

PA13-227

SB0761

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2013**

**VOL.56
PART 29
9742 – 10110**

THE CLERK:

Substitute House Bill 6651 as amended by House
"A".

Total Number Voting	147
Necessary for Passage	74
Those voting Yea	147
Those voting Nay	0
Absent and not voting	3

DEPUTY SPEAKER RITTER:

The bill as amended passes.

Will the Clerk please call Calendar Number 574?

THE CLERK:

Madam Speaker, on page 22, Calendar 574,
favorable report of the Joint Standing Committee on
Government Administration and Elections, Substitute
Senate Bill 761, AN ACT MAKING THE JANITORIAL WORK
PILOT PROGRAM FOR PERSONS WITH A DISABILITY OR A
DISADVANTAGED PERMANENT.

DEPUTY SPEAKER RITTER:

Representative Lesser.

REP. LESSER (100th):

Good afternoon, Madam Speaker.

Madam Speaker, I move for acceptance of the Joint
Committee's favorable report and passage of the bill.

DEPUTY SPEAKER RITTER:

The question is acceptance of the Joint Committee's favorable report and passage of the bill.

Representative Lesser, you have the floor, sir.

REP. LESSER (100TH):

I thank you, Madam Speaker.

Madam Speaker, this bill is the result of a collaborative effort spearheaded by the Connecticut Community Providers Association in coordination with a variety of stakeholders including the Department of Administrative Services.

It seeks to expand and make permanent a pilot program to provide employment opportunities in janitorial work for disadvantaged workers and workers with disabilities.

Madam Speaker, I move adoption.

Madam, the Clerk is in possession of an amendment LCO 6529. I ask that the Clerk please call the amendment and I be allowed to summarize.

DEPUTY SPEAKER RITTER:

Will the Clerk please call LCO 6529, which will be designated -- previously designated Senate Amendment "A"?

THE CLERK:

Senate Amendment "A" LCO 6529 as introduced by
Senator Musto.

DEPUTY SPEAKER RITTER:

The Representative seeks leave of the Chamber to summarize the amendment. Is there objection to summarization? Is there objection?

Seeing no objection, Representative Lesser, you may proceed with summarization.

REP. LESSER (100TH):

Thank you, Madam Speaker.

I think, Madam Speaker, it's fair to describe this is a cleanup amendment. It strikes the requirement that DAS establish a task force to study expansion of the program. It removes a reference to employee's collective bargaining rights and it makes several technical changes.

Madam Speaker, I move adoption.

DEPUTY SPEAKER RITTER:

Will you remark further on the amendment? Will you remark further on the amendment?

If not, I will try your minds. All those in favor, please signify by saying, aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER RITTER:

Opposed nay.

The ayes have it. And the amendment is adopted.

Will you remark further on the bill as amended?

Will you remark further on the bill as amended?

If not, will --

Representative Hwang, you have the floor, sir.

REP. HWANG (134TH):

Good evening, Madam Speaker.

I rise in strong support of this bill. Almost didn't a chance to. Because this is actually one of the good things that we can do in this Chamber. This makes permanent a pilot study program that has produced jobs and gave enriching employment experiences to many disabled and disability -- developmentally disabled individuals in our community.

It makes permanent an opportunity that will one, help those individuals create an independent living environment. Number two, it will also help our non-profits, which has been able to produce revenue at the same time provide outlets of work and enrichment for those individuals with disabilities. And number three, it actually does indeed help our business in

the community, because it creates a reliable workforce that is steady and reliable.

And I strongly am in support of this bill and I hope this Chamber will do this quickly as well.

Thank you, ma'am.

DEPUTY SPEAKER RITTER:

Will you remark further on this bill as amended?

Representative Ziobron, you have the floor.

REP. ZIOBRON (34th):

Thank you, Madam Speaker.

I am totally in support of the concept of this bill, but I do have a question through the proponent -
- for the proponent.

Through you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Please proceed.

REP. ZIOBRON (34th):

Thank you.

In Lines 55 through 58 it talks about the Commissioner may create a task force to expand this beyond janitorial services. And through you to the proponent, Madam Speaker, what other sorts of occupations would the task force be looking to study?

Through you.

DEPUTY SPEAKER RITTER:

Representative Lesser.

REP. LESSER (100TH):

Through you, Madam Speaker.

To the good Representative from the East Hampton and East Haddam. I think that is an excellent question; however, I would refer the Representative to the Senate Amendment "A" just passed by this Chamber, which I believe strikes that task force.

DEPUTY SPEAKER RITTER:

Representative Ziobron.

