



General Assembly

Amendment

February Session, 2022

LCO No. 4543



Offered by:
SEN. SAMPSON, 16th Dist.

To: Subst. Senate Bill No. 212

File No. 74

Cal. No. 88

**"AN ACT CONCERNING PERMANENT PARTIAL DISABILITY
BENEFITS AND PENSION OFFSETS."**

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

3 "Sec. 501. Section 7-474 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2022*):

5 (a) Except as hereinafter provided, when an employee organization
6 has been designated, in accordance with the provisions of sections 7-467
7 to 7-477, inclusive, as the exclusive representative of employees in an
8 appropriate unit, the chief executive officer, whether elected or
9 appointed, or his designated representative or representatives, shall
10 represent the municipal employer in collective bargaining with such
11 employee organization.

12 (b) Any agreement reached by the negotiators shall be reduced to
13 writing. Except where the legislative body is the town meeting, a request
14 for funds necessary to implement such written agreement and for

15 approval of any provisions of the agreement which are in conflict with
16 any charter, special act, ordinance, rule or regulation adopted by the
17 municipal employer or its agents, such as a personnel board or civil
18 service commission, or any general statute directly regulating the hours
19 of work of policemen or firemen or any general statute providing for the
20 method or manner of covering or removing employees from coverage
21 under the Connecticut municipal employees' retirement system or
22 under the Policemen and Firemen Survivors' Benefit Fund shall be
23 submitted by the bargaining representative of the municipality within
24 fourteen days of the date on which such agreement is reached to the
25 legislative body which may approve or reject such request as a whole
26 by a majority vote of those present and voting on the matter; but, if
27 rejected, the matter shall be returned to the parties for further
28 bargaining. Failure by the bargaining representative of the municipality
29 to submit such request to the legislative body within such fourteen-day
30 period shall be considered to be a prohibited practice committed by the
31 municipal employer. Such request shall be considered approved if the
32 legislative body fails to vote to approve or reject such request within
33 thirty days of the end of the fourteen-day period for submission to said
34 body. Where the legislative body is the town meeting, approval of the
35 agreement by a majority of the selectmen shall make the agreement
36 valid and binding upon the town and the board of finance shall
37 appropriate or provide whatever funds are necessary to comply with
38 such collective bargaining agreement.

39 (c) Notwithstanding any provision of any general statute, charter,
40 special act or ordinance to the contrary, the budget-appropriating
41 authority of any municipal employer shall appropriate whatever funds
42 are required to comply with a collective bargaining agreement,
43 provided the request called for in subsection (b) of this section has been
44 approved by the legislative body of such municipal employer, or with a
45 collective bargaining agreement approved as the result of an arbitration
46 decision rendered in an impasse of contract negotiations under section
47 7-472, or rendered in accordance with the provisions of section 7-473c.

48 (d) If the municipal employer is a district, school board, housing

49 authority or other authority established by law, or is a private nonprofit
50 corporation which has a valid contract with any town, city, borough or
51 district to extinguish fires and to protect its inhabitants from loss by fire,
52 which by statute, charter, special act or ordinance has sole and exclusive
53 control over the appointment of and the wages, hours and conditions of
54 employment of its employees, such district, school board, housing
55 authority, other authority or corporation, or its designated
56 representatives, shall represent such municipal employer in collective
57 bargaining and shall have the authority to enter into collective
58 bargaining agreements with the employee organization which is the
59 exclusive representative of such employees, and such agreements shall
60 be binding on the parties thereto, provided, where any provisions of any
61 such agreement require federal approval, such provisions shall be
62 binding upon receipt of such approval, and no such agreement or any
63 part thereof shall require approval of the legislative body of the
64 municipality.

65 (e) No provision of any general statute, charter, special act or
66 ordinance shall prevent negotiations between a municipal employer
67 and an employee organization, which has been designated or
68 recognized as the exclusive representative of employees in an
69 appropriate unit, from continuing after the final date for making or
70 setting the budget of such municipal employer. An agreement between
71 a municipal employer and an employee organization shall be valid and
72 in force under its terms when entered into in accordance with the
73 provisions of sections 7-467 to 7-477, inclusive, and signed by the chief
74 executive officer or administrator as a ministerial act. Such terms may
75 make any such agreement effective on a date prior to the date on which
76 such agreement is entered. No publication thereof shall be required to
77 make it effective. The procedure for the making of an agreement
78 between the municipal employer and an employee organization
79 provided by said sections shall be the exclusive method for making a
80 valid agreement for municipal employees represented by an employee
81 organization, and any provisions in any general statute, charter or
82 special act to the contrary shall not apply to such an agreement.

83 [(f) Where there is a conflict between any agreement reached by a
84 municipal employer and an employee organization and approved in
85 accordance with the provisions of sections 7-467 to 7-477, inclusive, on
86 matters appropriate to collective bargaining, as defined in said sections,
87 and any charter, special act, ordinance, rules or regulations adopted by
88 the municipal employer or its agents such as a personnel board or civil
89 service commission, or any general statute directly regulating the hours
90 of work of policemen or firemen, or any general statute providing for
91 the method or manner of covering or removing employees from
92 coverage under the Connecticut municipal employees' retirement
93 system or under the Policemen and Firemen Survivors' Benefit Fund,
94 the terms of such agreement shall prevail; provided, if participation of
95 any employees in said system or said fund is effected by such
96 agreement, the effective date of participation in said system or said
97 fund, notwithstanding any contrary provision in such agreement, shall
98 be the first day of the third month following the month in which a
99 certified copy of such agreement is received by the Retirement
100 Commission, or such later date as may be specified in the agreement.]

101 [(g)] (f) Nothing herein shall diminish the authority and power of any
102 municipal civil service commission, personnel board, personnel agency
103 or its agents established by statute, charter or special act to conduct and
104 grade merit examinations and to rate candidates in the order of their
105 relative excellence from which appointments or promotions may be
106 made to positions in the competitive division of the classified service of
107 the municipal employer served by such civil service commission or
108 personnel board. The conduct and the grading of merit examinations,
109 the rating of candidates and the establishment of lists from such
110 examinations and the initial appointments from such lists and any
111 provision of any municipal charter concerning political activity of
112 municipal employees shall not be subject to collective bargaining,
113 provided once the procedures for the promotional process have been
114 established by the municipality, any changes to the process proposed by
115 the municipality concerning the following issues shall be subject to
116 collective bargaining: (1) The necessary qualifications for taking a

117 promotional examination; (2) the relative weight to be attached to each
118 method of examination; and (3) the use and determination of monitors
119 for written, oral and performance examinations. In no event shall the
120 content of any promotional examination be subject to collective
121 bargaining."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	October 1, 2022	7-474