

STATE BOARD OF MEDIATION AND ARBITRATION

38 WOLCOTT HILL ROAD, WEHTERSFIELD, CT 06109

MINUTES OF ARBITRATORS MEETING

Monday, March 21, 2022

An arbitrators meeting of the Connecticut State Board of Mediation and Arbitration was held on Monday, March 21, 2022. Due to the COVID 19 pandemic, this meeting was held via Zoom.

Present: Gerald T. Weiner, Esq., Chairman
David A. Ryan, Management Member
Michael C. Culhane, Management Member
Betty Kuehnel, Labor Member
Peter Carozza, Labor Member

Absent: Dennis C. Murphy, Esq. Deputy Chairman

Guest: Patricia A. Fitton, Director/Mediator

The Monday, March 21, 2022 meeting of the Board of Mediation and Arbitration was opened by Gerald T. Weiner, Chairman, at 8:00 a.m.

- 1) Minutes of Previous Meeting: A motion was made by Michael Culhane to accept the minutes of the January 18, 2022 Board meeting. The motion was seconded by Betty Kuehnel and passed unanimously.

- 2) Old Business:
 - A. Review of Outstanding Grievance Arbitration Hearings: The number of pending arbitrations, the number of hearings that occurred, the number of

cases postponed, and the number of cases held in abeyance were examined by the Board. The comparison of last year's number of cases with this year's showed that the number of cases had only declined slightly. There are approximately two hundred and seventy (270) cases pending. An increase in the number of neutral arbitrators is needed to reduce this backlog.

- B. Applications for Neutral and Party Arbitrators: The Board received a new application for appointment as a Neutral/Public arbitrator from an applicant who looks very promising. There is a concern that this individual would need a period of time away from their current employment before they could be appointed. The Director will solicit the opinion of the State Attorney Generals office regarding this. There are two pending applications for positions as a Labor Arbitrator; one would increase gender diversity and will be forwarded for appointment. The remaining applications will be held and reviewed at a later date.

New Business

- A. Training for New Neutral Arbitrators: Packets for new neutral arbitrators are prepared. The packets contain a copy of the Board's Regulations as well as a wide variety of arbitration awards from different arbitrators covering a range of issues including arbitrability, terminations, suspensions, and various contract interpretation issues. New arbitrators would also be scheduled to observe several cases with experienced arbitrators.
- B. Proposed Legislation: Raised Bill No. 319, An Act Concerning Deadlines for Arbitration Awards: While the Board agrees that some terminal deadline for negotiating municipal collective bargaining agreements is needed, there was agreement that the proposed legislation would impose a deadline that was too short to allow for adequate negotiations. The potential conflict with the mandatory negotiating timelines for teachers and other certified staff would create competing, unmovable timelines for numerous contracts.
- C. Outstanding Awards: One arbitrator recently became unable to complete four (4) outstanding awards. Executive sessions were held in all cases. One award was completed by the remaining panel members. The other three (3) cases are being reviewed to determine the best method for finalizing the awards.

D. Conn PERLA Conference: The SBMA was asked to present a session on the mediation and arbitration services offered by the SBMA to this conference of Employer advocates and representatives. The Director is not available; Mediator Tom McDonough and Sean Lennon will jointly present the materials.

Director's Report

- A. Staff Update: One staff member is again using FMLA to contend with her husband's terminal illness. She also teleworks to the extent possible, but there will clearly be a significant amount of time when she will not be able to work at all. Authorization of overtime for the remaining support staff will be requested.
- B. Good and Welfare: Director Fitton expressed her sincere thanks to the Board for the lovely gifts, legislative citation and kind remarks that the Board presented to her at her retirement luncheon.

Motion to Adjourn was made by David Ryan and seconded by Betty Kuehnel; the motion passed unanimously. Meeting adjourned at 8:44 a.m.