

STATE BOARD OF MEDIATION AND ARBITRATION

38 WOLCOTT HILL ROAD, WEHTERSFIELD, CT 06109

MINUTES OF ARBITRATORS MEETING

Monday, September 21, 2020

An arbitrators meeting of the Connecticut State Board of Mediation and Arbitration was held on Monday, September 21, 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, September 21, 2020 meeting of the Board of Mediation and Arbitration was opened by Gerald T. Weiner, Chairman, at 8:31 a.m.

- 1) Minutes of Previous Meeting: A motion was made by David A. Ryan to accept the minutes of the July 20, 2020 Board meeting. The motion was seconded by Betty Kuehnelt and passed unanimously.
- 2) Minutes of the Special Meeting: A motion was made by Michael Culhane to accept the minutes of the September 11, 2020 special meeting. Michael Culhane noted a typographical error in the minutes, which was corrected. The motion was seconded by David Ryan, and passed unanimously.

Old Business:

- A. Outstanding Cases: the Board reviewed the number of pending cases, the number of cases filed since March, 2020, the number of virtual hearings held and scheduled and the number of in person hearings scheduled for October, 2020.
- B. Zoom Hearings: the number of grievance hearings already held via Zoom and the number of hearings scheduled as Zoom hearings was reviewed. There is significant progress both in the number of remote hearings and the clients' comfort level with these remote hearings.
- C. Motions to Vacate: two recent Motions to Vacate were reviewed in detail and discussed. The court upheld the arbitration awards in both cases and no further action is required in either case.
- D. Proposed Plan to Reopen for In Person Hearings: a detailed plan for a limited reopening for in person hearings was reviewed. There will be no more than two in person hearings each week, preferably on Tuesdays and Thursdays. Other week days may be utilized, but hearings shall not be scheduled on back-to-back days. Required mitigation procedures will be provided to all involved parties well in advance of the hearings.

New Business

- A. Proposed Change to Zoom Procedures: arbitrators requested a change in the Zoom hearing procedures. Presently, the parties would give the arbitrator a list of all their attendees and all their email addresses and the arbitrator would send everyone the Zoom invitation. The proposed change would require the arbitrator to send the Zoom invitation only to each advocate. Each advocate will then be responsible for sending the Zoom invitation to all

their attendees. David Ryan made a motion that the SBMA remote hearing procedures be amended so that the arbitrator is responsible for sending the Zoom details only to the party advocates; the advocates will send the Zoom details to their own attendees. The motion was seconded by Betty Kuehnel and passed unanimously.

- B. The continuation of interest arbitration cases was reviewed. Further consultation will be pursued if necessary.

Director's Report

- A. The retirement of one of the secretarial staff was voluntarily delayed for one month and will now be effective on October 1, 2020. Interviews of applicants should be completed by the end of September.
- B. The part time mediator's position has been extended through December 31, 2020.
- C. The unfortunate arrest of one of the Alternate Management arbitrators was reviewed. The arbitrator asked to be placed on inactive status and he recused himself from all his active cases. In the event his arrest does not result in a conviction, he will return to active status.

Motion to Adjourn was made by Betty Kuehnel and seconded by Raymond D. Shea, the motion passed unanimously. Meeting adjourned at 9:23 a.m.