CHAIRPERSON: Senator Catherine Osten

SENATORS: Formica, Lesser, Winfield

REPRESENTATIVES: Walker, Lavielle, Abercrombie, Baker, Betts, Bolinsky, Case, Currey, Dathan, DiMassa, Horn, McCarty, Nolan, Reyes, Rotella, Ryan

SENATOR OSTEN (19TH): Nice to see you all this morning. [Laughing] They're all making fun because we didn't get out of here till 3:30 last night, and I live an hour away. [Background announcement] So, we're gonna have -- this is the public hearing, and we're just going to follow the agenda. So, the first up is the -- SR No. 28 and HR No. -- just make sure I get the right one -- 30, THE RESOLUTION PROPOSING APPROVAL OF THE MEMORANDUM OF AGREEMENT BETWEEN THE STATE OF CONNECTICUT JUDICIAL BRANCH AND UNION OF PROFESSIONAL JUDICIAL EMPLOYEES, AFT/AFT-CT, CONCERNING INFORMATION TECHNOLOGY AND OTHER EMPLOYEES. I have Christine Cieplinski. Are you gonna talk on all the contracts? [Crosstalk] I can't hear you, I'm sorry. My ears go when I don't get enough sleep. [Laughing]

CHRISTINE CIEPLINSKI: We're talking on the three Office of Labor Relations forms from OPM's Judiciary Office.


ELIZABETH GRAHAM: Here.
SENATOR OSTEN (19TH): Are you gonna talk on all the judicial ones? You might as well come up and talk about all of them all at once. [Laughing] Okay, so that will be -- for everybody's information, that will be number one, number two, number three, number four, number seven, and number eight on the agenda with Senate Resolutions and House Resolutions. And you can -- Elizabeth, you can start whenever you are ready.

ELIZABETH GRAHAM: Thank you very much, Senator. Good morning, Senator Osten, Representative Walker, Senator Formica is not here yet, and [background talking] thank you to Representative Lavielle and members of the Appropriations Committee. My name is Elizabeth Graham. I'm the executive director for administrative services for the judicial branch, and I'm responsible for the human resource management functions in the branch, which includes the administration management and negotiation of collective bargaining agreements. I'll share with you today a brief summary of the events that led to the three agreements that are now before you for consideration.

Over a one-year period beginning in November 2017, AFT and AFSCME filed petitions with the Connecticut Labor Board to unionize various job classifications [throat-clearing] -- excuse me -- within the branch. The first group, represented by AFT, was composed of all seven members of the Counsel of Legal Services. The second group, composed of 165 employees also represented by AFT, consisted of multiple job classifications, including all of the information technology titles within the branch. The final
group of 122 employees was represented by AFSCME and included administrative support staff, court planners, and paralegal specialists. The Connecticut Labor Board granted all three petitions. The judicial branch and their respective union officials executed recognition agreements over a period of time. In September 2017, we executed the AFT Counsel, Legal Service Agreement; in October 2018, the Recognition Agreement for the AFT information technology group; and in November 2018, the AFSCME group. Those agreements outlined the parameters of the contract negotiations that followed.

Upon completion of the contract negotiations this spring, MOAs were signed by the parties, incorporating existing work rules and practices associated with the various job titles. Two of the largest job classes considered in the contracts represent 160 employees or 54 percent of the total number of the employees represented in the MOAs before you today. These classes, information technology analysts and court planners, have peer job classes in the executive branch that have been covered by collective bargaining agreements for many years. For example, the information technology analysts in the executive branch are in the Engineering, Scientific and Technical Union, the P-4 Bargaining Unit. The planning analysts and specialists are in the Administrative and Residual P-5 Bargaining Unit.

The inclusion of these employees in the MOAs is both consistent with the state's collective bargaining statute and existing classification in the executive branch. Each of the MOAs provides financial
benefits that are consistent with the 2017 SEBAC agreement. Those benefits include in fiscal '19 a one-time payment of $2,000 dollars, in fiscal '20 a 3.5 percent general wage increase and an annual increment, in fiscal '21 a 3.5 general wage increase and an annual increment, reduced healthcare premiums, retirement contributions, and pension changes, as expressed in the SEBAC agreement. The judicial branch's current services budget request for fiscal '20 and '21 contains $1.9 million dollars in '20 and $3.6 million in '21 to implement these agreements. Additional agreement details can be found in the packet of information that you received in advance of this hearing, and I'd be happy to answer any questions you have about the agreements. I have with me Brian Hill, the director of human resource management, and behind me, Ron Woodard from fiscal services, and we'd be happy to answer any questions you may have.

SENATOR OSTEN (19TH): Thank you very much. Representative Walker.

REP. WALKER (93RD): Good morning. Good morning to you both. Thank you for the presentation. My first question is, are these positions filled? Currently, before us, all of them are filled? They are not new positions? These are existing positions? You gotta speak into the --

ELIZABETH GRAHAM: I'm sorry. Yes, they are existing filled positions.

REP. WALKER (93RD): Okay. And you're saying that 50 -- that the majority of your -- [throat-clearing] excuse me -- the majority of -- well, all of the
people that we are seeing today represents 54 positions -- 54 percent of your --

ELIZABETH GRAHAM: Actually, the point I was making on that -- just to clarify and thank you for the opportunity. We have two job classifications that exist -- are already unionized in the executive branch. So, the 54 percent representing 160 employees, I brought to your attention just as an example. This is a group that had not been previously unionized. The total number of employees represented by the MOAs before you today is 294.

