

STATE OF CONNECTICUT  
LABOR DEPARTMENT

CONNECTICUT STATE BOARD OF LABOR RELATIONS

IN THE MATTER OF

HARTFORD BOARD OF EDUCATION

AUGUST 7, 2012

-AND-

LOCAL 566, COUNCIL 4,  
AFSCME, AFL-CIO

-AND-

MICHAEL PITEAU

Case No. MPP-29,195

A P P E A R A N C E S:

Attorney Helen Apostolidis  
for the Board of Education

Attorney J. William Gagne, Jr.  
for the Union

Attorney Barry S. Zitser  
for the Complainant

**RULING ON MOTION TO QUASH AND ORDER**

On May 16, 2011 Michael Piteau (Piteau) filed a complaint with the Connecticut State Board of Labor Relations (the Labor Board) alleging that the Hartford Board of Education (the School Board) had violated the Municipal Employee Relations Act (MERA or the Act) by violating the applicable collective bargaining agreement and that Local 566, Council 4, AFSCME, AFL-CIO (the Union) had violated the Act by breaching its duty of fair representation.

On April 2, 2012 the Labor Board issued subpoenas duces tecum directed to the School Board and the Union upon Piteaus's application. On April 13, 2012 the School Board filed a Motion to Quash Subpoena and on April 24, 2012 the Labor Board denied the motion. On April 25, 2012 the Union filed a Motion To Quash Subpoena that was

identical to the School Board's motion filed April 13 but for the Union's objection to the production request set forth in Paragraph 8.<sup>1</sup> On April 26, 2012 the Labor Board conducted a hearing at which time the School Board was in possession of a file of documents responsive to the subpoena duces tecum that had been compiled as of that date. On July 11, 2012 Piteau filed an Objection to the Union's Motion to Quash and a Motion For Filing Order seeking compliance with the subpoenas duces tecum.

### **ORDER**

1. The Union's Motion to Quash is **GRANTED** only as to Paragraph 8 of the April 2, 2012 subpoena duces tecum to the Union's Keeper of Records and the remainder of said motion is **DENIED**.
2. On or before August 15, 2012 the School Board shall deliver to Piteau true copies of those documents responsive to the subpoena duces tecum and in the School Board's possession on April 26, 2012 together with any additional responsive documents that have been compiled to date.

#### CONNECTICUT STATE BOARD OF LABOR RELATIONS

Patricia V. Low

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Chairman

Wendella Ault Battey

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Board Member

Barbara J. Collins

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Board Member

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<sup>1</sup> Paragraph 8 of the subpoena duces tecum to the Union's Keeper of Records dated April 2, 2012 states:

8. Provide all documents concerning the investigation and expulsion of former Local 566 President Mark Blumenthal for "misuse of union funds while in office."

**CERTIFICATION**

I hereby certify that a copy of the foregoing was mailed postage prepaid this 7<sup>th</sup> of August, 2012 to the following:

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Harry B. Elliott, Jr., General Counsel  
CONNECTICUT STATE BOARD OF LABOR RELATIONS