

6/18/13

**STATE OF CONNECTICUT
BOARD OF LABOR RELATIONS**

AGENDA

BOARD MEETING

Wednesday, June 19, 2013
9:30 a.m.

1. Acceptance of Minutes
2. General Counsel's Report
 - a.) Decisions
 - b.) Litigation Update
3. Agent's Report
 - (a) Statistics
3. Chairman's Report
4. Adjournment

CONNECTICUT STATE BOARD OF LABOR RELATIONS

BOARD MEETING

June 19, 2013
9:30 a.m.

MINUTES

Present: Patricia V. Low, Chairman, Wendella A. Battey, Barbara J. Collins, Katherine C. Foley, Harry B. Elliott, Jr. and Joanne Coligan

The meeting was called to order by Chairman Low at 9:30 a.m. The Board took a few moments to read over the minutes of the May 22, 2013 Board Meeting.

I. ACCEPTANCE OF MINUTES

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

VOTED to accept the Minutes of the May 22, 2013 Board Meeting as presented.

II. GENERAL COUNSEL'S REPORT

- a.) **Decisions** - Attorney Elliott reported that since the last Board meeting on May 22, 2013, four (4) decisions have been issued – Hartford Board of Education (Dec. #4666); State Judicial Branch (Dec. #4667); Waterbury (Dec. #4518-A); and Newtown Board of Education (Dec. #4668). He noted that seven (7) cases have records pending – three (3) are due in June and four (4) in July.
- b.) **Litigation Update** – Attorney Elliott reported on the following cases on appeal: **State of Connecticut v. AFSCME, Local 387** – this case was argued on June 4, 2013. The judge issued a remand to consider an additional question; **AFSCME Local 287 v. New Haven** – the oral argument scheduled for June 18, 2013 has been postponed because the Union attorney did not receive notification; **Board of Regents v. SBLR** – a pre-trial is scheduled for August 26, 2013; **Local 2405 v. Norwalk** – this case was argued on June 11, 2013; **New Haven v. Local 3144 (Head Start reorganization)** – a pre-trial is scheduled for July 11, 2013.

CONSORTIUM CONFERENCE – Attorney Elliott reported that the Consortium Conference will be held on July 19, 2013 at Roger Williams School of Law in Rhode Island. He handed out conference brochures to the Board members.

ALRA – Attorney Elliott reported that that the ALRA Conference will be held from July 20, 2013 through July 24, 2013 in Washington, D. C.

Attorney Elliott stated that he has three matters that he would like to discuss with the Board. The first is a legal issue regarding a case on appeal. The Board decided that this matter should be addressed in Executive Session. The other two matters have to do with briefing schedules. One issue pertains to reply briefs (the Board was given a memo regarding this issue). The hearing was held and concluded and a briefing schedule was established which did not include reply briefs. The office inadvertently set a date for reply briefs which were filed by the City after the Board had already received the record. The Board decided that the reply briefs will not be included in the record and should be returned to the City. The other issue involves whether briefs filed in a New Haven Fire Fighters case were timely filed. The deadline for filing briefs was Friday, June 14, 2013 but the City's briefs were received on Tuesday, June 18, 2013. After a brief discussion, the Board decided to accept the City's brief as timely filed and to notify the City as such.

III. AGENT'S REPORT

Statistics – Agent Foley reported that 544 cases were filed since July 1, 2012. She reported that 542 cases have been closed and 292 remain open.

Agent Foley reported that CSEA filed a Motion for Interim Relief in a Middlebury case that involves an existing contract. According to our regulations, a hearing must be held within 10 days of filing. Assistant Agent Ron Napoli left an urgent message with the Town's attorney and is waiting to hear back from him.

Agent Foley requested the Board to give priority scheduling for deliberations on a petition case. Wendella noted that the hearing on this case was held on May 23, 2013 and the Board has not yet received the record. As soon as the Board receives the record, this case will receive priority scheduling. Another case which the Agent recommended for priority scheduling is in binding

arbitration and the process cannot go forward until the Board reaches its decision on the contract.

IV. CHAIRMAN'S REPORT

Chairman Low proposed that the Board enter into an Executive Session for the sole purpose of discussing a legal matter and that the Agent and General Counsel be included in the session. No votes are expected to be taken while in Executive Session.

V. EXECUTIVE SESSION

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

VOTED to enter into an Executive Session with the Agent and General Counsel for the sole purpose of discussing a legal matter and that no votes are expected to be taken.

Upon a motion duly made and seconded, it was unanimously

VOTED reconvene the public session of the Board Meeting. No votes were taken in Executive Session.

VI. ADJOURNMENT

There being no further business to come before the meeting, a motion was duly made, seconded, and it was unanimously

VOTED to adjourn the meeting.