

BI-MONTHLY SBMA BOARD MEETING- 20240916_083637-Meeting Transcript

September 16, 2024, 12:36PM

CD **Cho, Douglas** 0:03
OK. We're transcribing again.

JJ **Gerry Weiner**0:05
OK. Doug is there a motion that we accept the minutes of the last meeting?
Pete, is there a second? All in favor, say aye, all opposed.

BK **Betty Kuehnel**0:16
Aye.

D **Dennis C. Murphy, Esq. he.him.his** 0:16
Aye.

JJ **Gerry Weiner**0:17
Motion to accept the minutes of the last meeting unanimously approved.
Let's move right into Doug.

CD **Cho, Douglas** 0:26
Sure. I'm going to share my screen as usual. And hopefully y'all see it. OK. We're looking at the minutes of the last meeting. I'll just make it a little smaller. Hopefully it's not so small you can't see it. I'll cursor on down and we are at Page 3.

These are the numbers for arbitration grievance arbitrations for the past two months. First column of numbers are the current numbers for the past two months from July 8th to September 9th. The numbers in the to the right in the parentheses with the asterisks are the previous two months, so you can do a quick comparison and see that things are about this. They're close. They're commensurate. They're a little bit down from pending cases slightly up in schedule cases that you can see. Let's see. Hearings completed a little bit lower there, 12 previously there 27. Total cases are about the same 285 versus 290. And then postponed cases and

withdrawn cases. You can see those comparisons as well late awards. There are zero late awards for this two-month period, which is very nice.

Moving down to the next page, these are the mediation figures which we're now tracking. Thank you, Stacy Quinones, for doing this. For every two months, you can see the mediation request once again. The 1st number is the current two-month period. The second number in the parentheses with the asterisks in front of it, that's the previous two months. Mediation requests are up. Those are pretty high numbers generally for the last four months because we're kind of in the mediation season with contracts. You can see they're broken down. The 33 mediation requests are broken down, 60 for contracts. The rest are obviously for grievances. Mediations scheduled is below. New hearings and the 2nd and 3rd hearings are also indicated there. Mediations conducted and concluded. Below those we show how many resulted in a closed or signed tentative agreement and how many have been referred to binding arbitration right below. There also grievances withdrawn and usually are done as a result of the mediation and then contract settle below that.

Jumping down, these are the comparison numbers. Fiscal year numbers on the left are from the prior year and the date and on the right are the current years. We're talking a relatively short time period, only July 1 to August 20th, so less than two full months is the snapshot we're looking at for comparison, so you can see the number of cases we've received are up slightly. They're 39 versus 31 last year, so that's nice. Monies collected go up commensurately. Total amounts received as you can see is 14,400, which is slightly higher than last year, which is, which makes sense. And also the number of state cases went up slightly. Last year we had quite a few, which really bumped our total numbers up. This year there's six as of this time period, last year, there were four. Right below that, it's sort of a summary of our motion to vacate status. We have 12 right now pending. Last year we had 11, so that continues to rise. I sounded this gong lately. There's a lot of motions to vacate being filed lately, and it seems to be continuing. Also, as you can see, we have one case that's currently pending in, excuse me, two in appellate court. The rest are in just a typical Superior Court status going back to a judge.

Beneath that are the filing fees owed. And past due billing. Moving down this, this is the same table I always give you for the motions to vacate. The latest actions are on the far right, which you can see in highlighted yellow. It's not highlighted in the copy you probably receive in the e-mail because I don't know if that highlighting carries over in the document I send you, but in any event, there it is. The only other

than showing what's the latest status, the only things of note, I'll just cursor down here. Here we go. Montville and firefighters, IAFF. This is new. This is a Dennis Murphy, Michael Culhane, Peter Carozza Award involving I believe staffing of firefighter stations and that was a motion to vacate was filed, excuse me, filed by the city on July 24th. So that's new and pending.

One case was withdrawn recently, it's this one right here at the bottom. Shelton PD and Falcone. They withdrew that July 15th. I think that might have been the day of our last board meeting. That was a Yelmini, Michael Culhane and Peter Carozza award. I believe that was a termination case. I believe there's only one Shelton case pending now on a motion of vacate. So, they're starting to dry up, I think the last one pending is David Moore. Let me cursor back. Yeah, here it is. David Moore, that was a termination where Moore was reinstated by a Mark Sullivan, Russ Melita. Kevin Murphy panel. The motion to vacate was granted. I think I gave that decision to you last time. But what's going on with that case, is the motion to vacate was granted, but the judge said the panel should have taken into consideration a restraining order against Moore that the chief of police obtained. He can't get within X number of yards, and I think the restraining order is still in place. So, the award didn't take that to an account. So, when they reinstated him, there was a problem with, "how can they work in the same building"? So, the judge granted the motion to vacate on that basis, but without specifically indicating that the panel or any other SBMA panel had to rehear the matter, using his award, his decision, excuse me, as a guidance. So, I believe Barbara Resnick recently filed a motion for clarification on his award, excuse me, his decision. I believe that's the 9/12/24 short calendar date that's pending. That was going to be the hearing on the motion to reconsider or clarify. I think that's been postponed at the request of one of the parties. So that's a stay tuned situation. The right thing to do is probably to have the panel rehear it, taking into account the judge's decision. But let's see what the judge says. Stay tuned.

Below there is on page, starting on page 9 you'll see this is the motion to vacate file in the Montville case involving IAFF. I believe this is Dennis's decision. The reasons for the motion to vacate are here and further down starting on page 20 of 27 is the arbitration award, which you can see, which delves into Montville firefighter stations. I believe that's it for the substantive part of the board meeting trying to get Jerry out of here on time.

