

**CONNECTICUT DEPARTMENT OF LABOR  
CONNECTICUT STATE BOARD OF LABOR RELATIONS**

**BOARD MEETING  
January 22, 2009**

**MINUTES**

**Present:** John W. Moore, Jr.; Patricia V. Low; Wendella A Battey; Jaye Bailey  
Katherine C. Foley, Alexandra Gross and Joanne Coligan

The meeting was called to order by John W. Moore, Jr., Chairman, at 9:53 a.m.

**I. ACCEPTANCE OF MINUTES**

Upon a motion duly made by Patricia V. Low and seconded by Wendella A. Battey, the Board unanimously

**VOTED** to accept the Minutes of the December 18, 2008 Board Meeting as presented.

**II. GENERAL COUNSEL'S REPORT**

**a.) Scheduling** - Jaye Bailey reported that an updated deliberation schedule was given to the Board on January 16<sup>th</sup>. She noted that the East Hartford petition case (ME-27,324) will be deliberated on January 28<sup>th</sup> at 9:00 a.m. Agent Kathy Foley recommends that this case be scheduled for a formal hearing. Deliberations in Alicia Chacho/NEHCE (SPP-27,207) are scheduled for February 3<sup>rd</sup>. The Board decided to move deliberations in Hartford Board of Education (MPP-26,153) from February 10<sup>th</sup> to February 11<sup>th</sup>. Stratford/IAFF (MPP-26,645) is scheduled for deliberations on February 17<sup>th</sup>.

Kathy Foley reported that the hearing scheduled for February 5<sup>th</sup>, East Hartford/Council 4 (MPP-27,030), has come off the schedule today because the parties have reached a settlement.

Jaye reported that the record in Bridgeport/Council 15 (MPP-26,935) is ready to be picked up today. Deliberations in this case will be held on March 3<sup>rd</sup>.

**b.) Review of Records** - Jaye reported that presently there two outstanding decisions to be issued - Simsbury Light Opera Co./AFM (U-26,546) and Bridgeport/IAFF (MPP-25,800; MPP-26,200; MPP-26,319). She noted that five (5) records are due in before the end of February. Jaye reported that the brief deadline in State of Connecticut/CSEA (SPP-26,143), involving computer policy, has been extended to February 27<sup>th</sup>. Joint requests to extend the brief deadline have been made by the parties on numerous occasions for almost a year. She noted that there is similar Board

computer case coming up. Kathy Foley will contact the parties and report back on the status of this case before the brief deadline of February 27<sup>th</sup>. New Britain/IAFF (MPP-26,897) Motion to Stay - Jaye reported that the Board was given the City of New Britain's Motion to Stay the enforcement of Decision 4358 along with an explanatory memo. The City also filed an appeal of the Decision and a simultaneous Motion for Stay in New Britain Superior Court. She noted that the City can file a Motion to Stay with both the Board and the Court. The City is seeking to stay the appointment of Edward Preece to Lieutenant while the appeal is pending. The Board was asked to review the motion for discussion and a tentative date of February 5<sup>th</sup> at 11:30 a.m. was set for the Board to meet on the matter. Wendella Battey will let Jaye know if this date is OK with her; Jaye will contact the Board to confirm the date and time of the meeting.

Jaye reported that the Board is in the process of reviewing three drafts: Connecticut State University, Board of Trustees/CSU-AAUP (SPP-26,322); Bridgeport/IAFF (MPP-25,779); and Milford Board of Education/ Council 4, AFSCME (MPP-26,829).

**c.) Litigation** - A copy of the Court Status Report was provided for all present. Jaye briefly reviewed the status of the following pending court cases:

- 1.) City of Bridgeport/NAGE (MPP-25,782) - The parties are in the process of settling this matter.
- 2.) Council 4, AFSCME/Donna Bligh (MUPP-24,185) - SBLR Decision No. 4066 prevailed in Superior Court. Council 4 has until February 11<sup>th</sup> to decide whether to petition the Connecticut Supreme Court for certification.
- 3.) State Judicial/IBPO (SEPP-25,675) - The parties are in the process of settling this matter. In the meantime, it is scheduled for a pretrial conference in New Britain Superior Court on March 9<sup>th</sup>.
- 4.) Town of Hamden/Council 4 (MPP-25,503 & MPP-26,311) - A pretrial conference was held at New Britain Superior Court on January 15<sup>th</sup>. The parties are attempting settlement. If the parties are unable to settle the matter, a second pretrial conference will be held on March 25<sup>th</sup>.
- 5.) Region 16 BOE/ Region 16 Educ. Assn. (TPP-25,352) - Region 16 BOE appealed Judge Cohn's decision on 11/12/08 to CT Appellate Court. In its Statement for Pre-argument Conference, the BOE indicated that the matter should be transferred to the CT Supreme Court.

- 6.) State of CT Public Safety (SPP-26,634) - In the briefing process at the CT Supreme Court.
- 7.) Town of Greenwich/June Davila (MPP-26,252 & MUPP-26,255) - Appeals have been filed by Town and Union. The Town also filed a Motion for Stay which was not opposed. A pretrial conference is scheduled in New Britain Superior Court on March 17<sup>th</sup>.
- 8.) City of New Britain/IAFF (MPP-26,897) - The City appealed SBLR Decision on January 16<sup>th</sup>. The City also filed Motions to Stay with the SBLR and Superior Court. Board to review motion and discuss.

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

- a.) **Groton/IAFF (MPP-26,611)** - Kathy Foley reported that Attorney David Ryan has withdrawn the Town's pending Motion for Articulation and Motion for Stay. The Town has complied with the Board's Decision and Order and the parties have agreed to negotiate over the issue of the use of personal computers in the Fire House.
- b.) **Statistics** - Kathy Foley reported that as of July 1, 2008, 319 cases have been filed, 301 have been closed, and 307 remain open. She noted that this figure represents an all time low in filings. Last year, 341 cases were filed at this time, 22 more than were filed this year. She stated that only 6 petitions were filed so far this window period, of which only one of these was a decertification petition.

### IV. **OTHER BUSINESS**

Pat Low officially stated for the record that on behalf of the Board she would like to express sincere gratitude and thanks for the competence and professionalism Jaye Bailey has rendered this Board during the past 10 years as General Counsel. It is with great sorrow, but also with high hopes and great appreciation for her service that she will be deeply missed. We wish her safe sailing and much success in her new endeavor.

Jaye noted that to say that she enjoyed the time she spent working for this Board would be an understatement. She thanked all three Board Members for their commitment, dedication and integrity. She also expressed her appreciation for their consistent good humor during difficult times.

### V. **ADJOURNMENT**

There being no further business to come before the meeting, a motion was duly made by Wendella A. Battey, seconded by Patricia V. Low, and it was unanimously **VOTED** to adjourn.