

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

**BOARD MEETING
September 17, 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 August 27, 2009 Board Meeting as presented.

II. ACTING GENERAL COUNSEL'S REPORT

- a.) **Scheduling** - Alex Gross reported that two cases are ready to be scheduled for deliberations (Bridgeport & Farmington), and that deliberations are already scheduled through November 2009.
- b.) **Review of Records** - Alex Gross reported that the record in Farmington & Council 4 (MPP-27,382) is ready for the Board to pick up today. She stated that five records are expected to come in between now and the end of October.
- c.) **Litigation Update** - Alex Gross reported on the status of pending court cases: Briefs were submitted in **Locals 2863 et al v. Town of Hamden, SBLR (appeal from Dec. No. 4343)**; argument is scheduled for November 2. **Region 16 BOE v. SBLR et al (appeal from Dec. No. 4270)** is in CT Supreme Court; defendant's briefs are due on 9/25. In **State of CT, Public Safety & OLR, OPM v. SBLR et al (appeal from Dec. No. 4249)**, we were notified that this case might be put on the October CT Supreme Court docket which runs the 19th through the 30th. Alex will know for sure on Friday, 9/25/09. Alex stated that the State's Attorney Diana Garfield has notified the court that she is unavailable for most of those possible court dates.
- d.) **New Britain Reply Briefs** - Alex reported that in New Britain & IAFF (MPP-27,079), the parties agreed to file briefs but did not agree to file

reply briefs. The Union filed a reply brief and the City filed an objection to the Union's reply brief. In her objection, Attorney Pokorski stated that if the Board overrules her objection and accepts the Union's reply brief, she would like the opportunity to file a reply brief as well. The Board over-ruled her objection and granted her request to file a reply brief.

- e.) **Christopher Walsh, Declaratory Rulings** - The Board met on September 14th to deliberate the 2nd and 3rd declaratory rulings filed by Christopher Walsh (SDR-27,998 & SDR-28,069). The Board instructed Alex to draft a decision in SDR-28,069 denying his request for declaratory ruling. The Board, having reviewed the draft decision, praised Alex for a job well done. Alex stated that the decision will be issued and mailed out today. In Case SDR-27,998, the Board instructed Alex to review the transcript of the July 27th hearing and determine if Ellen Carter's Motion to Dismiss had anything to do with SDR-27,998. Alex, having reviewed the transcript, reported that the State's Motion to Dismiss had nothing to do with SDR-27,998.

III. **AGENT'S REPORT**

- a.) **Statistics** - Kathy Foley reported that the Marshall's petition did not come in as expected. However, she fully anticipates that the UConn doctors will be filing a petition. She has received calls from one of the Unions inquiring how to fill out the petition form. She noted that this will be a newsworthy election involving 500 - 600 employees and will probably entail most of the day.

Kathy reported that 149 cases have been filed so far this fiscal year, that's 39 cases up from last year. She also anticipates that filings will increase. Kathy reported that 132 cases have been closed and 327 cases remain open.

IV. **OTHER BUSINESS**

Pat Low stated that at next month's Board meeting, she would like a report on anticipated projections regarding the status of the pool money shared by the Labor Board and the Board of Mediation and Arbitration. She noted that we may have to rethink the court reporter proposal if it comes down to whether the money is applied to holding a hearing or paying a court reporter. A discussion ensued regarding the use of a tape recorder. Kathy stated that she is still exploring the "in house" option as a means to possibly keeping costs down. She believes that with proper training it is possible for support staff to produce satisfactory transcripts.

Kathy noted that in the past, Nancy Paretti would only charge us an appearance fee and the bulk of her earnings would come from the fees she charged the parties when they ordered transcripts. Now, in addition to an appearance fee, she charges us a per page fee, although she recently unilaterally reduced the amount she charges us per page. Pat indicated that Nancy needs to come down on her fees because we can no longer afford her at her current prices. Kathy stated that she will attempt to negotiate with Nancy to get her prices down.

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.