REP. WALKER (93RD): 294 -- okay, thank you. And, if I may, Madam Chair, I'd like to ask OFA a question. [Crosstalk] Thank you, Madam Chair. Good morning.

DON CHAFFEE: Good morning. Don Chaffee, OFA. Let me go through my packet here.

REP. WALKER (93RD): I just have a very basic question. [Crosstalk] I just wanna ask, the job -- the positions before us here are currently incorporated in the Reserve for Salary account that we have in the underlying budget that we are working on. Is that correct?

DON CHAFFEE: Yes.

REP. WALKER (93RD): Thank you. That was easy. Thank you.

ELIZABETH GRAHAM: Representative Walker, can I clarify? Thank you, Don. The funding --
REP. WALKER (93RD): Could you turn on your microphone, please?

ELIZABETH GRAHAM: Is it on now?

REP. WALKER (93RD): Yeah, now I can hear you.

ELIZABETH GRAHAM: I've gotta practice with a loud voice. I'm sorry. The judicial branch has funding for these positions in our PS line. We were fortunate to receive the petitions in sufficient time to include it in our current services budget submission.

SENATOR OSTEN (19TH): Okay. Excuse me everybody. I know everybody wants to talk right now, and I know it's early in the morning, but we have to give the respect to the people that are testifying so that everybody can hear them. Thank you. Please continue.

ELIZABETH GRAHAM: I just wanted to make the point that the funding is in the judicial branch personal services line.

REP. WALKER (93RD): Thank you, and I was gonna come back to you and ask you that.

ELIZABETH GRAHAM: There you go.

REP. WALKER (93RD): But you beat me to it, so it was good. So, thank you very much. Thank you for your answers. Thank you, Madam Chair.

SENATOR OSTEN (19TH): Are there any other questions or comments for the judicial branch contracts? Representative Case.
REP. CASE (63RD): Thank you, Madam Chair. Just lookin' at this SR 31. So, in auto stipend, there's a "may take up to four furlough days -- can be taken in 15-minute increments." Has that been looked at by OFA, and is that reflected in the fiscal note?

ELIZABETH GRAHAM: The furlough days, you're right, it is optional. It's at the discretion of the employee to register for it, and, Brian, I think there's a one-month period for registration. We don't yet know the number of employees who will choose that option under this collective bargaining agreement.

REP. CASE (63RD): So, we have nothing from [crosstalk] --

SENATOR Osten (19TH): Excuse me -- OFA -- Don?

DON CHAFFEE: Yes.

SENATOR Osten (19TH): You're gonna -- you might as well just stay up here. This is a question on Senate Resolution No. 31 revolving around the furlough days and the auto number, and Representative Case is inquiring whether or not that is in the fiscal note. Is that your question, Representative Case?

REP. CASE (63RD): Yes, Madam. Thank you.

SENATOR Osten (19TH): Don?

DON CHAFFEE: Yes.
SENATOR OSTEN (19TH): Representative Case.

REP. CASE (63RD): So, the savings for the furlough days is figured in the fiscal note? Through you, Madam Chair.

SENATOR OSTEN (19TH): Don?

DON CHAFFEE: Yes, sir. On the second or the first page of the actual language of the fiscal note shows $9,887 in fiscal '20 for three furlough days' savings.

REP. CASE (63RD): Are we on SR 31?

DON CHAFFEE: No. [Laughing] My apologies. On the -- on that, that is not included. It was an option, and in OFA's estimates, we did not factor in the fact that they may or may not take that option. We did not put that in.

SENATOR OSTEN (19TH): Representative Case.

REP. CASE (63RD): Okay. I -- just reading through it, we wanted to see -- I saw the "may" there and we'd just like to see the completeness of the contract and what it's gonna save or what it's gonna do, and we have that and we didn't see any costs associated with it and just wanted clarification. Thank you, Madam Chair.

SENATOR OSTEN (19TH): Thank you very much. Are there any other comments or questions? Representative McCarty.
REP. MCCARTY (38TH): Thank you, Madam Chair, and welcome. Thank you for your presentation. If you could just clarify a little bit for me under the one of the contracts, it talks about administrative support staff.

SENATOR OSTEN (19TH): So, could you say which contract that is?

REP. MCCARTY (38TH): I think it's the third -- I believe it's the third, number 29.

SENATOR OSTEN (19TH): Okay. Thank you.

ELIZABETH GRAHAM: I believe that's the AFSCME contract that you're referring to.

REP. MCCARTY (38TH): Right.

ELIZABETH GRAHAM: Yes, there are various titles in the AFSCME contract. Many of them are administrative in nature, administrative clerks in the courtroom, executive legal assistants to the chief justice, to the appellate chief judge, paralegals. So, it's a full range of job titles. Also included, as I previously mentioned, are the court planners, which is a group of about -- I guess, what is it 60 -- 60 employees, and they are -- through this process, they get to join AFSCME. They are currently the equivalent within the executive branch, their planning series, which is currently an A&R Union position.

REP. MCCARTY (38TH): Thank you for that clarification.
ELIZABETH GRAHAM: Sure.

SENATOR OSTEN (19TH): Any further questions, Representative?

