

STATE BOARD OF MEDIATION AND ARBITRATION

38 WOLCOTT HILL ROAD, WETHERSFIELD, CT 06109

MINUTES OF ARBITRATORS' MEETING

Monday, July 18, 2022

A meeting of the Connecticut State Board of Mediation and Arbitration was held on Monday, July 18, 2022. This meeting was held virtually, via Zoom.

Present: Gerald T. Weiner, Esq., Chairman
 Dennis C. Murphy, Esq. Deputy Chairman
 Michael C. Culhane, Management Member
 Betty Kuehnel, Labor Member
 Peter Carozza, Labor Member

Guest: Douglas Cho, Esq., Director/Mediator

The Monday, July 18, 2022, meeting of the State Board of Mediation and Arbitration was opened by Gerald T. Weiner, Chairman, at 8:30 a.m.

- 1) Moment of Silence: A moment of silence was held to honor the memory of the late SBMA Board Member, David A. Ryan.
- 2) Minutes of Previous Meeting: A motion was made by Betty Kuehnel to accept the minutes of the May 16, 2022, Board meeting. The motion was seconded by Peter Carozza and passed unanimously.

3) Public Attendance/Commentary: A member of the public was in attendance at the Board meeting, namely Attorney Stephen McEleney.

4) Old Business:

- A. Review of Outstanding Grievance Arbitration Hearings: The number of pending arbitrations, the number of cases held in abeyance, scheduled and re-scheduled were examined by the Board. There are approximately two hundred and sixty-five (265) cases pending, which is a slight increase from 2 months ago.
- B. Review of Fiscal Year Figures: The SBMA fiscal year figures were compared to the past year time period and has increased slightly, by 2 cases. Revenues received for the present time period are also increased slightly from the prior time period.
- C. Outstanding Overdue Awards: Of the one remaining award that was still overdue at the last board meeting, that case has been referred to a new arbitration panel since it was subject to a split panel; and the new hearing, addressing arbitrability only, is scheduled to be heard on July 19, 2022.
- D. Applications for Neutral and Party Arbitrators: Since the last Board meeting, Janis Jerman has been appointed by the Governor as a new Neutral/Public arbitrator, and she is presently finishing new arbitrator orientation; there is a goal of assigning her to hear cases beginning in September. In addition, the SBMA forwarded to the Governor a recommendation that Alvin Wilson, Jr. be appointed as a Neutral/Public arbitrator.
- E. Emailing Awards: The SBMA staff is now emailing all newly issued awards and will have eliminated all wasteful paper mailings except for two that are required to be mailed to the party representatives per SBMA regulations. This will ensure immediate delivery to the parties. In addition, all awards going forward will be available to the public for viewing and printing from the SBMA website.

5) New Business

- A. Honoring Retired Arbitrators: A proposal was discussed to honor recently retired arbitrators, such as John O'Connell, by requesting a certificate of appreciation from the Labor Commissioner and asking the retiree to attend a

Board meeting at which time the Board could present the certificate to the retiree.

- B. Electronic Signing of Awards: The results of a survey of all arbitrators regarding their ability to sign and emailed a scanned copy of an award was discussed. Also discussed was the use of e-signed documents by state court judges, and that chief administrative clerks have confirmed that judges that sign electronically do not hand-sign their judgments and orders.
- C. General Topics: Whether parties have been requesting in-person versus virtual arbitration hearings was discussed, as was whether the Board should encourage and/or facilitate in-person hearings by making additional hearing rooms available for multiple hearings to be conducted on the same day. The limitations and challenges with this suggestion was reviewed.

6) Director's Report

- A. Staff Update: Two long-time staffers, Julie Ferrigno and Brigitte Bisson, retired effective on July 1, 2022. Both have asked for and been approved to work until December 2022 under 120-day temporary retiree worker contracts.

- 7) Public Commentary: A member of the public, Steve McEleney, inquired about the availability of in-person versus virtual interest arbitration hearings, and whether panels have mandated one or the other version. Board members discussed their experiences on this topic.

A Motion to Adjourn was made by Dennis Murphy and seconded by Michael Culhane; the motion passed unanimously. The meeting adjourned at approximately 9:20 a.m.

Douglas A. Cho, Esq.
Director/Mediator

July 22, 2022