



OLR RESEARCH REPORT

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QUESTIONS FOR NON-NEUTRAL EDUCATION ARBITRATION BOARD NOMINEES

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EDUCATION ARBITRATION PANEL ([CGS § 10-153F](#))

- The panel consists of 24 to 29 members who serve two-year terms. Seven must represent the interests of local and regional boards of education. Seven must represent bargaining representatives of certified employees. At least 10, but no more than 15, must be Connecticut residents who are impartial representatives of the public, experienced in public sector collective bargaining interest impasse resolution.
- The governor appoints. Both houses confirm.
- If a contract dispute is not settled following mediation, the matter is referred to arbitration. The parties can either agree to use a single impartial representative chosen from the panel, or each can select an arbitrator to represent their interests and agree upon a third impartial arbitrator. In the former case, if the parties cannot agree upon a single arbitrator, the commissioner of education selects the single impartial arbitrator from the panel. In the latter case, the commissioner of education selects an impartial third arbitrator if the parties cannot agree upon the third.

- Arbitrators must give priority to the public interest and the financial capability of the town or towns in the school district when arriving at their decision. Arbitrators must also consider: (1) the negotiations between the parties prior to arbitration; (2) the interests and welfare of the employee group; (3) changes in the cost of living averaged over the preceding three years; (4) the existing conditions of employment of the employee group and those of similar groups; and (5) the salaries, fringe benefits, and other conditions of employment prevailing in the state labor market.
- Arbitrators must resolve each individual disputed issue separately by accepting the last best offer of either of the parties on that issue. They also must incorporate into their final decision each such accepted individual last best offer, along with an explanation of how the total cost of all accepted offers was considered.

GENERAL QUESTIONS FOR ALL NOMINEES

1. The Teacher Negotiation Act (TNA) requires arbitrators to give priority to the public interest and the school district's financial capability in deciding issues. Do these two factors ever conflict? How can you give priority to both?
2. What are the interests of the public in an arbitration proceeding?
3. Does the fact that voters in certain districts have repeatedly rejected local education budgets weigh in your consideration of a district's financial capability?
4. What is your opinion of the "last-best-offer" system?

QUESTIONS FOR MEMBERS REPRESENTING PARTIES

1. You will be representing the interests of parties in arbitration decisions. How do you seek to influence the outcome?
2. Would you ever vote against the offer of the party whose interests you represent? In what type of situation would such a vote be justified?
3. When arriving at a decision, how much weight should be given to negotiation offers prior to arbitration, which were made by the party whose interests you represent?
4. When arriving at a decision, how much weight should be given to the interests and welfare of the employee group, in light of the party whose interests you represent?

MSG:tjo