REP. MCCARTY (38TH): No, I just wanted to know who they were. Thank you.

SENATOR OSTEN (19TH): Okay. Thank you. Are there any other comments or questions? Seeing none. Thank you very much. Next up would be Christine Cieplinski and Megan Krom, and I believe that you will be talking on the SR 32 and HR 31 and SR 33 and HR 32. Would that be correct?

UNKNOWN: That is correct.

SENATOR OSTEN (19TH): Thank you. (I don't know if they have written testimony, or they may be just reading now.) Did you provide any written testimony Christine? [Crosstalk] Turn on the mic again.

CHRISTINE CIEPLINSKI: We did. We did provide written testimony on each of the three issues before you.

SENATOR OSTEN (19TH): Okay. Hold on one minute. Do you have that Brandon? Is that what you're handing out right now? Oh, I see. It's from Fae Brown. Yes. It's testimony from Fae, who is out today. Thank you. Please continue.

MEGAN KROM: So, good morning. My name is Megan Krom. I'm with the Office of Labor Relations. Undersecretary Brown-Brewton apologizes for not being here, and she has submitted written testimony
for the NP-1 contract. And I'm available to answer any questions that you might have.

SENATOR OSTEN (19TH): Does anybody have any questions or comments on the two -- the four resolutions revolving around the executive branch contracts. Just give us one minute while we look through that.

MEGAN KROM: Thank you.

SENATOR OSTEN (19TH): So, specifically, I'll ask you a couple questions so that we can move this along. In the -- in the resolution revolving around the proposal for Local 511 between the state of Connecticut and the Connecticut Employees Union Independent, do you know how many employees are incorporated into that particular resolution?

CHRISTINE CIEPLINSKI: So, you're talking about the NP-2 Memorandum of Agreement --

SENATOR OSTEN (19TH): Yes.

CHRISTINE CIEPLINSKI: -- involving now seven employees who are accreting into that existing bargaining unit. The unit as a whole has over 3,000 employees. This particular MOA deals with now seven employees.

SENATOR OSTEN (19TH): So, they're accreting into an existing bargaining unit. Those seven employees are becoming a part of that current, already established bargaining unit.

CHRISTINE CIEPLINSKI: That is correct, and what is very unique about this unit is that the managerial
job spec was identical to the same bargaining unit job spec. So, for years, for decades, they walked side-by-side, manager and bargaining unit, and in 2018 they asked to be recognized as part of NP-2.

SENATOR OSTEN (19TH): Thank you. Are there any comments or questions on that? Representative Lavielle, followed by Representative Betts.

REP. LAVIELLE (143RD): Thank you, Madam Chair. Good morning.

CHRISTINE CIEPLINSKI: Good morning.

REP. LAVIELLE (143RD): Thank you for being here. So, is -- this would be, if I am correct, the contract where we received a change that it was formerly nine employees and it's now seven.

CHRISTINE CIEPLINSKI: That is correct. There is a revised cost sheet attached to the testimony to reflect that two of the employees are no longer part of this MOA. One was promoted, and one retired.

REP. LAVIELLE (143RD): Okay. And the one who is -- who was promoted is, therefore, not joining the unit?

CHRISTINE CIEPLINSKI: He's no longer part of the Memorandum of Agreement, correct. He's now a PFE-2, which is still managerial as we sit here today.

REP. LAVIELLE (143RD): Okay. And in the revised page that would be added to the contract from OFA, obviously the totals go down 'cause the number of people goes down, but the -- the percentages in
terms of the -- for example, the lump sums, the -- and other -- those -- those go up or down depending on which column I'm talking about, and I just wondered if you could speak to that differential.

CHRISTINE CIEPLINSKI: I'm gonna defer actually to Greg, who's part of our budget office, who prepared the actual cost sheet and can give you the detail that you need.

REP. LAVIELLE (143RD): Thank you.

GREG MESSNER: Morning. Greg Messner. So, the -- on the front page of that cost sheet [background coughing], there are sort of three categories of increases. There's a general wage increase, a COLA, if you will, 3.5 percent in the fiscal year '20 and '21, and then there's that AI lump sum, which as you say, goes up a little bit, down a little bit. Those -- these individuals will move into a step plan, as the rest of the bargaining unit is. So, every year that their performance is -- is adequate, they will progress one step. Those numbers change slightly from year-to-year because eventually some people reach the top step of the bargaining unit range, and then they don't get further increases. So, that's why the -- the increase in fiscal '21 is slightly less than the increase in '20. Does that answer your question?

REP. LAVIELLE (143RD): Well, I was -- I was really not talking about year-to-year but contract modification to contract without modification. When the two people are no longer in the contract, they changed. If you see what I mean.
GREG MESSNER:  Oh, just because the two individuals that were in the -- that are no longer on the cost sheet were -- they were more senior people, so they -- they -- they don't all -- everybody is not the same. Different people are at different points in their career.


SENATOR OSTEN (19TH):  Representative Betts.

REP. BETTS (78TH):  Thank you, Madam Chair, and good morning. This pertains to Senate Resolution 32, House Resolution 31. And in the testimony from OPM on page 2, it refers to an on-call fee, which will be a dollar per hour for being on call. Is this a new provision, and if so, is it common with any other group that you've negotiated with before?

