

**STATE OF CONNECTICUT
LABOR DEPARTMENT**

CONNECTICUT STATE BOARD OF LABOR RELATIONS

IN THE MATER OF
CITY OF WATERBURY

DECISION NO. 3496

-and-

JUNE 24, 1997

WATERBURY FIREFIGHTERS
ASSOCIATION, LOCAL 1339

-and-

DICKIE MURCHISON, JR.

-and-

MICHAEL FARRELL

Case Nos. MPP-14,838
 MPP-14,839

**PROCEDURAL ORDER
GRANTING RESPONDENT'S MOTION FOR A STAY**

On July 31, 1992, Michael Farrell and Dickie Murchison (Complainants) filed separate but identical complaints with the Connecticut State Board of Labor Relations (Labor Board) alleging that the City of Waterbury (City) and the Waterbury Firefighters Association (Union) had engaged and were engaging in practices prohibited by the Municipal Employee Relations Act (Act). Specifically, the Complainants alleged that the City and the Union had violated the Act by: (1) engaging in illegal collective bargaining prohibited by § 7-474 (g); (2) conspiring to and entering into an illegal agreement for the implementation of actions that are illegal and discriminatory in violation of the Act; and (3) breaching the duty of fair representation.

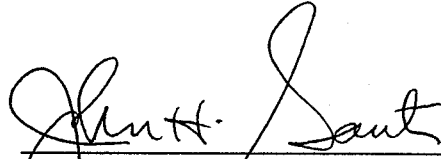
After the requisite preliminary administrative steps had been taken, the parties appeared before the Labor Board for hearings on May 4, May 6 and August 3, 1993, January 24, February 4, March 8, April 29, June 7, September 8, October 4 and December 15, 1994. At such times, the parties appeared, were represented by counsel and were provided full opportunity to adduce evidence, examine and cross-examine witnesses, and make argument. Post-hearing briefs and reply briefs were filed by the parties, the last of which was received by the Labor Board on April 7, 1995.

On April 18, 1997 the Labor Board issued a Decision and Order finding that the Union had breached its duty of fair representation to the Complainants. In that decision, the Labor Board ordered the Union to withdraw any grievances or legal challenges, if any, to the appointment of Murchison and Farrell to the position of Fire Lieutenant.

Respondent Union filed an appeal from this decision of the Connecticut State Board of Labor Relations with the Superior Court for the Judicial District of Hartford on May 28, 1997, Docket No. CV97-570953. Respondent subsequently filed a Motion For A Stay with the Labor Board on May 28, 1997 stating that the Union would suffer irreparable harm and that the Union's administrative appeal would effectively be mooted if required to comply with the Decision while the matter is pending in Superior Court.

Based upon the record before the Labor Board, we hereby grant the Motion For A Stay pending a judicial resolution of the administrative appeal.

CONNECTICUT STATE BOARD OF LABOR RELATIONS



John H. Sauter, Chairman

CERTIFICATION

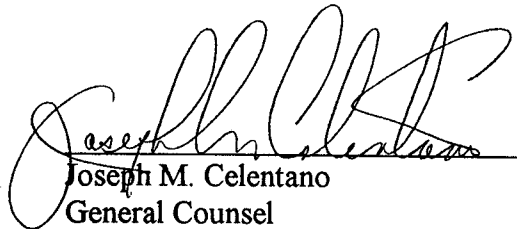
This is to certify that a copy of the foregoing Procedural Order was mailed first class, postage prepaid this 24th day of June, 1997 to the following:

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