

HB 6376

PA 660

1971

Labor & Industrial Relations 127, 152-154

House 5065

Senate 3402

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**LABOR  
AND  
INDUSTRIAL  
RELATIONS**

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FRIDAY - 1:00 P.M.

MARCH 12, 1971

Representative Dominic Badolato, Presiding  
Senator Wilber Smith, Presiding

Chr. Badolato:

The Labor Committee for March 12, will now be open for testimony. We will hear from any legislators first, We intend to use mike no. We intend to use the one in front of you, desk 63 and we intend to use the one that Mr. O'Connor is sitting at.

Rep. DiMeo:

Rep. DiMeo from 98th district. I would like to speak in favor of H.B. 6582 (AN ACT CONCERNING THE RIGHT OF MUNICIPAL MIDDLE MANAGEMENT AND PROFESSIONAL EMPLOYEES TO JOIN ORGANIZATIONS. This is an act as I am sure you are well aware of Sec. 7-467 of the State Statutes dealing with this matter and sec. 7-471, particularly section 2, exclude middle management and professional employees from joining the organizations. It's my personal belief that every segment of labor should have the right to join groups so that they may collectively bargain both wages and conditions and other matters. I see no reason why this particular group be excluded and I respectfully request a favorable report from the committee. Thank you gentlemen.

Rep. Holdsworth:

Mr. Chairmen, I'm Earl Holdsworth, from the 125th district, and I would like to speak in support of H.B. 6376 (AN ACT CONCERNING REPORTS OF FACT FINDERS IN MUNICIPAL COLLECTIVE BARGAINING DISPUTES.) This bill, I believe is a good bill because it provides the mechanics for where there is a labor dispute and there is a fact finder appointed. This bill stipulates that he shall report at convenient times, but within forty days and that he shall prepare his findings in writing, he shall meet with both groups independently present his findings in writing and if there is no opposition to the findings after twenty days the findings shall become the final report. I think this is good because there are many times when we have fact finders involved in labor disputes and there testimony, their reports submitted, and it ends up that both parties are still in disagreement. This bill gives both parties an opportunity independently to review the findings, discuss them at length and if there is a question, so forth, they still have twenty days in order to review it and the end results, I think that labor problems could be resolved much easier if this bill was adopted. I would also speak in favor of H.B. 6377 (AN ACT CONCERNING MUNICIPAL EMPLOYEE SUPERVISORS.) It seems very strange to me that we have in some of our labor organizations people whom are supervisors as part of the bargaining unit. This bill is particularly related to municipal employees and it defines supervisor and the definition of supervisor as outlined in this bill is realized, then a supervisor has not any right to belong to the bargaining unit of his subordinates, because if these two people, a supervisor and a subordinate belongs to the same

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Sen. Smith:

Thank you, anyother persons in opposition? Anyother persons in opposition?

Barbara Jeffers:

Barbara Jeffers, Connecticut Association of Educational Secretaries . Again, we are opposed to this bill, I said in my previous remarks to the preceeding bill. Do we have to go back through all these growing pains, as these gentlemen have said, almost incredible thing, you talk to people who are knowledgeable and experienced on both sides of the table in the private sector, and its hard for them to believe that we are even considering this type of thing. We are strongly opposed.

Sen. Smith:

Is there any other persons opposed to H.B. 6105?

Larry Kachola:

Mr. Chairmen, members of the committee, Larry Kachola, Executive Deputy Director, Connecticut Municipal Employees Council #4. We say Amen to all the opposition to this ridiculuos bill.

Everett W. Shaw:

Everett W. Shaw, Conn. Council of Police Unions. We want to register in opposition to this bill.

Sen. Smith:

Any further opposition? Hearing none, we'll move on to H.B. 6376 (AN ACT CONCERNING REPORTS OF FACT FINDERS IN MUNICIPAL COLLECTIVE BARGAINING DISPUTES.) Are there any persons in favor of 6376?

Leonard Kershner:

Mr. Chairmen, Leonard Kershner, Executive Vice-President Connecticut State Labor Council. We would like to be recorded in favor of H.B. 6376 (AN ACT CONCERNING REPORTS OF FACT FINDERS IN MUNICIPAL COLLECTIVE BARGAINING DISPUTES.) The provisions of this bill are essentially similiar to one of the provisions of H.B. 5175(AN ACT AMENDING THE MUNICIPAL EMPLOYEE RELATIONS ACT). Its designed to improve the fact finding procedures provided for in the statutes. We think it makes a great deal of sense and we commend it to you.