REP. ZIOBRON (34th):

Thank you so much.

And I appreciate the correction from the good Representative. We move quickly. I'm starting to notice in the last day and I'm trying my best to keep up, so I thanks for the clarification.

DEPUTY SPEAKER RITTER:

Will you remark further on the bill as amended?
Will you remark' further on the bill as amended?

Representative Hwang for the second time, will you remark?

REP. HWANG (134TH):

Thank you, Madam Speaker, for the second time.

And I was remiss in not acknowledging the tremendous work of our GAE Committee, as well as the good work of the good Chairs of GAE, but I also want to acknowledge the supportive work of Representative Rutigiano in advocating this and wanted to give thanks to that.

So again, I encourage strong support of this bill.

DEPUTY SPEAKER RITTER:

Will you remark further on the bill as amended?
Will you remark?

If not, will staff and guests come to the Well of the House? Will members take their seats and the machine will be open?

THE CLERK:

The House of Representatives is voting by roll.
The House of Representatives is voting by roll. Will members please return to the Chamber immediately?

DEPUTY SPEAKER RITTER:

Have all the members voted? Have all the members voted?

Will the members please check the board to determine if their vote has been properly cast?

If all members have voted, the machine will be locked and the Clerk will take a tally.

THE CLERK:

146, 0, 4.

DEPUTY SPEAKER RITTER:

The Clerk will please announce the tally.

THE CLERK:

Madam Speaker, in concurrence with the Senate, Substitute Senate Bill 6 -- 761 as amended by Senate "A".

Total Number Voting	146
Necessary for Passage	74
Those voting Yea	146
Those voting Nay	0
Absent and not voting	4

DEPUTY SPEAKER RITTER:

The bill passes in concurrence with the Senate.

Will the Clerk please call Calendar 524?

THE CLERK:

Yes, Madam Speaker, on page 44, Calendar Number 524, favorable report of the Joint Standing Committee on Appropriations, House Bill 6703, AN ACT CONCERNING YOUTH VIOLENCE AND GANG ACTIVITY.

DEPUTY SPEAKER RITTER:

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GENERAL ASSEMBLY
SENATE**

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SENATOR LOONEY:

Thank you.

And then if we would move to Calendar page 18,
Calendar 438, Senate Bill 761; and then Calendar
page 18, Calendar 443, Senate Bill 1056.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Page 18, Calendar 438, Substitute for Senate Bill
Number 761, AN ACT MAKING THE JANITORIAL WORK
PILOT PROGRAM FOR PERSONS WITH A DISABILITY OR A
DISADVANTAGE PERMANENT, Favorable Report of the
Committee on Government Administration and
Elections.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Thank you, Madam President.

I move the Joint Committee's Favorable Report and
passage of the bill.

THE CHAIR:

Motion is on passage.

Will you remark, sir?

SENATOR MUSTO:

Yes, Madam President.

What this bill does is makes permanent the
Janitorial Work Pilot Program. It is a -- a
program for persons with disabilities to provide
them with additional resources for work and to be
able to make some money and to earn -- earn a

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skill and a trade. And it's -- I do urge the Chamber's support.

I would also have two amendments. The first one, if the Clerk has on his desk Amendment -- File Number 6529 -- LCO Number 6529.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 6529, Senate "A" offered by Senator Musto and Representative Gentile.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Thank you, Madam President.

I would move the amendment and seek leave to summarize.

THE CHAIR:

Motion is on adoption.

Please remark, sir.

SENATOR MUSTO:

Thank you, Madam President.

This bill makes some technical changes, but one of the things it does that I think is most important is, in lines 228 of the bill and following, it says -- there's some language that was agreed to by the -- some of the advocates on both sides of the labor and disability folks who said that we need to try to in -- try to make something in this bill -- that if the position being held by a disabled person is vacant, that it's held by another disabled person to the

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extent permitted by law.

We can't initiate, obviously, collective bargaining rights or contracts, but we would like to make sure that, to the extent possible, that the disability community gets the benefit of these jobs. So that is the main thrust of the amendment, and I would urge passage by the Circle.

THE CHAIR:

Thank you.

Will you remark? Will you remark on the amendment?

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Madam President.

I stand for the purpose of a question to the proponent of the amendment.

THE CHAIR:

Please proceed, sir.

SENATOR MCLACHLAN:

Thank you, Madam President.

Senator Musto, I've supported the underlying bill, and I just would like some further clarification of this, as you've indicated, a technical amendment.

You've just mentioned a scenario of a vacancy being filled with the intention of that vacancy being filled by someone with a disability if that job originally was held by someone with a disability.

