



STATE OF CONNECTICUT
OFFICE OF POLICY AND MANAGEMENT

**TESTIMONY OF SANDRA FAE BROWN-BREWTON
ASSISTANT DIRECTOR OF LABOR RELATIONS
BEFORE THE LABOR & PUBLIC EMPLOYEES COMMITTEE OF THE
GENERAL ASSEMBLY**

Raised Bill No. 7103 An Act Concerning Collective Bargaining for State Managers.

Collective bargaining consists of negotiations between the employer and a group of employees to determine the conditions of employment of that group of employees. Managers working for the State of Connecticut represent management in the collective bargaining process. Managers are responsible for ensuring that the rights of the employees, as negotiated, are protected, while establishing the means and methods by which an agency carries out its mission. Labor and management usually have different goals which can result in conflict.

Conflicts often arise over the application and interpretation of the negotiated agreement. Managers must resolve these conflicts on a daily basis. These conflicts are resolved, most often, through compromise. This Bill would upset the balance between labor and management. If managers were allowed to bargain collectively, an enormous and inevitable conflict of interest would result. In any employment dispute, labor would control because the hierarchy of an agency would almost be entirely on the labor side of the table. In considering this Bill, a reflection on the history of SERA, specifically its managerial exclusion, is worth review.

In 1975, the General Assembly enacted the State Employees' Relations Act (SERA) which, for the first time, gave state employees the right to collectively bargain the terms and conditions of

employment. Under that recently enacted collective bargaining law, an organization filed a petition with the State Board of Labor Relations indicating its desire to represent managers. That organization was called the State Management Association of Connecticut (SMAC). Through its petition, SMAC sought certification from the State Board of Labor Relations to be the exclusive representative of managers. The State objected to SMAC's petition, but the Board overruled the State's objection and ordered an election. In 1981, SMAC was certified as the representative of state managerial employees.

Within months of that election, the General Assembly passed legislation (Public Act 81-475), supported by both sides of the isle, which specifically excluded managers from SERA's coverage. A review of the legislative history of the 1981 General Assembly's deliberation of the managerial exclusion is instructive. It can probably be summarized by saying that the primary concern appeared to be ensuring that managers were available, without divided loyalty, to provide effective management of the various agencies. While this Bill excludes "Bureau Heads" from the collective bargaining process, it is unrealistic to expect that such a limited number would be able to ensure the effectiveness of an entire agency especially in light of the fact that supervisors currently have the right to collectively bargain.

This country's labor movement originated as an interest group seeking to overcome the exploitation of workers caused by an unyielding and unrestrained exercise of employer power. Employee organizations sought to provide fairness and security for otherwise powerless individual employees. This Bill swings the pendulum too far and disrupts the balance between labor and management that is absolutely essential for maintaining good employee relations.