

STATE OF CONNECTICUT
LABOR DEPARTMENT
CONNECTICUT STATE BOARD OF LABOR RELATIONS

IN THE MATTER OF :

CITY OF HARTFORD :
(RESPONDENT)

- AND - :

HARTFORD MUNICIPAL EMPLOYEES :
ASSOCIATION, INC. "HMEA" :
(COMPLAINANT) : July ____, 2015

RESPONDENT'S ADDRESS: 550 Main Street, Hartford, CT 06103

RESPONDENT'S PHONE: 860-757-9700 (Corporation Counsel)

COMPLAINT

Pursuant to Section 7-471(5) of the Municipal Employee Relations Act the undersigned alleges that the above-named Respondent has engaged in and is engaging in prohibited practices within the meaning of Section 7-470 of said Act, in that: (Please provide a clear and concise description of the acts which are claimed to constitute prohibited practices including an enumeration of the subdivisions of Section 7-470 claimed to have been violated and a statement of the relief to which the complainant deems himself entitled. Failure to provide such specificity may result in the complaint being returned without investigation.)

1) The Respondent is a municipal employer and the Complainant is an employee organization, as both terms are defined in Municipal Employees Relations Act (hereinafter the "Act"), CGS §7-467(2).

2) The Complainant, Hartford Municipal Employees Association (HMEA), is certified by the State Board of Labor Relations to represent certain employees as that term is defined under the Act.

3) In 2013, the City announced an intention to install a time keeping system wherein HMEA employees would be required to provide a fingerprint, or portion thereof, to sign in and out at the beginning and end of each work day.

4) As a result of said announcement counsel for HMEA sent the attached letter of June 28, 2013 to the City.

5) The aforesaid letter resulted in a meeting on July 3, 2013 wherein the City described the system and announced it would implement only a "pilot program" for the purpose of exposing the system to a test and employee input.

6) In December 2014, HMEA learned the City was intending to fully implement the fingerprint system, which resulted in the attached letter dated December 11, 2014. Again the City held off on implementing the full program and did not contact Union officials to negotiate, as demanded in the letter.

7) In May 2015 it came to the attention of HMEA officials that the City intended to implement the fingerprint tracking system in the Finance Department, precipitating the attached letter to Human Resources Director Henry Burgos, emailed on June 1, 2015.

8) The City ignored HMEA's letter of June 1, 2015 and went ahead and unilaterally implemented the fingerprint tracking system in the Finance Department without negotiating the impact of the system on mandatory subjects of bargaining.

9) Not only did the City implement the fingerprint program, but it has also informed employees of unilateral imposition of impacts which implicate mandatory subjects of bargaining such as threats of penalties and discipline for neglect in use of the system, requiring reports for missed punch in and punch out, threatening to unilaterally and without due process deduct sick or vacation bank time if employees do not check in and out properly, lack of hygiene protections, lack of information and assurances the Union would have sought in negotiations concerning protection of personal identifying information and codification of same, etc.

10) The City's unilateral implementation of the fingerprint tracking system without negotiating impact with HMEA is a violation of the Act.

11) The representatives of HMEA are:

A) Sean Antoine
P.O. Box 2726
Hartford, CT 06146

B) Stephen F. McEleney, Esq.
McEleney & McGrail, LLC
20 Church Street, Suite 1730
Hartford, CT 06103

12) The representatives of the City are:

A) Henry Burgos
Human Resources Department
550 Main Street
Hartford, CT 06103

B) Corporation Counsel
City of Hartford
550 Main Street
Hartford, CT 06103

WHEREFORE, the Complainant seeks an order of this Board the City withdraw from and cease and desist from implementation of the fingerprint tracking system, removal of any discipline imposed on any bargaining unit member as a result of the implementation of the system, the City make whole any loss of compensation, vacation or sick time suffered by bargaining unit members, posting of the decision of this Board, attorney's fees and costs of HMEA and such other relief as is appropriate under the Act.

Complainant:

Hartford Municipal Employees
Assoc. Inc. ("HMEA")

Signature:

Sean Antoine

**Address: P.O. Box 2726
Hartford, CT 06146**

Telephone No.: (860) 757-9114

The foregoing subscribed and sworn to before me
This ____ day of July, 2015.

Notary Public
Commissioner of the Superior Court

CERTIFICATION OF SERVICE

I HEREBY CERTIFY THAT, PURSUANT TO Section 7-471-20 of the Connecticut General Regulations, a copy of the foregoing was forwarded via U.S. Postal Service to the Respondent on this ____ day of July, 2015.

Office of Corporation Counsel
City of Hartford
550 Main Street
Hartford, CT 06103
Fax: 860-722-8114

Stephen F. McEleney