



Senate

General Assembly

File No. 162

February Session, 2000

Substitute Senate Bill No. 311

Senate, March 22, 2000

The Committee on Planning and Development reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

An Act Concerning Observance Of Martin Luther King Day.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) Any municipality that did not observe the Martin
2 Luther King Day legal holiday on January 17, 2000, by closing all
3 nonessential municipal offices shall close all such nonessential
4 municipal offices on any day designated as Martin Luther King Day
5 pursuant to section 1-4 of the general statutes.

6 Sec. 2. (NEW) Notwithstanding the provisions of the general
7 statutes, each municipal employer and each employee organization in
8 a municipality not observing Martin Luther King Day as a legal
9 holiday as of the effective date of this act shall reopen each collective
10 bargaining agreement approved in accordance with the provisions of
11 sections 7-467 to 7-477, inclusive, of the general statutes for the sole
12 purpose of negotiating compensation or exchange of benefits, if any,
13 for the bargaining unit members covered by such agreement for

14 observance of Martin Luther King Day.

15 Sec. 3. (NEW) If any such municipal employer and any such
16 employee organization are unable to resolve the compensation or
17 exchange of benefits issue after reopening the agreement pursuant to
18 section 2 of this act by July 1, 2000, the parties shall submit the issue to
19 the State Board of Mediation and Arbitration, and said board shall
20 make every effort to resolve the issue through mediation not later than
21 September 1, 2000.

22 Sec. 4. (NEW) If the parties are unable to resolve the compensation
23 or exchange of benefits issue pursuant to section 3 of this act, by
24 September 1, 2000, the parties shall submit the issue to said board for
25 resolution through binding arbitration not later than October 1, 2000,
26 and said board shall resolve the issue through binding arbitration not
27 later than November 30, 2000.

28 Sec. 5. This act shall take effect from its passage.

PD Committee Vote: Yea 16 Nay 0 JFS

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Potential Minimal Absorbable Workload Increase

Affected Agency: Department of Labor (state Board of Mediation and Arbitration)

Municipal Impact: STATE MANDATE, Town of Wallingford

Explanation

State Impact:

To the extent that the parties cannot come to agreement and need to pursue mediation and arbitration, there will be a minimal workload increase to the state Board of Mediation and Arbitration.

Municipal Impact:

The town of Wallingford is the only municipality that does not observe Martin Luther King Day by closing all nonessential offices. Requiring the town to do so would not result in any additional salary costs. However, if the parties cannot come to an agreement, they must pursue mediation, and then arbitration, if necessary.

The state Board of Mediation and Arbitration provides mediation services free of charge to municipalities. If the issue cannot be resolved through mediation, the parties would have to submit to

binding arbitration with the board. The town would be responsible for the costs of the arbitrator it selects (\$350 to \$600 per day), and for half of the costs of the neutral arbitrator (\$300 to \$500 per day for the town's portion). Although arbitration typically takes three to six days, it can last up to twenty days. There are a total of 14 bargaining units in the town. Contracts with six of these units already require the observance of Martin Luther King Day. Therefore, eight contracts would have to be reopened.

If the town's legislative body rejects an arbitration award, the issue must be resubmitted to the state board. The parties may choose a single arbitrator to settle the issue, or a three-arbitrator panel. In either case, the town is responsible for all arbitrator fees.

OLR Bill Analysis

sSB 311

AN ACT CONCERNING OBSERVANCE OF MARTIN LUTHER KING DAY.**SUMMARY:**

This bill requires towns that did not close all nonessential offices in observance of Martin Luther King Day on January 17, 2000 to close these offices on the holiday in the future. The holiday must be observed on the same date that the state observes it.

The bill requires towns that did not observe Martin Luther King Day as a legal holiday on the bill's passage date to reopen all collective bargaining agreements exclusively to negotiate compensation or benefits exchange, if any, for Martin Luther King Day. It establishes a mediation and a binding arbitration process that towns and their unions must use if they fail to agree on the compensation and benefits issue by specified dates.

EFFECTIVE DATE: Upon passage

ARBITRATION PROCESS***Mediation***

If the parties fail to come to an agreement by July 1, 2000, they must submit the issue to the State Board of Mediation and Arbitration (SBMA) for mediation. The SBMA must make every effort to resolve the issue by September 1, 2000.

Binding Arbitration

If the parties fail to come to an agreement through SBMA mediation by September 1, 2000 they must submit the issue to SBMA by October 1, 2000 for binding arbitration. SBMA must resolve the issue by November 30, 2000.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 16 Nay 0