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JOINT LABOR-
MANAGEMENT COMMITTEE
FOR MUNICIPAL
POLICE AND FIRE
JOHN W. HANSON
CHAIR

**JOINT LABOR MANAGEMENT COMMITTEE
FOR MUNICIPAL POLICE AND FIRE**

MEETING MINUTES FOR FEBRUARY 23, 2023

DATE: February 23, 2023

TIME: 11:00 a.m. - Full Committee Meeting

LOCATION: Pursuant to "Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, s. 20" issued by Governor Baker dated March 12, 2020, this meeting was made publicly accessible and was conducted via Webex teleconference. Persons wishing to participate in or gain public access to this meeting could do so by making use of WebEx meeting software at <https://webex.com/downloads.html>

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OPEN SESSION

Chairman Hanson called the meeting to order at 11:02 A.M.

The Chair made some general opening comments and greetings and advised that the meeting was being recorded.

The Chair called the roll of those present.

Committee Members Present: Chairman Hanson; Management: Mazzarella, Ansaldi, Johnson, Goldsmith; Police: Andrews; Fire: M. Reddy, MacKinnon.

Alternates Present: Fire: Cross, Green, Young; Police: Bartolomei, Kenneally, Pedrini, Gibney; Management: Bain, Silva.

Staff Present: Cummings, Driscoll, Hubley, Morgado.

Others Present: Philip Roberts (DLR).

○ ***Administrative updates:***

Vote to accept the full Committee meeting minutes from February 9, 2023.

Motion by Mazzarella, seconded by Andrews: to accept the minutes from the full Committee meeting on February 9, 2023, as presented.

The Motion passed unanimously.

○ ***Chairman's Report:***

The Chairman discussed the hiring process for a Vice-Chair of the Committee. The Chairman stated that there will be interviews and that the Committee Chairs will be asked to participate.

○ ***Review and Act on the following Petition, Jurisdiction and Awaiting Funding List (AFL) Cases***

Case No.	Organization	Mediator/Sr. Staff	Topic/Vote/Action
1. <u>JLM-22-9649</u>	<u>Wilmington Police</u>	DC, GD	Vote on Jurisdiction

Mr. Cummings briefed the Committee and recommended jurisdiction based upon the staff investigation.

Motion by Mazzarella, seconded by Andrews: to take jurisdiction in the case of the Wilmington Police Patrol Officers NEPBA Local 1 and the Town of Wilmington, JLM-22-9649.

The Motion passed unanimously.

Motion by Mazzarella, seconded by Andrews: to assign the following Committee members to the case of Wilmington Police Patrol Officers, NEPBA Local 1 and the Town of Wilmington, JLM-22-9649: Andrews and Pedrini for Police and McCall for Management

or substitutes as so designated and approved by the Fire and Management Chairs respectively.

The Motion passed unanimously.

2. JLM-22-9687 Hopkinton Fire JOEH, GD Vote on Jurisdiction

Mr. Hubley briefed the Committee and recommended jurisdiction based upon the staff investigation.

Motion by Mazzarella, seconded by M. Reddy: to take jurisdiction in the case of the Hopkinton Fire, IAFF Local 3772 and the Town of Hopkinton, JLM-22-9687.

The Motion passed unanimously.

Motion by Mazzarella, seconded by M. Reddy: to assign the following Committee members to the case of the Hopkinton Fire, IAFF Local 3772 and the Town of Hopkinton, JLM-22-9687: Papagni for Fire and Hayes for Management or substitutes as so designated and approved by the Fire and Management Chairs respectively.

The Motion passed unanimously.

3. JLM-22-9709 Milton Fire JOEH, GD Vote on Jurisdiction

Mr. Hubley briefed the Committee and recommended jurisdiction based upon the staff investigation.

Motion by Mazzarella, seconded by M. Reddy: to take jurisdiction in the case of the Milton Fire Fighters, IAFF Local 1116 and the Town of Milton, JLM-22-9709.

The Motion passed unanimously.

