



Senate

General Assembly

File No. 112

January Session, 2013

Substitute Senate Bill No. 891

Senate, March 25, 2013

The Committee on Labor and Public Employees reported through SEN. OSTEN of the 19th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT AMENDING THE DEFINITION OF MANAGERIAL EMPLOYEE.

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

1 Section 1. Subsection (g) of section 5-270 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2013*):

4 (g) "Managerial employee" means any individual in a position in
5 which the principal functions are characterized by not fewer than two
6 of the following, provided [for any position in any unit of the system
7 of higher education,] one of such two functions shall be as specified in
8 subdivision (4) of this subsection: (1) Responsibility for direction of a
9 subunit or facility of a major division of an agency or assignment to an
10 agency head's staff; (2) development, implementation and evaluation
11 of goals and objectives consistent with agency mission and policy; (3)
12 participation in the formulation of agency policy; or (4) a major role in
13 the administration of collective bargaining agreements or major
14 personnel decisions, or both, including staffing, hiring, firing,

15 evaluation, promotion and training of employees.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2013	5-270(g)

Statement of Legislative Commissioners:

The title was changed.

LAB *Joint Favorable Subst. -LCO*

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.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 14 \$	FY 15 \$
Various State Agencies	All Funds - See Below	See Below	See Below

Municipal Impact: None

Explanation

The bill, which specifies certain conditions for a state employee to be considered a manager, has no direct fiscal impact.

However, the bill would allow certain employees to unionize and collectively bargain; under current law managers cannot collectively bargain with the state. To the extent that certain employees who are no longer managers unionize and collectively bargain with the state, increased costs may result. Any costs would depend on the outcome of collective bargaining negotiations.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to collective bargaining negotiations if employees unionize and collectively bargain with the state.

OLR Bill Analysis**sSB 891*****AN ACT AMENDING THE DEFINITION OF MANAGERIAL EMPLOYEE.*****SUMMARY:**

This bill specifies that to be considered a state employee “manager,” an employee must play a major role in the administration of collective bargaining agreements or major personnel decisions, including hiring and firing. The practical effect of this is fewer state employees would be considered managers, and those who are no longer managers would be eligible to form a union.

By law, state employee managers cannot collectively bargain with the state.

EFFECTIVE DATE: October 1, 2013

STATE MANAGERS

Under current law, a manager in state government, except for higher education, means any individual in a position in which the principal functions include at least two of the following:

1. responsibility for direction of a subunit or facility of a major division of an agency or assignment to an agency head's staff;
2. development, implementation, and evaluation of goals and objectives consistent with agency mission and policy;
3. participation in the formulation 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.

The bill requires the last item on the list, a major role in the administration of collective bargaining agreements or major personnel decisions, to be among the duties in order for an employee to be classified as a manager. This is the current standard for managers in any unit of the state higher education system.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable

Yea 7 Nay 4 (03/07/2013)