

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

IN THE MATTER OF

Administrative & Residual  
Employees Union, Local 4200;  
Connecticut Police & Fire Union;  
Connecticut Department of  
Consumer Protection, Liquor  
Control Division,

~~—AND—~~

Erik Gagne; Barry Wallett.

**RESPONDENTS' ADDRESSES:**

Administrative & Residual Employees Union, Local 4200, AFT Connecticut  
805 Brook St., Ste. 4  
Rocky Hill, CT 06067

Connecticut Police & Fire Union, IUPA/IAFF, AFL-CIO  
50 Columbus Blvd., 3rd Floor  
Hartford, CT 06106

Department of Consumer Protection  
Liquor Control Division  
450 Columbus Blvd., Ste. 901  
Hartford, CT 06103

**RESPONDENTS' PHONES:**

Administrative & Residual Employees Union, Local 4200: 860.953.1316

Connecticut Police & Fire Union: 860.953.2626

Department of Consumer Protection, Liquor Control Division: 860.713.6210

### **AMENDED COMPLAINT**

1. Respondents Administrative & Residual Employees Union, Local 4200 (“Local 4200”) and Connecticut Police & Fire Union (“CPFU”) (collectively, “Union Respondents”) jointly or severally committed an act prohibited by section 5-272(b)(1) of the Connecticut General Statutes, which prohibits employee organizations or their agents from “[r]estraining or coercing employees in the exercise of the rights guaranteed in [section 5-271(a)].” Specifically, Respondent Unions posted, caused to be posted, permitted, and/or failed to remove certain material on the state-provided bulletin boards, and such material interfered with, restrained, or coerced employees in the exercise of their right not to become or remain a member of Union Respondents. Such materials, depicted in the attached “Exhibit A,” denigrate nonmembers and discourage employees from exercising their right not to become or remain a union member by referring to nonmembership as “freeloading.” *See* Exhibit A.

2. Union Respondents jointly or severally committed an act prohibited by section 5-272(b)(4), which prohibits employee organizations or their agents from “breaching their duty of fair representation pursuant to section 5-271.” Specifically, Respondent Unions posted, caused to be posted, permitted, and/or failed to remove certain material on the state-provided bulletin boards, and, in doing or failing to do so, Respondent Unions failed to serve the interests of union nonmembers and/or treated union nonmembers with hostility and discrimination, arbitrarily and in bad faith. *See* Ex. A.

