



General Assembly

January Session, 2009

Governor's Bill No. 829

LCO No. 3020

*03020 _____ *

Referred to Committee on Appropriations

Introduced by:

SEN. MCKINNEY, 28th Dist.

REP. CAFERO, 142nd Dist.

AN ACT CONCERNING PERSONNEL MATTERS.

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

1 Section 1. Section 5-213 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2009*):

3 (a) Notwithstanding the provisions of section 5-212, each employee
4 in the state service who has completed not less than ten years of state
5 service and who is not included in any collective bargaining unit,
6 except those employees whose compensation is prescribed by statute,
7 shall receive semiannual lump-sum longevity payments based on
8 service completed as of the first day of April and the first day of
9 October of each year, as follows:

10 (1) An employee who has completed ten or more years but less than
11 fifteen years of state service shall receive seventy-five dollars or an
12 amount determined in accordance with the longevity rate schedule
13 established for his class of position by the Commissioner of
14 Administrative Services, whichever is greater, except that a managerial

15 employee shall receive an amount determined in accordance with the
16 longevity rate schedule established for his class of position by said
17 commissioner;

18 (2) An employee who has completed fifteen or more years but less
19 than twenty years of state service shall receive one hundred fifty
20 dollars or an amount determined in accordance with the longevity rate
21 schedule established for his class of position by the Commissioner of
22 Administrative Services, whichever is greater, except that a managerial
23 employee shall receive an amount determined in accordance with the
24 longevity rate schedule established for his class of position by said
25 commissioner;

26 (3) An employee who has completed twenty or more years but less
27 than twenty-five years of state service shall receive two hundred
28 twenty-five dollars or an amount determined in accordance with the
29 longevity rate schedule established for the employee's class of position
30 by the Commissioner of Administrative Services, whichever is greater,
31 except that a managerial employee shall receive an amount determined
32 in accordance with the longevity rate schedule established for the
33 employee's class of position by said commissioner;

34 (4) An employee who has completed twenty-five or more years of
35 state service shall receive three hundred dollars or an amount
36 determined in accordance with the longevity rate schedule established
37 for his class of position by the Commissioner of Administrative
38 Services, whichever is greater, except that a managerial employee shall
39 receive an amount determined in accordance with the longevity rate
40 schedule established for his class of position by said commissioner.

41 (b) The semiannual longevity lump-sum payments shall be made on
42 the last regular pay day in April and October of each year, except that
43 a retired employee shall receive, in the month immediately following
44 retirement, a prorated payment based on the proportion of the six-
45 month period served prior to the effective date of his retirement.

46 (c) Part-time, seasonal or intermittent state service shall be credited
47 as state service for the purposes of this section when such part-time,
48 seasonal or intermittent service, accumulated, totals the calendar years
49 herein above specified.

50 (d) The term of employment in state service shall be construed to
51 include, in the case of an employee of the radiological maintenance
52 and calibration facility, the term of his service from the date upon
53 which he began work at said facility under individual contract with
54 the Commissioner of Emergency Management and Homeland
55 Security, upon receipt of data satisfactory to the Commissioner of
56 Administrative Services showing the time such employee worked for
57 said facility. All records of the state which show the length of service in
58 the employment of the state of any employee of said facility shall be
59 maintained to show the length of such service and the total time of
60 state service.

61 (e) This section shall not apply to (1) any employee not included in
62 any collective bargaining unit who is not presently receiving payments
63 under section 5-212 or who commences state service on and after the
64 effective date of this act, and (2) any employee included in any
65 collective bargaining unit who commences state service after (A) the
66 effective date of this section, or (B) the expiration date of any
67 agreement governing the salary or benefits for such employee,
68 whichever is later.

69 (f) The amount of the benefit being received by any employee
70 eligible for benefits under subsections (a) to (d), inclusive, as of June
71 30, 2009, shall not be increased.

