



House of Representatives

General Assembly

File No. 315

January Session, 2015

Substitute House Bill No. 6706

House of Representatives, March 31, 2015

The Committee on Labor and Public Employees reported through REP. TERCYAK of the 26th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE FILING FEE FOR GRIEVANCES OR DISPUTES AND THE COMPENSATION OF MEMBERS AT THE STATE BOARD OF MEDIATION AND ARBITRATION.

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

1 Section 1. Section 31-97 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2015*):

3 (a) Whenever a grievance or dispute arises between an employer
4 and his employees, the parties may submit the same directly to said
5 board and notify said board or its clerk in writing and upon payment
6 by each party of a filing fee of [twenty-five] fifty dollars. Whenever a
7 single public member of the board is chosen to arbitrate a grievance or
8 dispute, as provided in section 31-93, the parties shall each be
9 refunded the filing fee. Whenever such notification is given, a panel of
10 said board, as directed by its chairman, shall proceed with as little
11 delay as possible to the locality of such grievance or dispute and
12 inquire into the causes thereof. The parties shall thereupon submit to
13 said panel in writing, succinctly, clearly and in detail, their grievances

14 and complaints and the causes thereof, and severally promise and
15 agree to continue in business or at work without a strike or lockout
16 until the decision of the panel is rendered; but such agreement shall
17 not be binding unless such decision is rendered within ten days after
18 the completion of the investigation. The panel shall fully investigate
19 and inquire into the matters in controversy, take testimony under oath
20 in relation thereto and may administer oaths and issue subpoenas for
21 the attendance of witnesses and for the production of books and
22 papers.

23 (b) No panel of said board may consider any claim that one or more
24 of the issues before the panel are improper subjects for arbitration
25 unless the party making such claim has notified the opposing party
26 and the chairman of the panel of such claim, in writing, at least ten
27 days prior to the date of hearing, except that the panel may consider
28 such claim if it determines there was reasonable cause for the failure of
29 such party to comply with said notice requirement.

30 Sec. 2. Section 31-98 of the general statutes is repealed and the
31 following is substituted in lieu thereof (*Effective July 1, 2015*):

32 (a) The panel, or its single member if sitting in accordance with
33 section 31-93, may, in its discretion and with the consent of the parties,
34 issue an oral decision immediately upon conclusion of the
35 proceedings. If the decision is to be in writing, it shall be signed, within
36 fifteen days, by a majority of the members of the panel or by the single
37 member so sitting, and the decision shall state such details as will
38 clearly show the nature of the decision and the points disposed of by
39 the panel. Where the decision is in writing, one copy thereof shall be
40 filed by the panel in the office of the town clerk in the town where the
41 controversy arose and one copy shall be given to each of the parties to
42 the controversy. The panel or single member which has rendered an
43 oral decision immediately upon conclusion of the proceedings shall
44 submit a written copy of the decision to each party within fifteen days
45 from the issuance of such oral decision. In all cases where a decision is
46 rendered orally from the bench, the secretary shall cause such oral

47 decision to be transcribed, approved by the panel or single member as
48 applicable and filed with the records of the board proceedings.

49 (b) Upon the conclusion of the proceedings, each member of the
50 panel shall receive one hundred seventy-five dollars, and on and after
51 July 1, 2006, two hundred twenty-five dollars and a panel member
52 who prepares a written decision shall receive an additional one
53 hundred twenty-five dollars, and on and after July 1, 2006, one
54 hundred seventy-five dollars, or the single member, if sitting in
55 accordance with section 31-93, shall receive two hundred seventy-five
56 dollars, and on and after July 1, 2006, three hundred twenty-five
57 dollars, provided if the proceedings extend beyond one day, each
58 member shall receive one hundred dollars, and on and after July 1,
59 2006, one hundred fifty dollars, and on and after July 1, 2015, two
60 hundred dollars, and on and after July 1, 2016, two hundred twenty-
61 five dollars for each additional day beyond the first day, and provided
62 further no proceeding may be extended beyond two days without the
63 prior approval of the Labor Commissioner for each such additional
64 day.

65 (c) Upon the conclusion of an executive panel session, each member
66 of such panel shall receive one hundred dollars, and on and after July
67 1, 2006, one hundred fifty dollars, and on and after July 1, 2015, one
68 hundred seventy-five dollars.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2015	31-97
Sec. 2	July 1, 2015	31-98

Statement of Legislative Commissioners:

The title was changed, and the effective dates of sections 1 and 2 were changed from October 1, 2015, to July 1, 2015, for accuracy.

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 16 \$	FY 17 \$
Labor Dept.	GF - Cost	43,575	62,475
Labor Dept.	GF - Revenue Gain	30,200	30,200

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill increases, from \$25 to \$50, the fee paid by each party for filing a grievance with the State Board of Mediation and Arbitration (SBMA), and increases the compensation of SBMA members under certain circumstances. This results in a General Fund revenue gain of \$30,200 annually beginning in FY 16, as well as a cost to the Labor Department of \$43,575 in FY 16 and \$62,475 in FY 17 and annually thereafter.

The revenue and cost estimates are based on the number of grievances filed and hearings and Executive Sessions that have occurred each year historically. These include 604 grievances filed (\$30,200 revenue gain), 164 arbitration hearings going beyond one day (\$37,800 and \$56,700 cost in FY 16 and FY 17, respectively), and 77 Executive Sessions (\$5,775 cost).

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to fluctuation in the number, duration, and type of SBMA meetings.

OLR Bill Analysis**sHB 6706*****AN ACT CONCERNING THE FILING FEE FOR GRIEVANCES OR DISPUTES AND THE COMPENSATION OF MEMBERS AT THE STATE BOARD OF MEDIATION AND ARBITRATION.*****SUMMARY:**

This bill increases the fees that parties to a dispute pay to State Board of Mediation and Arbitration (SBMA) panel members for each day the arbitration extends beyond the first day. The fee increases from \$150 to (1) \$200 on and after July 1, 2015, and (2) \$225 on and after July 1, 2016 for each additional day. Unchanged by the bill, panel members receive \$325 for the first day of arbitration.

The bill also increases (1) the payment for panel members on conclusion of an executive session from \$150 to \$175, effective July 1, 2015, and (2) the SBMA grievance filing fee from \$25 to \$50.

EFFECTIVE DATE: July 1, 2015

BACKGROUND**SBMA**

The SBMA provides mediation and arbitration services for disputes between employers and employees. An employer and its employees can chose to submit a grievance or dispute to the board for mediation or an arbitration decision.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable

Yea 13 Nay 0 (03/12/2015)