



General Assembly

January Session, 2009

Amendment

LCO No. 7402

HB0671807402HDO

Offered by:
REP. DONOVAN, 84th Dist.

To: House Bill No. 6718

File No.

Cal. No.

"AN ACT CONCERNING STATE PERSONNEL COST SAVINGS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

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

15 Sec. 2. (*Effective from passage*) (a) There shall be a Retirement

16 Incentive Program, as described in this section, offered to full-time and
17 part-time employees who are members of the retirement systems and
18 program identified in subsection (b) of this section, in addition to such
19 retirement systems and program.

20 (b) The following members shall be eligible to participate in the
21 Retirement Incentive Program:

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

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

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

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

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

38 (E) Retire with an effective date of retirement of June 1, 2009, or July
39 1, 2009, except as provided in subsection (c) of this section; and

40 (F) Are not employees of state-aided institutions, as defined in
41 section 5-175 of the general statutes, quasi-public agencies, operators of
42 vending stands covered by section 5-175a of the general statutes,
43 teachers at E. O. Smith School, elected officials or employees of the
44 United States Purchasing and Finance Office, except that employees of
45 the Connecticut Lottery Corporation who (A) are not members of the

46 State Employee Bargaining Agent Coalition bargaining units, (B) were
47 classified state employees at the Division of Special Revenue, and (C)
48 are employed by the Connecticut Lottery Corporation shall be eligible
49 for the Retirement Incentive Plan.

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

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

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

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

59 (D) Retire with an effective date of retirement of June 1, 2009, or July
60 1, 2009, except as provided in subsection (c) of this section.

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

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

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

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

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

72 (4) Members of the alternate retirement program who:

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

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

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

77 (D) Retire directly from employment; and

78 (E) Retire with an effective date of retirement of June 1, 2009, or July
79 1, 2009.

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

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

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

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

95 (A) Upon the approval of the State Comptroller, employees of the
96 office of the State Comptroller within the Retirement Services Division
97 who have primary responsibility for retirement benefit calculations
98 and purchasing, and employees of the office of the State Comptroller
99 within the Health Care Policy and Benefit Services Division who have
100 primary responsibility for administration of employee benefits, to not
101 later than June 1, 2010;

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

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

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

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

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

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

130 (2) Eligible employees who are members of the teachers' retirement
131 system who retire in accordance with the terms of the Retirement
132 Incentive Program, and who meet the requirement of the teachers'

133 retirement system for normal, early or proratable retirement, shall
134 have up to three years added to such employees' service for purposes
135 of benefit calculation, up to the maximum benefit allowable under the
136 teachers' retirement system. Additional years of service granted to
137 eligible participants pursuant to the Retirement Incentive Program
138 shall not be deemed service for any other purpose.

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

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

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

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

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

165 (2) The state may, at its option, make the payment specified in
 166 subdivision (1) of this subsection in one installment on or before July 1,
 167 2012, if the amount of the payment is less than two thousand dollars.

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

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

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

T1	May 22, 2009	Friday before Memorial Day
T2	July 6, 2009	Monday after July 4th
T3	November 27, 2009	Friday after Thanksgiving

T4	December 24, 2009	Christmas Eve
T5	July 2, 2010	Friday before July 4th
T6	November 26, 2010	Friday after Thanksgiving
T7	December 27, 2010	Monday after Christmas

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

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

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

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

217 (e) Any schedule reduction day provided for under this section
218 during the fiscal year ending June 30, 2009, shall be treated as a paid
219 vacation day in the case of any full-time or part-time state employee,
220 whether included or not included in any prevailing bargaining unit
221 contract, if such employee took a voluntary unpaid schedule reduction

222 day after January 13, 2009, but prior to the effective date of this section,
 223 except, if such employee in the executive or judicial branch who is
 224 unable to accrue a vacation day due to having the maximum number
 225 of vacation days such employee is permitted to accumulate pursuant
 226 to section 5-250 of the general statutes, then such employee shall be
 227 given a paid personal day for use during the calendar year. Such
 228 vacation day shall not be deducted from such employee's accrued
 229 vacation time. The provisions of this subsection shall not apply to
 230 employees of the legislative branch, however all such legislative
 231 employees shall be subject to a one-day salary reduction during the
 232 fiscal year ending June 30, 2009.

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section