

Statement of Brian Clemow

Executive and Legislative Nominations Committee

March 10, 2016

Good morning Senator Duff, Representative Janowski, Senator Kane, Representative Buck-Taylor and members of the Committee. My name is Brian Clemow, and I am honored to have been re-nominated by Governor Malloy to serve on the binding interest arbitration panel under the Teacher Negotiations Act, representing the interests of local and regional boards of education.

I was born and raised in Connecticut, and attended Connecticut schools. For more than 40 years, I have been an employment lawyer, representing public and private employers in collective bargaining and other labor matters. Upon graduation from Harvard College and the University of Pennsylvania Law School, I joined the law firm of Shipman & Goodwin LLP, where I was chair of the firm's Labor and Employment Law Department for many years. I have represented dozens of school districts and been involved in hundreds of interest arbitrations throughout the state. I also negotiate labor contracts in the private sector, so I have at least one foot in what some people call the "real world".

Early in my career, I was fortunate to argue the landmark case, *West Hartford Education Association vs. DeCourcy* before the Connecticut Supreme Court. That case established the parameters of the Teacher Negotiations Act for teacher unions and school districts across the state. I have also taught public sector labor relations at the University of Connecticut Law School, and have written and studied extensively on public sector bargaining and impasse resolution. Over the years, I have been involved in various professional organizations that focus on labor-management relations, and have served as president of the Labor and Employee Relations Association.

I have a keen interest in public education, and in exploring ways to make the system more responsive to the needs of students. With particular reference to teacher and administrator compensation, I support creative approaches to encouraging and rewarding outstanding performance.

I have read with interest the various studies that have been done on binding arbitration under the Teacher Negotiations Act and the Municipal Employee Relations Act, and my impression is that the outcome of the process has become so predictable that most negotiations settle at or near the average of what has emerged from prior negotiations and arbitrations. I would not argue that this is either a good or a bad thing, but it certainly tends to show that arbitration works, at least in the sense of encouraging voluntary settlements.

I am enthusiastic about being part of the arbitration process, and I look forward to the chance to serve. I am grateful for the opportunity to appear before you, and would be happy to respond to any questions you may have.