72 Sec. 2. Subsection (a) of section 5-259 of the general statutes is
73 repealed and the following is substituted in lieu thereof (*Effective July*
74 *1, 2009*):

75 (a) The Comptroller, with the approval of the Attorney General and
76 of the Insurance Commissioner, shall arrange and procure a group

77 hospitalization and medical and surgical insurance plan or plans for
78 (1) state employees, (2) members of the General Assembly who elect
79 coverage under such plan or plans, (3) participants in an alternate
80 retirement program who meet the service requirements of section
81 5-162 or subsection (a) of section 5-166, (4) anyone receiving benefits
82 under section 5-144 or from any state-sponsored retirement system,
83 except the teachers' retirement system and the municipal employees
84 retirement system, (5) judges of probate and Probate Court employees,
85 (6) the surviving spouse, and any dependent children until they reach
86 the age of eighteen, of a state police officer, a member of an organized
87 local police department, a firefighter or a constable who performs
88 criminal law enforcement duties who dies before, on or after June 26,
89 2003, as the result of injuries received while acting within the scope of
90 such officer's or firefighter's or constable's employment and not as the
91 result of illness or natural causes, and whose surviving spouse and
92 dependent children are not otherwise eligible for a group
93 hospitalization and medical and surgical insurance plan, (7) employees
94 of the Capital City Economic Development Authority established by
95 section 32-601, and (8) the surviving spouse and dependent children of
96 any employee of a municipality who dies on or after October 1, 2000,
97 as the result of injuries received while acting within the scope of such
98 employee's employment and not as the result of illness or natural
99 causes, and whose surviving spouse and dependent children are not
100 otherwise eligible for a group hospitalization and medical and surgical
101 insurance plan. For purposes of this subdivision, "employee" means
102 any regular employee or elective officer receiving pay from a
103 municipality, "municipality" means any town, city, borough, school
104 district, taxing district, fire district, district department of health,
105 probate district, housing authority, regional work force development
106 board established under section 31-3k, flood commission or authority
107 established by special act or regional planning agency. For purposes of
108 subdivision (1) of this subsection, "state employee" means permanent
109 employees of the state who work more than twenty hours per week on
110 average; except that any such employee who works less than twenty

111 hours per week on average may participate in any plan or plans
112 established under this section provided such employee pays the
113 employer's cost of such plan or plans. For purposes of subdivision (6)
114 of this subsection, "firefighter" means any person who is regularly
115 employed and paid by any municipality for the purpose of performing
116 firefighting duties for a municipality on average of not less than thirty-
117 five hours per week. The minimum benefits to be provided by such
118 plan or plans shall be substantially equal in value to the benefits that
119 each such employee or member of the General Assembly could secure
120 in such plan or plans on an individual basis on the preceding first day
121 of July. The state shall pay for each such employee and each member
122 of the General Assembly covered by such plan or plans the portion of
123 the premium charged for such member's or employee's individual
124 coverage and seventy per cent of the additional cost of the form of
125 coverage and such amount shall be credited to the total premiums
126 owed by such employee or member of the General Assembly for the
127 form of such member's or employee's coverage under such plan or
128 plans. On and after January 1, 1989, the state shall pay for anyone
129 receiving benefits from any such state-sponsored retirement system
130 one hundred per cent of the portion of the premium charged for such
131 member's or employee's individual coverage and one hundred per
132 cent of any additional cost for the form of coverage. The balance of any
133 premiums payable by an individual employee or by a member of the
134 General Assembly for the form of coverage shall be deducted from the
135 payroll by the State Comptroller. The total premiums payable shall be
136 remitted by the Comptroller to the insurance company or companies
137 or nonprofit organization or organizations providing the coverage. The
138 amount of the state's contribution per employee for a health
139 maintenance organization option shall be equal, in terms of dollars and
140 cents, to the largest amount of the contribution per employee paid for
141 any other option that is available to all eligible state employees
142 included in the health benefits plan, but shall not be required to exceed
143 the amount of the health maintenance organization premium.

144 Sec. 3. Section 5-271 of the general statutes is amended by adding

145 subsection (g) as follows (*Effective from passage*):

146 (NEW) (g) Notwithstanding any provision of the general statutes,
147 after the expiration of any collective bargaining agreement in effect as
148 of the effective date of this section, only the following provisions
149 concerning employment by the state shall be subject to arbitration
150 under the provisions of this chapter with regard to any successor
151 agreement: (1) Wages, (2) salaries, (3) health care benefits, and (4)
152 pension benefits.

