

## Minutes of May 22, 2018, Meeting of the Vermont Labor Relations Board

The meeting convened at 9:50 a.m. in the Vermont Labor Relations Board Hearing Room located at 13 Baldwin Street in Montpelier. Present were Chairperson Richard Park and Members Jim Kiehle, Alan Willard, Robert Greemore and Edward Clark. Also present were Executive Director Timothy Noonan and Clerk Melinda Moz-Knight.

### Discussion on Pending Litigation (Superior court Docket No. 247-4-18)

The Board acknowledges that a mistake was made during the May 14 and May 16, 2018 meetings with respect to not making a specific finding that premature public knowledge would clearly place the Board at substantial disadvantage before going into executive session to discuss pending litigation. Acting on Title 1 Section 313 (a) (1), a motion was made that the record should show the Board retroactively making a specific finding that premature public knowledge would clearly place the Board at a specific disadvantage at the May 14 and 16 meetings before going into executive session to discuss pending litigation. The motion carried unanimously.

Acting on Title 1 Section 314 (b) (4), the Board then acted on two separate motions to ratify the actions that were taken in the May 14<sup>th</sup> and May 16<sup>th</sup> Board meetings. The first motion was to ratify the action of retaining Attorney Gary Karnedy and his law firm to represent the Board in *Vermont State Employees' Association, et al. v. Vermont Labor Relations Board, et al* (Superior Court Docket No. 241-4-18 Wncv). The second motion was to ratify the action of agreeing to represent Karen O'Neill in her capacity as Board Member with respect to the Complaint, *Vermont State Employees' Association, et al. v. Vermont Labor Relations Board, et al* (Superior Court Docket No. 241-4-18 Wncv) contingent on the Board receiving affirmation from the Attorney General's Office that the Attorney General's Office approves of the Board representing her in such capacity. The Board unanimously approved both motions.

### Caseload Status Report:

Mr. Noonan provided a caseload status report. He reported that case filings have been above average this year and we have closed a below average number of cases. Presently we have 37 open cases.

### Board Assignments

July 12-Park, Willard and Kiehle  
July 19-Greemore, Willard and Kiehle  
August 2-Willard, Kiehle and Park  
August 9-Willard, Kiehle and Greemore  
August 23-Willard, Kiehle and Park  
August 30-Willard, Kiehle and Greemore

### Conferences:

The Association of Labor Relations Agencies annual conference will be held in Boston Massachusetts July 21<sup>st</sup> through July 24<sup>th</sup>, 2018. The Board has asked for more information before registering.

Appointment to List of Mediators and Fact-Finders

The Board has decided to defer action on the current application until the Board has a chance to further discuss and potentially revise the process of placing persons on the mediator and fact-finder list.

Possible Changes in Practices and Procedures:

The Board discussed whether it should consider adopting a new rule concerning the time frame for filing a motion to reconsider a Board decision. It was agreed that we look at the rules comprehensively to see if there were any other rules we were interested in revising or adopting. This may include reviewing the Board's role in the List of Mediators and Fact Finders.

The public meeting adjourned at approximately 12:45 p.m.

Respectfully submitted,

/s/ Melinda Moz-Knight