Motion by Mazzarella, seconded by M. Reddy: to assign the following Committee members to the case of the Milton Fire Fighters, IAFF Local 1116 and the Town of Milton, JLM-22-9709 Green for Fire and Johnson for Management or substitutes as so designated and approved by the Fire and Management Chairs respectively.

The Motion passed unanimously.

4. JLM-23-9769 Westwood Fire JOEH, GD Vote on Jurisdiction

Alternate Committee Member, Chief Jeff Silva, left the meeting prior to the opening of this item and did not return until after action was taken.

Mr. Hubley briefed the Committee. Mr. Hubley recommended jurisdiction but noted that Mr. Driscoll did not recommend jurisdiction.

Motion by M. Reddy, seconded by Mazzarella: to take jurisdiction in the case of the Westwood Firefighters, IAFF Local 1994 and the Town of Westwood, JLM-22-9769.

The Chairman called for discussion.

In not recommending jurisdiction, Mr. Driscoll cited the pending charge brought by the Town against the Union at DLR in which the Town alleges that the parties did not hold any on-the-record bargaining sessions and had only exchanged formal, on-the-record proposals in December, 2022, after which the union canceled a scheduled bargaining session and then filed its petition with the JLMC. Mr. Driscoll also cited a letter to DLR by Union labor counsel seeking to have the charge assigned to the JLMC which stated, in part, that "[t]he JLMC will determine via its investigation whether the parties have reached an impasse, and, if not, the JLMC will refer the parties back to the table...." Mr. Driscoll suggested that this is the path.

Mr. Reddy stated that the Union has been out of contract for six hundred days, that the parties had ten meetings, and that it's time to take jurisdiction.

Mayor Mazzarella suggested that the parties should meet face to face and that the Committee take jurisdiction at the next meeting.

Mr. Reddy stated that he will recommend that the parties meet face to face.

Mr. Cross stated that the parties have been out of contract for too long and need help. Mr. Cross said that he would urge the parties to meet face to face.

At this point there was no objection to the Motion.

The Motion passed unanimously.

Motion by M. Reddy, seconded by Mazzarella: to assign the following Committee members to the case of the Westwood Firefighters, IAFF Local 1994 and the Town of Westwood, JLM-22-9769: Cross for Fire and Mazzucco for Management or substitutes as so designated and approved by the Fire and Management Chairs respectively.

The Motion passed unanimously.

5. JLM-23-9776 Chelmsford Fire JOEH, GD Vote on Jurisdiction

Mr. Hubley briefed the Committee and recommended jurisdiction based upon the staff investigation.

Motion by Mazzarella, seconded by M. Reddy: to take jurisdiction in the case of the Chelmsford Fire Fighters, IAFF Local 1839 and the Town of Chelmsford, JLM-22-9776.

The Motion passed unanimously.

Motion by Mazzarella, seconded by M. Reddy to assign the following Committee members to the case of the Chelmsford Fire Fighters, IAFF Local 1839 and the Town of Chelmsford, JLM-22-9776: M. Reddy for Fire and Ansaldi for Management or substitutes as so designated and approved by the Fire and Management Chairs respectively.

The Motion passed unanimously.

6. JLM-22-9278 Beverly Police DC, DJM Vote to a 3(a) Hearing

Mr. Morgado briefed the Committee and the mediation history of this petition. Despite the efforts of Committee members and involved parties no agreement has been reached and the panel and senior staff recommend that a 3(a) hearing be authorized.

Motion by Andrews, seconded by Mazzarella: to find that in the matter of the Beverly Patrol Officer's Association, MCOP Local 412 and the City of Beverly, JLM-22-9278, the issues have remained unresolved for an unreasonable period of time resulting in the apparent exhaustion of the process of collective bargaining, and that the Committee vote to hold a hearing pursuant to Section 1, subsection 3(a), as set forth in Chapter 589 of the Acts of 1987, with the panel members consisting of John Nelson (Labor) and Richard Tranfaglia (Management), or other Committee members and/or senior staff that may be substituted as necessary by the respective Labor and/or Management Chairs pursuant to the rules, policies, and procedures of the Committee, and any other applicable provisions of law, with said panel to be chaired by John Hanson.

