



# House of Representatives

General Assembly

**File No. 54**

February Session, 2012

Substitute House Bill No. 5201

*House of Representatives, March 20, 2012*

The Committee on Labor and Public Employees reported through REP. ZALASKI of the 81st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING DEADLINES FOR THE COMPLETION OF MUNICIPAL BINDING ARBITRATIONS.**

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

1 Section 1. Subdivision (7) of subsection (d) of section 7-473c of the  
2 general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective October 1, 2012*):

4 (7) [The] Except as provided in subsection (f) of this section, parties  
5 may jointly file with the panel stipulations modifying, deferring or  
6 waiving any or all provisions of this subsection.

7 Sec. 2. Subsection (f) of section 7-473c of the general statutes is  
8 repealed and the following is substituted in lieu thereof (*Effective*  
9 *October 1, 2012*):

10 (f) (1) A municipal employer and a municipal employee  
11 organization may, at any time, file with the State Board of Mediation  
12 and Arbitration a joint stipulation modifying, deferring or waiving any

13 or all of the provisions of subsections (a), (b), (c) and (e) of this section,  
 14 or modifying, deferring or waiving any or all of the provisions of a  
 15 previously filed stipulation, and any such stipulation shall be  
 16 controlling over the provisions of [this section] subsections (a), (b), (c)  
 17 and (e) of this section or of any previously filed stipulation.

18 (2) A municipal employer and municipal employee organization  
 19 engaged in mandatory binding arbitration pursuant to this section  
 20 shall file any statement of last best offer and brief on unresolved issues  
 21 required pursuant to subdivisions (3) and (4) of subsection (d) of this  
 22 section not later than one hundred eighty calendar days from the date  
 23 (A) either party requested the arbitration services of the State Board of  
 24 Mediation and Arbitration, or (B) binding and final arbitration was  
 25 imposed on them by said board pursuant to subsection (b) of this  
 26 section, as the case may be.

27 (3) No municipal employer or municipal employee organization  
 28 may file a stipulation with the State Board of Mediation and  
 29 Arbitration modifying, deferring or waiving any provision of this  
 30 subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2012	7-473c(d)(7)
Sec. 2	October 1, 2012	7-473c(f)

**LAB**      *Joint Favorable Subst.*

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The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:**

<b>Municipalities</b>	<b>Effect</b>	<b>FY 13 \$</b>	<b>FY 14 \$</b>
Various Municipalities	Potential Savings	Potential	Potential

**Explanation**

The bill, which eliminates certain municipal employers and employees ability to indefinitely postpone arbitration deadlines, may result in a potential savings to municipalities. Any potential savings depends on legal costs associated with the arbitration process and the number of arbitration cases postponed.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR BILL ANALYSIS****sHB 5201*****AN ACT CONCERNING DEADLINES FOR THE COMPLETION OF MUNICIPAL BINDING ARBITRATIONS.*****SUMMARY:**

Current law specifies numerous deadlines in the municipal interest arbitration process, but also allows the parties to mutually modify, defer, or waive any of the deadlines indefinitely. This bill eliminates the parties' ability to indefinitely postpone most of these deadlines by requiring them to file their last best offers and briefs on unresolved issues (steps which occur after testimony is taken but before a decision is issued) within 180 days after the start of the arbitration process. The 180-day deadline for the two filings cannot be modified, deferred, or waived. Under the bill, the parties retain their ability to mutually waive or postpone steps in the arbitration process within the 180-day period.

EFFECTIVE DATE: October 1, 2012

**BACKGROUND*****Related Bill***

sHB 5203, (File 21) requires the State Board of Mediation and Arbitration to randomly assign an arbitrator to serve as the neutral arbitrator on an arbitration panel deciding a municipal interest arbitration case, instead of allowing the parties to mutually select the neutral member.

**COMMITTEE ACTION**

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 10 Nay 1 (03/08/2012)