a.) **Decisions** - Harry Elliott reported that since the last Board meeting on December 17, 2012, three (3) decisions have been issued (Bristol - Dec. No. 4626; Probate Court Administrator - Dec. Nos. 4627 & 4628). He noted that nine (9) cases have records pending – six in February and three in March.
- b.) **Litigation Update** – Harry reported that in **State of Connecticut v. AFSCME, Local 387 (funeral leave)**, the pre-trial scheduled for February 4, 2013 has been postponed and Harry expects a schedule order for briefs. In **Board of Regents v. SBLR (part time professors)**, Harry expects the February 27, 2013 pre-trial to be continued. In **AFSCME Local 1186 v. New Britain Board of Education**, the CSBLR filed it's brief on December 21, 2012 and the Union has until February 1, 2013 to file it's reply brief. In **AFSCME Local 287 v. New Haven (DeStefano's letter case)**, the pre-trial is scheduled for January 31, 2013. Certification of Record was filed on December 28, 2012.

Harry reported that a new appeal has been filed in Norwalk Public Works Decision No. 4621 by Council 4 on January 3, 2013. The Certification of Record was filed on January 18, 2013 and a pre-trial is scheduled for February 27, 2013. Harry noted that a request to revise complaint was filed by Attorney Jeffrey Spahr.

III. AGENT'S REPORT

Statistics – Kathy Foley reported that 323 cases were filed during the current fiscal year, 294 cases were closed during that same period and 316 cases remain open. Kathy reported that the window period for filing petitions will close on Friday, February 1, 2013. She noted that 21 petitions have been filed to date.

Kathy reported that the Waterbury Police election involving 200 employees, previously represented by Council 15, have voted to go independent. She noted that objections were filed by both sides, but have since been withdrawn. Kathy requested that the Board give scheduling priority to the City of Bridgeport/NAGE (MP-29,885) termination case involving Veronica Green.

IV. CHAIRMAN'S REPORT

Pat Low announced that a letter of appreciation should be sent to Jose Santana for the outstanding job he did in settling the SEBAC/Herskowitz cases. Kathy noted that she will prepare a letter for the Board's signature.

Status Report - Pat reported that having discovered some discrepancies in the Status Report, she became very concerned and discussed the matter with both Harry and Kathy. She noted that the Status Report must be very accurate as it is the only tracking system the Board has to go by. An indepth discussion ensued regarding some of the problems detected with the report such as cases falling off the system 120 days after a decision has been issued. It was agreed that a system of checks and balances would be established to prevent any future discrepancies from occurring with the Status Report.

Outstanding Complaints – Pat Low reported that two pending cases in particular have been problematic for some time. In one case, which was filed in January 2011, a Fifth and Final Notice of Hearing was sent via certified mail to the complainant at two addresses on file. Both notices were returned undeliverable. Kathy also tried to reach the complainant by phone, but was unsuccessful. Barbara Collins suggested that we make an attempt to send the notice by regular mail as well. Pat stated that the March 7, 2013 hearing will go forward as scheduled and if the complainant does not appear or attempts to postpone the hearing, the case will be dismissed. If the complainant wishes to file another complaint, he is free to do so.

In another case, which has been pending since November 2009, ten postponements have been granted at the request of both parties and the Board. Pat stated that it's been three years since this case has been scheduled for hearings, and like the previous case, will go forward on the date it is scheduled. There will be no more postponements granted and no new hearing dates scheduled. The hearing will be scheduled after May 20, 2013 as requested by the Complainant.

V. ADJOURNMENT

There being no further business to come before the meeting, a motion was made by Wendella A. Battey, seconded by Barbara J. Collins and it was unanimously

VOTED to adjourn the meeting.