

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

MINUTES OF BOARD MEETING

Monday, September 20, 2021

An arbitrators Board meeting of the Connecticut State Board of Mediation and Arbitration was held on Monday, September 20, 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
Peter Carozza, Labor Member

Guest: Patricia A. Fitton, Director/Mediator

The Monday, September 20, 2021 meeting was opened by Gerald T. Weiner, Chairman, at 8:41 a.m.

- 1) Minutes of Previous Meetings: The Board reviewed the minutes of the regular Board meeting held on July 19, 2021. David Ryan made a motion to accept the minutes, Betty Kuehnel seconded the motion. The motion passed unanimously.
- 2) Old Business:
 - A. Review of Arbitration Hearings: The number of grievance arbitration cases received from July 1, 2020 through September 10, 2020 equaled sixty-seven cases. The same time frame for 2021 showed a total of fifty-

- eight case, a decline of nine cases. The number of cases pending, cases scheduled and those waiting for in person hearings for each case manager were reviewed.
- B. Requests for In Person Hearings: SBMA continues to receive numerous requests for in person hearings. There are delays in scheduling in person hearings due to the low number of neutrals available for such hearings. It is anticipated that the administration of booster shots, hopefully coupled with a decline in the COVID 19 positivity rate, will increase the number of available neutral arbitrators. Remote hearings continue to be scheduled and heard at a significant rate. Parties are becoming accustomed to virtual hearings and many have come to prefer them. Remote hearings continue to be held expeditiously.
 - C. Execution of “s” Signatures: The best method for executing “/s/” signatures by the arbitration panels was reviewed. A sample was provided.
 - D. Format for Complete Grievance Arbitration Awards: Recently some very truncated arbitration awards were issued. The Board agreed that such awards were not proper, professional, or adequate. Seven components were identified as the requisite sections for grievance arbitration awards: issue, facts (or “findings of facts”), relevant contract language, Union position, Employer position, discussion, and decision (or “award”). The Board also noted that the decision or award, must answer the question posed in the issue. Director Fitton was instructed to distribute the format to all the neutral arbitrators.
 - E. Secretary 2 Position Filled: Kim McLaughlin joined the SBMA support staff at the end of August. Kim is a quick learner, and she has proven to be a very conscientious worker. All the staff are happy to have Ms. McLaughlin on board.

3) New Business:

- A. Filling Full Time Mediator Position: All the requisite paperwork to fill the full-time mediator position was submitted. Processing by HR is underway, and it is hoped that the position will be filled in the not-too-distant future.

- B. Term Renewals--Oaths: Four Board members' terms expire this fall: Chairman Gerald Weiner, Esq., Management Members David Ryan and Michael Culhane, and Labor Member Betty Kuehnel. Mr. Weiner's term is already renewed and the remaining three are in process. Oaths were distributed to all four members and will be submitted after their terms are officially renewed by the Governor.
- C. Update Regarding the Number of Arbitrators: It was noted that the current listing of active neutral arbitrators has declined significantly over the years. Additional neutral arbitrators will be sought.
- D. Application for Neutral Arbitrator: The Board received the cover letter and resume from one potential neutral arbitrator. Arrangements will be made to interview this person shortly.

4) Director's Report:

- A. Staff Update: The staff is happy to have Kim McLaughlin added to their ranks. Since Ms. McLaughlin joined the staff, staff has stopped working remotely and are in the office every workday. The only exception is one Secretary 2 who continues to work remotely most of the time due to her circumstances. Board members were asked not to call staff on the staff member's cell phone since staff are now in the office. It was particularly noted not to call staff when they are taking time off.
- B. Anticipated Retirements: Fortunately, fewer retirements are presently anticipated in 2022. Now one full time mediator and two secretary 2s are committed to staying. The administrative assistant has not yet committed one way or the other, but it seems likely that she will continue to work past July 2022.

Motion to Adjourn was made by Betty Kuehnel; Dennis Murphy, Esq. seconded the motion and the motion passed unanimously. Meeting adjourned at 9:54 a.m.