

STATE OF CONNECTICUT  
LABOR DEPARTMENT

CONNECTICUT STATE BOARD OF LABOR RELATIONS

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In the matter of :  
CITY OF NORWICH :  
- and - : Case No. ME-1526  
NORWICH CITY HALL EMPLOYEES : Decision No. 738  
ASSOCIATION, INC. : Decided February 6, 1967  
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A P P E A R A N C E S:

For the Municipal Employer - Orrin Carashick, Esq.

For the Employee Organization - Orrin F. Silverberg, Esq.

DECISION AND ORDER

The Norwich City Hall Employees Association, Inc., filed its petition herein on November 14, 1966, pursuant to Section 7-471 of the Municipal Employee Relations Act, hereinafter called the Act. A hearing was duly held before the Connecticut State Board of Labor Relations on December 12, 1966, in Superior Court, Union Square, Norwich, Connecticut. Upon consideration of the entire record, the Board renders the following decision:

DECISION

1. The Municipal Employer - The City of Norwich is a political subdivision of the State of Connecticut and is a municipal employer within the meaning of Section 7-467(1) of the Act.
2. The Petitioner - Norwich City Hall Employees Association, Inc., is an employee organization incorporated under the laws of the State of Connecticut for the purpose of the improvement of wages, hours and other

conditions of employment among employees of the City of Norwich within the meaning of Section 7-467(3) of the Act.

3. The Issue - The Petitioner claimed to represent a unit described as "all classified employees except department heads" of the City of Norwich. Exception was taken by the Municipal Employer to the inclusion in the bargaining unit of:

Executive Secretary, City Manager's office  
Assessor's Aide, Assessor's office  
Chief Clerk, Comptroller's office  
Chief Personnel Clerk, Personnel Office  
Clerk-typist, Personnel Office  
Assistant Registrar of Vital Statistics,  
City Clerk's office.

At the outset of the hearing the Municipal Employer informed the Board that objection was withdrawn with respect to the Assessor's Aide and the Clerk-typist, Personnel Office. It further agreed that these two classifications should be included in the unit claimed by the Petitioner. The remaining classifications are for determination by the Board.

Executive Secretary, City Manager's Office

The City Manager, City of Norwich, is the chief executive officer and also the negotiator for the City in connection with collective bargaining. The classification in question is the Executive Secretary to the City Manager. Her duties consist of secretarial work, report compilations, and she handles a great deal of material that is confidential in nature. The evidence clearly indicates to us that the holder of this position will have a great deal to do with the work entailed in the collective bargaining process, and for that reason we feel that she should be excluded from the unit.

Chief Personnel Clerk

This employee does all personnel clerical work in connection with the payroll, handles all insurance claims, together with calculating and indicating pension payments for those who retire and

refunds for those who leave the service. This employee further does confidential correspondence for the Personnel Director and all-around personnel work, as needed. Her supervisory duties are limited. This employee may on occasion hand some work to some other girl, but not in a supervisory manner. The confidential nature of her work does not in any way deal with collective bargaining and therefore does not warrant her exclusion from the bargaining unit. We hold that she should be included in the bargaining unit.

Assistant City Clerk, Assistant Town Clerk, Assistant Registrar

According to the testimony, this employee trains all new personnel in the office of the City Clerk. She assigns work to the girls who are under her. She gives detailed supervision, advises them, and is the person to whom they first turn with problems. If she, in turn, is in doubt, she confers with the City Clerk. In effect, she carries out policy established by, and orders received from, the City Clerk. For this reason we hold she should be included in the unit.

Chief Clerk, Comptroller's Office

The duties of this employee are routine and standard. Her supervision is subordinate to the supervision of the Comptroller on a day-to-day basis. Any final decision pertinent to any matter coming to the Comptroller's office rests finally with the Comptroller, and not with the Chief Clerk. She may assign work to other employees because of her tenure and experience in the office. In our judgment this employee does not fall within the criteria set forth in Section 7-471(2) of the Act. For the foregoing reasons we hold that this position should be included in the bargaining unit.

The purpose of a representation proceeding is to determine one ultimate fact, namely, whether or not an employee organization represents a majority of the employees in the appropriate unit. Where, as here, the parties formally agree on the record to the composition of the unit,

with the status of four employees the only question left for the Board's determination, the action of the Board herein is not to be taken as a precedent as to what unit it would have found appropriate in the absence of such agreement. The Board does, however, find that the unit agreed upon is not inconsistent with the purposes of the Act.

On the basis of the foregoing, we shall terminate our investigation of the petition.

ORDER

By virtue of and pursuant to the power vested in the Connecticut State Board of Labor Relations by the Municipal Employee Relations Act, it is hereby

ORDERED that the Board's investigation herein be, and the same is hereby, terminated.

CONNECTICUT STATE BOARD OF LABOR RELATIONS

By Fleming James, Jr.  
Chairman

Dorothy M. Caffery  
Member

TO:

Charles R. Iovino, City Manager  
City of Norwich  
Union Square  
Norwich, Connecticut

Certified  
(RRR) 4V851

Orrin Carashick, Esq.  
10 Shetucket Street  
Norwich, Connecticut

Norwich City Hall  
Employees Association, Inc.  
Assessor's Office  
City Hall  
Norwich, Connecticut

Certified  
(RRR) 4V852

Orrin F. Silverberg, Esq.  
257 Main Street  
Norwich, Connecticut