General Assembly

Amendment

January Session, 2019

LCO No. 9374

Offered by:
REP. FISHBEIN, 90th Dist.

To: House Bill No. 6935       File No. 478       Cal. No. 303

"AN ACT CONCERNING THE RIGHT OF A PUBLIC EMPLOYEE TO
JOIN OR SUPPORT A UNION."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 5-271 of the general statutes is amended by adding
4 subsection (g) as follows (Effective July 1, 2019):

5 (NEW) (g) Notwithstanding the provisions of subsections (a) to (f),
6 inclusive, of this section, any employee may opt out of membership
7 and representation by any employee organization.

8 Sec. 502. Subsection (a) of section 5-280 of the general statutes is
9 repealed and the following is substituted in lieu thereof (Effective July
10 1, 2019):

11 (a) If an exclusive representative has been designated for the
12 employees in an appropriate collective bargaining unit, each employee
13 in such unit who is not a member of the exclusive representative shall
be required, as a condition of continued employment, to pay to such
organization for the period that it is the exclusive representative, an
amount equal to the regular dues, fees and assessments that a member
is charged, provided that any employee who has opted out of
representation by such representative shall not be required to make
such payment.

Sec. 503. Section 7-468 of the general statutes is repealed and the
following is substituted in lieu thereof (Effective July 1, 2019):

(a) Employees shall have, and shall be protected in the exercise of,
the right of self-organization, to form, join, not join or assist any
employee organization, to bargain collectively through representatives
of their own choosing on questions of wages, hours and other
conditions of employment and to engage in other concerted activities
for the purpose of collective bargaining or other mutual aid or
protection, free from actual interference, restraint or coercion.

(b) When an employee organization has been designated by the
State Board of Labor Relations as the representative of the majority of
the employees in an appropriate unit, or has been recognized by the
chief executive officer of a municipal employer as the representative of
the majority of employees in an appropriate unit, that employee
organization shall be recognized by the municipal employer as the exclusive bargaining agent for the employees of such unit who have
not opted out of such representation.

(c) When an employee organization has been designated in
accordance with the provisions of sections 7-467 to 7-477, inclusive, as
the exclusive representative of employees in an appropriate unit, it
shall have the right to act for and to negotiate agreements covering all
employees in the unit who have not opted out of such representation
and shall be responsible for representing the interests of all such
employees without discrimination and without regard to employee
organization membership.

(d) When an employee organization has been designated in
accordance with the provisions of sections 7-467 to 7-477, inclusive, as the exclusive representative of employees in an appropriate unit, it shall have a duty of fair representation to the members of that unit.

(e) An individual employee at any time may present a grievance to his employer and have the grievance adjusted, without intervention of an employee organization, provided the adjustment shall not be inconsistent with the terms of a collective bargaining agreement then in effect. The employee organization certified or recognized as the exclusive representative shall be given prompt notice of the adjustment.

Sec. 504. (NEW) (Effective July 1, 2019) Any collective bargaining agreement negotiated pursuant to chapter 68 or chapter 113 of the general statutes, or employee notices related to such agreement, shall contain a clear and unambiguous statement that each employee has a right to opt out of membership in the employee organization that negotiated such collective bargaining agreement."

| This act shall take effect as follows and shall amend the following sections: |
|-----------------|-----------------|-------------|
| Sec. 501        | July 1, 2019    | 5-271       |
| Sec. 502        | July 1, 2019    | 5-280(a)    |
| Sec. 503        | July 1, 2019    | 7-468       |
| Sec. 504        | July 1, 2019    | New section |