

STATE BOARD OF MEDIATION AND ARBITRATION

38 WOLCOTT HILL ROAD, WETHERSFIELD, CT 06109

MINUTES OF ARBITRATORS MEETING

MONDAY, SEPTEMBER 16, 2019

An arbitrators meeting of the Connecticut State Board of Mediation and Arbitration was held on Monday, September 16, 2019 at 38 Wolcott Hill Road, Wethersfield, Connecticut, 06109.

Present: Dennis C. Murphy, Esq., Deputy Chairman

David A. Ryan, Management Member

Michael C. Culhane, Management Member

Raymond D. Shea, Labor Member

Absent: Gerald T. Weiner, Esq. Chairman

Excused Absence: Betty Kuehnel, Labor Member

Guest: Patricia A. Fitton, Director/Mediator

The Monday, September 16, 2019 meeting of the Board of Mediation and Arbitration was opened by Dennis C. Murphy, Deputy Chairman at 8:45 a.m.

- 1) Minutes of Previous Meeting: A motion to accept the minutes of the previous meeting held on July 15, 2019 was made by David A. Ryan, Management Member, and was seconded by Raymond D. Shea, Labor Member. The motion passed unanimously.

Old Business

- A. Awards: there is one late arbitration award. The arbitrator has been contacted and indicated that the award is in progress and will be finalized shortly.
- B. The ongoing Motions to Vacate awards were reviewed. The Motions to Vacate continue to make slow progress through the Court system; there were no particular developments to report.
- C. Progress is being made on providing increased security for hearing rooms and the entire building. Hand-held panic buttons are again available. Management Member David A. Ryan made a motion that the Board would develop a written procedure detailing that all arbitrators would be informed and trained on the use of the panic buttons. Dennis C. Murphy, Esq. Deputy Chairman seconded the motion. Motion passed unanimously. The notice that no weapons are allowed in the building has been added to all SBMA letters; the letters were reviewed by the Board.

New Business

- A. The issue of Labor or Management objecting to the other party's selection of their party arbitrator for interest arbitration was reviewed. Deputy Chairman Dennis C. Murphy, Esq. moved that the director write a position paper detailing the Board's position regarding a party's right to select their interest arbitrator and affirming the position that party arbitrators are not neutral, but rather are advocate arbitrators. Motion was seconded by David A. Ryan, Management Member. The motion passed unanimously.
- B. The requirements of records retention for the wide variety of documents produced and/or obtained by the SBMA will be pursued by the director. The director will report the findings back to the Board.
- C. Holiday Festivities: The Board selected Friday, December 13, 2019 for the Holiday Party at the Gallery. The following Friday, December 20th, was selected for the SBMA office luncheon.

Director's Report

- A. The director reported that the staff worked strenuously and efficiently throughout August to apply all the necessary steps for interest arbitration for all outstanding contracts. Most parties responded with waivers, a few are advancing into interest arbitration.
- B. The need to fill a full time mediator position was reviewed by the director. The necessary paperwork is being compiled for submission to HR with the hope that a full time mediator would be hired early in 2020.
- C. In accordance with the motion passed by the Board during its July 15, 2019 meeting, the director reported that the staff has a stock email response for grievances filed electronically. The response states that while the arbitration request has been received, it will be date stamped as filed when the \$200 filing fee is received.
- D. Deputy Chairman Dennis C. Murphy, Esq. noted that the format for hearing notices varies somewhat between staff members. He stated that certain hearing notices are more efficacious in highlighting the date and time of the hearing than others. Mr. Murphy will review hearing notices to determine the most effective format; he will forward that information to the director.
- E. The Board and the staff sent flowers to one of the SBMA arbitrators. The flowers were received and a lovely thank you note from that arbitrator was shared with the Board.

A motion to adjourn the meeting was made by David A. Ryan, Management Member. Dennis C. Murphy, Esq., Deputy Chairman, seconded the motion and it was passed unanimously. The meeting adjourned at 9:52 a.m.

Patricia A. Fitton, Director