My question, through you, Madam President, is if you are unable to fill the position in a timely

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fashion, is it required to hold that position open?

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Thank you, Madam President.

I don't believe that's a problem, Senator McLachlan.

Through you, Madam President.

Certainly, these programs -- this pilot program has been very successful. I believe there are people who -- I don't believe there's any shortage of people looking for these jobs. So I would not expect that would be a problem. I would assume that if there is no one available at all that the job would be filled, especially if it's a needed position, someone needs to do the work, that it could be filled by someone else.

I understand the bill says it "shall" be filled by another person with a disability or a person with a disadvantage, but I do not believe -- unfortunately, I do not believe there's any shortage of people who would qualify for these jobs.

Again, the pilot program has been very successful, and I believe, has just -- has people waiting for it. That's my understanding.

Through you, Madam President.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Madam President.

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And through you, Senator Musto, are there any other substantive changes as a result of this amendment?

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Thank you, Madam President.

I would not wish to characterize or to -- to play a game with Senator McLachlan regarding characterization. So I would say that the other change in the amendment, whether substantive or not, are that the task force, in line 56 through line 57, has been removed so there will not be a task force to study the expansion of the program.

In line 83, the change is that there's a statute -- there's a comma inserted after the statute that is cited in that and the word "and" will be removed. And other statutes will be added in line 84, and those statutes, I believe, again, relate to the awarding of contracts and how contracts are awarded. That's just current law.

And in line 219 -- I may look at the bill -- in line 219, we are simply striking the word "that" which, I believe, is just a grammatical change, certainly not substantive.

And in line 228, we are adding the word "unless" -- excuse me -- we're striking the word "unless." We just went through that.

And then in line 241 of the bill we are saying -- it says, "Nothing in this section shall be construed to apply to the four janitorial contracts." We're taking out the word "four" so that janitorial contracts, in general, that already exist pursuant to Subsections B and D of 4 -- 4a-82 would not be affected.

So those are the -- the total changes of the amendment. And to the extent that they don't

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affect, necessarily, the underlying law or the underlying bill, I would characterize them not as substantive, but I do want to make it clear for the record that those are all the changes in the amendment.

Through you, Madam President.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Madam President.

I stand in support of the amendment.

Thank you, Senator Musto.

THE CHAIR:

Thank you.

Will you remark further on the amendment? Will you remark further on the amendment?

If not, all those in favor of the amendment please say aye.

SENATORS:

Aye.

THE CHAIR:

Opposed?

Amendment passes.

Senator Musto.

SENATOR MUSTO:

Thank you, Madam President.

I thank Senator McLachlan for support of the

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amendment and his work on the bill as well. And
I would just ask if --

THE CHAIR:

Senator --

SENATOR MUSTO:

-- if there are any -- if there's nothing
further, we'd ask to place this on Consent.

THE CHAIR:

Will you remark further on the bill? Will you
remark further on the bill?

If not, then Senator Musto --

SENATOR MUSTO:

Yes, Madam President, could we place this item on
Consent without objection?

THE CHAIR:

Seeing no objection, so ordered, sir.

Okay. Mr. Clerk.

THE CLERK:

On page 18, Calendar 443, Senate Bill Number
1056, AN ACT STREAMLINING CERTAIN PROCESSES AT
THE DEPARTMENT OF CONSTRUCTION SERVICES
CONCERNING CONSTRUCTION MANAGER AT-RISK PROJECT
DELIVERY CONTRACTS, THE HIRING OF CONSULTANTS,
AND CONTRACTS FOR THE INSTALLATION OF
PREFABRICATED BUILDINGS, Favorable Report of the
Committee on Government Administration and
Elections.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

The bill passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, if the Clerk might now call the items on the Consent Calendar before proceeding to a vote on that Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 1, Calendar 545, Senate Resolution Number 27; also on Page 1, Calendar 546, Senate Resolution Number 28. On Page 2, Number 547, Senate Resolution Number 29. On Page 2, Number 549, Senate Resolution Number 31. On Page 5, Number 184, Senate Bill 1026. On Page 7, Calendar Number 253, Senate Bill Number 763. On Page 16, Calendar Number 412, Senate Bill Number 962. On Page 17, Calendar Number 436, Senate Bill Number 673. On Page 18, Calendar Number 438, Senate Bill Number 761. Also on Page 18, Calendar Number 443, Senate Bill Number 1056. On Page 19, Calendar Number 449, Senate Bill Number 828. On Page 20, Calendar Number 461, House Bill Number 6540.