CHRISTINE CIEPLINSKI:  Good morning. That is a common provision to have on-call pay. It is not new to the NP-2 Bargaining Unit. It is new to this group of employees because, as managers, they've fielded many a phone call after hours, and we paid nothing for that service. And now they will receive a dollar an hour for performing that service based on the existing terms and conditions of the NP-2 contract.

REP. BETTS (78TH):  Thank you. And if it exists with other contracts, is it still a dollar per hour, or has that been negotiated to be a higher fee?
CHRISTINE CIEPLINSKI: I think it varies. I think a dollar an hour is probably the lowest rate that we have across our bargaining units, but it is not a large item of compensation in general.

REP. BETTS (78TH): And how many people are eligible for this?

CHRISTINE CIEPLINSKI: Well, for this particular group, we're talking about seven employees. In terms of the seven, the highest concentration of on-call occurs in the Department of Corrections for reasons that are quite obvious. That is a 24/7 operation, and they are called upon regularly to fix boiler issues or heating problems, etc.

REP. BETTS (78TH): Okay. Thank you very much, ma'am.

SENATOR OSTEN (19TH): Thank you. Representative Case.

REP. CASE (63RD): Thank you, Madam Chair. So in SR 32, the hazardous duty appendix in DOC, how does that affect the fiscal note? Are those --?

CHRISTINE CIEPLINSKI: It really doesn't. It was just a concern that the union had articulated that we tried to capture to allay concerns that there would be any change in the employees in the Department of Correction and their Hazardous Duty Retirement, and of course, there would not be. They continue to maintain a Hazardous Duty Retirement Benefit even though they are now no longer managers and part of the NP-2 Unit.
REP. CASE (63RD): Okay. So, there's no new code? The PFE-1 is --

CHRISTINE CIEPLINSKI: That is correct.

REP. CASE (63RD): -- what it is. Okay. Thank you. Thank you, Madam Chair.

SENATOR OSTEN (19TH): Thank you. Representative McCarty.

REP. MCCARTY (38TH): Thank you, Madam Chair. And just so -- I'm trying to understand the switch, why these group of employees moved over to the NP-2 and the classification as managers. What my basis of my question is really has any of their duties or responsibilities changed with this switch, or do they really maintain the same -- what they were doing? I'm just a little confused about that transition from managers.

CHRISTINE CIEPLINSKI: That is a very good question. So, under the statute, managers are not allowed to be part of a bargaining unit. However, because the definition of managerial is so hard to meet, we were not able as an office, when we analyzed this when they first petitioned, to make a credible argument that we could object to their inclusion in this unit. And so, originally, when these specs were configured decades ago, I think there was that delineation, but over time, they became more and more walking parallel and doing very similar duties such that we couldn't distinguish them. Their duties likely will not change, and for reasons that I think are obvious, they joined the bargaining unit
because it was in their financial best interest to do so.

REP. MCCARTY (38TH): Thank you very much.

CHRISTINE CIEPLINSKI: You're welcome.

SENATOR OSTEN (19TH): Are there any other comments or questions on the four resolutions that are in front of us? Thank you very much. Appreciate it.

CHRISTINE CIEPLINSKI: Thank you.

SENATOR OSTEN (19TH): Next up would be, with all due indulgence, John DiSette and Cara O'Sullivan for the two bargaining agreements that we just heard from the state. Are you both here? ["Yes" in background] Good morning. ["Good morning" in background] Nice to see you again. [Crosstalk] Just both introduce yourself and do your presentations. That would be great.

JOHN DISSETTE: All right. My name is John DiSette. I'm the president of A&R Employees Union. Today we are bringing forward nine job titles that are looking to come into an existing contract for A&R. The contract runs through June 30, 2021. If there are any questions about what we do have, there is one slight modification here that has kinda come up before so I'll bring it to your attention now. One of the titles is now vacant. It is a one-person title. It is the airport operations manager and recently has become vacant. So, originally it was 59 people incorporated. Now it's incorporating 58. Okay? So, if there are any other questions, feel free. I'm happy to answer.
SENATOR OSTEN (19TH): Cara, if you could do any opening statements.

CARA O'SULLIVAN: Sure. Good morning. My name is Cara O'Sullivan, and I am the general counsel and staff director for the Connecticut Employees Union Independent also known as the NP-2 Bargaining Unit. We represent over 3,600 state workers in a wall-to-wall blue-collar unit for the state. And I have supplied written testimony, which I am happy to read, if need be, or I am happy to answer questions regarding the contracts that were just discussed about the PFEs.

SENATOR OSTEN (19TH): So, I think we'll just have -- I don't need you to read it. Are there any comments or questions from anybody? Seeing none. I guess that was the easiest testimony you've ever done, the two of you. [Laughing] Thank you.

CARA O'SULLIVAN: Thank you for your time today.

JOHN DISETTE: Thank you.

SENATOR OSTEN (19TH): Is there any from -- anybody from the state that is talking on the State Police contract? Is there anybody from the state that is talking on the State Police contract? So -- 'cause we only identified the two resolutions, so you might as well come back up for the larger contract. So, field people might have some additional questions. So, you wanna talk a little bit about the NP-1 contract? Go ahead, if you wanna just -- go ahead.

