



General Assembly

Substitute Bill No. 5441

February Session, 2022



AN ACT ADOPTING THE RECOMMENDATIONS OF THE TASK FORCE TO STUDY THE STATE WORKFORCE AND RETIRING EMPLOYEES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) The State Comptroller, or
2 the State Comptroller's designee, and the representatives of each State
3 Employee Bargaining Agent Coalition constituent union shall conduct
4 an estimate of the number of state employees who are expected to retire
5 in each position type at each state agency, including each agency that is
6 part of the executive, legislative or judicial branch and the higher
7 education system.

8 (b) The commissioner of each state agency shall conduct an analysis
9 of employee retention rates within the commissioner's agency. Such
10 analysis shall be compared to the state's year-to-year data as well as the
11 findings in the report entitled "The State of Connecticut Workforce: An
12 Analysis of Representation and Compensation Equity Across Gender
13 and Race-Ethnicity". Such agencies shall jointly report their analysis to
14 the Governor, the joint standing committee of the General Assembly
15 having cognizance of matters relating to public employees and the Chief
16 Diversity, Equity and Inclusion Officer, as established in section 3 of this
17 act.

18 (c) The human resources departments across all branches of state
19 government, therefore encompassing all state agencies, shall develop a
20 universal exit survey with specific data points to help inform an overall
21 view of the state's workplace conditions. Such surveys shall be
22 developed, distributed and collected by agency human resources
23 departments which shall analyze the results of the surveys and report
24 to the Chief Diversity, Equity and Inclusion Officer.

25 Sec. 2. (NEW) (*Effective from passage*) (a) The commissioners of each
26 state agency shall formally engage in a strategic plan to examine: (1) The
27 positions and position types they recommend to be replaced as they are;
28 (2) the positions they recommend be replaced with a different type of
29 position because the function has changed; and (3) the positions they
30 recommend be replaced with a different position because the need has
31 changed, based on current state agency needs and current workforce
32 capacity and ability.

33 (b) The process shall involve representatives of each State Employee
34 Bargaining Agent Coalition constituent union under the savings and
35 transformation provisions of the State Employee Bargaining Agent
36 Coalition agreement.

37 Sec. 3. (NEW) (*Effective from passage*) (a) There shall be established a
38 Chief Diversity, Equity and Inclusion Officer position to oversee a
39 transformative hiring process in state government. The Chief Diversity,
40 Equity and Inclusion Officer shall be appointed by the Governor, with
41 the approval of the General Assembly. Said officer shall report to the
42 Governor and the Equity Advisory Committee, established pursuant to
43 subsection (c) of this section.

44 (b) The commissioner of each state agency shall address its diversity
45 needs by reviewing the report entitled: "The State of Connecticut
46 Workforce: An Analysis of Representation and Compensation Equity
47 Across Gender and Race-Ethnicity" and conducting an assessment of the
48 commissioner's agency. Such assessment shall be used to determine
49 where action plans may be necessary to address any racial or gender

50 disparities, including a review of recruitment strategies. The assessment
51 shall include, but shall not be limited to: (1) An agency's success in the
52 last five years in recruiting and retaining women and people of color
53 into various positions; and (2) an agency's plan for achieving an
54 appropriate and fair balance in replacing vacancies left by retiring
55 employees. Each such assessment shall be submitted to the Governor,
56 the General Assembly and the Chief Diversity, Equity and Inclusion
57 Officer not later than three months of commencing such assessment.

58 (c) (1) There shall be established an Equity Advisory Committee
59 responsible for monitoring whether the assessment goals pursuant to
60 subsection (b) of this section are being met by state agencies. The
61 committee shall consist of the following members: (A) Seven members
62 appointed by representatives of each State Employee Bargaining Agent
63 Coalition constituent union, and (B) four members appointed from the
64 current task force to study the state workforce and retiring employees,
65 consisting of (i) one member appointed by each chairperson, and (ii) one
66 member appointed by each ranking member.

67 (2) The chairpersons of the committee shall be appointed by the
68 chairpersons of the joint standing committee of the General Assembly
69 having cognizance of matters relating to labor.

70 (3) The administrative staff of the joint standing committee of the
71 General Assembly having cognizance of matters relating to labor shall
72 serve as administrative staff of the committee.

73 (4) The committee shall meet as required by the chairpersons of the
74 committee.

75 Sec. 4. (*Effective from passage*) (a) The commissioner of each state
76 agency shall provide a list of training and professional development
77 programs currently in existence within the commissioner's agency, the
78 extent of engagement of employees in those programs during the
79 previous three years, including the number of employees enrolled, and
80 the number of employees who completed such programs. The

81 commissioner shall also provide a description of the agency's plans to
82 create or increase engagement in such programs in the near future.