Peter Vernan:

Peter Vernan, President of Bridgeport Local 59. We'd like to echo what Hank has just said in support of the collective bargaining, the factfinders report municipal collective bargaining disputes and H.B. 6376(AN ACT CONCERNING REPORTS OF FACT FINDERS IN MUNICIPAL COLLECTIVE BARGAINING DISPUTES.) we are in favor of it.

Robert Crouse:

Mr. Chairmen, members of the committee, I am Robert Crouse, speaking for the Hartford City Manager and the Connecticut

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Town and City Managers Association. I would ask Mr. Chairmen if I may respond in what may be a point of personal privilege to an attack made on the Hartford Pension Commission a few minutes ago.

Sen. Smith:

This is a public hearing, we are not going to entertain any points of personal privileges unless someone attacks you personally. I haven't heard that yet.

Robert Crouse:

No, the commission members were not here to defend themselves.

Sen. Smith:

What's that sir?

Robert Crouse:

The Pension Commission members were not here to defend themselves.

Sen. Smith:

Sir, I'm sure they knew the hearing was being held today. Could we have whether or not you opposed or in favor of this bill. Right now, we're hearing of those persons who are in favor of this bill. H.B. 6376 (AN ACT CONCERNING REPORTS OF FACTFINDERS IN MUNICIPAL COLLECTIVE BARGAINING DISPUTES.)

No Name:

We support this bill with certain reservations as to how it would be, whether it would be affective or not. Professor Studs indicated to some of us a year or two ago that it might be difficult to find people willing to serve as factfinders if a bill were drafted in this fashion. More recently Mr. Turgeon ran an attorney from Bridgeport indicated to me that he had talked to certain arbitrators who indicated that they too would be unwilling to serve as a factfinder if this type of a provision existed. The Labor and Management Representatives did work out this concept two years ago and we felt then, that it would work and we are still supporting it with the reservations that I expressed.

Leonard Kershner:

Mr. Chairmen, I would for the sake of restoring harmony to this hearing I would suggest to you that my judgements and opinions about how the Hartford Retirement Commission has administered that fund is probably of little consequence to my other remarks and the objections of the State Labor Council to the bill that was heard earlier, and for that purpose will withdraw my remarks.

Sen. Smith:

Does that satisfy you Mr. Crouse? Thank you. Are there anymore persons in favor of H.B. 6376 (AN ACT CONCERNING REPORTS OF FACT FINDERS IN MUNICIPAL COLLECTIVE BARGAINING DISPUTES.) Is there any opposition to this bill?

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Everett W. Shaw:

Everett W. Shaw, Connecticut Council of Police Units. This may make history in itself different in itself with my own friends. We are opposed to the bill, we see it as just an added burden on the factfinder which is going to result in more expense to all of the organizations and we see no great affect accomplished in terms of settling differences by the factfinder coming to the local area and simply explaining what he has already written in his report.

We see nothing to be gained by his presence. Another interesting aspect of this bill to myself least is that the factfinder is to explain his report to the organization, the employee organization and also to the legislative body, perhaps there is something I'm missing here somewhere but it seems to me that even if the bill were passed he should explain it to the management side of the bargaining table and not the legislative body. For under our present law there functions relate to approving the final document and many factfinding cases occur long before final approval is obtained, so I don't see the point of him going to the legislative body, more important I don't see the need for him to come and explain his report. Most of us at least in my group, can read English and can understand what he is saying. To put it across, it'll take something in terms of convincing the city, it'll take something more then a factfinder simply rearing.

Sen. Smith:

Is there any further opposition? Hearing none we'll go to H.B. 6377(AN ACT CONCERNING MUNICIPAL EMPLOYEE SUPERVISORS.)

Robert Crouse:

Mr. Chairmen, I'm Robert Crouse, This bill would amend the present definition of supervisor in the State Act, to conform more closely to the standard of supervisor used in other collective bargaining legislation. The present language of the law has caused some confusion in the more standard language and other legislation has been in existance for a long time and has a long history of solid interpretation. We would think this bill would be an improvement.

Sen. Smith:

Is there anyone else in favor of H.B. 6377(AN ACT CONCERNING MUNICIPAL EMPLOYEE SUPERVISORS.) Hearing none we take those opposed to H.B. 6377 ?

Leonard Kershner:

Mr. Chairmen, I rise to oppose, Leonard Kershner, H.B. 6377 (AN ACT CONCERNING MUNICIPAL EMPLOYEES SUPERVISORS.) This hearing is just full of surprises and Mr. Crouse spoke as a representative of the City Manager, City of Hartford who served on the commission that drafted the original statute, I'm sure that the City Manager of the City of Hartford and I and all the members of the commission are painfully aware of the long hours that went into the development

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