MEGAN KROM: This contract is a result of an interest arbitration award. The parties met since
2017 for negotiations, and we came to many tentative agreements. The union proposed a compensation package greater than the 2017 SEBAC agreement. They sought to obtain retroactive general wage increases for the 2018 contract year, and the union proposed increases to the meal allowance, educational stipends, funds, fees, differentials, and a considerable increase in the longevity schedule that had otherwise not increased since 1979. The union wanted a compressed pay plan with fewer steps and a shorter time span to reach maximum based on years of service.

In late 2018, the negotiations focused on economic issues, which coincided with the change in administration. The parties were unable to reach an agreement on several issues, including wages. The union declared an impasse, and interest arbitration ensued. And following three days of hearings during 2019, the arbitrator issued an award, which was subject of these proceedings. The state was successful in limiting the issues in interest arbitration, and the union withdrew a number of proposals, including those pertaining to night and weekend differentials, on-call pay, and complex changes to the grievance procedure. The parties were able to agree on numerous issues, as evidenced by the package of tentative agreements appended to the interest arbitration award that you received. In the testimony, you will see a chart that shows what the union's last best offers on economics were and what the state's last best offers along with what was awarded by the arbitrator.
SENATOR OSTEN (19TH): All set? Okay. We're just talking to people talking really fast when they get up here, that's all.

MEGAN KROM: Sorry.

SENATOR OSTEN (19TH): Not worry, and I think you'll get used to it after a little bit of time, so. Representative Walker.

REP. WALKER (93RD): Thank you, and you have to understand we're all working on a very, very empty tank right now. So, we're like, okay get to the next point, quick, quick. [Laughing] Sorry. Anyhow -- first of all, thank you -- in this contract, are all of the awards covered under the personal service line in the Connecticut Police Union account? [Crosstalk] I guess I should ask that for -- I guess I should ask that from OFA. [Crosstalk] Good afternoon, sir -- good morning -- whatever, it's Friday.

DON CHAFFEE: The funding is included in the budget in the Reserve for Salary Adjustment account.

REP. WALKER (93RD): Okay. That's what I wanted to know. Thank you. So, in this agreement, what is different from last agreement? That's pretty much what --

MEGAN KROM: So, we were awarded six percent increase in general wages over four years. That is actually less than the SEBAC deal.

REP. WALKER (93RD): Okay. I just -- I just wanna know from last year's to this year's. I don't --
and so, were there any other things in here that were added?

MEGAN KROM: Actually, we were able to negotiate out of this contract the longevity payments. We have a provision that allows us to limit light duty for non work-related injuries to five years. The union was awarded paid lunch meal period, which equates to about two-and-a-half hours per week. Major crimes unit was included in the hazardous duty stipend, which is $100 dollars per month, and it's for their specialized duties that they need to do during the day.

REP. WALKER (93RD): And I guess my next question would be how many people are we covering under this contract?

MEGAN KROM: Around 913.

REP. WALKER (93RD): Wow. Okay. Thank you, and thank you for your answers.

MEGAN KROM: Thank you.

SENATOR OSTEN (19TH): Representative Lavielle.

REP. LAVIELLE (143RD): Thank you very much, Madam Chair. This may be a question for OFA -- not sure -- however you all think we should handle it. What I'm curious about is, in everything in the fiscal note, what's -- what's included in terms of people because in our subcommittees, as you all may recall, we discussed at great length, you know, that the State Police are making great efforts to try to get more trainees in and fill some of the gaps in jobs
that have been unfilled for a while or may become vacant because of anticipated retirements. And I have a table showing that the number of sworn officers -- I'll just give some examples -- eligible for retirement in the 2018 fiscal year were 58, 2019: 37, 2020: 88, 2021: 51, and 2022: 65. We don't know obviously, except for 2018, how many of those have yet chosen to take retirement. And, of course, similarly as more positions become vacant, I would assume that overtime might become more complicated, and -- and we did see a big jump in overtime from about $5 million dollars in 2018 to 2019. So, I just wondered if in calculating all the figures for the fiscal note or from OPM, whatever, whether any -- how you dealt with the anticipated or possible, let's say, retirements, and how we might look at the potential for retirements and overtime affecting each other and filling the vacancies with trainees?

GREG MESSNER: Yeah, so it's a good question. We didn't deal with it. I mean we assumed that -- we didn't assume any unusual turnover. To the extent the turnover is greater than it normally is, then these costs would be lower because troopers toward the end of their careers at higher steps would be replaced by -- by troopers at lower pay levels, so -- but to answer your question directly, the estimate does not assume any change.

REP. LAVIELLE (143RD): Would you have any -- any comment on what that might do to overtime as we wait for, you know, more trainees, and I -- I will not remember this properly, so if somebody can correct me, we're anticipating what -- a class of 80 trainees in the summer? Is that right, Madam Chair?
SENATOR OSTEN (19TH): So, there is a new class that's coming in -- I'll take this one -- there's a new class coming in. Usually classes start out around 80. There is a large number of people that through attrition do not make it through the class. The current class that is coming on board is around 40, so it's not unusual to see a significant drop off based on the arduous training schedule and the - - what people find out is actually involved in being a State Police officer.

REP. LAVIELLE (143RD): Did we -- and I seem to remember that we talked about another class coming in at the beginning of the year next year?

SENATOR OSTEN (19TH): I believe that the administration is trying to get two classes in, but I believe it will depend on how many qualified candidates they get.

REP. LAVIELLE (143RD): Thank you. So, we're -- we are looking at probably not too much of a change in level of employment for a while, except maybe a bit lower.

