



THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF LABOR RELATIONS
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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 MARCH 25, 2021

DATE: March 25, 2021

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

LOCATION: Pursuant to the "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>

Meeting link:

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Meeting number (access code): 129 561 7173

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By phone with access code 129 561 7173
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By video system or application

Dial 1295617173@eolwdma.webex.com

Dial 173.243.2.68 and enter meeting number 129 561 7173

Using Microsoft Lync or Microsoft Skype for Business

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Committee Members Present: Chairman Hanson; Police: Andrews; Management: Ansaldi.

Alternates Present: Fire: Cross, Keene, Young; Police: Pedrini, Calderone, DeMille; Management: McCall, Hayes, Frederickson.

Staff Present: Cummings, Driscoll, Hubley, Morgado.

Others Present: Philip Roberts (DLR).

OPEN SESSION

Chairman Hanson called the meeting to order at 11:04 A.M.

The meeting was recorded by Chairman Hanson.

○ ***Administrative updates:***

- Vote to accept the full Committee meeting minutes from March 11, 2021.

Motion by Cross, seconded by Ansaldi: to accept the minutes from the Committee meeting on March 11, 2021.

The Motion passed unanimously.

○ ***Chairman's report:***

Chairman Hanson reported that the JLMC case load is increasing.

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

Case No.	Organization	Mediator/Sr. Staff	Topic/Vote/Action
1. JLM-21-8437	Wilbraham Police	DC, GD	Vote on Jurisdiction

Mr. Driscoll briefed the Committee.

Motion by Andrews, seconded by Ansaldi: to take jurisdiction in the case of New England Police Benevolent Association, Inc., Local 120 and the Town of Wilbraham, JLM-21-8437.

The Motion passed unanimously.

Motion by Andrews, Ansaldi: to assign the following Committee members to the case of New England Police Benevolent Association, Inc., Local 120 and the Town of Wilbraham, JLM-21-8437: T. Reddy and Andrews for Labor and Mahoney for Management or substitutes as so designated and approved by the Police and Management Chairs respectively.

The Motion passed unanimously.

2. JLM-21-8470	Southwick Police	DC, GD	Vote on Jurisdiction
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Mr. Driscoll and Mr. Cummings briefed the Committee.

Motion by Ansaldi, seconded by Andrews: to take jurisdiction in the case of Southwick Police Officers Coalition and the Town of Southwick, JLM-21-8470.

The Motion passed unanimously.

Motion by Ansaldi, seconded by Andrews: to assign the following Committee members to the case of Southwick Police Officers Coalition and the Town of Southwick, JLM-21-8470: Andrews and Pedrini for Labor and Gibson for Management or substitutes as so designated and approved by the Police and Management Chairs respectively.

The Motion passed unanimously.

3. JLM-19-7773 Arlington Police DC, DJM Vote to Awaiting Funding

Mr. Cummings and Mr. Morgado briefed the Committee and reported that an Arbitration Award had been issued in the case.

Motion by Andrews, seconded by Ansaldi: to move the case to the Awaiting Funding List.

The Motion passed unanimously.

4. JLM-19-7773 Melrose Fire DC, DJM Vote to 3(a) Hearing

Mr. Morgado, Mr. Cross and Mr. Hayes briefed the Committee on the background of the case. Mr. Cross is the labor committee member assigned to the case and Mr. Hayes is the Management member assigned to the case. The discussion was largely focused on the so-called “zipper clause” in the Melrose fire contract and the dispute over whether it was a mandatory subject of collective bargaining. Mr. Cross informed the Committee that it was his understanding from the union’s labor counsel that the union would concede that the “zipper clause” was a mandatory subject of collective bargaining in this case and stated that the case could proceed to a 3(a) hearing with the “zipper clause” as one of the City’s issues. Mr. Hayes proposed that the Committee hold off on the 3(a) hearing and conduct additional mediation. Mr. Cross disagreed.

Motion by Cross, seconded by Ansaldi (for purposes of discussion only): to find that, in the matter of the Melrose Firefighters Local 1617 IAFF and the City of Melrose, JLM-20-8164, 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 Gerard Hayes (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.

Chairman Hanson called for discussion on Mr. Cross’s Motion.

Chairman Hanson, Mr. Cross and Mr. Hayes shared their views on the matter. Mr. Morgado suggested the scheduling of an additional committee level mediation in the case. Mr. Hanson suggested an amendment to Mr. Cross’s main motion that would vote the case to a 3(a) hearing provided that an additional committee level mediation be held beforehand. Mr. Cross proposed an amendment to his previous motion as follows.

Motion by Cross: to find that, in the matter of the Melrose Firefighters Local 1617 IAFF and the City of Melrose, JLM-20-8164, 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 Gerard Hayes (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 provided that a committee level mediation is held beforehand.

The Motion, as amended, did not receive a second. The Amended Motion failed.

The Chairman called for a vote on the Main Motion.

Mr. Cross voted in favor of the Main Motion. Mr. Hayes and Mr. Hanson voted against the Main Motion. The Main Motion failed.

Adjournment

Motion by Cross, second by Ansaldi: to adjourn the Committee meeting.

The Motion passed unanimously.

Chairman Hanson adjourned the meeting at 11:31 AM.

The minutes were drafted by George Driscoll, Senior Staff Representative.

The minutes were accepted by the Committee at its meeting on April 8, 2021.