83 (b) The Labor Department shall provide a list of existing career
84 pathway programs, including high school-to-career pathway programs,
85 vocational-technical school pathways, internships and post-graduate
86 fellowships, modeled after other federal and state programs that
87 encourage the training-to-workforce or college-to-workforce transition
88 for a range of state employee classes and positions. The Labor
89 Department shall include in such list agencies participating and the
90 number of people involved in these programs.

91 (c) The Commissioner of Administrative Services shall study the
92 feasibility of developing a paid internship program for high school and
93 college students. In conducting such study, the commissioner may
94 consult with leaders of nonprofit agencies and community advocates.

95 Sec. 5. Subsection (p) of section 5-200 of the 2022 supplement to the
96 general statutes is repealed and the following is substituted in lieu
97 thereof (*Effective July 1, 2022*):

98 (p) When such authority is not otherwise conferred by statute, the
99 commissioner shall issue orders to provide that (1) executive or judicial
100 department employees exempt from the classified service or not
101 included in any prevailing bargaining unit contract, except unclassified
102 employees of any board of trustees of the constituent units of higher
103 education, be granted rights, [and] benefits and wages, with movement
104 within salary ranges, not less than those granted to employees in the
105 classified service or covered under such contracts, or (2) retirement
106 benefits for state employees exempt from the classified service or not
107 included in any prevailing bargaining unit contract be adjusted to
108 provide retirement benefits for such employees which are the same as
109 those most frequently provided under the terms of approved bargaining
110 unit contracts in effect at the time of such adjustment. When such
111 authority is not otherwise conferred by statute, the board of trustees of
112 any constituent unit of the state system of higher education may issue

113 orders to provide that the unclassified employees of such board be
114 granted rights, [and] benefits and wages not less than those granted to
115 employees of the board who are covered under a prevailing bargaining
116 unit contract. Where there is a conflict between an order granting such
117 rights, [and] benefits and wages and any provision of the general
118 statutes, such order shall prevail. [Such orders shall be subject to the
119 approval of the Secretary of the Office of Policy and Management. If the
120 secretary approves such order, and such order is in conflict with any
121 provision of the general statutes, the secretary shall forward a copy of
122 such order to the joint committee of the General Assembly having
123 cognizance of labor matters.]

124 Sec. 6. Subsection (g) of section 5-270 of the general statutes is
125 repealed and the following is substituted in lieu thereof (*Effective July 1,*
126 *2022*):

127 (g) "Managerial employee" means any individual in a position in
128 which the principal functions are characterized by not fewer than two
129 of the following, provided [for any position in any unit of the system of
130 higher education,] one of such two functions shall be as specified in
131 subdivision (4) of this subsection: (1) Responsibility for direction of a
132 subunit or facility of a major division of an agency or assignment to an
133 agency head's staff; (2) development, implementation and evaluation of
134 goals and objectives consistent with agency mission and policy; (3)
135 participation in the formulation of agency policy; or (4) a major role in
136 the administration of collective bargaining agreements or major
137 personnel decisions, or both, including staffing, hiring, firing,
138 evaluation, promotion and training of employees.

139 Sec. 7. (NEW) (*Effective from passage*) Each state agency shall fill all
140 open positions to levels appropriated in the 2022-2023 biennial budget.
141 Each agency shall also adopt continuous recruitment practices to fill
142 critical shortage positions, as appropriated in the biennial budget for the
143 fiscal years commencing July 1, 2022, and July 1, 2023. Such positions
144 shall not require approval from the Department of Administrative
145 Services or the Office of Policy and Management in order to fill.

146 Sec. 8. (Effective from passage) The Secretary of the Office of Policy and
147 Management shall consult with the State Employees Bargaining Agent
148 Coalition in order to: (1) Allow all employees to continue working
149 beyond the July 1, 2022, deadline for retirement without the applicable
150 cost-of-living adjustment or retiree health care changes until one month
151 following the hiring of the employee's replacement for the purpose of
152 training and transitioning the new employee in the position; and (2) to
153 reduce the retirement incentive caused by the 2022 changes in a way that
154 would not materially decrease the savings attributable to such changes.

155 Sec. 9. Section 5-259f of the general statutes is repealed. (Effective
156 October 1, 2022)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>July 1, 2022</i>	5-200(p)
Sec. 6	<i>July 1, 2022</i>	5-270(g)
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>October 1, 2022</i>	Repealer section

Statement of Legislative Commissioners:

In Section 1(c), "and shall analyze" was changed to "which shall analyze" for clarity.

LAB Joint Favorable Subst.