

# Labor and Public Employees Committee

## JOINT FAVORABLE REPORT

**Bill No.:** HB-5481

**Title:** AN ACT CONCERNING CHANGES TO THE STATE PERSONNEL ACT.

**Vote Date:** 3/20/2018

**Vote Action:** Joint Favorable

**PH Date:** 3/13/2018

**File No.:**

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### SPONSORS OF BILL:

Labor and Public Employees Committee

### REASONS FOR BILL:

The State Personnel Act statutes need revisions.

### RESPONSE FROM ADMINISTRATION/AGENCY:

**Melody Currey, Commissioner, CT Department of Administrative Services:** Suggests technical modifications to three sections of the State Personnel Act. Section 1 updates C.G.S. 5-219(b) to reflect the changes to the Executive Branch's employment application system ("JobAps") and will allow applicants to have sufficient time to see postings and decide whether or not to apply. Applications can be submitted online and applicants can also register to be notified via text message or email when jobs are posted. It removes the requirement that openings be posted on a physical bulletin board and will permit internet posting. This is a better way to ensure a fair, open and competitive process. In the revision of Section 2, updates C.G.S 5-221a. The new "JobAps" system will allow the notice to applicants who lack minimum qualifications and decide to appeal will be entirely electronic and reduce the twelve calendar-day window to five business days. Finally, Section 3 updates C.G.S. Sec. 5-243 to remove the reference to a "mandatory requirement age." Until 1988, executive branch employees were required to retire at age 70. This was eliminated through collective bargaining and policy-making authority. The statute was not updated at that time to conform to this change.

### NATURE AND SOURCES OF SUPPORT:

None submitted.

## **NATURE AND SOURCES OF OPPOSITION:**

**Stephen Anderson, President, CSEA SEIU Local 2001:** Opposes the proposed legislation as it seeks to reduce the amount of time the Commissioner of Administrative Services has to give public notice of examinations for positions in the classified services. The current state statute which calls for two weeks' notice should not be changed. Reducing the notification period to five days would be a misplaced and unnecessary modification of existing practice.

**Ally Sexton, Officer Administrative and Residual Union, AFT CT, AFL-CIO:** She offered substitute language for Section 1 recommending public notices of exams for positions in the classified service be extended beyond 5 working days because the five-day timeframe is too short and can be easily be missed during a week of vacation. Also, the word "And" should be changed to "Or" in line 9 of Section 1 since the language allows DAS to only post an announcement outside their office on the 8<sup>th</sup> floor that most people and employees do not have access to enter. In line 6 the following substitute language is recommended: ...in advance by posting to the internet web site of the department and also may post, or may cause to be posted... [and on the Internet]...and by submitting the notice to the director of the state employment service.

Since an appeal requires supportive documentation and it can be tough to gather the necessary information, the five-day window is too short. The following substitute language is recommended: In Section 2, beginning on Line 19: An applicant for employment or an employee in the classified service...by notifying their intent to appeal within 6 business days and not later than [twelve] ten business days after the [mailing] transmittal of such rejection notice [by providing] supplementary information on qualifications as may be necessary. The suggested modifications to HB 5481 will increase the hiring speed yet still allow for good faith notification and due process.

**Zak Leavy, Legislative and Political Advocate, AFSCME, Council 4**

Opposes the bill because we believe the changes are too restrictive and the timelines are unreasonable.

**Reported by: Marie Knudsen**

**Date: March 27, 2018**