SENATOR OSTEN (19TH): Correct.

REP. LAVIELLE (143RD): Okay. And any -- any anticipated effect on overtime from that that we can --?

SENATOR OSTEN (19TH): Well, a lot of the overtime that happens for police officers has -- is either a result of covering people who are off for vacation or sick time, but there is always the opportunity
for overtime based on incidents that happen that require additional staff.

REP. LAVIELLE (143RD): Thank you, and brutal change of subject to the RSA. And again, I guess this is probably an OFA question, I would think.

SENATOR OSTEN (19TH): We'll call up Don Chaffee again.

REP. LAVIELLE (143RD): Thank you.

DON CHAFFEE: Good morning, Representative. Could you please repeat the question?

REP. LAVIELLE (143RD): I didn't ask it yet.
[Laughing]

DON CHAFFEE: Ask it twice.

REP. LAVIELLE (143RD): Thank you. So, at -- we're hearing that for the current budget year anyway, the RSA covers anything that would be due this year under any of these contracts. Just for the record, and we've had this conversation before, could you explain how that works going forward into the next biennium, and, of course, with the State Police contract, there's a spillover into 2022 as well? How does that work with the RSA, what is left in it, and what could be covered in the upcoming years?

DON CHAFFEE: Historically, with minor exception, the balance at the end of the year, fiscal year, in the RSA account has been carried forward. Currently, today, there's $71.7 million dollars sitting in the RSA account, and we have roughly a --
the committee budget has roughly $18 million and $23 million in '20 and '21 in that budget, and if the question is is that enough to cover the cost of this contract, the answer would be yes.

REP. LAVIELLE (143RD): How much of the $71.7 are we expecting to disappear before the -- at the end of this fiscal year.

DON CHAFFEE: The RSA account is a nice little safety net, if you will. The agencies are going to expend their personal services dollars right down to the penny, if you will, and then the RSA account, if need be, will -- will help bail them out, for lack of putting that another way, this current fiscal year.

REP. LAVIELLE (143RD): But we wouldn't be ending it with $71.7 million, would we?

DON CHAFFEE: I would not -- you are correct.

REP. LAVIELLE (143RD): Okay. So, when you say it's adequate to cover all this, you're assuming that we won't be spending half of this down or anything like that.

DON CHAFFEE: No.

REP. LAVIELLE (143RD): Okay. I think that that was all I had for the moment. Thank you, Madam Chair.

SENATOR OSTEN (19TH): Thank you. And, Mr. Chaffee, thank you -- the RSA is designed to be used for contract negotiations and covering the fiscal notes
of those contract negotiations. Would that be a fair statement?

DON CHAFFEE: Absolutely, Senator.

SENATOR OSTEN (19TH): And would it be a fair statement that the RSA has built up while these contracts were currently ongoing, and it is not designed as a line item that would not cover the expenses for contract negotiations, it's a Reserve for Salary account to handle salaries that are issued above and beyond the current agreement? So, it's for new agreements that happen. Would that be true?

DON CHAFFEE: That is also correct, Senator.

SENATOR OSTEN (19TH): And so, we moved over $70-some million dollars. We also added in -- there is a line item in the fiscal '20 and fiscal '21 budget that would be added in to the Reserve for Salary account. Would that be true?

DON CHAFFEE: That is correct, Senator.

SENATOR OSTEN (19TH): And, at the end of the day, based on all contracts that we have heard this year, we will have approximately, worst case scenario -- and some of these contracts will be covered in the personal services line items of the particular budgets that they reflect -- so the lowest the RSA will get will be $44 million, plus or minus. Would that be a fair statement?

DON CHAFFEE: That is a fair statement, Senator.
SENATOR OSTEN (19TH): Thank you very much. Are there any other comments or questions? Representative Betts.

REP. BETTS (78TH): Thank you. I just had a question about the meal allowance. I had heard that there had been a lawsuit, and I just wanted to find out if in fact that was accurate, and if it was, was this agreement designed to address that issue?

MEGAN KROM: There was a lawsuit filed. The arbitrator commented in the award that he did see some validity to the lawsuit, but it is my understanding that the union will be withdrawing the lawsuit if this agreement is passed.

REP. BETTS (78TH): So, thank you. So, it's fair to say that this contract was, in fact, part of an effort to dismiss that lawsuit or have it withdrawn.

CHRISTINE CIEPLINSKI: I don't think we can say that. I think the arbitrator looked at all factors in rendering his award, and he was persuaded by the union's argument and said they are, in fact, on duty during this period of time. Obviously, the lawsuit is in control of the person that filed it. I think comments will be made by the president of the union to that effect. It was part of the arbitrator's consideration but not an effort. We cannot control what the arbitrator awards. He found it persuasive.

REP. BETTS (78TH): Okay. Thank you very much. Thank you, Madam Chair.

SENATOR OSTEN (19TH): Representative Case.
REP. CASE (63RD): Thank you, Madam Chair, and through you. In Article 12, looking at seniority, just a question -- there's four criteria for seniority. Can you explain to me what number four is -- names drawn out of a hat?

MEGAN KROM: If an employee had the same date of hire that would be the last resort to figure out who would be most senior.

REP. CASE (63RD): Really? Thank you, Madam Chair.

SENATOR OSTEN (19TH): Thank you. And, Representative Case, if you have 44 people that start at the same date, there has to be a mechanism for figuring out who gets first. Would that be an accurate statement for you?

