

DEPARTMENT OF LABOR RELATIONS ADVISORY COUNCIL

MEETING MINUTES

MARCH 28, 2023 AT 2:00 PM VIA WEB EX

ATTENDANCE: Jay Seigel, Chair, Sheryl Pace-Webb, Maria O'Brien, Alfred Gray, Michelle Heffernan, Denise Casey, Will Evans and Kate Shea.

Ex-Officio- Philip Roberts, Director, Marjorie Wittner, CERB Chair.

Other Attendees: Lan Kantany, Chief Counsel DLR, Susan Atwater Chief Hearing Officer, Kimberly Eustace, Administrative Assistant.

Absent: Nicholas Anastasopolous, Bryan McMahon, John Mann and Lynn Alexis.

2:04 pm Jay Seigel calls the meeting to order.

First on the agenda, approving the minutes from the November 29, 2022 meeting. After discussion, Chair Seigel entertained a motion to approve. Kate Shea and Maria O'Brien approve the Motion. All approve, no objections.

Next, personnel changes. Director Roberts noted that Advisory Council member Jodi Ross has retired so we now have a Management opening. DLR will work with Boards and Commissions under new governor regarding this vacancy. Director Roberts noted that his term is coterminous with that of the Governor, however, the law provides that he may continue until a replacement takes over. The DLR has not heard anything from Boards and Commissions or the Governor's office and I am delighted to stay. Also, JLMC Senior Staff member Dan Morgado is retiring on June 30, 2023. Dan was the former Town Manager of Shrewsbury and did an amazing job mediating for the JLMC. If you know of any qualified people please let us know. We will post Dan's position on the Mass. Municipal website. Jay Seigel asked that any recommendations be sent to both Director Roberts and him.

New CERB member Victoria Caldwell came onboard at the end of December 2022 and she is working out fine. The new JLMC Vice Chair position is being posted soon. This position has been dormant for 20 years due to funding, however, the JLMC got FY 2023 funding for this position. JLMC Chair John Hanson would like this position filled as soon as possible. This position is needed as there have been times when the Chair has been conflicted out of some cases or has been absent. This is a part time position and pays \$100 per hour. A Counsel I backfill position for DLR has been posted on the Lawyer Weekly website this week as we haven't gotten many qualified applicants through Mass Careers. Again if anyone knows of any qualified applicants please refer them.

Item Four, Briefing on COVID related DLR cases. We have not gotten many COVID-related cases. The case before the SJC regarding the vaccine mandate for Boston fire and police employees has been resolved. We had four ULP cases connected with this but now that Mayor Wu withdrew the mandate they are resolved. Susan Atwater said very few mandate cases have been received and all are now settled.

Director Roberts said, regarding the third item on the agenda, that the DLR is being audited by the State Auditor's Office. This current audit is a performance audit, reviewing the DLR's implementation of the recommendations made by the State Auditor in 2019. They are analyzing the information in our casetracking database. No timeframe for completion at this time.

Item Five, Director Roberts discussed the strike cases that the DLR and CERB have handled since the last meeting. Jay Siegel asked if there have been any court-ordered fines stemming from these strikes. Director Roberts said yes, in January, after a strike petition was filed concerning Woburn teachers and the strike continued, the union was fined \$40,000 per day. Apparently on day 2 of the strike they ran out of money. Kate Shea, said she heard the teachers are doing fund raising to raise more money. Jay Siegel felt this sets a good precedent. The teacher unions are petitioning from being exempt for paying fines when going out on strike. Director Roberts said that there were two other communities where there were rumors of a possible strike but thankfully they both settled. Our mediators are working diligently out in the field.

Item Six, proposed changes to the election regs. Director Roberts said the DLR has had plans to update the regs to allow showing of interest to be accepted electronically in the future. With the change in administration, those plans were put on hold in case the new administration had more comprehensive plans for reg changes. So far, DLR hasn't heard anything, but hopefully by the end of FY 23.

Item Seven, new legal case management database. DLR anticipates that we will have pilot system by end of FY23 and hope to have full roll out by FY24.

Chair Seigel asks the council if they have any questions or concerns. No concerns.

Item Eight. Chair Seigel - the next meeting will be in June, let's pass around some dates, thank you all for participating today. Chair Seigel asked for a motion to adjourn? Dee Casey so moved and Kate Shea and Maria O'Brien seconded. All voted to adjourn.