

CONNECTICUT STATE BOARD OF LABOR RELATIONS

BOARD MEETING

March 4, 2010

MINUTES

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

The meeting was called to order by John W. Moore, Jr., Chairman, at 11:00 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 January 11, 2010 Board Meeting as presented.

II. GENERAL COUNSEL'S REPORT

- a.) **Decisions** - Karen Buffkin reported that 5 decisions have been issued in the past month and 2 more drafts are expected to be ready for the Board shortly. She noted that Alex Gross has prepared a summary of Labor Board decisions issued over the past year for the Connecticut Bar Association.
- b.) **Scheduling** - Karen reported that deliberations are scheduled through April 2010. An updated deliberation schedule has been provided for the Board.
- c.) **Review of Records** - Karen reported that 2 records have been received so far this month which have been distributed to the Board. She noted that 4 additional records are expected to come in before the end of the month. Three additional briefs are due this month, but the reply briefs will put the full record out to April.
- d.) **Litigation** - Karen reported that the argument in **Region 16 Board of Education (Dec. 4270)** did not make the Supreme Court docket for March but will most likely be on the schedule for April. Alex will present the argument in this case. **Town of Hamden (Dec. 4343)** was scheduled for a pre-argument this past Monday, but the attorney for the opposition had requested a postponement. Karen noted that it looks like the new date will be April 14 with Judge Stoughton.

III. AGENT'S REPORT

- a.) **Milford/Council 4 (ME-28,338)** - Kathy presented a brief background of this case, noting that a petition was filed by Council 4 seeking to represent 6 employees in the City Attorney's Office. In an effort to address the City's objections of over-fragmentation and community of interest, the Union amended its petition to represent a professional unit of three employees, one full-time attorney, one part-time attorney and a paralegal. An election was ordered and the City appealed. Kathy stated that she was ready to give the packet to the Board when 2 days before the election, the City fired the full-time lawyer leaving the bargaining unit with a part-time lawyer. The City objects to the Agent's determination for an election and recommends dismissal of the petition. Kathy noted that Kevin Murphy has since filed a prohibited practice complaint against the City in this matter. She stated that the City's objections to the election and its motion to dismiss the petition should be put on the forefront and scheduled for a formal hearing.
- b.) **Withdrawals On Record** - Kathy reported that in an effort to save the State money, she has decided not to have a court reporter come in to put withdrawals on the record. She alluded to the Bridgeport case that was recently withdrawn on the record. It was noted that in cases where a formal record is necessary, a tape recording of the proceedings could be used. The issue of whether or not exhibits need to be submitted when a case is withdrawn on the record was raised. The Board decided to table the matter for future discussion.
- c.) **Statistics** - Kathy reported that 437 cases have been filed so far this fiscal year. That figure is 33 cases more than the 404 cases filed last year at his time. 398 cases have been closed and 355 remain open. Kathy noted that even though we did not receive the amount of petitions anticipated, we had our share.

Kathy reported that she submitted a DOL 8 to fill Linda's position. Acting Commissioner Agnew agreed that we should put in for the position, but the prospect of having it filled remains bleak. Kathy praised the support staff; Judy and Joanne, for the extra effort they put forth in getting us through the recent crunch. She noted that there are no overtime pay provisions for staff.

- d.) **Waterford/UPSEU/COPS & Council 15 (ME-28,319)** - It was reported that on February 18th, Council 15 filed an objection to the conduct of the election and the results of the election which took place on February 16th. On February 25th, UPSEU filed a response to the objection and on March 2nd, Council 15 filed a response to UPSEU's response. Karen noted that Barbara Resnick has requested to file a brief response next week which is expected to be received on March 11th. It was noted that this will be the last document which will be accepted into the record. The Board will deliberate this case on March 25th.

IV. 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.