

STATE BOARD OF MEDIATION AND ARBITRATION
38 WOLCOTT HILL ROAD, WETHERSFIELD, CT 06109

MINUTES OF BOARD MEETING

Tuesday, January 19, 2021

An arbitrators Board meeting of the Connecticut State Board of Mediation and Arbitration was held on Tuesday, January 19, 2021. Due to the COVID 19 pandemic, this meeting was held via Zoom.

Present: Gerald T. Weiner, Esq., Chairman
Dennis C. Murphy, Esq., Deputy Chairman
David A. Ryan, Management Member
Michael C. Culhane, Management Member
Betty Kuehnel, Labor Member
Raymond D. Shea, Labor Member

Guest: Patricia A. Fitton, Director/Mediator

The Tuesday, January 19, 2021 meeting was opened by Gerald T. Weiner, Chairman, at 3:02 p.m.

- 1) Minutes of Previous Meetings: The Board reviewed the minutes of the regular Board meeting held on November 16, 2020. One typographical error was located by Michael Culhane and corrected. Ray Shea made a motion to accept the corrected minutes, Dennis Murphy, Esq. seconded the motion. The motion passed unanimously.
- 2) Old Business:
 - A. Electronic Signatures: The Board reconsidered the issue of using electronic signatures on grievance arbitration awards to facilitate the

- timely distribution of awards as well as the eventual posting of awards on the web site. This would also align with the Administration's policy of moving to a paperless status. The panel chairs will have the option to use electronic signatures and the labor/management arbitrators will be further encouraged to experiment with electronic signatures.
- B. Review of Outstanding Grievance Arbitration Hearings: there are significant numbers of grievance arbitrations that are being held in abeyance pending in person hearings. Parties are increasing their use of remote grievance arbitration hearings as they become more familiar with the remote platforms. Case managers continue to encourage the use of virtual hearings.
 - C. Motions to Vacate: The Board received a Memorandum of Decision to Vacate Arbitration Award from the Superior Court in Case No. 2018-A-0026. The court directed the SBMA to conduct a rehearing of the case. However, the Union appealed the court's decision and the SBMA was advised not to schedule the rehearing pending the outcome of the Union's appeal.

3) New Business:

- A. An arbitrator expressed concerns to the Board regarding the parties' readiness to proceed in a timely fashion on the day of a scheduled grievance hearing. In response to this concern, David Ryan made a motion that the arbitration panels be in place and ready to proceed fifteen (15) minutes before the scheduled start of the hearing. Betty Kuehnelt seconded the motion; the motion passed unanimously.
- B. The time frame for arbitrability decisions was reviewed. Arbitrability decisions for termination cases are due in forty-five (45) days; decisions in any other cases are due in seventy-five (75) days.
- C. Moving arbitration awards onto the web site was reviewed. If all arbitrators would use electronic signatures on awards, the posting of awards on the web site would be facilitated; staff would no longer need to scan the awards into the computer before posting them. This would also expedite the issuing of awards to the parties.
- D. There is clear direction from the Administration to move towards a paperless status. The staff will soon complete the migration to the cloud

and the replacement of office desk top computers with laptops. This required extensive work with IT in the Access data base upgrading the standard documents involved with both grievance and interest arbitration procedures. Administrative Assistant Brigitte Bisson is highly commended for her tireless efforts leading this major project. Brigitte's extensive knowledge of all the SBMA services as well as the office procedures vital to providing these services was essential to the success of this endeavor.

- E. Michael Culhane raised the issue of timing the Zoom invitations closer to the actual date of the scheduled hearing. David Ryan made a motion that arbitrators be instructed to send the Zoom invitation five (5) days prior to the hearing. Michael Culhane seconded the motion and it passed unanimously.

4) Director's Report

- A. Interest Arbitrators: A meeting of the Neutral Arbitrators Selection Committee occurred on Friday, November 20, 2020 at 10:00 a.m. via conference call. All ten Selection Committee members attended. The terms of the all the neutral interest arbitrators were unanimously extended for two years. The Selection Committee also established a sub-committee to recruit and add diverse arbitrators who would be more reflective of Connecticut's population.
- B. Good and Welfare: The staff has been consistently challenged with technological changes to their work processes. They remain hard-working and dedicated to the SBMA even in the face of these unrelenting changes.

Motion to Adjourn was made by Betty Kuehnel, Ray Shea seconded the motion and the motion passed unanimously. Meeting adjourned at 4:12 p.m.

Pat Fitton, Director