

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

**BOARD MEETING
May 21, 2009**

MINUTES

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

The meeting was called to order by John W. Moore, Jr., Chairman, at 9:30 a.m.

I. ACCEPTANCE OF MINUTES

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

VOTED to accept the Minutes of the April 16, 2009 Board Meeting as presented.

II. GENERAL COUNSEL'S REPORT

- a.) **Scheduling** - Alex Gross reported that there are two cases which need to be scheduled for deliberations: Derby & Council 4 (MPP-27,589); and City of Bridgeport & NAGE/Stephen Nelson (MPP-24,411 & MPP-25,195). Alex informed the Board that June 8, 17, and 22 are available to schedule these sessions. She also noted that six records are expected to come in during the Month of June.

Patricia Low stated that the Bridgeport/Steve Nelson case is a massive record involving eight days of hearings, 106 exhibits and six arbitration awards and that the Board should be compensated accordingly. Kathy Foley stated that the Board Fee Policy allows three days of compensation for transcripts covering six or more days of hearings. She noted that considering the additional material in this case, five days compensation would be appropriate.

Wendella Battey suggested that due to the volume of this record, perhaps the Board should consider deliberating this case in 2-day sessions. It was noted that Alex will be preparing the Finding of Facts in this case.

The Board decided that the Derby case will be deliberated on June 11th and the Bridgeport/NAGE/Stephen Nelson case on June 22nd. Alex noted that the Findings of Facts in the Derby case has been assigned to Wendella Battey.

- b.) **Review of Records** - Alex Gross reported that the draft in MDC/Council 4 (MPP-25,721) was distributed to the Board this morning. She noted that the letter to Christopher Walsh in response to his April 26, 2009 letter will be mailed today. Mr. Walsh has also filed a Request for Declaratory Ruling regarding matters related to workplace violence prevention in State employment. Wendella Battey praised Alex for a job well done in the Alice Chacho draft.

- c.) **Litigation Update** - Alex Gross reported that the compliance proceedings in **Council 4, AFSCME v. SBLR, Bligh, (Appeal from Dec. No. 4066)**, are completed and the case is finally over. In **Locals 2863 et al. v. Town of Hamden, SBLR (Appeal from Dec. No. 4343)**, a briefing schedule has been set. The Plaintiff's brief is due on June 4th and the Defendant's, July 6th. The case in **Regional 16 BOE v. SBLR, Region 16 Ed. Assn. (Appeal from Dec. 4270)** has been transferred to the CT Supreme Court. In **State of CT Public Safety & OLR v. SBLR (Appeal from 4249)**, all briefs have been filed; awaiting argument date with the CT Supreme Court. **Town of Greenwich v. CSBLR et al & GMEA v. CSBLR (Appeal from Dec. No. 4348)**, and **City of New Britain v. CSBLR et al (Appeal from Dec. 4358)** are withdrawn. In **Milford Board of Education v. CSBLR (Appeal from Dec. 4368)**, an appeal has been filed by the Union on April 7, 2009. A pretrial conference is scheduled for June 5, 2009.

III. AGENT'S REPORT

- a.) **Statistics** - Kathy Foley reported that 546 cases have been filed this fiscal year, compared to 528 filed last year. She noted that the increase in filings is due to the 17 DFR cases filed this year against a teacher's union. 515 cases were closed and 317 remain open.

In answer to a question posed by Patricia Low, Kathy Foley noted that a ballpark figure of 625 total cases were filed last fiscal year.

IV. OTHER BUSINESS

- a.) **Griswold Hearing** - Patricia Low reported that she would like to open for discussion some issues pertaining to the formal hearing in Griswold/ Council (MPP-27,206) which took place yesterday, May 20, 2009. It was noted that the parties made an attempt to settle the case but were unsuccessful. At the hearing, an attempt was made to discuss what had transpired at the informal conference and to introduce the dismissal of complaint into the record. An in-depth discussion regarding these issues ensued. The Board agreed that a case is decided solely on the evidence which is presented at the formal hearing.

V. ADJOURNMENT

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

VOTED to adjourn the meeting.