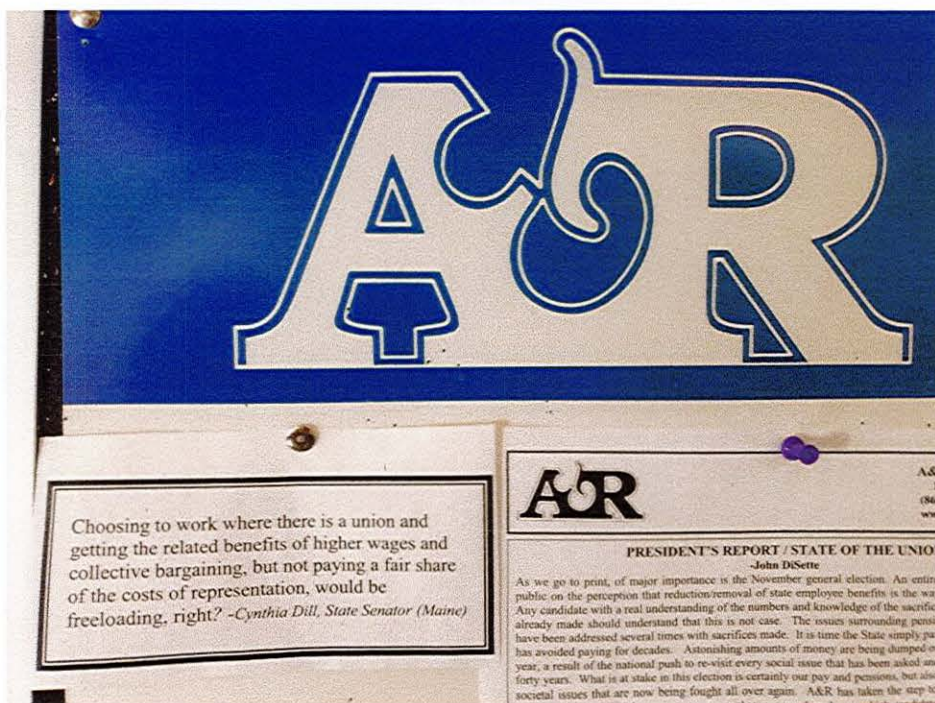
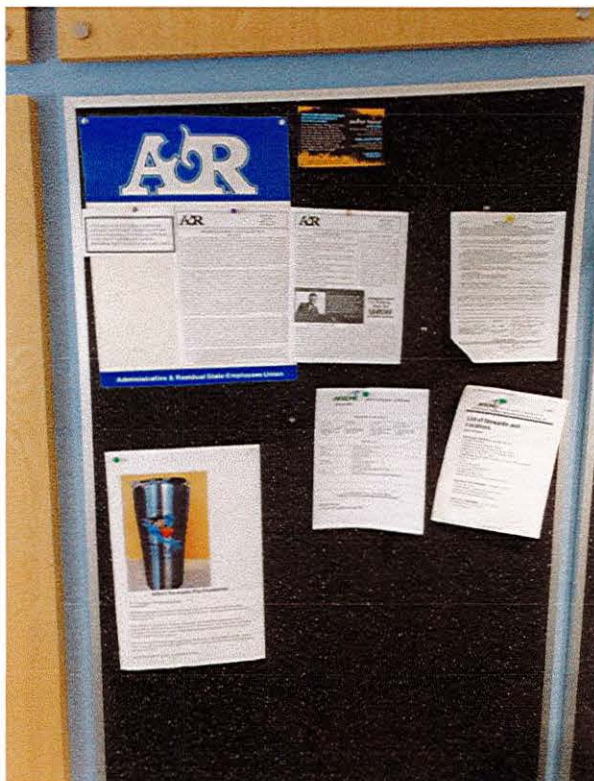
3. Respondent Connecticut Department of Consumer Protection, Liquor Control Division (“Employer”) committed an act prohibited by section 5-272(a)(1), which prohibits employers, their representatives, and their agents, from “[i]nterfering with, restraining or coercing employees in the exercise of the rights guaranteed in section 5-271.” Specifically, the Employer permitted and/or failed to remove or cause to be removed certain material on bulletin boards provided by the Employer, and such material interfered with, restrained, or coerced employees in the exercise of their right not to become or remain a member of Union Respondents. *See* Ex. A. Initially, Complainants Erik Gagne and Barry Wallett (“Complainants”) reported the posts to

their supervisor, who, in turn, reported the postings to the Employer, and the posts were removed that same day. Within a month, however, the posts had reappeared on several of the bulletin boards. When Complainants again reported the posts, the Employer stated that Complainants would need to file a complaint in writing.

WHEREFORE, Complainants respectfully request that, in addition to all remedies allowed by the Connecticut State Employees Relation Act and the Connecticut State Board of Labor Relations Regulations, the following relief also be granted:

1. Order the removal of the violative postings;
2. Make orders fashioned to prevent future violative postings; and,
3. Order that the Union Respondents and/or the Employer post on all similar bulletin boards in the complex a Board notice, conspicuous in size and form, which clearly states, in a neutral manner, that a public sector employee has the right to not be a member of a public sector union (such notice to be approved by Complainants).

EXHIBIT A



SUBSCRIBED AND SWORN TO BEFORE ME THIS

10<sup>th</sup> DAY OF September 2019

*[Signature]*  
NOTARY PUBLIC



Erik Gagne

COMPLAINANT

*[Signature]*  
SIGNATURE

Erik J. Gagne - Liquor Control Agent  
PRINT NAME & TITLE

COMPLAINANT'S ADDRESS:  
10 Bright Street, Enfield, CT 05082

COMPLAINANT'S PHONE: 860.713.6251

SUBSCRIBED AND SWORN TO BEFORE ME THIS

10<sup>th</sup> DAY OF September

*[Signature]*  
NOTARY PUBLIC



Barry Wallett

COMPLAINANT

*[Signature]*  
SIGNATURE

Liquor Control Agent  
PRINT NAME & TITLE

COMPLAINANT'S ADDRESS:  
23 Birch Meadow Lane, Willington, CT 06279

COMPLAINANT'S PHONE: 860.713.6243