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Executive Office

Dr. John Yrchik
Executive Director

Government Relations

Vincent J. Loffredo, Director
Capitol Place, Suite 500
21 Oak Street
Hartford, CT 06106-8001
860-525-5641, 800-842-4316
Fax: 860-725-6362
vinniel@cea.org

Affiliated with the
National Education
Association

**Testimony of Vincent J. Loffredo
Director of Government Relations
Connecticut Education Association
Before the
Education Committee
Public Hearing
Monday, February 28, 2011
Regarding
Raised Bill 1039 Section 11
"An Act Concerning Education Issues"**

Good afternoon, Senator Stillman, Representative Fleischmann and members of the Education Committee. My name is Vincent Loffredo. I'm the Director of Government Relations for the Connecticut Education Association. I'm here today to comment on section 11 of Raised Bill 1039 AN Act Concerning Education Issues.

Section 11 modifies subsection (a) of section 10-153f of the Teacher Negotiations Act (TNA) by lengthening the term of arbitrators from two years to four years. CEA opposes amending the Teacher Negotiation Act including this proposed change.

Since the binding arbitration law for teachers was enacted in 1979, the General Assembly has made significant changes to the original act. Also, the General Assembly has conducted several comprehensive studies of the law. The most recent study, Binding Arbitration Municipal and School Employees, was published in January 2006 by the Legislative Program Review and Investigations Committee (PRI). The executive summary of this report noted that there were "no significant problems" for the appointing of neutral arbitrators; that the appointment process "provided sufficient levels of accountability, including requiring unanimous approval from their respective selection committees; and, that "the processes have also been 'legitimized' by time." Also, the study didn't recommend the lengthening the term of arbitrators.

The proposed change from a two year term to a four year term provides for less accountability and is not in the public interest.

The CEA strongly urges the committee to reject any changes to the TNA including this proposal.

Thank you for your consideration.

Attachments

Section 10-153f. Mediation and arbitration of disagreements

Source: Title 10 Connecticut General Statutes, January 2011

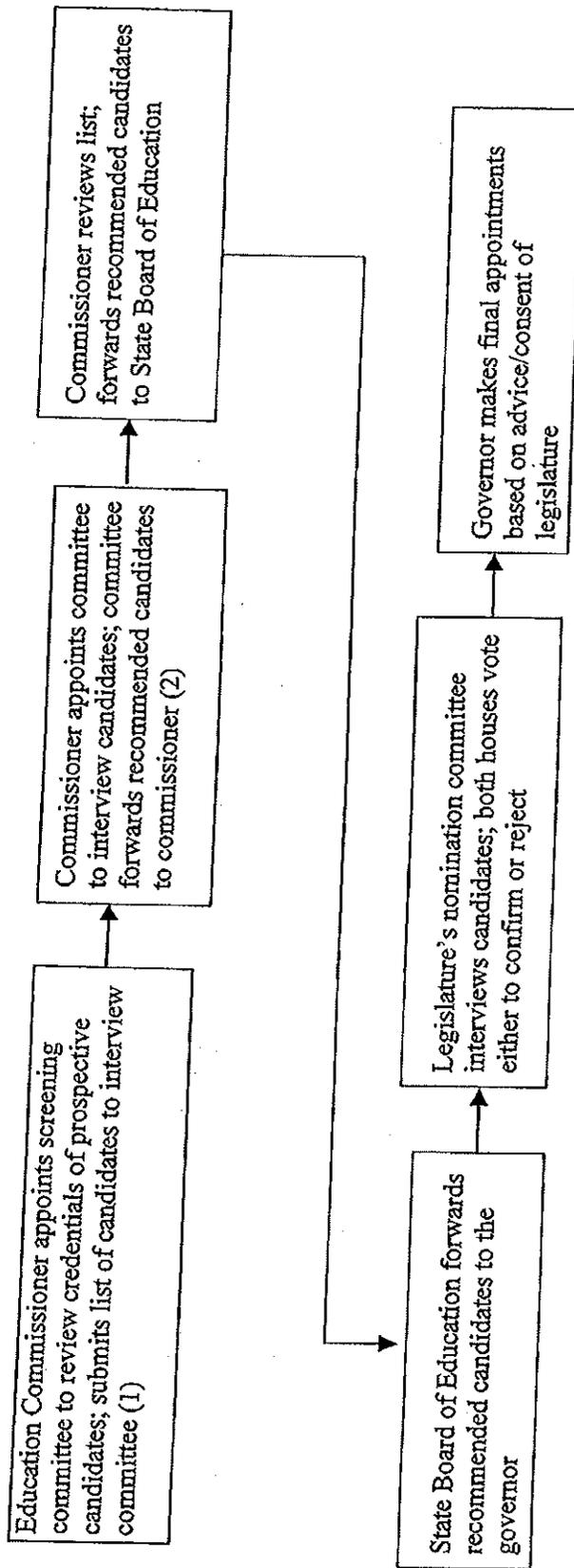
Figure I-2. Process for Appointing Neutral Arbitrators Under (TNA), page 21

Source: Binding Arbitration Municipal and School Employees, (PRI) Study, Published January, 2006

Teacher Negotiation Act

Sec. 10-153f. Mediation and arbitration of disagreements. (a) There shall be in the Department of Education an arbitration panel of not less than twenty-four or more than twenty-nine persons to serve as provided in subsection (c) of this section. The Governor shall appoint such panel, with the advice and consent of the General Assembly, as follows: (1) Seven members shall be representative of the interests of local and regional boards of education and shall be selected from lists of names submitted by such boards; (2) seven members shall be representative of the interests of exclusive bargaining representatives of certified employees and shall be selected from lists of names submitted by such bargaining representatives; and (3) not less than ten or more than fifteen members shall be impartial representatives of the interests of the public in general and shall be residents of the state of Connecticut, experienced in public sector collective bargaining interest impasse resolution and selected from lists of names submitted by the State Board of Education. The lists of names submitted to the Governor pursuant to subdivisions (1) to (3), inclusive, of this subsection shall, in addition to complying with the provisions of section 4-9b, include a report from the State Board of Education certifying that the process conducted for soliciting applicants made adequate outreach to minority communities and documenting that the number and make-up of minority applicants considered reflect the state's racial and ethnic diversity. Each member of the panel shall serve a term of two years, provided each arbitrator shall hold office until a successor is appointed and, provided further, any arbitrator not reappointed shall finish to conclusion any arbitration for which such arbitrator has been selected or appointed. Arbitrators may be removed for good cause. If any vacancy occurs in such panel, the Governor shall act within forty days to fill such vacancy in the manner provided in section 4-19. Persons appointed to the arbitration panel shall serve without compensation but each shall receive a per diem fee for any day during which such person is engaged in the arbitration of a dispute pursuant to this section. The parties to the dispute so arbitrated shall pay the fee in accordance with subsection (c) of this section.

Figure I-2. Process for Appointing Neutral Arbitrators Under TNA



(1) Screening committee to consist of at least five people, including: the commissioner's designee; representatives of local and regional boards of education; exclusive bargaining representatives of certified employees of local or regional education board; and local legislative and fiscal authorities.

(2) Interview committee consists of three representatives each from the following groups: local/regional boards of education; exclusive bargaining reps. of certified school staff; local legislative and fiscal authorities; private/public neutral dispute resolution agencies

Source: Department of Education and LPR&IC.