The Motion passed unanimously.

7. JLM-22-9288 Milton Police DC, GD Vote to Arbitration

Mr. Cummings briefed the Committee.

Motion by Mazzarella, seconded by Andrews: to find that in the matter of the Milton Police Association and the Town of Milton, JLM-22-9288, that there is an apparent exhaustion of the processes of collective bargaining which constitutes a potential threat to public welfare and that the Committee vote to send this case to arbitration by a tripartite panel consisting of William DeMille (Labor) and Kathy Johnson (Management)) and/or other Committee members and/or senior staff that may be substituted as necessary by the respective Labor and/or Management Chairs pursuant to the rules, policies, and procedures of the Committee, and any other applicable provisions of law, and a neutral selected in accordance with the Committee's rules, policies and procedures, on an issue by issue basis, with said issues having been identified at the February 16, 2023, hearing held pursuant to Section 1, Subsection 3(a), of Chapter 589 of the Acts of 1987.

The Motion passed unanimously.

8. JLM-22-9291 Holyoke Police Sup. DC, DJM Move to Awaiting Funding

Mr. Morgado briefed the Committee that an agreement was reached and ratified.

Motion by Mazzarella, seconded by Bartolomei: to remove the case from the Committee's docket as the contract has been funded by the City.

The Motion passed unanimously.

9. JLM-22-9419 Agawam Fire JOEH, GD Vote to a 3(a) Hearing

Mr. Hubley briefed the Committee.

Motion by M. Reddy, seconded by Mazzarella: to find that in the matter of the Agawam Firefighters Union, IAFF Local 1973 and the Town of Agawam, JLM-22-9419, the issues

have remained unresolved for an unreasonable period of time resulting in the apparent exhaustion of the process of collective bargaining, and that the Committee vote to hold a hearing pursuant to Section 1, subsection 3(a), as set forth in Chapter 589 of the Acts of 1987, with the panel members consisting of William Cross (Labor) and Edward Gibson (Management), or other Committee members and/or senior staff that may be substituted as necessary by the respective Labor and/or Management Chairs pursuant to the rules, policies, and procedures of the Committee, and any other applicable provisions of law, with said panel to be chaired by John Hanson.

The Motion passed unanimously.

10. JLM-22-9461 Amesbury Fire JOEH, DJM Move to Awaiting Funding

Mr. Morgado briefed the Committee that the parties following a recent committee level mediation were able to reach an agreement among themselves. This agreement has been ratified and is now subject to a pending appropriation request.

Motion by M. Reddy, seconded by Mazzarella: to move the case to the Awaiting Funding List.

The Motion passed unanimously.

11. JLM-22-9656 Abington Fire JOEH, DJM Move to Awaiting Funding

Mr. Morgado advised the Committee that the parties were able to reach an agreement among themselves without the involvement of the staff. This agreement has been ratified and is now subject to a pending appropriation request.

Motion by Mazzarella, seconded by M. Reddy: to move the case to the Awaiting Funding List.

Mr. Morgado briefed the Committee.

The Motion passed unanimously.

• *Vote to accept the following minutes of hearings held pursuant to Section 1, subsection (3)(a) of Chapter 589 of the Acts of 1987 (Provided quorum of panel members are present)*

Case No.	Organization	Date(s)	Panel Members
JLM-22-9288	Milton Police	Feb, 16, 2023	Hanson, Johnson, Andrews

Motion by Johnson, seconded by Andrews: to accept the minutes of the 3(a) hearing in this matter.

The Motion passed unanimously.

- ***Act to approve alternate members pursuant to the Rules of the Committee***

None

- **Other Business**

None

- **Adjournment**

Motion by Mazzarella, seconded by M.Reddy: to adjourn the meeting.

The Motion passed unanimously.

Chairman Hanson adjourned the meeting at 11:32 AM.

Minutes drafted by George Driscoll.

Minutes accepted by the Committee on 3.23.2023