

CONNECTICUT STATE BOARD OF LABOR RELATIONS

BOARD MEETING

January 25, 2011

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 11:10 a.m. The Board took a few moments to read over the Minutes of the December 15, 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 December 15, 2010 Board Meeting as presented.

II. GENERAL COUNSEL'S REPORT

- a.) **Decisions** - Karen Buffkin reported that one decision draft is ready for the Board today, two (2) more are expected for tomorrow and four (4) additional drafts will be ready by the end of the week.
- b.) **Scheduling** - Karen reported that deliberations were scheduled on February 22, 2011; March 3, 2011 and March 15, 2011 as of this date. She noted that four (4) additional cases are ready to be scheduled.
- c.) **Review of Records** - Karen reported that since the Board Meeting in December, there have been two (2) records received and one more is expected this month. The initial briefs were filed in the POD's cases and reply briefs are due on February 10, 2011. Briefs are due in the Windsor Police case on February 17, 2011 and in the DOC case on February 18, 2011 as of this date.

Pat Low inquired as to who will be handling requests for extensions in filing briefs until Alex returns. Karen answered that except for the PODS cases, there should not be any extension requests.

- d.) **Litigation** – Karen reported that we are still awaiting a decision in **Piteau v. City of Hartford** and **AFSCME** in which we filed an amicus brief. The court calendar was received for **Hamden**; the argument in that matter is scheduled for February 9th at 10:00 a.m. in appellate court. Karen noted that she plans to argue this case on February 9th. The pre-trial in **City of Bridgeport** is currently scheduled for February 2, 2011 and Karen will be requesting an extension. As was reported previously, a motion was filed to dismiss the appeal on the **Community and Technical Colleges** bargaining unit clarification decision. The pre-trial, scheduled for January 21, 2011, was rescheduled for March 16th at 10:45 a.m. Karen noted that she spoke with the clerk this morning who indicated that the court will not rule on any motion until after the pre-trial is held.

A discussion ensued on the topic of requests for documents under the CT Freedom of Information Act and the impact they have on Labor Board cases. Karen Buffkin alluded to a recent request received by this office for memoranda which are exempt from FOI disclosure requirements due to attorney-client privilege.

III. AGENT'S REPORT

Kathy Foley reported that Mark Lewis has filed another prohibited practice complaint similar to that which he filed in the past. The matter of whether this case will be taken up at an informal conference or go directly to a formal hearing is yet to be determined.

- a.) **Statistics** - Kathy Foley reported that as of July 1, 2010, 402 cases have been filed; which represents an increase of 25 cases up from last year. During this time period, 329 cases have been closed and 389 remain open.

Kathy reported that 16 petitions have been filed so far during this window period with UPSEU being the primary filer.

IV. GENERAL COUNSEL VACANCY

Karen Buffkin has announced that she will be resigning her position as General Counsel of the State Labor Board as of Thursday, January 27,

2011. She has been appointed by the Governor to serve as Under Secretary of Legal Affairs. Kathy reported that the necessary paperwork has been sent to Human Resources to refill the General Counsel position.

Speaking on behalf of the Board, Patricia Low stated that it has been a very pleasant experience working with Karen over the past year. The incredible services she has provided, the decisions she has drafted, and the invaluable legal advice she has rendered to this Board is greatly appreciated. It is with heavy heart that we say good-bye to Karen and wish her well in her new venture.

V. ADJOURNMENT

There being no further business to come before the meeting, a motion was duly made by Wendella A. Battey, seconded by Robert A. Dellapina, and it was unanimously

VOTED to adjourn the meeting.