

CONNECTICUT STATE BOARD OF LABOR RELATIONS

BOARD MEETING

April 21, 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 9:30 a.m.

Prior to the acceptance of the Minutes of the March 4, 2010 Board Meeting, Wendella Battey inquired about the status of the Milford election case (ME-28,338). Kathy Foley reported that an informal conference was held last week to address the complaint filed by the Union. The Union is alleging that a member of the proposed bargaining unit was fired due to union activity. She noted that the election was stopped due to the firing of said employee. At the request of the Union, the issue has been put on hold for 90 days.

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 March 4, 2010 Board Meeting as presented.

II. GENERAL COUNSEL'S REPORT

- a.) **Decisions** - Karen Buffkin reported that since the March Board Meeting, five (5) decisions and one (1) procedural order have been issued. She noted that three (3) more decision drafts are expected to be ready for the Board within the next two weeks.
- b.) **Scheduling** - Karen reported that a revised deliberation memo has recently been issued. Currently, there are three deliberation sessions scheduled for the Month of May - 4th, 11th and 18th. She asked the Board to determine which days they prefer to conduct deliberations with regard to the Memorial Day holiday and the schedule for June. Karen noted that she has revised the starting time to 11:30 a.m. because she was unsure if the change to 12:30 p.m. was permanent. The Board determined that the 12:30 p.m. time was appropriate. Karen discussed with the Board preparing the Findings of Facts in the Christopher Walsh case. She asked the Board to determine which date they would like this case scheduled for deliberations. After a brief discussion on the current deliberations caseload, the Board decided to bump the already scheduled cases down a week leaving May 4th, June 1st and June 29th open. The Christopher Walsh case was scheduled for May 25th.

- c.) **Review of Records** - Karen reported that four (4) records have been distributed to the Board so far this month and four (4) more are expected to come in between now and April 30th.
- d.) **Litigation** - Karen reported that Alex and she attended the pre-argument conference in Town of Hamden (Dec. 4343). The case did not settle and a briefing schedule was set. She noted that our brief will be due in early July. Karen reported that on May 5th we will know if the Region 16 Board of Education (Dec. 4270) case made the May docket for the Supreme Court. She noted that if it does not make the May docket, it will most likely not be scheduled until September.

Karen reported that the New England Consortium Annual Conference will be held this year on July 15th and 16th, and that Connecticut will be the host of this year's event. She noted that one of the topics for discussion will be the 401K Retirement Plan versus the Defined Benefit Plan in the Public Sector. Karen also reported that on May 7th, she has been invited by the Connecticut Bar Association, Labor/Employment Section, hosted by Robinson & Cole, to give a talk on current issues before the Labor Board.

III. AGENT'S REPORT

- a.) **Postponement Request** - Kathy Foley reported on a recent request made by Dan Hunsberger to postpone a hearing scheduled for April 7th. The reason for the request was that the issue was headed to CHRO and the City had failed to provide information to the union. Kathy noted that although she was on vacation, she spoke with Dan and advised him that his request did not fall under the Board's postponement policy and he should come in prepared to put his case on. The Board granted the request for postponement and the next day, Mr. Hunsberger approached Kathy and advised her that she "couldn't have been more wrong" about the Board granting the request. Kathy requested that when parties appear before them requesting a postponement that they take into consideration whether the request falls under their policy.

- b.) Budget** - Kathy Foley reported that she received a memo from Carl Schuh from Business Management dated March 5, 2010 indicating that the Office of Policy and Management Fiscal Advisory Committee has approved a \$325,000 transfer from Personal Services to Other Expenses to meet the funding requirements for the Labor Department for the remainder of the fiscal year. She stated that of the amount budgeted, \$365,000 was projected for Mediation and Arbitration and \$75,000 was projected for Labor Relations. Kathy was told that Labor Relations has so far spent \$68,400 on Board fees and that \$6,150 is left to cover the next two months. Kathy expressed her concern that this amount may not adequately cover our expenses for May and June. She provided the Board with the amount spent on Board fees over the past four years: in 2006, Board fees were \$89,100; in 2007, \$75,750; in 2008, \$82,200; and in 2009, \$70,000.
- c.) Court Reporter** - Kathy Foley reported that one of the court reporters required that the hearing room be set up a certain way when covering our hearings. Kathy indicated that after discussing the situation with the reporting service she worked for, we have been informed that this reporter will no longer be handling our hearings.
- d.) Statistics** - Kathy Foley reported that 529 cases were filed so far this fiscal year, presenting approximately 40 more cases than were filed last year. She noted that 501 cases were closed during this time period and that 340 remain open.

IV. OTHER BUSINESS

Kathy Foley reported that Tom Mooney praised Jose Santana for his efforts and willingness to stay late last Friday afternoon in order to successfully settle a case. She also commended Ron Napoli for his efforts in successfully settling a Petition for Interim Relief in Voluntown last week.

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.