



General Assembly

Raised Bill No. 912

January Session, 2023

LCO No. 3252



Referred to Committee on LABOR AND PUBLIC
EMPLOYEES

Introduced by:
(LAB)

**AN ACT CONCERNING THE STATUS OF PROBATE COURT SYSTEM
EMPLOYEES.**

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

1 Section 1. Subsection (g) of section 45a-8a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2023*):

4 (g) Each administrative judge for a Regional Children's Probate
5 Court may, if authorized by the Probate Court Budget Committee
6 under section 45a-85, employ such persons as may be required for the
7 efficient operation of the Regional Children's Probate Court. Such
8 employees shall be employees of the Regional Children's Probate
9 Court and shall be entitled to the benefits of Probate Court employees
10 under this chapter. Such employees shall not be deemed to be state
11 employees, except for purposes of chapter 68.

12 Sec. 2. Section 45a-21 of the general statutes is repealed and the
13 following is substituted in lieu thereof (*Effective October 1, 2023*):

14 (a) Except as provided in subsection (b) of this section, Probate
15 Court employees shall not be deemed state employees and shall serve
16 at the pleasure of the judge of the court of probate in which they are
17 employed.

18 (b) On and after October 1, 2023, Probate Court employees shall be
19 deemed state employees for the purpose of chapter 68 and shall have
20 the right to bargain collectively and shall have such other rights and
21 obligations incident thereto as are created by chapter 68. Should such
22 employees choose not to bargain collectively, such employees shall
23 remain at-will employees in accordance with subsection (a) of this
24 section.

25 Sec. 3. Subsection (a) of section 5-270 of the general statutes is
26 repealed and the following is substituted in lieu thereof (*Effective*
27 *October 1, 2023*):

28 (a) "Employer" means the state of Connecticut, its executive and
29 judicial branches, including, without limitation, any board,
30 department, commission, institution, or agency of such branches or
31 any appropriate unit thereof and any board of trustees of a state-
32 owned or supported college or university and branches thereof, public
33 and quasi-public state corporation, or authority established by state
34 law, the Probate Courts or any person or persons designated by the
35 employer to act in its interest in dealing with employees, but shall not
36 include the State Board of Labor Relations or the State Board of
37 Mediation and Arbitration.

38 Sec. 4. Subsection (a) of section 5-278 of the general statutes is
39 repealed and the following is substituted in lieu thereof (*Effective*
40 *October 1, 2023*):

41 (a) When an employee organization has been designated, in
42 accordance with the provisions of sections 5-270 to 5-280, inclusive, as
43 amended by this act, as the exclusive representative of employees in an
44 appropriate unit, the employer shall be represented in collective

45 bargaining with such employee organization in the following manner:
46 (1) In the case of an executive branch employer, including the Division
47 of Criminal Justice, by the chief executive officer whether elected or
48 appointed, or [his] the chief executive officer's designated
49 representative; who shall maintain a close liaison with the legislature
50 relative to the negotiations and the potential fiscal ramifications of any
51 proposed settlement; (2) in the case of a judicial branch employer, by
52 the Chief Court Administrator or [his] the Chief Court Administrator's
53 designated representative; [and] (3) in the case of each segment of the
54 system of higher education, the faculty and professional employees
55 shall negotiate with their own board of trustees or its designated
56 representative; and (4) in the case of a Probate Court employer, by the
57 Probate Court Administrator or the Probate Court Administrator's
58 designated representative.

59 Sec. 5. Subsection (b) of section 5-275 of the general statutes is
60 repealed and the following is substituted in lieu thereof (*Effective*
61 *October 1, 2023*):

62 (b) The board shall determine the appropriateness of a unit which
63 shall be the public employer unit or a subdivision thereof. In
64 determining the appropriateness of the unit, the board shall: (1) Take
65 into consideration, but shall not limit consideration to, the following:
66 (A) Public employees must have an identifiable community of interest,
67 and (B) the effects of overfragmentation; (2) not decide that any unit is
68 appropriate if (A) such unit includes both professional and
69 nonprofessional employees, unless a majority of such professional
70 employees vote for inclusion in such unit, or (B) such unit includes
71 both Department of Correction employees at or above the level of
72 lieutenant and Department of Correction employees below the level of
73 lieutenant; (3) take into consideration that when the state is the
74 employer, it will be bargaining on a state-wide basis unless issues
75 involve working conditions peculiar to a given governmental
76 employment locale; (4) permit the faculties of (A) The University of
77 Connecticut, (B) the Connecticut State University System, and (C) the

78 Technical Education and Career System to each comprise a separate
79 unit, which in each case shall have the right to bargain collectively
80 with their respective boards of trustees or their designated
81 representatives; [and] (5) permit the community college faculty and the
82 technical college faculty as they existed prior to July 1, 1992, to
83 continue to comprise separate units, which in each case shall have the
84 right to bargain collectively with its board of trustees or its designated
85 representative, [. Nonfaculty] provided nonfaculty professional staff of
86 [the above] such institutions may by mutual agreement be included in
87 such bargaining units, or they may form a separate bargaining unit of
88 their own; and (6) permit employees of the Probate Court to form not
89 more than two separate bargaining units, one nonprofessional and one
90 professional. This section shall not be deemed to prohibit multiunit
91 bargaining.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2023</i>	45a-8a(g)
Sec. 2	<i>October 1, 2023</i>	45a-21
Sec. 3	<i>October 1, 2023</i>	5-270(a)
Sec. 4	<i>October 1, 2023</i>	5-278(a)
Sec. 5	<i>October 1, 2023</i>	5-275(b)

LAB *Joint Favorable*