

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

MINUTES OF BOARD MEETING

Monday, November 16, 2020

An arbitrators Board meeting of the Connecticut State Board of Mediation and Arbitration was held on Monday, November 16, 2020. 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 Monday, November 16, 2020 meeting was opened by Gerald T. Weiner, Chairman, at 10:06 a.m.

- 1) Minutes of Previous Meetings: The Board reviewed the minutes of the regular Board meeting held on September 21, 2020, as well as the minutes of the Special Board meeting held on October 19, 2020. Betty Kuehnel made a motion to accept the minutes of both meetings, Michael Culhane 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. The panel chairs will have the option to use electronic signatures and the labor/management arbitrators will be 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. Deputy Chairman Dennis Murphy, Esq. kindly offered to train any advocates who are not yet familiar with the virtual platforms.
 - C. Holiday Festivities: due to the COVID 10 pandemic, there will not be any of the usual holiday gatherings at the SBMA. The staff will have a socially distant holiday lunch and that will be the extent of the holiday festivities.
 - D. 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.

3) New Business:

- A. Microphone and Speakers: the SBMA's large, combined hearing room (hearing rooms 2, 3 & 5) is now equipped with a wireless microphone and speakers. Whenever in person hearings resume, this microphone/speaker system will facilitate hearing the testimony of witnesses when they are testifying from a distance while wearing a mask.
- B. Secretarial Vacancy: the SBMA was poised to complete the process of filling the Secretary 2 vacancy when the state froze all hiring. The director will pursue getting an exception to the freeze. The staff has tried to absorb the additional workload, but that has proved unworkable.
- C. Extension of PT Mediator: Joe Dubin, the .4 part time mediator has been extended through June 30, 2021. Further extensions will be pursued as necessary. Mr. Dubin continues to be an invaluable asset to the SBMA.
- D. Awards on the Web Site: Slow progress is being made in the posting of grievance arbitration awards on the website. The posting of awards would aid the labor/management community in researching grievance

- awards. It would also relieve the staff from having to physically retrieve copy and mail awards in response to information requests.
- E. Information/Awards Request: The ACLU made an extensive request for copies of certain grievance arbitration awards. After consulting with the ACLU, the scope of their request was narrowed, and copies of the awards were forwarded in a timely fashion.

4) Director's Report

- A. Interest Arbitrators: A meeting of the Neutral Arbitrators Selection is scheduled on Friday, November 20, 2020 at 10:00 a.m. Attendance can be either in person in the SBMA expanded hearing room or via conference call.
- B. Good and Welfare: Everyone joined in wishing Mr. Shea a very happy 90th birthday. The SBMA staff provided Mr. Shea a socially distant but still very joyous birthday luncheon. We all wish Ray the very best for this most auspicious birthday and may he celebrate many more!

Motion to Adjourn was made by Raymond Shea, Betty Kuehnel seconded the motion and the motion passed unanimously. Meeting adjourned at 10:52 a.m.

Patricia A. Fitton, Director/Mediator