DAS
DEPARTMENT OF ADMINISTRATIVE SERVICES
STATE OF CONNECTICUT

HB 5461

165 Capitol Avenue
Hartford, CT 06106-1658

AN ACT CONCERNING REVISIONS TO STATUTES RELATING TO THE CONNECTICUT AIRPORT AUTHORITY

Joint Committee on Transportation
March 5, 2013

The Department of Administrative Services offers the following testimony regarding House Bill 5461.

In 2011, when the General Assembly created the Connecticut Airport Authority ("CAA"), it decided, after considerable discussion with various stakeholders, to adopt the personnel structure already used successfully with the Connecticut Lottery Corporation. Specifically, existing state employees who were represented by collective bargaining units would remain in the classified service, while managers and other non-represented employees would be unclassified. Because the represented employees would remain in the classified service, CAA (like Lottery) was required to comply with the merit system laws and policies administered by DAS and the Office of Policy and Management ("OPM"). Determinations regarding the qualifications of these employees also followed the standard rules of classified service. On the other hand, with regard to unclassified employees, CAA would not be required to follow those rules and could make its own determinations about such employees' classifications.

Section 2 of H.B. 5461, instead, exempts CAA from the personnel laws and policies that DAS and OPM administers for all of its employees, instead of only the unclassified employees. It also would give CAA authority to determine the qualifications of any employee in the classified service who is not required to take an examination.

The proposed language will make an equitable state personnel and classification system difficult to administer: CAA would not have to abide by the rules and laws about classifications of positions, career progression levels and organization structure, the building blocks of the classified service, even though the employees would putatively remain in the classified service; all foundations of the safeguards for state employees found in the State Merit System.

The effect of H.B. 5461 could have unwanted statewide implications. Once an employee in the classified service has permanent status in a classified title, she or he is deemed qualified to hold that title at any agency. If CAA is allowed to decide who is qualified

to fill classified titles used at CAA, all other agencies that use those titles will have no choice but to accept those employees as qualified as well.

This has realistic implications because employees in the classified service have SEBAC/Reemployment rights if they get laid off (the ability to return to their agency or any other state agency that has a vacancy in the job title from which they were laid off), transfer rights, and in some bargaining units, statewide bumping rights.

The General Assembly intended to allow employees covered by collective bargaining agreements to retain the benefits of classified service and must be subject to all aspects of classified service. DAS looks forward to continued collaborative discussions with the proponents on these concerns and thanks the Committee for permitting us to comment on House Bill 5461.

If there are any questions about this testimony, please feel free to contact Terrence Tulloch-Reid (Terrence.Reid@ct.gov) or Andrea Keilty (Andrea.Keilty@ct.gov).