MEGAN KROM: Yes.

SENATOR OSTEN (19TH): Thank you. Any further comments or questions? Representative Lavielle for the second time.

REP. LAVIELLE (143RD): Thank you for the second time, Madam Chair. Just -- it's very brief -- the retroactive payment for -- that happens now, I think, approximately now, how's that accounted for? Does that stay in this year's budget, or does that go to next year's?

GREG MESSNER: We assume that that would be put out this year.

REP. LAVIELLE (143RD): This year. So, it's -- it will be paid out of this year's?
GREG MESSNER: Correct.

REP. LAVIELLE (143RD): Thank you.

SENATOR OSTEN (19TH): Representative Walker.
REP. WALKER (93RD): Yes, thank you. To follow up with that question, so what is the length of the contract? I believe it's five years, isn't it?
[Crosstalk] Four years -- oh, it's four years. And it began on FY --?

MEGAN KROM: It began on -- it begins July 1, 2018.

REP. WALKER (93RD): So, this -- so, the reason why it's retroed is because we're a year in arrears. Okay.

MEGAN KROM: Correct, but there is no retro general wage increase.

SENATOR OSTEN (19TH): Thank you. And are there any other comments or questions? Seeing none. Thank you very much. Next up ["Thank you" in background] will be Andrew Matthews and John Castiline.
[Crosstalk/laughing] So, if you could introduce yourselves, please, that would be great.

ANDREW MATTHEWS: My name is Andrew Matthews, the executive director/former president of the Connecticut State Police Union, chief negotiator for negotiations. This is -- go ahead Ryan.

RYAN MILLER: I am Ryan Miller. I am Trooper First Class Kevin Miller's son. I am here to support the union.
SENATOR OSTEN (19TH): So, before you go on, I'm just gonna -- is your grandfather, Manny?

RYAN MILLER: Yes, ma'am.

SENATOR OSTEN (19TH): I know him very well. He does a lot of work with the American Legion. He's a great person, and he often talks with great pride about you. He is so thrilled to have you as his grandson. He thinks the world of you and mentions you at all of the American Legion events and the Eagle Scout events that we go to. I just wanted to let you know that he is so very proud of you.

JOHN CASTILINE: My name is John Castiline. I am president of the State Police Union.

SENATOR OSTEN (19TH): Go ahead.

ANDREW MATTHEWS: I'll try to be brief because I know it's been a long night for you. Good morning, Chairperson Senator Osten, Representative Walker, and other distinguished members of the Appropriations Committee. We're here today on behalf of our 901 trooper sergeants and master sergeants in favor of Senate Resolution 30 and House Resolution 33.

We've submitted our testimony, I won't read through the whole thing, but briefly, the Connecticut State Police Union membership takes great pride in protecting all citizens and visitors. However, many times, it comes at a significant sacrifice to our troopers and their families. As troopers, our members are on duty 24/7. Our troopers not only
witness death, injury, violence, and trauma to members of the public, we, too, are often exposed to dangerous incidents and are threatened, assaulted, injured merely because of the uniform we wear on behalf of the state of Connecticut. Moreover, our members live with the daily stress of potentially losing their own lives in order to fulfill their oath of office as state troopers.

Sadly, in my eight years as State Police Union president from 2010 to 2018, our union was forced to witness the line-of-duty deaths of three state troopers: Trooper First Class Kenneth Hall, Trooper First Class Kevin Miller, and Trooper First Class Walter Green Jr. Proudly, in their absence, we are now caring for their families of our fallen troopers. In 2018, there were a total of 11 state troopers around the country that were killed in the line of duty. Unfortunately, two of the 11 were Connecticut State Troopers. Kevin Miller, the proud father of his 12-year-old daughter Sarah and his 14-year-old son Ryan, was only five months away from being eligible to retire with his family. We tell you this because we want others to understand the selfless commitment our members have to the state of Connecticut and willingness to lay down their lives in order to fulfill the promise they made to you when they took their oath of office. All our troopers ask in return is for their employer to honor and respect them by fairly compensating them for the risks they take in the job they perform.

Although this arbitration award requires additional sacrifices for our members, we also believe the award recognizes that state troopers have a unique profession and provides financial compensations for
those risks. With the unwavering support of the Legislature over many decades, the Connecticut State Police Union and the state of Connecticut have worked to find common ground on issues related to wages, hours of work, and working conditions. This arbitration award continues that tradition and respects the collective bargaining process. As a result, we respectfully request the committee to pass these resolutions, and we're available for any questions if you have them.

SENATOR OSTEN (19TH): Are there any comments or questions? So, I just wanna tell you we're so sorry that you lost your dad, and your grandfather said that he really is seeing you step into your father's footsteps. And you should know that each and every one of us up here are so very sorry that you had to experience such a loss at so young a time in your life, and we think of it often.

RYAN MILLER: Thank you.

SENATOR OSTEN (19TH): Are there any other comments or questions? Representative Walker.

REP. WALKER (93RD): Thank you, and I also wanna echo the comments of my colleague about your dad and all of the families that sacrifice for all of you to serve our great state. And I wanna thank you all for how hard you work and how dedicated you have been to this service, so thank you very much.

