

**STATE OF CONNECTICUT
LABOR DEPARTMENT
CONNECTICUT STATE BOARD OF LABOR RELATIONS**

**In the matter of
City of New Haven**

(Respondent)

-and-

**ELM CITY LOCAL
C.A.C.P**

(Complainant)

Respondent's Address: New Haven City Hall, 165 Church Street, New Haven, CT 06510

Respondent's Phone: 203-946-8200

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 practice 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 City of New Haven (the "City") is a Municipal Employer within the meaning of the Act;
2. Elm City Local, C.A.C.P, (the "Union") is an Employee Organization within the meaning of the Act;
3. At all times material, the parties have been subject to a Collective Bargaining Agreement (the "CBA").
4. The Union represents, for collective bargaining purposes, all full-time and permanent investigatory and uniformed members of the Police Department, up to and including the rank of major.
5. The Union filed a demand to bargain regarding the implementation of the New Have COMPASS Team.
6. The Union and the City have met several times to discuss the impacts of the COMPASS Team.
7. While meetings have taken place, no substantive discussions on program specifics have occurred primarily due to the lack of program operational plan.

8. Recently, the City did supply the Union with an operational plan to some extent, but when the meeting was held to discuss the plan it was learned that the plan had changed.
9. The Union was not given the updated plan in advance of the meeting.
10. The parties agreed to meet once all documents were available.
11. The very next day, the City announce in the press that COMPASS Team training for police officers would occur in September of 2022 with a program start date of October 2022.
12. Bargaining has not concluded and no new policy or revised operational plan has been given to the Union, yet the City has announced a program start date.
13. The City has violated Section 7-470(a)(4) of the Act by failing to bargain collectively in good faith with the Union.

REMEDY

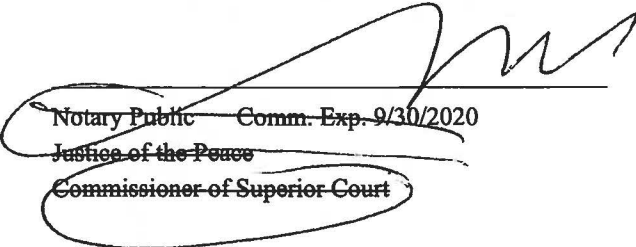
1. Order requiring the City to bargain in good faith with the union regarding the impact its program may have on the bargaining unit member's working conditions.
2. Order requiring the City to cease and desist.
3. Order requiring the City to make all affected parties whole.
4. Payment of the Union's costs and attorney's fees.
5. Such other relief as deemed appropriate by the Board.


Subscribed and sworn to before me

This 29th day of August 2022

ELM CITY LOCAL, C.A.C.P.

(Complainant)


Notary Public — Comm. Exp. 9/30/2020
~~Justice of the Peace~~
~~Commissioner of Superior Court~~


Signature
Florencio Cotto, President
Elm City Local, C.A.C.P.
1 Union Avenue
New Haven, CT 06519
Email: nhpdclpresident@gmail.com

CERTIFICATION OF SERVICE

I hereby certify that, pursuant to Section 7-471-20 of the Connecticut General Regulations, a copy of the foregoing was mailed to the Respondent by certified mail.

Certified Mail No.

A handwritten signature in dark ink, appearing to read 'F. Cotto', is written over a horizontal line.

Florencio Cotto., President

PETITION FOR INTERIM RELIEF

In accordance with Regulation 7-471-36, the Union requests the Board issue an order of interim relief which would require the City to suspend the implementation of the COMPASS team until such time as bargaining has concluded. Affidavit is attached.

1. The Safety concerns associated with the COMPASS Team are of such a nature that bargaining unit members may suffer irreparable physical and professional harm.
2. The City (COMPASS TEAM) may suffer physical and professional harm because the bargaining has not concluded nor has an operational plan been fully developed. The City will be exposed to increased liability if the program is implemented prior to the conclusion of bargaining.
3. The merits in this case are strong. It is the Union's belief that the safety concerns raise of are of such a significant magnitude that interim relief is warranted and such safety concerns (Board Decisions) favor the Union's claims.
4. The safety of police officers and civilian staff/contractors is a matter of public interest.

RESPECTFULLY SUBMITTED,

For the Union, By its Attorney,

/S/ 430074

Marshall T. Segar, Esq.

AFFIDAVIT OF FLORENCIO COTTO

I, the undersigned, FLORENCIO, President of the New Haven Police Union, hereby depose, affirm and state as follows:

1. I am competent to testify to the matters contained herein.
2. I am the President of the New Haven Police Union.
3. The Union filed a demand to bargain over the COMPASS Team
4. Bargaining over the impacts of the Team is ongoing.
5. Safety of the police officers and the Team members who the police will interact with is the primary aspect of the discussions.
6. Despite the nature of the bargaining, the City announced its plans to implement the Team in October of 2022.
7. It is unlikely that bargaining would conclude prior to October
8. I ask that the Board issue an interim relief order in this case.

I declare, under penalty of perjury, that the foregoing is true and correct.


STATE OF CONNECTICUT :

: ss. CITY OF New Haven

Subscribed and sworn to before me this 29 day of August, 20 22


Notary Public/Commissioner of the Superior Court

~My Commission Expires: _____