On Page 21, Number 469, House Bill Number 6574. On Page 23, Number 480, Senate Bill Number 238. On Page 25, Calendar Number 501, House Bill Number 5799. Also on Page 25, Number 507, House Bill Number 5117. On Page 26, Calendar Number 508, House Bill Number 6571. On Page 26, Calendar Number 509, House Bill Number 6348. Also on Page 26, Calendar Number 510, House Bill Number 6007 and on Page 26, Calendar Number 512, House Bill Number 6392.

On Page 40, Calendar Number 48, Senate Bill Number 519. On Page 40, Calendar Number 60, Senate Bill Number 859. Also on Page 40, Calendar Number 104, Senate Bill Number 833.

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On Page 41, Calendar Number 107, Senate Bill Number 917. On Page 42, Calendar Number 123, Senate Bill Number 434. On Page 43, Calendar Number 129, Senate Bill Number 898. Also on Page 43, Calendar Number 139, Senate Bill Number 158. On Page 43, Calendar Number 167, Senate Bill Number 879.

On Page 45, Calendar Number 195, Senate Bill Number 816. Also on Page 45, Calendar Number 204, Senate Bill 652. On Page 47, Calendar Number 241, Senate Bill 1040. On Page 48, Calendar Number 269, Senate Bill 1003. Also on Page 48, Calendar Number 270, Senate Bill Number 1007.

On Page 50, Calendar Number 304, Senate Bill 1019. Also on Page 50, Calendar Number 310, Senate Bill 903. And finally on Page 53, Calendar Number 399, Senate Bill 1069.

THE CHAIR:

Mr. Clerk, will you call for a roll call vote. The machine will be open on the Consent Calendar.

THE CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. Senators please return to the Chamber. Immediate roll call vote in the Senate.

THE CHAIR:

If all members have voted, if all members have voted the machine will be locked. Mr. Clerk, will you please call the tally.

THE CLERK:

On Consent Calendar Number 1.

Total Number Voting	36
Necessary for Adoption	19
Those Voting Yea	36
Those Voting Nay	0
Those Absent and not Voting	0

THE CHAIR:

Consent Calendar is passed.

Are there any points of personal privilege?

Senator Doyle.

SENATOR DOYLE:

Thank you, Madam President.

Yeah for a point of information for the Chamber.

THE CHAIR:

Please proceed, sir.

SENATOR DOYLE:

Yes, thank you, Madam President.

Tomorrow the General Law Committee will be meeting at 11:15 outside the Hall of the House. The bulletin said 15 minutes before the early session so now we're making it definitive. Tomorrow at 11:15 outside the Hall of the House the General Law Committee will be considering one bill that was referred to us.

Thank you, Madam President.

THE CHAIR:

Thank you.

Senator Duff next.

SENATOR DUFF:

Thank you, Madam President.

For the point of announcement please.

THE CHAIR:

Please proceed, sir.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**GOVERNMENT
ADMINISTRATION
AND ELECTIONS
PART 4
1000 - 1350**

2013

although once it's exempt it would be unlikely to release it unless there was a good reason. The other difference is, these questions are asked in the ordinary course of an audit whereas a whistleblower is somebody who either by identifying or anonymously reports something to us sort of outside of the process. The whistleblower kicks in a whole other process, and we're not trying to link that. When we finish a whistleblower investigation, we by statute give it to the attorney general. We don't want to take every single audit we do of every agency in turn when somebody answer our question into our whistleblower which then means we never finish our audit report until the attorney general -- I'm sure the attorney general doesn't really want to review the 80 or so biennial audits that we produce. So the real reason is to distinguish it. We're asking a specific question in the ordinary course of an audit separate from somebody who contacts our office to report a matter. That falls into the whistleblower section.

SENATOR MCLACHLAN: Thank you. Thank you for that clarification. Thank you, Mr. Chairman.

REP. JUTILA: Other questions?

If not, thank you, gentlemen, both for your testimony.

JOHN GERAGOSIAN: Thank you very much.

ROBERT WARD: Thank you all.

REP. JUTILA: Next up will be Commissioner DeFronzo followed by Senator Witkos.

COMMISSIONER DONALD DEFRONZO: For the record, my name is Don DeFronzo, I'm the Commissioner of

HB6319
HB6579
SB761
SB977
SB978

AND THE PERCENTAGE OF CONTRACTS RESERVED FOR MINORITY BUSINESS ENTERPRISES, is another bill I want to make some general comments on. The -- the department remains very committed to an aggressive program of minority business set-aside. In fact, later today we're having a forum here with representatives of various minority commissions to -- to discuss this issue which will involve the Department of Transportation, UCONN, our agency, and the Department of Construction Services.

