

STATE OF CONNECTICUT  
LABOR DEPARTMENT  
CONNECTICUT STATE BOARD OF LABOR RELATIONS

In the Matter of

Meriden Board of Education

(Respondent)

Case Number:

and

✓ Meriden Federation of Teachers,  
Local 1478, AFT CT, AFT, AFL-CIO

(Complainant)

Address of Respondent Mark Benigni, Superintendent  
22 Liberty Street, Meriden CT 06450

**Complaint**

Pursuant to Section 10-153 e(e) of the Act Concerning School Board - Teacher negotiations the undersigned alleges that the above-named Respondent has engaged in and is engaging in prohibited practices within the meaning of Section 10-153e(b) or (c) of said Act, in that:

1. The Respondent is an employer under the Act.
2. The Complainant is the certified employees' bargaining agent under the Act.
3. The Respondent and Complainant are parties to a collective bargaining agreement dated September 1, 2009 through August 31, 2012.
4. On or about February 4, 2010, the Complainant filed a Prohibited Practice complaint against the Respondent concerning the hiring of an outside agency to produce a musical at Lincoln Middle School.
5. On February 12, 2010, Erin Benham, President of the Meriden Federation of Teachers, made an information request to Meriden Superintendent Mary Cortright related to the Prohibited Practice charge, pursuant to both the Teacher Negotiation Act and FOI. This request specifically sought information concerning whether any Board of Education funds had been expended related to the musical.
6. In response to this request, the Respondent, through its agent Leo Lavalley, Principal of Lincoln Middle School, responded in writing and denied that any funds had been expended. The sole source of funding for the musical was stated to be ticket sales, program advertising, and a Sock Hop fundraiser, and "no funds have been collected as of 2/22/2010."
7. On March 1, 2010, an informal hearing on the Prohibited Practice was conducted in Meriden, Connecticut.
8. At that hearing, Principal Lavalley repeatedly stated that no Board of Education funds had been used in the production of the musical.

9. The parties reached a settlement of TPP 28375 at the informal hearing.
10. Subsequently, the Complainant has learned that the representations of Lavallee were false. The Board of Education provided \$5,000 in "seed money" on January 8, 2010 and paid royalties on January 14<sup>th</sup> in the amount of \$1,352.00.
11. The Board of Education, through its Principal of Lincoln Middle School and other administrators, has bargained in bad faith by these misrepresentations.

WHEREFORE, the Complainant asks the Board to find the Respondent in violation of Section 10-153e(b) (4) and (5) of the Act. The complainant requests a comprehensive statutory remedy including:

1. A Cease and Desist order against future misrepresentations;
2. An order that the Respondent pay all costs, expenses, and attorney fees incurred by the Complainant as a result of this complaint.
3. Posting of any orders at all work locations of bargaining unit members.
4. And any other remedies that may be appropriate.

opeiu 376 afl-cio r G\PROHIBITIVE PRACTICE\Meriden teacher 07-10.doc

Subscribed and Sworn to before me this

7<sup>th</sup> day of July, 2010

Rose Ann M. Couture

Notary Public

Justice of the Peace

Commissioner of the Superior Court

My Commission expires 11/30/13

Meriden Federation of Teachers, Local 1478, AFT CT,  
AFT, AFL-CIO

Complainant

[Signature]

Signature and Title

Ben Wenograd

AFT-CT Field Representative

Address 35 Marshall Road

Rocky Hill, CT 06067

Telephone No. 860-257-9782

#### Certification of Service

I hereby certify that, pursuant to Section 10-153e(e) of the General Statutes and Section 10-153-5 of its General Regulations, a copy of the foregoing was mailed to the Respondent by registered or certified mail

[Signature]