



House Bill No. 6718

Special Act No. 09-6

AN ACT CONCERNING STATE PERSONNEL COST SAVINGS.

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

Section 1. (*Effective from passage*) All active and retired state employees not included in any prevailing bargaining unit contract, including managers, confidential employees, unclassified employees, appointed officials and employees, other such nonrepresented employees and employees of boards and commissions shall be subject to the health care coverage provisions contained in the agreement between the State of Connecticut and the State Employees Bargaining Agent Coalition (SEBAC) ratified May 8, 2009, and subject to House Resolution 31 and Senate Resolution 28 of the current session, provided any such active or retired employee fulfills any obligation or condition required for such coverage under said agreement, including, but not limited to, Article II. A., B., C., D. and E. of said agreement.

Sec. 2. (*Effective from passage*) (a) There shall be a Retirement Incentive Program, as described in this section, offered to full-time and part-time employees who are members of the retirement systems and program identified in subsection (b) of this section, in addition to such retirement systems and program.

(b) The following members shall be eligible to participate in the

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Retirement Incentive Program:

(1) Full-time and part-time state employees who are not included in any prevailing bargaining unit contract, including managers, confidential employees, unclassified employees, appointed officials and employees, other such nonrepresented employees and employees of boards and commissions, except that elected officials shall not be included solely on the basis of their elected office, and who:

(A) Will be at least fifty-five years of age on or before June 30, 2009;

(B) Are on active status on the payroll on the day prior to retirement;

(C) Have at least ten years of actual state service in the state employees retirement system, which shall consist of time worked and may not include purchased service credits or credits transferred from another employer;

(D) Retire directly from employment and begin immediately receiving normal or early retirement benefits under Tier I, Tier II or Tier IIA;

(E) Retire with an effective date of retirement of June 1, 2009, or July 1, 2009, except as provided in subsection (c) of this section; and

(F) Are not employees of state-aided institutions, as defined in section 5-175 of the general statutes, quasi-public agencies, operators of vending stands covered by section 5-175a of the general statutes, teachers at E. O. Smith School, elected officials or employees of the United States Purchasing and Finance Office, except that employees of the Connecticut Lottery Corporation who (i) are not members of the State Employee Bargaining Agent Coalition bargaining units, (ii) were classified state employees at the Division of Special Revenue, and (iii) are employed by the Connecticut Lottery Corporation shall be eligible

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for the Retirement Incentive Plan.

(2) Full-time state employees who are eligible for hazardous duty retirement, but not included in any prevailing bargaining unit contract, regardless of age, and who:

(A) Are on active status on the payroll on the day prior to retirement;

(B) Have a minimum of twenty years of actual hazardous duty state service in the state employees retirement system;

(C) Retire directly from employment and begin immediately receiving normal retirement benefits; and

(D) Retire with an effective date of retirement of June 1, 2009, or July 1, 2009, except as provided in subsection (c) of this section.

(3) Members of the teachers' retirement system who:

(A) Are on active status on the payroll on the day prior to retirement;

(B) Will be at least fifty-five years of age on or before June 30, 2009;

(C) Retire directly from employment and begin immediately receiving retirement benefits under the teachers' retirement system; and

(D) Retire with an effective date of retirement of July 1, 2009, if employed as a teacher or administrator by the Connecticut Technical High Schools, and June 1, 2009, or July 1, 2009, for all others, except as provided in subsection (c) of this section.

(4) Members of the alternate retirement program who:

(A) Are on active status on the payroll on the day prior to

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retirement;

(B) Will be at least fifty-five years of age on or before June 30, 2009;

(C) Have at least ten years of actual state service;

(D) Retire directly from employment; and

(E) Retire with an effective date of retirement of June 1, 2009, or July 1, 2009.

(c) (1) All retirements under the Retirement Incentive Program shall be effective June 1, 2009, or July 1, 2009, except as otherwise provided in this subsection. In all cases in which the retirement date is deferred as provided in this subsection, the extended service shall be credited.