This bill, however, removes women from the current definition of a minority and it makes some other changes to the bill which are significant. And we cannot support the removal or modification in the definition of minority classifications or the set-aside percentages until such time as a demographically justifiable demographic study, we refer to it as a disparity study, is completed and provides us with the real hard justification to make changes of that -- of that type.

Our current program is based on a study that was done in the 1970s. It is antiquated, it needs to be redone. Actually we are in the process now of having that study done through the CASE which was authorized by the Legislator last year. But changes of this type would likely get us into -- into court on a number of challenges. So just a word of caution on -- on that bill as well.

Another bill I want to talk briefly about is AN ACT CONCERNING THE JANITORIAL WORK PILOT PROGRAM FOR PERSONS WITH A DISABILITY OR A DISADVANTAGE PERSON. This is a -- with a pilot program I actually worked on quite extensively when I was a State Senator. Pleased to report that the stakeholders in this -- in this pilot program

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have developed the language which is now before the Committee intended to move the program from a pilot program to a permanent program. The language would extend the program on a voluntarily basis to the Judicial Branch and to the Board of Regents for Higher Education.

This is a program which helps protect the job security of custodians working for the state, and it provides good paying job opportunities for members of the disabled community. So we have been a partner with the various stakeholders on this bill, and we hope -- hope the Committee would give it favorable consideration.

Then there are two bills which have been submitted by the Department of Construction Services that I want to talk about briefly. First, Senate Bill 977, is an ACT CONCERNING THE MEMBERSHIP OF CONSTRUCTION PANELS AND THE EVALUATION OF BIDDERS PAST PERFORMANCE. Connecticut General Statutes 4b-56 establishes within DCS state construction service selection panels in Connecticut health and education facilities authority construction service panels. And these panels consideration qualifications submitted by consultants and review their qualifications and credentials and select companies to do -- potentially to do state work.

This bill makes changes to the composition of those selection panels by reducing the membership and makes full panel activity only applicable to larger projects in excess of \$5 million. And the intent of this -- of this legislation is to streamline our process and to take some of the personnel that's devoted to these committees, and you'll see in the -- in the actual bill we have some committees that are

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ELECTIONS COMMITTEE

11:00 A.M.

Questions from members of the Committee?

I have one question. I'm just curious and you may not know the answer, what's the one state, the one other state?

KAREN CORTÉS: And I wish -- I don't know.

REP. JUTILA: That's okay. I was just curious.

KAREN CORTÉS: I could come back with it. I can send you an --

REP. JUTILA: No. No, it's not that important. Thank you.

KAREN CORTÉS: Thank you.

REP. JUTILA: Next speaker is Neil Johnson followed by Bill Gill.

NEIL JOHNSON: Hello. My name is Neil Johnson and I'm in support of the Senate Bill 761 and also in support of the Qualified Partnership Program. I work with CW Resources since 1999, and in 2010 I began working at Central Connecticut State University. Through employment at CCSU through CW has helped me financially to be a lot better. I feel more independent and more self confident.

I like the people I work with as I now feel part of a team. The staff ask me things and respect my opinion. CW has helped me socially open up as I originally was not outgoing or talkative. I highly recommend this program and hope it continues so it may help persons with disabilities do the things in life they want to and socially and be given respect. Thank you.

REP. JUTILA: Thank you, Mr. Johnson. We really appreciate when people have real life experience

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11:00 A.M.

and can give us good feedback like that and come before the Committee. So thank you for taking the time today.

Questions from members of the Committee?

Representative Hwang.

REP. HWANG: Thanks. Thank you, Mr. Chair. And I want to echo your -- your sentiments as well and complimenting you for aspirations and your successes and coming up to testify. It's always good to hear advocates, you know, pushing for bills and bringing personal perspectives. So I want to echo the Chairman's perspective as well. Thank you.

REP. JUTILA: Any other questions?

Thank you again for your testimony.

NEIL JOHNSON: Thank you very much.

REP. JUTILA: The next speaker will be Bill Gill followed by John Butts.

BILL GILL: Good afternoon, Co-Chairman Senator Musto, Representative Jutila, distinguished, honorable Representative Mr. Hwang, and the other Representatives here today. My name is Bill Gill, I'm the Marketing Director for The Kennedy Center in Trumbull. My main responsibility is security work for those with development disabilities. I'm here to speak in support of making S.B. 761 a permanent program.

