



General Assembly

January Session, 2009

Raised Bill No. 6534

LCO No. 3209

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Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

AN ACT CONCERNING LABOR UNION AUTHORIZATION CARD CHECKS.

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

1 Section 1. Subsection (b) of section 31-106 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2009*):

4 (b) (1) In accordance with such regulations as may be adopted by
5 the board [according to] in accordance with the provisions of chapter
6 54, whenever a petition is filed with the board by an employee or [his]
7 the employee's representative complaining that a question or
8 controversy concerning the representation of employees exists, or by
9 an employer or [his] the employee's representative that there is a
10 question or controversy concerning the representation of employees
11 between two or more labor organizations, the board shall refer the
12 petition to [its agent] an agent of the board who shall investigate the
13 petition. [He] The agent shall issue a direction of election and conduct
14 a secret ballot election to determine whether and by which employee
15 organization the employees desire to be represented if [he] the agent
16 has reasonable cause to believe that a question of representation exists,

17 or issue a recommendation to dismiss the petition if [he] the agent
18 finds that there is not such reasonable cause, or refer the petition to the
19 board for a hearing without having conducted an election or issuing a
20 recommendation of dismissal, in which event the board shall conduct
21 an appropriate hearing upon due notice. The agent shall report his or
22 her action to the board. The board shall issue an order confirming the
23 agent's direction of election and certifying the results of the election, or
24 issue an order confirming the agent's recommendation for dismissal, or
25 order a further investigation, or provide for an appropriate hearing
26 upon due notice. Before taking any [of the aforesaid actions] action
27 under this subdivision, the board shall provide the parties with an
28 opportunity to file briefs on the questions at issue and shall fully
29 consider any such briefs filed. After a hearing, the board shall order
30 any [of the aforesaid actions] action on the petition permitted by this
31 subdivision, or shall upon good cause order any other suitable method
32 to determine whether and by which employee organization the
33 employees desire to be represented. The board shall certify the results.

34 (2) In accordance with such regulations as may be adopted by the
35 board in accordance with the provisions of chapter 54, whenever a
36 petition is filed with the board by an employee or the employee's
37 representative, or by the employer or the employer's representative
38 complaining that a question or controversy exists concerning the
39 representation of a bargaining unit by a labor organization where (A)
40 such labor organization is the only organization seeking to be the
41 exclusive representative of the bargaining unit, and (B) a majority of
42 the employees in the unit have shown a preference to designate such
43 labor organizations to be the exclusive representative of the unit by
44 signing authorization cards indicating such preference, the board shall
45 refer the petition to an agent of the board who shall investigate the
46 petition and determine the validity of the authorization cards. An
47 authorization card indicating such preference shall be valid only if it is
48 printed in a language understood by the employee who signed it. The
49 agent shall determine whether a majority of the employees in the
50 bargaining unit signed such valid authorization cards designating such

51 labor organization to be the unit's exclusive representative. The agent
52 shall report his or her findings to the board. The board shall issue an
53 order confirming the results of the authorization card check and certify
54 the results. Before taking any action under this subdivision, the board
55 shall provide the parties with an opportunity to file briefs on the
56 questions at issue and shall fully consider any such briefs filed. After a
57 hearing, the board shall order any action on the petition permitted by
58 this subdivision or shall, upon good cause, order any other suitable
59 method to determine whether the employees desire to be represented.
60 The board shall certify the results.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2009	31-106(b)

Statement of Purpose:

To create a union card signing authorization process under the State Board of Labor Relations.

[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.]