



General Assembly

January Session, 2019

Amendment

LCO No. 9843



Offered by:

REP. FISHBEIN, 90th Dist.

REP. POLLETTA, 68th 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 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 5-271 of the general statutes is amended by
4 adding 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. 2. 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9 repealed and the following is substituted in lieu thereof (*Effective July*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

14 be required, as a condition of continued employment, to pay to such
15 organization for the period that it is the exclusive representative, an
16 amount equal to the regular dues, fees and assessments that a member
17 is charged, provided any employee who has opted out of
18 representation by such representative shall not be required to make
19 such payment.

20 Sec. 3. Section 7-468 of the general statutes is repealed and the
21 following is substituted in lieu thereof (*Effective July 1, 2019*):

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

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

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

45 (d) When an employee organization has been designated in

46 accordance with the provisions of sections 7-467 to 7-477, inclusive, as
 47 the exclusive representative of employees in an appropriate unit, it
 48 shall have a duty of fair representation to the members of that unit.

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

56 Sec. 4. (NEW) (*Effective July 1, 2019*) Any collective bargaining
 57 agreement negotiated pursuant to chapter 68 or 113 of the general
 58 statutes, or employee notices related to such agreement, shall contain a
 59 clear and unambiguous statement that each employee has a right to
 60 opt out of membership in the employee organization that negotiated
 61 such collective bargaining agreement."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2019</i>	5-271
Sec. 2	<i>July 1, 2019</i>	5-280(a)
Sec. 3	<i>July 1, 2019</i>	7-468
Sec. 4	<i>July 1, 2019</i>	New section