153 Sec. 4. Subsection (b) of section 5-278 of the general statutes is
154 repealed and the following is substituted in lieu thereof (*Effective July*
155 *1, 2009*):

156 (b) Any agreement reached by the negotiators shall be reduced to
157 writing. The agreement, together with a request for funds necessary to
158 fully implement such agreement and for approval of any provisions of
159 the agreement which are in conflict with any statute or any regulation
160 of any state agency, and any arbitration award, issued in accordance
161 with section 5-276a, together with a statement setting forth the amount
162 of funds necessary to implement such award, shall be filed by the
163 bargaining representative of the employer with the clerks of the House
164 of Representatives and the Senate within ten days after the date on
165 which such agreement is reached or such award is distributed. The
166 General Assembly may approve or reject any such agreement or award
167 as a whole by a majority vote of each house. [or may reject such
168 agreement as a whole by a majority vote of either house. The General
169 Assembly may reject any such award as a whole by a two-thirds vote
170 of either house if it determines that there are insufficient funds for full
171 implementation of the award.] If rejected, the matter shall be returned
172 to the parties for further bargaining. Once approved by the General
173 Assembly, any provision of an agreement or award need not be
174 resubmitted by the parties to such agreement or award as part of a
175 future contract approval process unless changes in the language of
176 such provision are negotiated by such parties. Any supplemental

177 understanding reached between such parties containing provisions
178 [which] that would supersede any provision of the general statutes or
179 any regulation of any state agency or would require additional state
180 funding shall be submitted to the General Assembly for approval in
181 the same manner as agreements and awards. If the General Assembly
182 is in session, it shall vote to approve or reject such agreement or award
183 within thirty days after the date of filing. If the General Assembly is
184 not in session when such agreement or award is filed, it shall be
185 submitted to the General Assembly within ten days of the first day of
186 the next regular session or special session called for such purpose. The
187 agreement or award shall be deemed [approved] rejected if the
188 General Assembly fails to vote to approve or reject such agreement or
189 award within thirty days after such filing or submission. The thirty-
190 day period shall not begin or expire unless the General Assembly is in
191 regular session. For the purpose of this subsection, any agreement or
192 award filed with the clerks within thirty days before the
193 commencement of a regular session of the General Assembly shall be
194 deemed to be filed on the first day of such session.

195 Sec. 5. Subsection (f) of section 5-278 of the general statutes is
196 repealed and the following is substituted in lieu thereof (*Effective from*
197 *passage*):

198 (f) (1) Notwithstanding any other provision of this chapter,
199 collective bargaining negotiations concerning changes to the state
200 employees retirement system to be effective on and after July 1, 1988,
201 and collective bargaining negotiations concerning health and welfare
202 benefits to be effective on and after July 1, 1994, and collective
203 bargaining negotiations concerning wages and salaries to be effective
204 on or after July 1, 2009, shall be conducted between the employer and a
205 coalition committee which represents all state employees who are
206 members of any designated employee organization. (2) The provisions
207 of subdivision (1) of this subsection shall not be construed to prevent
208 the employer and any designated employee organization from
209 bargaining directly with each other on matters related to the state

210 employees retirement system and health and welfare benefits
 211 whenever the parties jointly agree that such matters are unique to the
 212 particular bargaining unit. (3) The provisions of subdivision (1) of this
 213 subsection shall not be construed to prevent the employer and
 214 representatives of employee organizations from dealing with any
 215 state-wide issue using the procedure established in said subdivision.

216 Sec. 6. Section 5-276a of the general statutes is amended by adding
 217 subsection (h) as follows (*Effective from passage*):

218 (NEW) (h) The provisions of this section and section 5-278 shall be
 219 suspended from July 1, 2009, until July 1, 2011, and shall have no force
 220 or effect, and no arbitration award may be made, during that period.
 221 The provisions of this section shall be applicable with respect to any
 222 collective bargaining agreement that expires during the period
 223 beginning July 1, 2009, and ending June 30, 2011, or for which
 224 arbitration has not commenced on or prior to the effective date of this
 225 act. The terms of any such collective bargaining agreement shall
 226 remain in effect until such time as a new agreement is reached and
 227 approved in accordance with this section.

228 Sec. 7. Sections 5-200a and 5-200c of the general statutes are
 229 repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	5-213
Sec. 2	<i>July 1, 2009</i>	5-259(a)
Sec. 3	<i>from passage</i>	5-271
Sec. 4	<i>July 1, 2009</i>	5-278(b)
Sec. 5	<i>from passage</i>	5-278(f)
Sec. 6	<i>from passage</i>	5-276a
Sec. 7	<i>from passage</i>	Repealer section

Statement of Purpose:

To implement the Governor's budget recommendations.

[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.]