

STATE OF CONNECTICUT
LABOR DEPARTMENT

CONNECTICUT STATE BOARD OF LABOR RELATIONS

IN THE MATTER OF

TOWN OF WALLINGFORD

and

WALLINGFORD POLICE UNION,
LOCAL 1570, COUNCIL 15, AFSCME, AFL-CIO

Case No. MPP-18,777

MARCH 2, 1998

A P P E A R A N C E S

Attorney Eric F. Brown
for the Union

Attorney Dennis G. Ciccarillo
for the Town

PROCEDURAL ORDER

On December 30, 1996 Local 1570, Council 15, AFSCME, AFL-CIO (the Union) filed a complaint with the Connecticut State Board of Labor Relations (the Labor Board) alleging that the Town of Wallingford (the Town) had engaged in practices prohibited by the Municipal Employee Relations Act (MERA or the Act). Specifically, the Union alleged that the Town had unilaterally changed working conditions involving the front entry desk/dispatch area of the police station.

At a formal hearing of the Labor Board concerning this matter held on February 20, 1998, the Union made a motion to amend its complaint to include an allegation concerning changes in the use of bathroom facilities in the dispatch area of the police station. The Union had transmitted its proposed amendment to the Town's representatives by facsimile on February 19, 1998. At the hearing the Town objected to the amendment due to the short notice given the Town of the Union's intent to amend the complaint and also on the grounds that a significant period of time had passed between the filing of the original complaint and the proposed amendment. The Town indicated that it was prepared to address the additional allegation. The Chairman of the Labor Board panel hearing the matter indicated that the Board would take the Union's request under advisement and issue a ruling at a later time. The hearing did not conclude on February 20, 1998 and is scheduled to

reconvene on Thursday, April 30, 1998. On February 24, 1998, the Labor Board received a written copy of the motion to amend the complaint in its administrative offices.

The Union's request to amend its complaint is granted. The additional allegation is related to the original allegations contained in the complaint and the Town is prepared to address the additional allegation in this proceeding. Thus, in the absence of any specific time barrier to the filing of the amended complaint and based on administrative convenience, the request is granted. However, the Labor Board notes that, although amendments to complaints have been liberally allowed in the past, it does not endorse untimely filings and will scrutinize amendments and any other filings presented on the eve of hearing or in any other manner which indicates a lack of due diligence on the part of the presenter.

CONNECTICUT STATE BOARD OF LABOR RELATIONS

By: David C. Anderson
David C. Anderson, Acting Chairman

CERTIFICATION

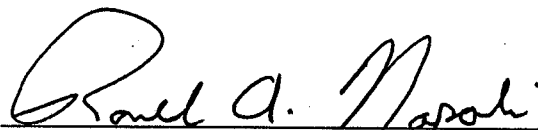
I hereby certify that the foregoing was mailed postage prepaid on this 2nd day of March, 1998 to the following:

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Ronald A. Napoli, Acting Agent
Connecticut State Board of Labor Relations