



General Assembly

January Session, 2017

Committee Bill No. 6209

LCO No. 4061



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:
(LAB)

***AN ACT CONCERNING UNION STEWARDS AND COMPENSATION
FROM THE STATE.***

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

1 Section 1. Section 5-271 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2017*):

3 (a) (1) Employees shall have, and shall be protected in the exercise
4 of the right of self-organization, to form, join or assist any employee
5 organization, to bargain collectively through representatives of their
6 own choosing on questions of wages, hours and other conditions of
7 employment, except as provided in subdivision (2) of this subsection
8 and subsection (d) of section 5-272, and to engage in other concerted
9 activities for the purpose of collective bargaining or other mutual aid
10 or protection, free from actual interference, restraint or coercion.

11 (2) Questions of wages, hours and other conditions of employment
12 shall not include conducting business related to the employee
13 organization while on duty with the employer or within any period of
14 time during which such employee is expected to perform services for
15 which he or she receives compensation from the employer unless such

16 employee elects to use his or her accumulated compensatory, personal
17 or vacation leave. The provisions of this subdivision shall not be
18 superseded by the terms of any agreement or arbitration award
19 pursuant to subsection (b) or (e) of section 5-278, as amended by this
20 act.

21 (b) When an employee organization has been designated by the
22 State Board of Labor Relations as the representative of the majority of
23 employees in an appropriate unit, that employee organization shall be
24 recognized by the employer as the exclusive bargaining agent for the
25 employees of such unit.

26 (c) When an employee organization has been designated in
27 accordance with the provisions of this chapter as the exclusive
28 representative of employees in an appropriate unit, it shall have the
29 right to act for and to negotiate agreements covering all employees in
30 the unit and shall be responsible for representing the interests of all
31 such employees without discrimination and without regard to
32 employee organization membership.

33 (d) When an employee organization has been designated, in
34 accordance with the provisions of this chapter, as the exclusive
35 representative of employees in an appropriate unit, it shall have a duty
36 of fair representation to the members of that unit.

37 (e) An individual employee at any time may present a grievance to
38 his employer and have the grievance adjusted, without intervention of
39 an employee organization, provided the adjustment shall not be
40 inconsistent with the terms of a collective bargaining agreement then
41 in effect. The employee organization designated as the exclusive
42 representative shall be given prior notice of the grievance and shall be
43 informed of the terms of the settlement.

44 (f) The employer and such employee organization as has been
45 designated as exclusive representative of employees in an appropriate
46 unit, through appropriate officials or their representatives, shall have

47 the duty to bargain collectively. This duty extends to the obligation to
48 bargain collectively as set forth in subsection (c) of section 5-272.

49 Sec. 2. Subsection (e) of section 5-278 of the general statutes is
50 repealed and the following is substituted in lieu thereof (*Effective*
51 *October 1, 2017*):

52 (e) (1) Where there is a conflict between any agreement or
53 arbitration award approved in accordance with the provisions of
54 sections 5-270 to 5-280, inclusive, on matters appropriate to collective
55 bargaining, as defined in said sections, and any general statute or
56 special act, or regulations adopted by any state agency, the terms of
57 such agreement or arbitration award shall prevail; provided if
58 participation of any employees in a retirement system is effected by
59 such agreement or arbitration award, the effective date of participation
60 in said system, notwithstanding any contrary provision in such
61 agreement or arbitration award, shall be the first day of the third
62 month following the month in which a certified copy of such
63 agreement or arbitration award is received by the Retirement
64 Commission or such later date as may be specified in the agreement or
65 arbitration award.

66 (2) Notwithstanding the provisions of subdivision (1) of this
67 subsection or subsection (b) of this section, the provisions of
68 subdivision (2) of subsection (a) of section 5-271, as amended by this
69 act, shall not be superseded by the terms of any agreement or
70 arbitration award.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2017</i>	5-271
Sec. 2	<i>October 1, 2017</i>	5-278(e)

Statement of Purpose:

To prohibit the use of state funds to compensate union stewards for work performed on state time.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. KLARIDES, 114th Dist.; REP. CANDELORA, 86th Dist.
REP. HOYDICK, 120th Dist.; REP. O'DEA, 125th Dist.
REP. O'NEILL, 69th Dist.; REP. GREEN, 55th Dist.
REP. SRINIVASAN, 31st Dist.; REP. D'AMELIO, 71st Dist.

H.B. 6209