

Board rules Middlebury violated pact

BY CHRIS GARDNER

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MIDDLEBURY — The town violated a collective bargaining agreement last July when it required unionized employees to accept health savings accounts, an arbitrator has ruled.

The Department of Labor's State Board of Mediation and Arbitration ruled in a decision released Wednesday that the union contract for Town Hall workers and police officers was breached when employees' previous "point-of-service" plans were switched to health savings accounts on July 1.

The arbitrator, M. Jackson Webber, did not order a remedy, and First Selectman See **VIOLATION** , Page **7B**

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VIOLATION:

1st selectman unsure what happens next

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Thomas P. Gormley said he is not sure what will happen next.

"It's like our hands are slapped, but what does everybody do?" he said, adding he referred the ruling to Robert W. Smith, the lawyer who argued the case for the town.

The switch to health savings accounts was made to save money, Gormley said. He estimated last year that the town saved \$234,000 by converting to the accounts, which require participants to spend a certain amount on their deductibles before insurance covers the remaining costs. To attempt to sweeten the deal for employees, the town fully funded the accounts for each person. That included \$1,500 for individual enrollment, and \$3,000 for two or more people.

Most employers require their workers to make the contributions themselves.

The three unions opposed the switch, and filed complaints with the state alleging breach of contract. Hearings were held last Wednesday.

"We warned the town not to go down this road a year ago," said Al Cronin, a police officer and police union president. "It's too bad that they wouldn't listen to us then. Now that the chicken has come home to roost, we can only hope that elected officials will respect our voices in the future."

Tracy Graziano, a parks department secretary and union president for Town Hall and other municipal workers, said, "A year ago, we told officials that we were willing to be part of the solution to the economic crisis. With these decisions, we can focus on maintaining vital services without balancing the budget on the backs of working families."

Those services, and conceivably the town's payroll, could be cut as a result of the ruling and a recent mandate by the Board of Finance to cut expenses by \$250,000. Gormley said there is no way the town can operate at the present level if the Board of Selectmen has to cut a half-million dollars from the budget.

"I don't know how we're going to do it with either the same amount of employees or the same amount of services. It's impossible," he said. "Everything's on the table now. We can't continue to do things the same way and expect the same results."

Union members say they are committed to helping the town face its uncertain economic future.

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