Our agency has supported Connecticut citizens with varying disabilities for over 60 years. We could not have accomplished what we have in those 60 years without solid community support and that of our State. The last five years have

been extremely difficult financially for the State, businesses in the state, and all nonprofits who serve over 500,000 individuals with disabilities and special needs.

The economy downturn -- the economical downturn has made it more difficult to place clients with disability in work. Two very important programs in support of people with disabilities are the Qualified Partnership Pilot Program and the Preferred Purchasing Program. Because of these programs, The Kennedy Center had over 100 consumers with janitorial jobs I 2012. They earned nearly \$340,000 while logging an astounding 53,000 hours of work time. Those are remarkable numbers.

The Kennedy Center thanks the Committee in advance for making S.B. Number 761 permanent. We ask for your continued support and we applaud you for your foresight in allowing people with disabilities a level playing field to earn and achieve. Thank you for your time.

REP. JUTILA: Thank you.

Questions from members of the Committee?

Representative Hwang.

REP. HWANG: Thank you, Mr. Chair. Bill, thanks for coming in and thank you for the great work that The Kennedy Center has done for our community for over 60-plus years. Elaborate a little bit more what the Qualified Partnership Pilot Program is all about and how do you go about getting employers. Are they contracts with the state or are they contracts with private employers in the community?

BILL GILL: They are basically competitively bid

state contracts with other nonprofits. And basically I guess they're not set-asides, but in a way they are. And it allows us to -- the people with nonprofits with people with disability trying to get janitorial jobs, the ability to get work for their people.

REP. HWANG: Through you, Mr. Chair, and can you talk to me a little bit more about what the Preferred Purchasing Program is. Is that in conjunction or is it a separate program?

BILL GILL: That is our -- our parent so to speak, the agency that guides the entire process. They are the father to our -- to all the nonprofits as far as the process of getting the contracts.

REP. HWANG: In your role as director of marketing, what do you do? Do you engage with private companies in the community or private nonprofits? And how do you proceed in getting your clients at The Kennedy Center work through these kinds of programs? Take us through, and, you know, director of marketing, tell the world in regards to what you do and how other companies can get more involved.

BILL GILL: My day basically puts me on the street every day with business. I call on businesses every day in support of people with disabilities to get them jobs. As I said, the downturn in the economy has made things very difficult in the last five years. And one of the great programs has been this pilot program to -- to give our clients the ability to have jobs. But day in and day out, we find those doors have closed a bit out in the workplace for us due to the economy. And I hope soon they will reopen. It's been difficult. It's been a difficult process, but we're very thankful of the program, the pilot program and the insight of the

Committee here to allow people with disabilities an advantage in getting jobs.

REP. HWANG: When you're talking about the clients and the people with disability in your organization, you're looking at developmentally disabled clients that come into your organization. And what The Kennedy Center does for them is they develop skills, they develop social skills, they develop adaption skills, and explain a little bit more. So they're actually put into the workplace, and earn a living, and earn their keep, and progress toward independent living. Could you elaborate a little bit about that.

BILL GILL: Yeah. In the end that's the goal. The entire goal is to have our clients out in the community working amongst other people. We have a training staff that trains our people on how to do the janitorial work they do. We have job coaches who go out on the job site with the -- with the clients and proceed through all the client contracts we do for the state from beginning to end.

And like I said, we have over 100 clients that are trained to go out and do the work the State has to offer. And the bids we have won, we continually get more people coming in through our doors. We continue to train, we continue -- we look for other outlets. We have -- we have landscaping work for clients, we have other things we do.

But the janitorial by far is the biggest enterprise we have at The Kennedy Center and it's been -- it's been a boon to have it for -- for our clients. It's opened the doors for them to work and be a part of the community. And that's why 761 is so important to us, it has

just helped so much. It's just unbelievable how much help it's given us.

REP. HWANG: You're talking about not only from an employment standpoint, you're talking about a balance of quality of life for your clients at The Kennedy Center. What do you do for them as a part of your overall, you know, adaptive and rehabilitative services?

BILL GILL: Well, the biggest thing is interaction. They get to interact in the community, they get to get out and work, have a real job. Otherwise they might be in a workshop all day long, sitting in a workshop trying to do things in a workshop. Without these types of jobs, you know, it limits their ability to get out into the community and to become part of the community, to be accepted. And that's very, very important, it's an important part.

The Kennedy Center is one of the few programs that take people from practically birth to death all through their life. We have group homes where our -- many of our clients live in the group homes that we offer. We have expanded our services tremendously over the years. And quite frankly we've taken on work that the State has passed on to us because we're very, very fiscally lean on how we operate, and we can do it at a very, very good cost.