(2) The effective date of any retirement shall be July 1, 2009, for administrators of the Connecticut Technical High Schools and the unified school districts. The extended service shall be credited.

(3) For state employees on active military duty, who meet the eligibility rules for the Retirement Incentive Program, the effective date of any retirement shall be deferred for not more than ninety days after their discharge from active military service. The extended service may be credited provided the employee purchases such military service credit on or before their deferred retirement date.

(4) The effective date of retirement may be deferred on a case-by-case basis for:

(A) Upon the approval of the State Comptroller, employees of the office of the State Comptroller within the Retirement Services Division who have primary responsibility for retirement benefit calculations and purchasing, and employees of the office of the State Comptroller within the Health Care Policy and Benefit Services Division who have primary responsibility for administration of employee benefits, to not

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later than June 1, 2010;

(B) Upon the approval of the Governor, employees of the Office of Policy and Management determined to be critical to the legislative or budgetary process, to not later than September 1, 2009;

(C) Upon the approval of the personnel policies subcommittee of the Joint Committee on Legislative Management, nonpartisan employees of said committee determined to be critical to the legislative process, to not later than July 1, 2010;

(D) Upon the approval of the officer of the General Assembly who is the head of the appropriate caucus, partisan employees of the Joint Committee on Legislative Management, determined to be critical to the legislative process, to not later than January 1, 2010;

(E) Upon the approval of the Auditors of Public Accounts, employees of said office determined to be critical to the auditing process of the office and, upon approval of the personnel policies subcommittee of the Joint Committee on Legislative Management, the Auditors of Public Accounts, to not later than July 1, 2010; and

(F) Upon the approval of the chief executive officer of each constituent unit of the state system of higher education, employees of such constituent unit who are public safety employees or who are involved in direct patient care, determined to be critical to such unit, to not later than July 1, 2010.

(d) (1) Eligible employees who are members of the state employees retirement system who retire in accordance with the terms of the Retirement Incentive Program shall have up to three years of service added to such employees' service for purposes of benefit calculation under said retirement system. Additional years of service granted to eligible participants pursuant to the Retirement Incentive Program shall not be deemed service for any other purpose.

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(2) Eligible employees who are members of the teachers' retirement system who retire in accordance with the terms of the Retirement Incentive Program, and who meet the requirement of the teachers' retirement system for normal, early or proratable retirement, shall have up to three years added to such employees' service for purposes of benefit calculation, up to the maximum benefit allowable under the teachers' retirement system. Additional years of service granted to eligible participants pursuant to the Retirement Incentive Program shall not be deemed service for any other purpose.

(3) Eligible members of the alternate retirement program who are eligible for and retire in accordance with the Retirement Incentive Program shall be paid the sum of six thousand dollars, prorated for part-time employees compared to the full-time assignment for the position, in three equal annual installments of two thousand dollars each to be paid in July of 2012, July of 2013 and July of 2014.

(e) (1) For purposes of this section, "full-time state employee" means a state employee who works thirty-five or more hours per week in a full-time position, and "part-time state employee" means a state employee who works a minimum of seventeen and one-half hours per week for more than five months per year.

(2) Actual paid wages, not projected wages, shall be used in all benefit calculations. Furlough days or the equivalent shall be treated as voluntary schedule reductions pursuant to section 5-248c of the general statutes and wage credit for such days shall be in accordance with practice in effect on the effective date of this section. Accrued vacation days at the date of retirement shall be credited in accordance with practice in effect on the effective date of this section.

(3) Disability retirement and employees eligible for terminated vested retirement benefits are excluded from this program.

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(f) (1) An eligible employee participating in the Retirement Incentive Program shall be eligible for payment of accrued and unused vacation and sick leave in accordance with rules in effect on the effective date of this section, modified as follows: One-third of the amount owed an employee shall be paid in July of 2012, one-third in July of 2013, and one-third in July 2014.

(2) The state may, at its option, make the payment specified in subdivision (1) of this subsection in one installment on or before July 1, 2012, if the amount of the payment is less than two thousand dollars.

