

SBMA BOARD MEETING: NOVEMBER 20, 2023 - TRANSCRIPT of TEAMS MEETING

0:0:0.0 --> 0:0:0.810

Gerry Weiner
Hello there everyone.

0:0:1.750 --> 0:0:2.370

Betty Kuehnel
Good morning.

0:0:3.160 --> 0:0:3.590

Peter Carozza
Morning.

0:0:3.520 --> 0:0:3.660

Gerry Weiner
But.

0:0:5.240 --> 0:0:5.840

Cho, Douglas
Good morning, folks.

0:0:5.870 --> 0:0:5.980

Ken Baldyga
Good morning.

0:0:8.10 --> 0:0:8.270

Peter Carozza
Sorry.

0:0:8.460 --> 0:0:8.940

Michael Culhane
Good morning.

0:0:49.360 --> 0:0:49.690

Gerry Weiner
Did he? Did he say he wasn't coming at all?

0:0:51.920 --> 0:0:53.40

Cho, Douglas
Not to my knowledge. Oops, he might be here.

0:0:58.670 --> 0:0:59.80

Cho, Douglas
OK.

0:0:59.90 --> 0:1:0.940

Cho, Douglas
And just so you know, folks, as usual, I'm transcribing the board meeting, so we're being recorded.

0:1:8.520 --> 0:1:9.110

Cho, Douglas

Let's see here. Dennis is in the waiting room. Let me let him in. And there he is. Morning, Dennis.

0:1:19.530 --> 0:1:19.960

Gerry Weiner

Right. And bright and shiny Dennis is there. OK. We got Dennis, we got everybody now, right, Doug?

0:1:25.40 --> 0:1:25.860

Cho, Douglas

I believe so. We are six of six.

0:1:27.750 --> 0:1:28.980

Gerry Weiner

Let's get going then. Did every everyone I assume was reviewed? The minutes. Is there a motion that we accept the minutes of the last meeting?

0:1:35.630 --> 0:1:36.250

Betty Kuehnel

So moved.

0:1:36.740 --> 0:1:37.280

Peter Carozza

Second.

0:1:37.580 --> 0:1:37.890

Gerry Weiner

Thank you.

0:1:36.680 --> 0:1:38.240

Michael Culhane

I have one. I have one correction I believe is in order. There I made a valiant effort to hook up to teams last month and I was not successful, so I think I should be down as having an excused absence, however, you want to put it.

0:2:1.340 --> 0:2:1.660

Gerry Weiner

OK.

0:2:1.150 --> 0:2:3.40

Dennis Murphy

I don't know how valiant that was.

0:2:3.440 --> 0:2:3.600

Peter Carozza

Yeah.

0:2:3.50 --> 0:2:3.730

Dennis Murphy

I don't know.

0:2:4.400 --> 0:2:4.870

Gerry Weiner

I don't know. But with the record, we'll know it, Michael, that you get an excused absence and we're happy you're here with us today. That's good.

0:2:15.520 --> 0:2:17.110

Michael Culhane

And thank you, Mr. Chairman, I appreciate that.

0:2:26.260 --> 0:2:26.640

Peter Carozza

2nd.

0:2:19.70 --> 0:2:31.720

Gerry Weiner

OK, so now we had a motion by Betty to accept the minutes and I think Peter, is a second, any discussion on the Minutes at all, if not, all in favor, please say aye.

0:2:32.600 --> 0:2:32.880

Peter Carozza

Aye.

0:2:32.610 --> 0:2:32.990

Betty Kuehnel

Alright.

0:2:32.970 --> 0:2:33.270

Dennis Murphy

Alright.

0:2:33.50 --> 0:2:33.390

Ken Baldyga

Aye.

0:2:33.0 --> 0:2:33.490

Michael Culhane

Aye.

0:2:33.950 --> 0:2:34.250

Gerry Weiner

OK. Sounds like it's unanimous the Minutes are accepted. Uh, Doug review, outstanding grievance arbitration hearings?