So it's been a process where we can get our clients out there, get them the community experience, get them the life-like experience that we have here every day. And let them go to a job, and let them work, and let them fail, and let them achieve, and let them succeed, and the whole thing that we want -- we want in life, they get to enjoy because of programs like this.

jf/gbr GOVERNMENT ADMINISTRATION &
ELECTIONS COMMITTEE

11:00 A.M.

REP. HWANG: And your work doesn't just top there, right, it continues on as what you talked about group homes, independent living, that you cover virtually from birth to -- birth to death.

BILL GILL: Just about.

REP. HWANG: Right. And -- and through this type of work, through this type of work opportunity and interaction, you're allowing these individuals to continue to live and independently in the group home setup which is one of the oldest things The Kennedy Center has as well, right?

BILL GILL: Yes. That is -- that is the probably the ultimate goal. In my experience, what I would -- what I would want for the clients is for all of them to be in group homes. Unfortunately they can't all be in group homes, but that's the ultimate goal. And when they live and interact together in a group home in that type of setting, it's a wonderful thing.

And we have -- The Kennedy Center has many, many, many people in group homes. Those seem to be our happiest clients, those seem to be the clients with the smiles on their faces and having a good time in life. And being able to work is an important thing, it's an important avenue. And it's important for their families because the support they get from the jobs that are created here are a help to the families and their incomes. So it has a dual purpose also there.

REP. HWANG: Well, thank you, Mr. Chair. Thank you for your time and I also want to acknowledge and thank the Chairman Musto for proposing this bill and look forward to its passage out of this Committee. Thank you.

SENATOR MUSTO: Thank you. And for the record it was joint between the Chairman so I think we're both happy about this. Thank you for -- The Kennedy Center serves Representative Hwang's district and my district as well. So we're happy to have you there and we're happy to have you here. I'm not going to follow up on any of the questions he asked. I think you did a good job.

BILL GILL: Yeah, he was working me over pretty well, wasn't he.

SENATOR MUSTO: Yeah, he beat you up real bad.

BILL GILL: It's going to cost him. Thank you very much, Senator Musto. Thank you, Representative Hwang.

SENATOR MUSTO: Next on our list we have John Butts, Petra Rentas, and Kirk Springsted, in that order.

JOHN BUTTS: Good afternoon, Senator Musto, Representative Jutila. My name is John Butts, I am the Executive Director of the Associated General Contractors of Connecticut. I'm here to testify on S.B. 977 and S.B. 978. S.B. 977 is AN ACT CONCERNING THE MEMBERSHIP OF CONSTRUCTION SERVICE PANELS AND THE EVALUATION OF BIDDERS' PAST PERFORMANCE and S.B. 978 is AN ACT CONCERNING SUBCONTRACTOR PREQUALIFICATION AND CLASSIFICATION THRESHOLDS AND INCREASING THE THRESHOLD FOR REQUIRING COMPETITIVE BIDDING OF PUBLIC WORKS PROJECTS. These are two of the bills that Commissioner DeFronzo brought before the Committee.

AGC of Connecticut is the building division of the Connecticut Construction Industries Association. We represent 150 commercial, industrial, and institutional construction

jf/gbr GOVERNMENT ADMINISTRATION &
ELECTIONS COMMITTEE

11:00 A.M.

that.

JOHN BUTTS: If a claim is brought against a contractor or if a contractor brings a claim against the -- an owner? Either way.

SENATOR MUSTO: You're the expert.

JOHN BUTTS: I'm not sure I'm the expert on this. I'll give it a shot. The owner -- say a contractor brings a claim against an owner, and that is determined -- the owner has to determine whether or not that claim is valid. Is there is a dispute -- if it is, then they pay it. If there isn't, then they could go to arbitration, mediation, they could go to, you know, court if the contract allows that to happen. And at that point, the claim is either substantiated or not. And if it's not, the contractor loses, the owner wins. And so that I think is what is meant is unsubstantiated in perhaps the legal world. I'm not an attorney, but I believe that that would hold up as some sort of definition.

SENATOR MUSTO: Okay. I think I got it. Thank you.

JOHN BUTTS: Sure.

SENATOR MUSTO: Other questions from members of the Committee?

Thanks very much.

Okay. Petra Rentas followed by Kirk Springsted and Gregory Thomas. All are testifying on 761.

