

Labor and Public Employees Committee

JOINT FAVORABLE REPORT

Bill No.: HB-5270

AN ACT CONCERNING THE RIGHT OF A PUBLIC EMPLOYEE TO JOIN OR

Title: SUPPORT A UNION.

Vote Date: 3/10/2020

Vote Action: Joint Favorable Substitute

PH Date: 2/25/2020

File No.:

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SPONSORS OF BILL:

Labor and Public Employees Committee

REASONS FOR BILL:

Labor-management relationships are imbalanced and wages have not kept pace with inflation.

RESPONSE FROM ADMINISTRATION/AGENCY:

Martin M. Looney, President Pro Tempore, State of Connecticut: Sen. Looney testified this bill would ameliorate damage done by the Janus decision of the U.S. Supreme Court. This bill offers a creative solution.

NATURE AND SOURCES OF SUPPORT:

Jeff Leake, President, CT Education Association: He testified wages have not kept pace with inflation and the employees' share of health insurance has increased while job security and income have declined. This bill would ensure educators are treated fairly and will provide them accurate and helpful employment/career information.

Rob Baril, President, New England Healthcare Workers Union, District 1199: This bill requires public employers to meet and confer with exclusive union bargaining representatives prior to issuing a mass communication regarding the right of employees to join or reject union membership. It provides protection from employers coercing/intimidating employees to join unions.

Carl Chisem, President, CEUI, Local 511: This bill clarifies existing labor law to ensure union and public employers work together to provide vital services such as the right to hold meetings during work/meal breaks. Newly hired employees would be informed of existing contact information.

Maureen Chalmers, President, Congress of CT Community Colleges: They support the bill because it clarifies the authorization process for employee payroll deductions, allows a union the right to explain its role and benefits to new members at employee orientations, and sets minimum requirements for access to employee contact information.

Madeline Granato, Policy Director, CT Woman's Education and Legal Fund: Although women comprise nearly half of CT's workforce and are often sole breadwinners for their families, they earn significantly less than their male counterparts. They earn an average of \$0.84 for every \$1.00 paid to men, and the disparity is even greater for women of color. Elimination of this gender wage gap is critical to lift families from poverty.

Ronald Scussel, President, CT Police and Fire Union: The language in this bill outlines a standard that benefits employees, management and labor organizations by bringing them together during employee orientation and assuring they receive the necessary information to make an informed decision about membership.

Rick Hart, Director, Legislative and Political Affairs, Uniformed Professional Fire Fighters Association of Connecticut: This bill combats the deep-pocket attacks on working people and assures all workers have the right to join a union and enjoy its benefits.

Jan Hochadel, President, AFT CT AFL-CIO: The Janus Supreme Court "Right to Work" decision had negative results such as pay decreases of 3.1%, discrimination charges increases of 36% and the Bureau of Statistics reported that workplace rate fatalities increased 54%. This bill is a proactive step limiting exposure to these negative consequences.

Zak Leavy, Representative, Council 4, AFSCME: His testified that as a result of an illegal decision from a tainted anti-worker Supreme Court ruling in 2018, public employees' unions have been under assault from billionaires and public policy institutes trying to destroy workers' rights to protect themselves. This bill protects unionized workers.

Nathan J. Shatner, Chairman, Workers Compensation Section, CT Trial Lawyers Association: They submitted testimony supporting this bill because it preserves the rights of employees to collectively voice concerns to management as a group or by unionizing. Strength in numbers provides a unified front with a proven track record of making the workplace better and safer.

Officer Anthony Rinaldi, President, Hartford Police Union: This bill requires an employer to meet and communicate with union representatives about issues regarding employee collective bargaining rights. Police officers should have their rights protected without employer harassment.

Ann Pratt, Director, CT Citizen Action Group: Unions are essential to ensure an economy that works for all people, not just wealthy individuals and corporations. This bill allows unions

to inform workers of their rights by facilitating appropriate communication between union reps and members and clarifies the financial relationship between workers and employees.

Stephen Anderson, President, CESA SEIU Local 2001: This bill enacts changes that bring CT's labor laws up-to-date following the Supreme Court decision overturning the long-lasting precedents on which state laws have been based.

Deborah Wright, Political Director, United Auto Workers, Region 9A: Employers routinely use intimidation, threats and coercion to deny workers their rights to freely decide whether to organize a union and bargain collectively. This bill levels the playing field by making it an unfair labor practice for a public employer to encourage employees to resign or decline membership.

David Weidich Jr, President, CWA Local 1298: Legislation supporting the right to organize and collective bargaining rights are critical to the labor movement and protection for workers.

Brian Anderson, Legislative Coordinator, Council 4, AFSCME: He submitted testimony supporting several bills on the agenda.

NATURE AND SOURCES OF OPPOSITION:

Mitch Goldblatt, Director, Human Resources, Town of Guilford: This bill is an overreaction to the current labor situation and places an unfunded mandate on municipalities. It implies they are incapable of communicating effectively and imposes a huge burden on them as well as slows down the hiring process. Employees should have the right to opt-in and not the burden of opting out. Many towns don't have a human resources department and these restrictions make it difficult for them to comply. It allows the union to authorize a deduction for any individual and exposes the employer to claims. Municipalities do not make any payroll deductions, including taxes, medical cost sharing, or retirement savings without written authorization from the employee. All these issues can be relieved by adding the phrase "or as agreed upon between the employer and the exclusive representative".

Betsy Gara, Executive Director, CT Council of Small Towns: The Janus decision is being sidestepped by providing unions with greater access and control over public employees, requiring them to provide unions with certain information about new hires and access to new employee orientations. It mandates municipalities and boards of education to provide employee unions with information about newly hired and current employees and also allows access to their orientation process. This bill only creates unnecessary tension and friction between municipal employers and employees.

Kevin A. Dillon, Executive Director, CT Airport Authority: Unions play an important role at airports, but despite the fact that the CAA already complies with provisions outlined in this bill, they can't support the establishment of statutory requirements and infringement on management rights. It should not be dictated how management interacts with employees. Since all CAA employees must maintain a security badge as a requirement, this proposal would conflict with TSA requirements.

Zachary McKeown, Legislative Associate, CT Conference of Municipalities: This bill is an unfunded mandate that imposes additional reporting requirements on municipalities and creates administrative burden. It causes unnecessary delays in the hiring process and may violate HIPPA, ADA and other laws because employees make confidential decisions and disclose personal information during the

orientation process. Municipalities are neutral regarding employee's choice to join a union and these requirements harm relationships between management and labor.

Louise DiCocco, Director, Public Policy, Yankee Institute for Public Policy: They would like to see language included that requires revocable written authorization from the employee to provide this information to their union. The bill facilitates giving personal and work information to a private organization. Giving the power to unions to meet with employees during the workweek to discuss 'grievances' and other workplace issues without charge to their pay equates to using taxpayer dollars to subsidize union meetings.

Reported by: Marie Knudsen

Date: March 22, 2020