

Employment Practices Liability

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Guidance Regarding Governor Lamont's Executive Order 7B – Suspending In-Person Meeting Requirements

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Given the spread of COVID-19, on March 14, 2020, Governor Lamont issued Executive Order 7B suspending in-person open meeting requirements under Connecticut's Freedom of Information Act. While in-person public access is suspended, public meetings can be held remotely by conference call, video conference or other technology, provided several conditions are met. Specifically, in order to continue business regularly conducted at public meetings, a public agency must ensure that:

1. the public has the ability to view or listen to each meeting or proceeding in real time, by telephone, video, or other technology;
2. any such meeting or proceeding is recorded or transcribed, and such recording or transcript shall be posted on the agency's website within seven (7) days of the meeting or proceeding, and made available within a reasonable time in the agency's office;
3. the required notice and agenda for each meeting or proceeding is posted on the agency's website and shall include information about how the meeting will be conducted and how the public can access it;
4. any materials relevant to matters on the agenda, including but not limited to materials related to specific applications, if applicable, shall be submitted to the agency a minimum of twenty four (24) hours prior and posted to the agency's website for public inspection prior to, during, and after the meeting, and any exhibits to be submitted by members of the public shall, to the extent feasible, also be submitted to the agency a minimum of twenty-four (24) hours prior to the meeting and posted to the agency's website for public inspection prior to, during, and after the meeting; *and*
5. all speakers taking part in any such meeting or proceeding shall clearly state their name and title, if applicable, before speaking on each occasion that they speak.

Although these requirements might create a greater administrative and financial burden in conducting agency business, our Firm recommends that public agencies continue to conduct business to the extent possible to carry out any obligations and/or fiduciary responsibilities that the public agency has to taxpayers and other members of the public. Questions regarding compliance with Executive Order 7B can be directed to any attorney at Rose Kallor, LLP.

Cindy Cieslak is a partner at Rose Kallor, LLP. Rose Kallor, LLP regularly represents and advises private and public sector employers on matters pertaining to the employer-employee relationship, including discrimination, harassment, and wage and hour issues. If you have questions about this legal update, please contact Rose Kallor, LLP at 860-361-7999. If you wish to receive future updates on labor and employment related topics, please contact Jacqueline Smith, Marketing and Creative Design Associate at jsmith@ccm-ct.org.

For more information about CIRMA's Employment Practices Liability Helpline Program, please contact your CIRMA Risk Management Consultant.



Have a question or concern about Employment Practices?

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