

CONNECTICUT STATE BOARD OF MEDIATION AND ARBITRATION

38 WOLCOTT HILL ROAD, WETHERSFIELD, CT 01069

DRAT MINUTES OF ARBITRATORS MEETING

WEDNESDAY, JANUARY 23, 2019

An arbitrators meeting of the Connecticut State Board of Mediation and Arbitration was held on Wednesday, January 23, 2019 at 38 Wolcott Hill Road, Wethersfield, Connecticut, 061099.

Present: Gerald T. Weiner, Esq., Chairman

Betty Kuehnel, Labor Member

Raymond D. Shea, labor Member

David A. Ryan, Management Member

Excused Absence: Dennis C. Murphy, Esq., Deputy Chairman

Michael C. Culhane, Management Member

Guests: Patricia A. Fitton, Mediator/Acting Director, SBMA

The Wednesday, January 23, 2019 meeting of the Board of Mediation and Arbitration was opened by Gerald T. Weiner, Chair at 9:05 a.m.

- 1) Minutes of Previous Meeting: due to the sudden loss of Director Catherine J. Serino, minutes of the previous meeting were not available. Efforts are underway to locate those minutes for consideration at the next Executive Board meeting.

New Business

- 1) The proposed schedule for the Regular Meetings for the State Board of Mediation and Arbitration for the year 2019 was reviewed by the Board. A motion was made by Betty Kuehnel and seconded by Ray Shea to approve

the proposed schedule of regular meetings for the SBMA for 2019. The motion was unanimously approved.

- 2) The posting of the minutes of the Board's regular meetings on the SBMA website for FOI compliance was discussed. Draft minutes will be emailed to the Board members. A final set of minutes will then be approved by the Board for expeditious posting on the website.
- 3) The request for the appointment of the new labor arbitrator was received by the Board and was placed on hold for further review and consideration.
- 4) The grievance arbitration postponement requests for December, 2018 were compiled by Assistant Administrator to the Director Brigitte Bisson and presented for the Board's review. The Board discussed the policy for postponements. The Board also expressed their appreciation of Ms. Bisson's thorough review of the cases and her concise document presenting the data. The Board was unanimous in expressing their desire for the continuation of this report.
- 5) The Clarification on Remand of Case No. 2016-A-0490 was considered by the Board. The Arbitration Panel issued a Clarification on Remand to the Award Dated April 18, 2017; the clarification was dated December 24, 2018. The grievance was found to be arbitrable. The Application to Vacate Arbitration Award Case No. 2018-A-0255 was also reviewed by the Board. Assistant State Attorney General Richard T. Sponzo, Esq. examined the case and determined that no intervention in the case on behalf of the SBMA was required. The office staff will monitor progress on the case and will keep the Board informed of any developments.
- 6) Management Member David A. Ryan reported that Arbitrator Mark Sullivan was exploring some possible opportunities to extend grievance arbitration services to an interested private sector employer. It was noted that the SBMA arbitration service would be both timely and cost effective for the private sector parties.

Mediator/Acting Director's Report

Mediator/Acting Director Fitton distributed the letter from Neil Griffin, Director of Human Resources, naming her to the position of acting director.

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This is considered temporary service in a higher class and is authorized from January 4, 2019 through June 27, 2019 or until such time as the position is permanently filled. The time frame for filling the Director's position was discussed and Mediator/Acting Director Fitton will pursue the issue with Commissioner Westby. She is presently waiting for a response from Commissioner Westby regarding the filling of the temporary/per diem mediator position and will discuss the filling of the director's position as well as a second permanent mediator's position.

The SBMA letterhead will be changed to show the vacancy in the Director's position. Letters requiring the director's signature will be signed "Mediator/Acting Director, Patricia A. Fitton".

The case of a public sector employer and the Union being uncertain how to proceed to binding arbitration via a grievance settlement was presented and discussed. The staff has instituted placing the parties into interest arbitration.

It was noted that the staff is still actively grieving the untimely loss of Director Catherine J. Serino. Director Serino was much more than the director to her staff; she was a valued friend and mentor. The staff is performing to their best abilities and appreciates the understanding shown them by the Board and all the arbitrators.

Motion was made by Raymond D. Shea and was seconded by Betty Kuehnel to adjourn the meeting. Motion was passed unanimously. Meeting was adjourned at 9:55 a.m.

Respectfully submitted

Patricia A. Fitton,

Mediator/Acting Director