

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

**BOARD MEETING
July 23, 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 Patricia V. Low and seconded by Wendella A. Battey, the Board unanimously

VOTED to accept the Minutes of the June 24, 2009 Board Meeting as presented.

II. ACTING GENERAL COUNSEL'S REPORT

- a.) **Scheduling** - Alex Gross reported that two cases need to be scheduled for deliberations. The first is Bridgeport/NAGE/Stephen Nelson (MPP-24,411 & MPP-25,195) and the second is East Hartford Board of Education (ME-27,324).
- b.) **Review of Records** - Alex Gross reported that two records are due in July and will hopefully come in next week. Six records are due in August. Alex noted that all records that were due in July have been postponed until August and those due in August were postponed until September.

Kathy Foley informed the Board that the August 5th hearing will most likely come off, and if the Board wants, it can schedule deliberations on that date. Wendella stated that August 5th does not work for her as she is scheduled to be in court that morning. Pat Low stated that she will not be able to serve on the hearings scheduled for August 13, 14 & 19 as she will be on vacation during that time.

- c.) **Litigation Update** - Alex reported that the litigation schedule is short but dense. Two of the three cases pending in court are in CT Supreme Court - **State of CT, Public Safety & OLR, OPM v. SBLR (Dec. 4249)** is on the September CT Supreme Court docket. The actual argument dates will be assigned in August. In **Region 16 Board of Education v. SBLR, Region 16 Education Association (Dec. 4270)**, the defendant 's brief is due on

September 25th. **Locals 2863 et al v. Town of Hamden, SBLR (Dec. 4343)** is pending in the trial court; the Plaintiff's brief is due July 30th and the Defendants' briefs are due on August 30th.

III. AGENT'S REPORT

- a.) **Statistics** - Kathy Foley reported that 52 cases have been filed from July 1st to July 23rd compared to 23 filed during this same period last year. During this same period, 28 cases have been closed and 343 cases remain open. She noted that if this pattern of filings continues, we will be in for a busy fall season.
- b.) **Postponement Request** - Kathy Foley reported that hearing notices on two new cases scheduled for October were sent to Atty. Gagne. He wrote us a letter requesting free postponements on these hearings, and obtained the approval from Ellen Carter to reschedule one of the hearings for December 8th and the other for November 19th. He has been providing us with dates five months out to reschedule hearings, which has become a problem since our calendar has dates available months earlier. She noted that we continue to schedule hearings in a timely fashion knowing that he will most likely request a postponement to dates months down the road. Currently, he has only two cases scheduled for September, three in October and two in November.

Pat Low stated that the Board should revisit its policy on free postponements and limit the time allowed to reschedule hearings to 30 days. She noted that rescheduled dates should not be set arbitrarily but should follow a pre-set policy. Kathy stated that the 30-day time limit would not work on our calendar.

Wendella stated that we need to be more definitive with the time frame for rescheduled hearings by establishing perimeters. She also suggested that we contact Council 4 regarding this problem, but Kathy maintained that it would be a violation of ethical procedures to do so. Kathy indicated that she will contact Attorney Gagne and Ellen Carter and let them know that the Board will not accept December 8th to reschedule the hearing because earlier dates are still available. She will work with both parties in establishing earlier dates to reschedule these hearings.

- c.) **Budget Update** - Kathy Foley reported that at the last Budget Meeting, Bob Merola stated that the budget figure for Labor Relations is below the amount anticipated. Kathy will prepare a letter to the Commissioner and Deputy Commissioner addressing the impact any cuts in funding will have on the Labor Board's ability to function effectively.

IV. OTHER BUSINESS

- a.) **New Court Reporter** - Pat Low stated for the record that the new court reporter, Lisa Warner of United Reporters, Inc., appears to be a very pleasant woman and is working out very well. Pat stated that she is pleased that microphones have not been used at the hearings. It was noted that the transcripts are prepared in large print and are easy to read. Ms. Warner is expected to handle most of the Labor Board hearings.

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 the meeting.