

STATE OF CONNECTICUT
LABOR DEPARTMENT

CONNECTICUT STATE BOARD OF LABOR RELATIONS

IN THE MATTER OF
STATE OF CONNECTICUT
DEPARTMENT OF CHILDREN AND FAMILIES

DECISION NO. 3913

-and-

APRIL 9, 2003

COUNCIL 4, AFSCME, AFL-CIO

-and-

MELANISE HUGHES

Case No. SPP-20,576

A P P E A R A N C E S:

Attorney Ellen Carter
For the State of Connecticut

John Little, Service Representative
For the Union

Melanie Hughes
Pro Se

DECISION AND DISMISSAL OF COMPLAINT

On January 22, 1999, Melanise Hughes, an individual (the Complainant) filed a complaint with the Connecticut State Board of Labor Relations (the Labor Board) naming the State of Connecticut, Department of Children and Families (the State) and Council 4, AFSCME, AFL-CIO (the Union) as respondents. In her complaint, the Complainant alleged that the respondents had failed to abide by a grievance settlement agreement in violation of the State Employees Relations Act (SERA or the Act).

Based on the following findings of fact and conclusion of law and in keeping with Regulations of Connecticut State Agencies § 5-273-27, we dismiss the complaint.

FINDINGS OF FACT

1. The Complainant is an individual who filed a prohibited practice complaint (Case No. SPP-20,576) with the Labor Board on January 22, 1999.
2. The State is an employer within the meaning of the Act.
3. The Union is an employee organization within the meaning of the Act.
4. After investigation of the complaint, the Agent issued a recommendation for dismissal of the complaint dated February 11, 2003 pursuant to Regulations of Connecticut State Agencies § 5-273-27.
5. Complainant was served with the recommendation for dismissal by certified mail on February 12, 2003. The letter from the Agent to the Complainant accompanying the recommendation for dismissal noted the Complainant's right to object to the recommendation, referenced the governing section of the regulations and clearly informed the Complainant that, unless a written objection was received by the Labor Board within 14 days of service of the recommendation, the complaint would be dismissed.
6. By letter dated March 3, 2003 and received by the Labor Board on March 4, 2003, the Complainant objected to the recommendation for dismissal.
7. The Complainant's objection was received 20 days after service upon her of the recommendation for dismissal.

CONCLUSION OF LAW

1. The Complainant's objection to the Agent's recommendation for dismissal of the complaint was untimely filed pursuant to §5-273-27 of the Regulations of Connecticut State Agencies.

DISCUSSION

The Complainant in this case was clearly informed of the regulatory time frames for filing an appropriate objection to the Agent's recommendation for dismissal of the complaint. The Complainant failed to file her objection to the recommendation within the prescribed time frame and therefore, her complaint is dismissed.

ORDER

By virtue of and pursuant to the power vested in the Connecticut State Board of Labor Relations by the State Employees Relations Act, it is hereby

ORDERED that the complaint filed herein be, and the same hereby is, **DISMISSED**.

CONNECTICUT STATE BOARD OF LABOR RELATIONS

John W. Moore, Jr.
John W. Moore, Jr.
Chairman

Wendella A. Battey
Wendella A. Battey
Board Member

Patricia V. Low
Patricia V. Low
Board Member

CERTIFICATION

I hereby certify that a copy of the foregoing was mailed postage prepaid this 9th day of April, 2003 to the following:

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RRR

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