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 Piteau’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. 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
Patricia V. Low
Chairman

Wendella Ault Battey
Wendella Ault Battey
Board Member

Barbara J. Collins
Barbara J. Collins
Board Member

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1 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 7th of August, 2012 to the following:

Attorney Helen Apostolidis
Bird & Apostolidis
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Attorney J. William Gagne, Jr.
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Council 4, AFSCME, AFL-CIO
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________________________________
Harry B. Elliott, Jr., General Counsel
CONNECTICUT STATE BOARD OF LABOR RELATIONS