

CONNECTICUT STATE BOARD OF LABOR RELATIONS

BOARD MEETING

August 26, 2010

MINUTES

Present: Patricia V. Low, Wendella A. Battey, Robert A. Dellapina, Katherine C. Foley, Karen K. Buffkin, and Joanne Coligan

The meeting was called to order by Patricia V. Low at 11:00 a.m. The Board took a few moments to read over the Minutes of the July 21, 2010 Board Meeting.

I. ACCEPTANCE OF MINUTES

Upon a motion duly made by Wendella A. Battey and seconded by Robert A. Dellapina, the Board unanimously

VOTED to accept the Minutes of the July 21, 2010 Board Meeting as presented.

II. GENERAL COUNSEL'S REPORT

- a.) **Decisions** - Karen Buffkin reported that two (2) decisions have been issued since the last Board Meeting and that two (2) additional decisions are expected to be issued before the end of the month.
- b.) **Scheduling** - Karen reported that deliberations are currently scheduled through October 5, 2010. She noted that the starting time has not been set for cases scheduled in September and October. A Motion to Defer to Arbitration has been filed by the Woodbridge Board of Education (Case No. MPP-28,493). Karen noted that she has corresponded with the Union's attorney and a response is expected no later than September 1st. This case will have to be added to the deliberation schedule and it may be necessary to shift some of the cases because the hearing is scheduled for September 9, 2010.
- c.) **Review of Records** - Karen reported that five (5) records have been received and distributed to the Board since the last Board Meeting. She expects to have two (2) additional records ready for the Board by the end of this month. An additional record is expected to come in on August 30th and three (3) records are expected in September.
- d.) **Litigation** - Karen reported that she has received the Supreme Court docket for September and **Region 16 Board of Education (Decision #4270)** is scheduled for argument on September 8, 2010 at 12:00 p.m. In **Town of Hamden (Decision #4343)**, the Town's counsel had requested

a 30-day extension on their brief which was granted; currently our brief is due on September 20th and Alex Gross is working on the draft. It was also noted that the Bridgeport Police decision has been issued and the City will most likely file an appeal. An appeal is not expected to be filed in the Wallingford decision issued on July 28th.

III. AGENT'S REPORT

- a.) **Statistics** - Kathy Foley reported that 126 cases have been filed since July 1, 2010, which is 10 more than were filed last year at this time. 92 cases were closed during this period and 357 remain open.

Kathy reported that a case was filed in Town of Monroe and Council 15 (MPP-27,584) on November 12, 2008. There have been four hearing notices issued to date in this case, two of which have been postponed by the Board. The hearing was postponed for a third time at the request of Attorney Harry Elliott and within days of the notice being issued, a fourth request to postpone was made by Atty. Ryan due to the unavailability of a main witness. Kathy indicated that she is appealing to the Board to authorize the denial of any further postponements in this case. The Board agreed that the parties should be notified that this will be the last postponement granted by the Board in this case.

IV. ADDITIONAL COMPENSATION FOR MULTIPLE DAY HEARINGS

Wendella Battey reported that there should be additional compensation for the member assigned to prepare the finding of facts in cases involving multiple days of hearing. She thought it was our policy, but discovered it wasn't when she received only one day compensation for preparing the finding of facts in the Walsh case, a complicated record involving a lot of little facts, rulings of law and multiple days of hearing. She noted that the compensation for findings of facts should be based on a formula similar to Paragraph 1. a, b, c of the Board Fee Policy.

After a lengthy discussion, a motion was made by Pat Low to amend the Board Fee Policy as follows:

Paragraph 2: Members and alternates assigned to prepare the findings of facts prior to deliberations shall receive the following additional compensation:

For any case where there are three (3) or more full days of hearings, two (2) days of compensation shall be paid.

After further discussion on the language of the motion before the Board, Pat Low withdrew her motion. Wendella Battey then suggested that Paragraph 2 of the Board Fee Policy be amended to read as follows:

Members and alternates assigned to prepare the findings of facts prior to deliberations shall receive one (1) additional day of compensation for any case where there are three (3) or more full days of hearings.

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

VOTED that the Board Fee Policy dated September 28, 2005 be amended as follows:

Paragraph 2. Members and alternates assigned to prepare the findings of facts prior to deliberations shall receive additional compensation in cases where there are three (3) or more full days of hearings. The assigned member shall receive one (1) additional day of compensation for a total of two (2) days.

The Board decided to place on the agenda for next month's Board Meeting the following items:

1. Review of Status Report
2. Security

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.