



General Assembly

January Session, 2003

Raised Bill No. 1103

LCO No. 4019

Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

**AN ACT CONCERNING DISPLACED SERVICE CONTRACT
WORKERS AT BRADLEY INTERNATIONAL AIRPORT.**

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

1 Section 1. Subdivision (7) of subsection (a) of section 31-57g of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective July 1, 2003*):

4 (7) "Terminated contractor" means a contractor whose service
5 contract expires without renewal or whose contract is terminated
6 within the eighteen-month period before or after the commencement
7 of operations under a successor service contract, and includes the
8 awarding authority itself when work previously rendered by the
9 awarding authority's own employees is the subject of a successor
10 service contract.

11 Sec. 2. Subdivision (1) of subsection (b) of section 31-57g of the
12 general statutes is repealed and the following is substituted in lieu
13 thereof (*Effective July 1, 2003*):

14 (1) The awarding authority shall give advance notice to a contractor

15 and the exclusive bargaining representative of any of the contractor's
16 employees, of the termination or nonrenewal of such service contract
17 as soon as reasonably practicable after the awarding authority knows
18 or determines that the contract will be terminated or will not be
19 renewed and shall provide the contractor and the exclusive bargaining
20 representative with the name, telephone number and address of the
21 successor contractor or contractors, if known. The terminated
22 contractor shall, not later than three days after receipt of such notice,
23 provide the successor contractor with the name, date of hire and
24 employment occupation classification of each person employed by the
25 terminated contractor at the site or sites covered by the service contract
26 as of the date the terminated contractor receives the notice of
27 termination or nonrenewal.

28 Sec. 3. Subdivision (4) of subsection (b) of section 31-57g of the
29 general statutes is repealed and the following is substituted in lieu
30 thereof (*Effective July 1, 2003*):

31 (4) (A) Except as provided in subparagraph (D) of this subdivision,
32 a successor contractor shall retain, for at least ninety days from the
33 date of first performance of services under the successor service
34 contract, [all of the employees who were] each employee who was
35 continuously employed by the terminated contractor at the site or sites
36 covered by the service contract during the six-month period
37 immediately preceding the termination or nonrenewal of such service
38 contract, including any periods of layoff or leave with recall rights.

39 (B) Except as provided in subparagraph (D) of this subdivision, if
40 the successor service contract is terminated prior to the expiration of
41 such ninety-day period, then any contractor awarded a subsequent
42 successor service contract shall be bound by the requirements set forth
43 in this subsection to retain, for a new ninety-day period commencing
44 with the onset of the subsequent successor service contract, [all of the
45 employees who were previously employed by any one or more of the
46 terminated contractors at the site or sites covered by the service

47 contract continuously during the six-month period immediately
48 preceding the date of the most recently terminated service contract,
49 including any periods of layoff or leave with recall rights] each
50 employee entitled to retention pursuant to subparagraph (A) of this
51 subdivision.

52 (C) At least five days prior to the termination of a service contract, if
53 the termination occurs before the successor service contractor
54 commences operations, or at least fifteen days prior to the
55 commencement of the first performance of service under a successor
56 service contract, [whichever is later,] the successor contractor shall
57 hand-deliver a written offer of employment in substantially the form
58 set forth below to each such employee in such employee's native
59 language or any other language in which such employee is fluent:

60 "IMPORTANT INFORMATION REGARDING YOUR
61 EMPLOYMENT

62 To:(Name of employee)

63 We have received information that you are employed by (name
64 of predecessor contractor) and are currently performing work at
65 (address of worksite) (name of predecessor contractor's) contract to
66 perform (describe services under contract) at (address of
67 worksite) will terminate as of (last day of predecessor contract) and
68 it will no longer be providing those services as of that date.

69 We are (name of successor contractor) and have been hired to
70 provide services similar to those of (name of predecessor contractor)
71 at (address of worksite). We are offering you a job with us for a
72 ninety-day probationary period starting (first day of successor
73 contract) to perform the same type of work that you have already been
74 doing for (name of predecessor contractor) under the following
75 terms:

76 Payrate (per hour): \$....

77 Hours per shift:

78 Total hours per week:

79 Benefits:

80 You must respond to this offer within the next ten days. If you want
81 to continue working at (address of worksite) you must let us know
82 by (no later than ten days after the date of this letter). If we do not
83 receive your response by the end of business that day, we will not hire
84 you and you will lose your job. We can be reached at (successor
85 contractor telephone number).

86 Connecticut state law gives you the following rights:

87 1. You have the right with certain exceptions, to be hired by our
88 company for the first ninety days that we begin to provide services at
89 (address of worksite).

90 2. During this ninety-day period, you cannot be fired without just
91 cause.

92 3. If you believe that you have been fired or laid off in violation of
93 this law, you have the right to sue us and be awarded back pay,
94 attorneys' fees and court costs.

95 From: (Name of successor contractor)

96 (Address of successor contractor)

97 (Telephone number of successor contractor)"

98 Each offer of employment shall state the time within which such
99 employee must accept such offer but in no case shall that time be less
100 than ten days from the date of the offer of employment.

101 (D) The provisions of subparagraphs (A) and (B) of this subdivision
102 shall not be construed to require a successor contractor to retain any

103 employee whose attendance and performance records, while working
104 under the terminated service contract, would lead a reasonably
105 prudent employer to terminate the employee.

This act shall take effect as follows:	
Section 1	<i>July 1, 2003</i>
Sec. 2	<i>July 1, 2003</i>
Sec. 3	<i>July 1, 2003</i>

Statement of Purpose:

To clarify employment protections for displaced service contract workers at Bradley International Airport and to clarify obligations of awarding authorities and contractors upon termination of such service contracts.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]