



SEIU Local 1973

March 7, 2011

TO: MEMBERS OF THE FINANCE, REVENUE & BONDING COMMITTEE  
FROM: STEVEN E. COHEN, PRESIDENT  
CONGRESS OF CONNECTICUT COMMUNITY COLLEGES  
RE: PLEASE OPPOSE SECTION 15 OF HOUSE BILL 6388 -  
AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET  
RECOMMENDATIONS CONCERNING THE  
OFFICE OF POLICY AND MANAGEMENT.

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The Congress of Connecticut Community Colleges (the 4C's) is a labor union representing 3,000 community college professors, administrators who provide services directly to students, counselors, and librarians.

We respectfully OPPOSE section 15 of House Bill 6388, and we have informed Governor Malloy's representatives of our position.

Section 15 contains very significant changes to the definition of a "managerial employee" under subsection 5-270(g). Our interpretation of these proposed changes leads us to the conclusion that a large number of "employees" who are members of our union would now be considered "managerial employees" if the provision was to be enacted into law. As managerial employees, these people would have to leave our union and could not have the benefits and protections of collective bargaining. This is because the current provisions of sections 5-270 and 5-271 prohibit "managerial employees" and "confidential employees" from being considered "employees" who can collectively bargain with their employers (in our case, the employer is the Trustees of the Community College System).

The existing law under section 5-270(g) recognizes the distinction of employees in the Higher Education system, including community college employees, but Section 15 proposes to repeal the distinction. That is, section 15 provides in relevant part that any person whose principal functions are characterized by the .. (2) development, implementation or evaluation of goals and objectives consistent with agency mission and policy or (3) participation in the formation of agency policy or (4) a major role in the administration of collective bargaining agreements or major personnel decisions, or both, including staffing, hiring, firing, evaluation, promotion and training of employees .. would now be considered to be a "managerial employee."

Community College professors, administrators who provide services directly to students, counselors, and librarians are frequently involved in any or all of these above-noted activities through our service on various academic standards committees, curriculum committees, tenure committees, search committees, etc.; through this committee work, we make recommendations to the Chancellor, the College Presidents, and the Deans (who are truly the "managerial employees"). We have a role in the hiring, evaluation, promotion and training of employees, but we do this in our capacities as "professional peers" — not as managers. The ultimate decisions for the community colleges are made by the Managers — not by the employees who are members of the 4C's.

We respectfully contend that the changes contained within Section 15 are far too broad — particularly with respect to community college professors, counselors, administrators who provide services directly to students and librarians. We are hoping that Governor Malloy and the General Assembly will not enact this provision into law.