
OLR Bill Analysis

HB 6793

AN ACT MODIFYING THE STATE BOARD OF LABOR RELATIONS' REMEDIES FOR PROHIBITED PRACTICES FOR CERTIFIED EMPLOYEES.

SUMMARY

This bill allows the State Board of Labor Relations to issue a cease and desist order for certain violations of the teachers collective bargaining law (e.g., refusal to negotiate in good faith or retaliating against a complainant). Under the bill, when an alleged prohibited practice or breach of duty is ongoing, the board may order the party committing the act or practice to cease and desist from doing it until the board makes a determination on the matter.

Currently, the board may only issue a cease and desist order after holding a hearing on the complaint and making a determination.

EFFECTIVE DATE: July 1, 2023

COMPLAINTS WITH THE BOARD OF LABOR RELATIONS

By law, boards of education and an employees' representative organization (i.e., "union") can file complaints about prohibited practice violations with the board. Certified teachers and other certified employees may also file complaints about a breach of duty of fair representation.

Initially, an agent investigates the complaint and may or may not issue a report charging there has been a prohibited practice. And if it does, the Board of Labor Relations must hold a hearing on the matter. Even if the agent's report recommends dismissing the complaint, or the agent does not make a report or issue a complaint, the board can still choose to hold a hearing.

Under the bill, at this point in the process, the board can issue and cause to be served on the party committing the act or practice an order requiring the party to cease and desist from the act or practice until the board makes a determination. Current law authorizes the board to issue a cease and desist order only after holding a hearing on the complaint. The board can also take further action to ensure the prohibited practice or breach of duty is stopped and collective bargaining law is properly carried out.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable

Yea 12 Nay 0 (03/16/2023)