

CIVIL SERVICE COMMISSION
REGULAR MEETING
DECEMBER 16, 2013

The Civil Service Commission of the City of Milford held its regular meeting on Monday, December 16, 2013 at 5:00 p.m. in Conference Room C of the Parsons Government Complex.

1. Chairman R. Winfield called the meeting to order at 5:09 p.m.

2. Roll Call

Board Members Present

R. Winfield

J. Baldwin

H. Healey

T. Toohey

R. Dowin

Also Present

D. Kelly

T. Barnes

L. Sgrignari

D. DiNino

T. Raucci

M. DeTullio

3. R. Winfield requested a motion to approve the minutes of the October 29, 2013 meeting. A motion to approve the minutes was made by T. Toohey, seconded by J. Baldwin and passed unanimously.

5. Old business – Grievance #01-13/14 – T. Raucci – Tabled at meeting of October 29, 2013.

Mr. Winfield stated that at the meeting on October 29, 2013 he asked for a motion to reject the grievance and could not get one. He stated that he then asked for a motion to accept the grievance and could not get one. The matter was then tabled to this meeting.

Attorney L. Sgrignari stated that the matter was tabled to see what would happen at the hearing. A prohibitive practice complaint was made with the Labor Board. The State Board of Labor Relations agent did not believe there was any merit to the complaint and it was marked closed without prejudice. The Union withdrew the complaint without prejudice with the right to file a new complaint on the issues raised should any impact result from any action taken by the City. Atty. Sgrignari presented copies of the letter from the State Board of Labor Relations indicating that the case has been marked closed. He stated that the action taken by the City falls within the management rights and discretion and there was no violation of labor laws or contract. It is not a matter that is grievable by Mr. Raucci because this complaint is that he was disciplined without just cause but there was no discipline. He renewed the request that the grievance be denied.

Mr. Baldwin asked for the union's position. Mr. DiNino stated that the removal of the duties was a form of discipline and Mr. Raucci was being disciplined for being too good

at his job. He stated that Mr. Raucci was looking out for the City and diligently performing his duties and that is basically what got him in trouble. Mr. Raucci was the Chief Building Official for the City; not a temporary or interim position. They feel that by relieving him of his duties that was the disciplinary action taken by the City.

Atty. Sgrignari stated that they tried to combine different labor laws, the contract and state statute. He stated that the only thing is whether or not the action by the Mayor falls within the discretionary clause of the contract. The position is that no disciplinary action was taken and this is not grievable from that standpoint. He stated that there is no recourse in this forum. Mr. DiNino stated that basically he was demoted by having his duties removed.

Mr. Toohey felt that there were no punitive damages. Mr. DiNino stated that the loss of duties is a form of punitive damages and a form of discipline. It could have an impact on him. Mr. Toohey stated that there was no loss of money.

Atty. Sgrignari stated that the labor agent found that what was done was well within management rights. There was nothing disciplinary in nature to justify the grievance.

Mr. Winfield asked for a motion accept and no one made that motion.

Mr. Baldwin stated that the grieving party had to prove that it was disciplinary action and he did not feel that they did.

Mr. Baldwin moved to deny the grievance. The motion was seconded by Mrs. Dowin and carried unanimously.

6. Report of Personnel Director

Debra Kelly introduced the new Personnel Director Tania Barnes to the Board. Mrs. Barnes stated that she has been trying to meet with various City departments. She stated that she will be setting up meetings with all bargaining units to understand their issues. She stated that she has been working with Lauren Pisacane in updating forms and job announcements to provide more detailed information on the available jobs.

7. Open Jobs Report

Mrs. Barnes stated that two positions have been referred to the managers of the departments but she has not heard back from them.

A motion to adjourn was made by J. Baldwin, seconded by T. Toohey and carried unanimously. The meeting was adjourned at 5:25 p.m.

Attest:

Maryanne DeTullio