ANDREW MATTHEWS: Thank you. We brought Ryan with us today because we built a special bond with him and his sister. They're the first minor dependents of a trooper every killed in the line of duty. We
have 23 troopers that have been killed. And Ryan hopes to one day wear the badge of his father.

SENATOR OSTEN (19TH): Representative Bolinsky.

REP. BOLINSKY (106TH): Thank you very much for being here today. And young man, you know, God bless you and your family for the sacrifice that your father made for the rest of us. The key word that I see, that I heard today was respect and appreciation for the job that State Police do. The entire concept of this arbitration and how we handled it so contentiously -- we've seen several of these agreements come in front of us this year, and I'm absolutely floored by this one because of its reasonableness. No bargaining unit has come before us asking for 2.35 percent and respect. And considering the job you do, and how completely understaffed you are, and how you are sometimes disrespected, I just have to echo what our Chairs have said. I speak only for myself when I say thank you. You guys put your lives on the line every single day, and I represent a community that profoundly understands loss. And I'll be voting for this agreement today.

ANDREW MATTHEWS: Thank you, sir.

REP. BOLINSKY (106TH): Thank you, sir.

ANDREW MATTHEWS: It means a lot. Thank you.

SENATOR OSTEN (19TH): Are there any other comments or questions? Senator Formica.
SENATOR FORMICA (20TH): Thank you, Madam Chair, and good morning. Good morning. Thank you for coming. Thank you for your testimony, and thank you to all of the people that you represent and all of the people that serve our great state of Connecticut. Whatever -- whatever my vote is today, it has no reflection on what my support has been over my decades in public service for local and state police. And I just wanna make a comment to you, young man. I'm so very sorry. Your dad's a hero. I know how you feel. My dad died when I was ten. It's a life changer. It's lousy. Nothing works for it, but I can't express, you know, how sad I am for you and your sister, so. But thank you and thank your dad -- he died a hero. ["Thank you" in background] Thank you, Madam Chair.

SENATOR Osten (19TH): Are there any other comments or questions? Representative Lavielle.

REP. LAVIELLE (143RD): Thank you, Madam Chair. There isn't actually anything one can say to make up for such a loss, and I won't try. I'm -- I'm very sorry. It's very difficult, and I have immense respect for all that all of you do and your families because they share you with us -- and not us the Legislature but us, the population of Connecticut, and I’m very grateful and wanna thank you very much for all of your work.

ANDREW MATTHEWS: Thank you, ma'am.

SENATOR Osten (19TH): Are there any other comments or questions? Seeing none. Thank you very much.
ANDREW MATTHEWS: Ma'am, if I may, there was a question earlier about the civil action pending. We gave our word to the administration that if we were fortunate enough that the arbitrator would rule in our favor, we would be withdrawing that action. So, we give our word to that.

SENATOR OSTEN (19TH): Thank you.

ANDREW MATTHEWS: Our word is all we have.

SENATOR OSTEN (19TH): That I know. [Laughing]

ANDREW MATTHEWS: Thank you.

SENATOR OSTEN (19TH): So, is there anybody else that would like to speak at the public hearing that has not spoken today? Is there anybody else that would like to speak at the public hearing that has not spoken today? Come up. Did I miss some people? Looks like. [Crosstalk] Did I miss you? I'm sorry. [Crosstalk] Representative Walker was asking if I missed anybody on the list. I apologize. I didn't get home till 4:30, so [laughing] I'm a little sleep deprived. [Laughing] I tried, it's not working. Please introduce yourself.

CHARLES DELLA ROCCO: Good afternoon, Chairperson Osten and Walker, Ranking Members Formica and Lavielle [mispronounced] -- Lavielle -- I'm so sorry -- and members of the Appropriations Committee. My name is Charles Della Rocco, and I am currently a juvenile detention transportation officer for the state judicial branch. I also serve as the president of AFSCME Local 749. Our local represents
more than 1500 employees in the judicial branch, Division of Criminal Justice, and the Office of the Chief Public Defender's office. With me here today is Sean Hendricks, a staff representative and attorney for Council 4 AFSCME, our parent union.

I am here to speak in favor of SR No. 29 and HR 28, THE JOINT RESOLUTION REGARDING THE MEMORANDUM OF UNDERSTANDING BETWEEN LOCAL 749 AND THE JUDICIAL BRANCH. As you know, this is not a tentative agreement for a newly-organized state employee bargaining unit, rather it is an accretion of approximately 122 judicial branch employees within our bargaining unit. These dedicated court workers provide valuable support services throughout the branch. They have gone eight years without any raise at all and made the exact same sacrifices that their unionized colleagues have made in the recent SEBAC concession agreement. This Memorandum of Understanding is a fair and reasonable document that balances the needs of all stakeholders. I want to emphasize that it fully comports with the SEBAC 2017 agreement, which saves taxpayers the $1.6 billion dollars in the current biennium and $24 billion dollars over the 20 years. I urge your support of HR 28 and HR 29. Thank you, and I am very happy to answer any questions that you may have.

SENATOR OSTEN (19TH): Are there any comments or questions? Any comments or questions? Thank you very much. Are there anybody -- is there anybody else I didn’t call that was supposed to testify today? [Laughing] If so, I'm sorry, please come up. No? Is there anybody that would like to testify that was not on the list? Is there anybody that would like to testify that's not on the list?
Seeing none. I'm going to close this public hearing and immediately call the committee meeting and then go into caucus. [Crosstalk]