



General Assembly

**Amendment**

January Session, 2015

LCO No. 6403



Offered by:

SEN. LOONEY, 11<sup>th</sup> Dist.  
SEN. DUFF, 25<sup>th</sup> Dist.  
SEN. COLEMAN, 2<sup>nd</sup> Dist.  
SEN. DOYLE, 9<sup>th</sup> Dist.

SEN. SLOSSBERG, 14<sup>th</sup> Dist.  
SEN. GERRATANA, 6<sup>th</sup> Dist.  
SEN. GOMES, 23<sup>rd</sup> Dist.  
SEN. FASANO, 34<sup>th</sup> Dist.

To: Senate Bill No. 435

File No. 276

Cal. No. 199

**"AN ACT PROHIBITING NONDISPARAGEMENT CLAUSES IN  
PUBLIC EMPLOYEE SEPARATION AGREEMENTS."**

1 Strike lines 1 to 10, inclusive, in their entirety and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2015*) (a) For purposes of this  
4 section:

5 (1) "Public employer" means the state of Connecticut, its executive,  
6 legislative and judicial branches, including, without limitation, any  
7 board, department, commission, institution or agency of such branches  
8 or any appropriate unit thereof and any board of trustees of a state-  
9 owned or supported college or university and branches thereof, public  
10 and quasi-public state corporation, political subdivision or authority  
11 established by state law; and

12 (2) "Public managerial employee" means any individual engaged in  
13 service to a public employer in a business of such public employer  
14 who holds a position in which the principal functions are characterized  
15 by not fewer than two of the following, provided for any position in  
16 any unit of the system of higher education, one of such two functions  
17 shall be as specified in subparagraph (D) of this subdivision: (A)  
18 Responsibility for direction of a subunit or facility of a major division  
19 of a public employer or assignment to the head of a public employer's  
20 staff; (B) development, implementation and evaluation of goals and  
21 objectives consistent with a public employer's mission and policy; (C)  
22 participation in the formulation of a public employer's policy; or (D) a  
23 major role in the administration of collective bargaining agreements or  
24 major personnel decisions, or both, including staffing, hiring, firing,  
25 evaluation, promotion and training of employees."

26 In line 11, insert "managerial" before "employee"

27 In line 13, insert "managerial" before "employee"

28 In line 15, insert "managerial" before "employee"

29 In line 17, insert "managerial" before "employee"

30 In line 18, insert "managerial" before "employee's"

31 In line 20, insert "managerial" before "employee"

32 In line 21, insert "managerial" before "employee"