(3) A constituent unit of the state system of higher education may, at its option and from its own funds, on a case-by-case basis, make the payment specified in subdivision (1) of this subsection in one installment at any time.

Sec. 3. (*Effective from passage*) (a) There shall be mandatory schedule reduction days to be taken by all full-time state employees not included in any prevailing bargaining unit contract, including managers, confidential employees, unclassified employees, appointed officials and employees, other such nonrepresented employees and employees of boards and commissions. Part-time state employees not included in a prevailing bargaining unit contract shall also take schedule reduction days, on a pro rata basis, based upon such employees' biweekly scheduled hours of work. The value of a schedule reduction day shall be one-tenth of the base biweekly pay for an employee on an annual twenty-six pay period schedule and the employee's pay shall be reduced accordingly as a voluntary schedule reduction day pursuant to section 5-248c of the general statutes. There shall be one schedule reduction day before June 30, 2009, three schedule reduction days between July 1, 2009, and June 30, 2010, and three schedule reduction days between July 1, 2010, and June 30, 2011. The schedule reduction days shall be accomplished as provided in this section.

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(b) For employees who can be assigned fixed schedule reduction days because such employees work in assignments or operations where the appointing authority has determined that employees may be scheduled to take the day off or the office shall close, the following days shall be taken without pay as a schedule reduction day:

May 22, 2009	Friday before Memorial Day
July 6, 2009	Monday after July 4th
November 27, 2009	Friday after Thanksgiving
December 24, 2009	Christmas Eve
July 2, 2010	Friday before July 4th
November 26, 2010	Friday after Thanksgiving
December 27, 2010	Monday after Christmas

(c) For an employee who cannot be assigned the fixed schedule reduction days set forth in subsection (b) of this section due to the unique and varied nature of the services provided by such employee:

(1) The appointing authority may vary the assignment of personnel and may grant alternate dates as schedule reduction days provided one schedule reduction day shall be taken on or before June 4, 2009. This obligation may be extended up to ninety days into the next fiscal year based upon operational need. Three schedule reduction days shall be taken between July 1, 2009, and June 30, 2010, and three schedule reduction days shall be taken between July 1, 2010, and June 30, 2011.

(2) Appointing authorities shall work cooperatively with employees who are unable to take any fixed schedule reduction day set forth in subsection (b) of this section as one or more of such employee's schedule reduction days to come to an agreement on alternative schedule reduction days. For each such schedule reduction day, the employee shall take one day off, or equivalent hours, without pay. The scheduling of such days off shall be with the goal of avoiding any additional costs to the employer and the need to schedule replacement coverage.

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(d) The Chief Justice of the Supreme Court may order judges of the superior court to take schedule reduction days in accordance with the provisions of this section.

(e) Any schedule reduction day provided for under this section during the fiscal year ending June 30, 2009, shall be treated as a paid vacation day in the case of any full-time or part-time state employee, whether included or not included in any prevailing bargaining unit contract, if such employee took a voluntary unpaid schedule reduction day after January 13, 2009, but prior to the effective date of this section, except, if such employee in the executive or judicial branch who is unable to accrue a vacation day due to having the maximum number of vacation days such employee is permitted to accumulate pursuant to section 5-250 of the general statutes, then such employee shall be given a paid personal day for use during the calendar year. Such vacation day shall not be deducted from such employee's accrued vacation time. The provisions of this subsection shall not apply to employees of the legislative branch, however all such legislative employees shall be subject to a one-day salary reduction during the fiscal year ending June 30, 2009.

Sec. 4. (*Effective from passage*) On or before October 15, 2009, and June 15, 2011, the Commissioner of Administrative Services, in consultation with the State Comptroller, shall report on savings realized from implementation of the Retirement Incentive Program. The report shall include the number of participants, both union and nonunion, in the program, the savings achieved by each agency as a result of the program, and the offset to such savings due to the refill of positions vacated by program participants.

Approved May 18, 2009