0:2:41.960 --> 0:2:42.410

Cho, Douglas

Sure. Thanks, Gerry. Let me share my screen with you. Let's see if this works. Can you all see it?

0:3:11.710 --> 0:3:11.970

Gerry Weiner

Yep.

0:3:12.590 --> 0:3:12.830

Betty Kuehnel

Yeah.

0:3:12.690 --> 0:3:13.340

Cho, Douglas

OK, great. Let me start at the top here. Let's see. OK, there are the minutes. And as you can see in the lower right-hand corner, this is page 4 of 28 and these are the figures for outstanding grievance arbitration hearings.

0:3:33.820 --> 0:3:36.30

Cho, Douglas

The figures more or less speak for themselves. They're on a par with what's typical for our two-month board meeting time period. All of them are basically within the same accepted normal range for the past few years.

0:3:49.850 --> 0:3:55.300

Cho, Douglas

Below them, we've added some new information that we haven't had before, under the heading "mediations". I've asked Stacy Quinones to see if she can track those for us. So, we can get an idea of the mediation numbers on a bimonthly basis. A little explanation might help here, where it says, requested mediations. That's basically in the two-month period we're talking about since the last board meeting until roughly last week. So requested were 25 within that two-month time period. Scheduled is 44 within that same two-month time period. Conducted would be 27. Once again in the same two-month time period. And grievances withdrawn and settled, occurred in the two-month time period, but those are probably going to be for matters that were filed and conducted earlier at some point. So those last two numbers don't have a direct correlation with the above 3 numbers.

0:4:43.890 --> 0:4:44.270

Gerry Weiner

OK.

0:4:43.850 --> 0:4:44.850

Cho, Douglas

So let's see. Moving down here, these are the fiscal year figures. Again, they're comparative between this year's time period, a fiscal year to date in the first column, which is the fiscal year from last year. Again, these numbers speak for themselves. They're more or less comparable, slightly down in terms of cases received. It's 75 versus 82. Revenue received, about the same. State of Connecticut cases has dropped somewhat. They're seven cases this year. Last year was 33. Not really sure why. A lot of our

cases are corrections cases, so that's probably linked to whatever they're doing in corrections. Apparently, there's less friction going on over there?

0:5:27.880 --> 0:5:36.880

Cho, Douglas

Umm, then we keep track of the open motions to vacate here as well, which I'll go into in more detail in the next page. Umm, Carol tracks these for us. A few cases have been resolved, three in particular, which I'll cover in a second. You'll see there's one new case at the bottom, that's a Shelton case involving a police officer, Loris.

0:5:55.20 --> 0:6:1.50

Cho, Douglas

Umm, that motion to vacate was actually filed by the Union on August 19th of 2023. We didn't receive it until September 21st, which was after the package went out for the last board meeting. So that was filed a while ago or approximately 3 months ago but didn't make it to our table till now.

0:6:17.540 --> 0:6:19.650

Cho, Douglas

Loris was an officer who'd been terminated. There were about 10 officer terminations over the last few years. He was reinstated by that award. That was issued by Lou Pittocco, Michael Culhane and Frank Krzywicki. But the Union, even though he was reinstated, the Union, filed this application to vacate because he received a 30-day suspension, I believe, and the Union was challenging that, saying that he in essence shouldn't receive any suspension. For what it's worth, and in any event, that's what's going on, that's the only new motion to vacate.

0:6:50.640 --> 0:6:51.90

Cho, Douglas

You see there? Umm, 3 cases resolved. This is the first one. It's page 7 of 28. That's a City of Bristol and Bristol Police Union matter. That was Dennis Murphy, Michael Culhane and Jeff Scanlon on that panel. The officer had been forced to quarantine because he had COVID, he wanted to use sick time, but the City of Bristol made him use vacation time instead. And that was the dispute, and I believed the panel opted to say that he was entitled to use sick time, I believe, and the City filed this application to vacate. The court upheld the award and I believe ruled that it was OK for the officer to use sick time instead of vacation time for COVID quarantining purposes. But the entire court opinion is right here, if you feel like reading it. And moving on down.

