General Assembly

Amendment

January Session, 2019
LCO No. 10869

Offered by:
SEN. FASANO, 34th Dist.
SEN. WITKOS, 8th Dist.

To: House Bill No. 6935 File No. 1022 Cal. No. 651

"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 following in lieu thereof:

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

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

4 Sec. 2. Subsection (a) of section 5-280 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2019):

5 (a) If an exclusive representative has been designated for the employees in an appropriate collective bargaining unit, each employee 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 any employee who has opted out of representation by such representative shall not be required to make such payment.

Sec. 3. Section 7-468 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2019):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. 4. (NEW) (Effective July 1, 2019) Any collective bargaining agreement negotiated pursuant to chapter 68 or 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:

<table>
<thead>
<tr>
<th>Section</th>
<th>Effect Date</th>
<th>Section Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>July 1, 2019</td>
<td>5-271</td>
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<tr>
<td>2</td>
<td>July 1, 2019</td>
<td>5-280(a)</td>
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<td>3</td>
<td>July 1, 2019</td>
<td>7-468</td>
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<tr>
<td>4</td>
<td>July 1, 2019</td>
<td>New section</td>
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