The only other thing is let's see, the SBMA conference update. We weren't able to pull off the September 12th date. There were too many moving parts and things going on. I sent everybody an e-mail indicating that we might be able to reschedule to October 25th or November 1st. Those are both Fridays. November 1st is a little tricky because that's the day after Halloween. I don't think that should affect things, but you never know. So, I don't know if everyone replied to my e-mail indicating what which of those days they can or can't attend. So, you should do that soon. OK, if you don't.

K Ken Baldyga 9:18

Hey Doug, I did respond. I have a hearing on the 25th and then I'm on vacation on the 2nd.

CD Cho, Douglas 9:28

OK. You mean November 1st?

K Ken Baldyga 9:31

What did I say.

CD Cho, Douglas 9:32

The second date you mean?

K Ken Baldyga 9:33

The second day I'm on vacation.

CD Cho, Douglas 9:36

Ken the October 25th case you're on, in all likelihood will be postponed.

K Ken Baldyga 9:39

Yeah?

CD Cho, Douglas 9:42

So I took that into consideration.

K Ken Baldyga 9:42
OK. All right.

CD Cho, Douglas 9:43
One of the attorneys asked for a postponement. It hasn't been or indicated that she'll have to postpone it. So, we're thinking it won't go forward anyway. So, we didn't tell you, but you're probably OK with that.

K Ken Baldyga 9:51
OK. OK.

CD Cho, Douglas 9:55
October 24th. We have a couple cases pending which might go away, but if you can let us know on that date as well the 24th. So, if no other people haven't responded to my e-mail, I guess they do so after this. After this meeting's over. Let's see what?

JJ Gerry Weiner 10:14
Where are we planning to have it? At the same place, or we got to have a different place.

CD Cho, Douglas 10:18
We had too many comments that weren't positive about the last place. So, we're going to try a different place and also that place doesn't have heat, so it stops holding conferences at the end of September anyways. We've got three or four places that are pretty good. So, I'm not too concerned about getting a venue and the price will be about the same, so I'm not too worried about that as well. We paid a lot more for Holiday Hill because of the recreational facilities, the bocci and the, you know, pitch and putt, all that stuff. And frankly, no one uses it. So, it's kind of, it's kind of a wasted. It would be nice if they did, but I think back in the day the board meetings had more of a family feel and people would bring their kids and stuff so they would hang out afterwards. But that doesn't happen anymore, so it's a wasted expenditure, which is, you know, fine.

Let's see. New business, NASC, neutral interest arbitrators approved for appointment. The Neutral Arbitration Selection Committee did meet about a month

and a half ago. They did approve all four new interest arbitrators, as well as reappoint the existing people. There are 10 existing people which you can find on our website. Lot of people on this board, well, some of the people on this board are interest arbitrators. Everyone was reappointed. Thadd Gnocci asked not to be reappointed. So, he is the only one of the 10 who will not be reappointed. I think the letters go out soon. The Commissioner, has them and should be sending those out, I would think within the month. And those appointments are effective, I think in December, December 5th or 18th are the expiration dates of the present terms. So that's all good news. And the four new people, they'll be announced when the letters go out.

JJ **Gerry Weiner** 12:13
Great.

CD **Cho, Douglas** 12:15
Last thing is really it's not on the agenda, but it's just a personal note. Carol Celio, I think I notified this board and every other arbitrator that she is retiring. She's been working for the Department of Labor for 25 years. Her retirement's effective the end of this month, her last day in the office is going to be September 27th, which is coming up fast, so if anybody stops by the office in the next few weeks, please stop and say hello to Carol and congratulations. She does not wish to have any type of retirement function. She's quite adamant about that, so we're going to respect her wishes.

JJ **Gerry Weiner** 12:55
Are we doing a new search for someone else that we put in the papers.

CD **Cho, Douglas** 12:58
I have the papers filed and I've, umm, it's going through the process. We have a position budgeted for it, so that should continue on without a problem and we definitely need her to be replaced. She does a lot of binding arbitration tracking. Imposing binding arbitration, setting up panels, I mean she did most of that during COVID when one of the other staffers who did it with her transferred to another department. So, she's that person. And we've been training Stacy to take on her tasks, so she's very comfortable, but she can't do the entire state. So, it's all hands-

on deck for the next couple months to do Carol's job, but I'm hopeful within a few months we'll get a good candidate.

JJ **Gerry Weiner** 13:42
Great. Hey, go ahead, Doug.

CD **Cho, Douglas** 13:46
That that's all I have for today's board meeting. It's short and sweet.

JJ **Gerry Weiner** 13:50
Any comments from any of the board members? If no comments, Doug made a nice concise report and I'm going to make my 9:00. So, everything that's great.

K **Ken Baldyga** 13:55
Nope.

JJ **Gerry Weiner** 14:03
Is there a motion that we adjourn?

K **Ken Baldyga** 14:07
Someone.

D **Dennis C. Murphy, Esq. he.him.his** 14:07
Motion.

JJ **Gerry Weiner** 14:08
Is there a second? By Pete Carozza. All in favor? Say aye. Aye, aye.

D **Dennis C. Murphy, Esq. he.him.his** 14:12
Aye.

JJ **Gerry Weiner** 14:13
OK. Everybody have a great day and see you soon. Bye bye.

D **Dennis C. Murphy, Esq. he.him.his** 14:16
Well, well.

CD **Cho, Douglas** 14:16
Thanks folks, Take care. Bye bye.

BK **Betty Kuehnel**14:19
Bye now.

Cho, Douglas stopped transcription