0:7:56.190 --> 0:7:58.150

Dennis Murphy

Just a quick comment. I was a little impressed by the court, seemingly really went to great lengths to defer to arbitration, to see that their appeal, their review is very restrictive, and it just struck me that this particular decision is, umm, really strong and in deference to arbitration.

0:8:25.10 --> 0:8:25.460

Gerry Weiner

Yeah, they did.

0:8:24.400 --> 0:8:26.520

Cho, Douglas

Umm yeah, I agree. That is nice to see because there's a lot more judges who are seeming a little bit more liberal in terms of overturning arbitration awards, which is, as you know, I mean that's what they do. But at the same time, the deference isn't there. This particular judge is Robert Young, who's a senior judge. I don't know if that has any correlation. Maybe he's old school.

0:8:50.70 --> 0:8:53.560

Cho, Douglas

Uh, in any event, the next decision is this one. It's a firefighter union case, IAFF versus City of Milford and this panel was Pat Daly, Ken Baldyga and Steve Ferrucci.

0:9:13.60 --> 0:9:13.890

Cho, Douglas

This involved a firefighter who was terminated following a bar fight. The arbitration panel upheld his termination. The Union filed this application to vacate and the court upheld the arbitration decision and they said that the termination decision by the panel was valid. So, you can see here that's a second upheld award starting on page 15 of 28 and the entire award is here if you would like to review it.

0:9:49.430 --> 0:9:59.870

Cho, Douglas

The only other decision in which an award was resolved from an application to vacate result, was the Garabedian case. Yes, if that rings a bell, it's a slightly older case. Uh, from Waterbury. And I believe what happened there was, he was a traffic control engineer with the City of Waterbury. Mr. Garabedian was terminated from his employment. This was a few years ago and he filed an arbitration claim and the panel reinstated him, and I believe the panel was uh, Greg McMahon, Ken Baldyga, and John Toomey.

0:10:37.820 --> 0:10:46.130

Cho, Douglas

Umm, the City of Waterbury filed that application to vacate, which was just withdrawn by the City about a month ago. So, and I believe Mr. Garabedian also had a federal court lawsuit concerning his termination, I think he was claiming discrimination and a number of other things. We don't know the specific status of that lawsuit, but something tells me, given that the city has withdrawn this application, the entire matter has probably been resolved. But in any event, our end of it has been closed so that application is no longer pending or outstanding.

0:11:15.240 --> 0:11:19.910

Ken Baldyga

I actually had to write that award for Greg McMahon. Because it was taking him so long. So that was the first time I ever did one and the last one so far.

0:11:29.240 --> 0:11:30.420

Cho, Douglas

Your one and only, Ken.

0:11:31.280 --> 0:11:32.350

Ken Baldyga

Yeah, but I want one only.

0:11:35.320 --> 0:11:38.690

Cho, Douglas

Moving on to the agenda, Outstanding Awards, to date there are none at this time.

0:11:43.430 --> 0:11:53.440

Cho, Douglas

Uh, as far as the next bit of old business, the summer conference that was held on September 28th, we got a lot of positive feedback from that.

0:12:8.200 --> 0:12:8.600

Gerry Weiner

Yeah.

0:11:54.10 --> 0:12:9.120

Cho, Douglas

And one of the nice things about that conference was that it was really inexpensive, relatively speaking. We slightly up-charge participants so that we could try to defray the cost of staff attending. We had over 105 registered participants and approximately 27 staff and invited speakers and guests. And that plus the total cost of all the various and sundry items.

0:12:32.340 --> 0:12:32.560

Gerry Weiner

Wow.

0:12:27.270 --> 0:12:41.90

Cho, Douglas

I think the net cost to the Department of Labor was around \$1000, which is pretty impressive given that we had 130 people there for a conference that lasted most of the day with lunch served and also continental breakfast. So, I think the Department of Labor really appreciated how efficient that was in terms of an expense viewpoint.

0:12:48.250 --> 0:12:48.800

Dennis Murphy

That's great.

