



House of Representatives

General Assembly

File No. 93

January Session, 2023

Substitute House Bill No. 6720

House of Representatives, March 16, 2023

The Committee on Labor and Public Employees reported through REP. SANCHEZ, E. of the 24th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING THE STATE MANAGERIAL EMPLOYEE
DEFINITION FOR PURPOSES OF COLLECTIVE BARGAINING.***

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

1 Section 1. Subsection (g) of section 5-270 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2023*):

4 (g) "Managerial employee" means any individual in a position in
5 which the principal functions are characterized by [not fewer than two
6 of the following, provided for any position in any unit of the system of
7 higher education, one of such two functions shall be as specified in
8 subdivision (4) of this subsection: (1) Responsibility] the following: (1)
9 A major role in the administration of collective bargaining agreements
10 or major personnel decisions, or both, including staffing, hiring, firing,
11 evaluation, promotion and training of employees, and (2) at least one of
12 the following: (A) Responsibility for direction of a subunit or facility of
13 a major division of an agency or assignment to an agency head's staff;

14 [(2)] (B) development, implementation and evaluation of goals and
 15 objectives consistent with agency mission and policy; [(3)] or (C)
 16 participation in the formulation of agency policy. [; or (4) a major role in
 17 the administration of collective bargaining agreements or major
 18 personnel decisions, or both, including staffing, hiring, firing,
 19 evaluation, promotion and training of employees.]

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2023	5-270(g)

Statement of Legislative Commissioners:

Section 1 was rewritten for clarity.

LAB *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 24 \$	FY 25 \$
Various State Agencies	App Fund - Potential Cost	See Below	See Below

Note: App Fund=All Appropriated Funds

Municipal Impact: None

Explanation

The bill allows certain state employees previously classified as managerial from unionizing. The bill may result in a cost to various agencies across all appropriated funds to the degree additional state employees decide to unionize and as a result, see greater compensation. The potential increase in compensation may be in the form of higher salary and wages or fringe benefits increases.

The number of employees that are currently classified as being part of the managerial union exceeds 1,000. There are also over 500 that are classified as managerial confidential. It is uncertain what percentage of these classification groups would be allowed to unionize due to the change.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

Sources: Core-CT Financial Accounting System
Office of Policy and Management

OLR Bill Analysis**HB 6720*****AN ACT CONCERNING THE STATE MANAGERIAL EMPLOYEE DEFINITION FOR PURPOSES OF COLLECTIVE BARGAINING.*****SUMMARY**

This bill broadens the range of state employees who have a right to collectively bargain. It does so by tightening the criteria used to determine whether an employee is a “managerial employee” who, by law, does not have collective bargaining rights.

Under current law, non-higher education employees are managerial employees if the principal functions of their position involve at least two of the following four responsibilities:

1. directing a subunit or facility of a major division of an agency or assignment to an agency head’s staff;
2. developing, implementing, and evaluating goals and objectives consistent with agency mission or policy;
3. participating in formulating agency policy; or
4. having a major role in administering collective bargaining agreements or major personnel decisions, or both, including staffing, hiring, firing, evaluating, promoting, and training employees.

To be considered a managerial employee under the bill, an employee instead must play a major role in administering collective bargaining agreements or major personnel decisions (number four above), plus have one of the other three responsibilities. The law, unchanged by the bill, uses these same criteria to determine managerial employee

positions in the state's higher education system.

By law, the State Board of Labor Relations makes rulings to settle disputes over how the collective bargaining law is applied, such as whether a particular group of employees is eligible to collectively bargain.

EFFECTIVE DATE: October 1, 2023

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable

Yea 7 Nay 4 (02/28/2023)