

STATE OF CONNECTICUT  
LABOR DEPARTMENT

CONNECTICUT STATE BOARD OF LABOR RELATIONS

IN THE MATTER OF  
TOWN OF NORTH BRANFORD

DECISION NO. 4075

-AND-

AUGUST 22, 2005

CONNECTICUT ORGANIZATION FOR  
PUBLIC SAFETY EMPLOYEES/CONNECTICUT  
ORGANIZATION FOR GOVERNMENT EMPLOYEES

-AND-

INTERNATIONAL BROTHERHOOD OF  
POLICE OFFICERS

Case No. ME-25,122

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

Karl Kilduff, Town Manager  
For the Town

Attorney Kevin M. Deneen  
For COPS

Attorney Alexandra M. Gross  
For IBPO

**DECISION AND DENIAL OF REQUEST FOR RECONSIDERATION AND  
CERTIFICATION**

On January 10, 2005 Connecticut Organization for Public Safety Employees/Connecticut Organization for Government Employees (COPS) filed a petition with the Connecticut State Board of Labor Relations (the Labor Board) seeking to represent "all full time permanent uniformed and investigatory employees including the dog warden, within the North Branford Police Department, excluding all civilians, Chief of Police and Deputy Chief of Police". The employees are currently included in a bargaining unit represented by the International Brotherhood of Police Officers (IBPO).

On February 3, 2005 COPS, IBPO and the Town entered into an Agreement for Consent Election which election was conducted by the Labor Board on February 22, 2005. In the meantime, issues affecting this election were raised in other proceedings as more fully described in the decision of the Labor Board *Town of Fairfield, et al*, Decision No. 4065 (7/27/05). As such, the ballots in this case were impounded after the election. After considering objections filed by IBPO, on July 27, 2005 the Labor Board ordered the ballots in this and other similar pending cases opened and counted. *Id.*

By notice dated July 28, 2005 the Agent of the Labor Board notified all interested parties that the ballots would be opened and counted on August 4, 2005. On August 3, 2005 IBPO filed a Request for Reconsideration asserting that information exists indicating that COPS has been subsumed by another organization and no longer exists as a separate entity. As such, IBPO argues that COPS cannot be certified as the exclusive bargaining representative of the petitioned-for employees and that it would be inappropriate for the Labor Board to do so.

By letter dated August 3, 2005 the Agent of the Labor Board notified all interested parties that the election would go forward as scheduled and the Labor Board would consider IBPO's request in due course.

On August 15, 2005 COPS filed an Objection to Motion for Reconsideration asserting that IBPO's objection is factually incorrect and legally deficient. Specifically, COPS asserts that it has "not merged with, affiliated with or been taken over by United Public Service Employees Union ("UPSEU")" and that it continues to exist as the petitioner in this and other cases.

We have reviewed and fully considered the arguments of the parties in this matter and we deny the Motion for Reconsideration. There is no basis upon which to refuse to certify the results of the election. COPS has stated that it continues to exist. All parties have entered into a Consent Election Agreement. We have no pending objections regarding the status of COPS from either the employer or the employees who will be affected by this certification. As such, we will certify the results of the election.

**CERTIFICATION OF REPRESENTATIVE**

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

**CERTIFIED**, that the Connecticut Organization for Public Safety Employees/Connecticut Organization for Government Employees has been selected as the exclusive representative for purposes of collective bargaining for a bargaining unit consisting of all full time permanent uniformed and investigatory employees including the dog warden, within the North Branford Police Department, excluding all civilians, Chief of Police and Deputy Chief of Police.

CONNECTICUT STATE BOARD OF LABOR RELATIONS

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

Patricia V. Low  
Patricia V. Low  
Board Member

Wendella A. Battey  
Wendella A. Battey  
Board Member

**CERTIFICATION**

I hereby certify that a copy of the foregoing was mailed postage prepaid this 22<sup>nd</sup> day of August, 2005 to the following:

Karl Kilduff, Town Manager  
Town of North Branford RRR  
Town Hall, 1599 Foxon Road  
North Branford, CT 06471

Attorney Kevin M. Deneen  
O'Malley, Deneen, Messina & Oswecki RRR  
20 Maple Avenue  
Windsor, CT 06095

Attorney Alexandra Gross  
IBPO RRR  
3510 Main Street  
Bridgeport, CT 06606

Ronald Suraci, Executive Director  
CT Organization for Public Safety (Cops)  
P.O. Box 611  
1321 Boston Post Road  
Madison, CT 06443

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Jaye Bailey, General Counsel  
CONNECTICUT STATE BOARD OF LABOR RELATIONS