0:12:49.520 --> 0:12:57.180

Gerry Weiner

You had a very good event and I think we should put that on as an annual item for the board to continue.

0:12:57.740 --> 0:12:58.110

Cho, Douglas

Yep. Yeah, that's the plan. It was an annual tradition. And we're going to try to keep it going for the foreseeable future.

0:13:8.350 --> 0:13:9.650

Cho, Douglas

Let's see new business. We have nothing on the new business agenda to report.

0:13:14.710 --> 0:13:25.780

Cho, Douglas

Moving along to the director's report, as you've probably know, we've lost a long-term management alternate. Victor Muschell, Esquire passed away a month ago, and just so you know, he was appointed on July 21, 1995, to his role.

0:13:37.620 --> 0:13:37.780

Gerry Weiner

Yes.

0:13:37.320 --> 0:13:39.210

Cho, Douglas

So that's 28 years plus. So, I know a lot of you had the benefit of working with Mr. Muschell and probably remember him well. He was a nice man, smart and very, very professional at all times, so I think a lot of people appreciated being with him, and the work he did.

0:13:54.640 --> 0:13:54.780

Betty Kuehnel

Yes.

0:13:56.790 --> 0:14:4.220

Gerry Weiner

He was a very good arbitrator and a gentleman and very compromising, he worked everything out.

0:14:6.160 --> 0:14:6.360

Betty Kuehnel

Right.

0:14:4.230 --> 0:14:8.310

Gerry Weiner

He was a really good guy, and I had a case with him three or four months ago, I think. And I was shocked to see this.

0:14:12.240 --> 0:14:16.870

Cho, Douglas

Yeah, he had accepted a few cases and was scheduled for things with us. So, it was a bit of a shock when we learned of that because he'd scheduled them not that long ago. In any event, his obituary, it's a very nice obituary, his family wrote for him. And it's included in the package, just at the very end here. So, if you'd like to read a few kind words about Attorney Muschell, they're here in the package.

0:14:40.960 --> 0:14:43.920

Cho, Douglas

And I think that's the end of what I have.

0:14:44.490 --> 0:14:46.980

Gerry Weiner

This was a very nice, quick, efficient meeting. Anybody have anything else? If there is nothing else, is there a motion to adjourn?

0:14:55.270 --> 0:14:55.830

Dennis Murphy

So moved.

0:14:56.610 --> 0:14:57.420

Gerry Weiner

Dennis. Second?

0:14:58.30 --> 0:14:58.530

Betty Kuehnel

Second.

0:14:58.290 --> 0:14:58.770

Ken Baldyga

Second.

0:14:59.780 --> 0:15:1.360

Gerry Weiner

All in favor, please say aye.

0:15:2.360 --> 0:15:2.700

Betty Kuehnel

Aye.

0:15:3.60 --> 0:15:3.420

Ken Baldyga

Alright.

0:15:3.210 --> 0:15:3.700

Michael Culhane

Aye.

0:15:3.920 --> 0:15:5.850

Gerry Weiner

Aye, unanimous for all. Thank you very much. Thank you, Doug. And we'll see everybody soon.

0:15:9.860 --> 0:15:11.460

Cho, Douglas

Yes. Happy Thanksgiving, everybody.

0:15:12.320 --> 0:15:12.580

Betty Kuehnel

Thank you.

0:15:12.20 --> 0:15:13.580

Dennis Murphy

Yeah, Happy Thanksgiving. Yeah.

0:15:12.110 --> 0:15:13.680

Gerry Weiner

Everybody, Happy Thanksgiving.

0:15:13.210 --> 0:15:13.740

Betty Kuehnel

Thank you.

0:15:14.180 --> 0:15:14.470

Gerry Weiner

Bye bye.

0:15:14.70 --> 0:15:14.630

Ken Baldyga

You as well.

0:15:14.100 --> 0:15:16.290

Michael Culhane

Likewise, OK.

0:15:18.220 --> 0:15:18.680

Cho, Douglas

Take care.