PETRA RENTAS: Good afternoon. My name is Petra Rentas and I'm with CW. I start to work in CW in 2004 after I lost my job. I was working in a service job and worked for 23 years. They closed down, of course, I can go, I did some, I

got my disability. I went to a lot of places -- application. We call you, don't call me, I call you, don't call us, you know. Until I get in touch with CW Resources.

I feel really, really grateful for being part of this company, for CW. They look at me as a person, they don't look at me as a number, but as a person. They hire me and I really, really grateful for that. I've been working in there since -- for CW since 2004 and since 2008 I've been working at CCSU, Central Connecticut State University, and I'm really, really glad that I'm there. And I work for people, not for the money, but for the people.

I feel like -- I need it, you know, they needed me to do the kind of job that I'm doing. And I really recommend and I ask you to keep support this great company, but, please, for the people. They don't look at you -- your disability, not even your age. They give you what you need. They support you all the way. Thank you very much.

SENATOR MUSTO: Thank you.

Questions from members of the Committee?

Thank you for coming and testifying. Again as my Co-Chair said before, it's good to have people who are being affected by these programs come see us as opposed to sometimes just the advocates.

PETRA RENTAS: It's wonderful.

SENATOR MUSTO: Thank you.

Mr. Springsted, Kirk Springsted.

jf/gbr GOVERNMENT ADMINISTRATION & 11:00 A.M.
ELECTIONS COMMITTEE

KIRK SPRINGSTED: Good afternoon, Senator Musto, Representative -- Representative Jutila, members of the Committee. My name is Kirk Springsted, I'm the Vice President of Administration for the Connecticut Community Providers Association, CCPA. CCPA represents organizations that provide services and supports for people with disabilities. I am here to speak in favor of Senate Bill 761, AN ACT MAKING THE JANITORIAL WORK PILOT PROGRAM FOR PERSONS WITH A DISABILITY OR DISADVANTAGE PERMANENT. This is a measure which we view first and foremost as providing opportunities for people with disabilities to gain employment and to work toward self sufficiency.

In 1977, the Connecticut Legislature created a Preferred Purchasing Program in Statute as 17b-656 to address low employment rates for people with disabilities. The statute promotes employment opportunities for people with severe disabilities through government contracting. Through the years the program has produced employment, employment training, and wages for people with severe disabilities in a variety of work settings. Last year it provided \$2.74 million in wages and 691 employment opportunities for people with disabilities.

A 2013 national economic benefits study of similar programs show that Connecticut saves over \$2,000 per worker employed through this program as a result of reductions in entitlement programs and increased tax payments. In 2006, the Connecticut Legislature expanded this program by creating the Qualified Partnership Pilot Program. This bill established the pilot program that promoted employment for people with disabilities and economic disadvantages with commercial sector janitorial contractors. This is an employment model that follows the

priorities of the Departments of Development Services, Mental Health and Addiction Services, and Rehabilitation Services.

You will hear or have heard testimony of several of the people who have benefitted from this program. S.B. 761 makes the program permanent and offers the opportunity to expand it. We urge you to support this vital legislation and help protect employment opportunities for people with disabilities. Thank you very much.

SENATOR MUSTO: Thank you.

Questions from members of the Committee?

Thank you very much.

KIRK SPRINGSTED: Thank you.

SENATOR MUSTO: Next we have Gregory Thomas followed by looks like Laila Mandour and Therese Pac.

GREGORY THOMAS: My name is Gregory Thomas. I've been working for CW for 16 years and it's been a pleasure. They did a lot for me. I bought my own car, paid my bills, and I thank Jim for training me how to do the work and I'm very grateful for CW.

SENATOR MUSTO: Thank you very much.

GREGORY THOMAS: Thank you.

SENATOR MUSTO: Any questions from members of the Committee?

No. Thank you.

GREGORY THOMAS: Thank you.

SENATOR MUSTO: Laila Mandour.

LAILA MANDOUR: Good afternoon, Senator Musto, Representative Jutila, and members of the Committee. My name is Laila Mandour and I'm the President of the Administrative and Residual Employees Union also known as A&R. A&R is comprised of approximately 3,000 state employees including accountants, tax collectors, and fiscal employees. We have several hundred members who work at the Department of Revenue Services. I appear before you today just briefly to testify in support of House Bill 6492, AN ACT CONCERNING THE CONFIDENTIALITY OF EMPLOYEES SUPPLYING INFORMATION TO THE AUDITORS OF PUBLIC ACCOUNTS.

I'd just like to say that this bill makes sense. It protects employees who do not choose to become whistleblowers as defined by Connecticut General Statute Section 4-61dd, but rather it allows a state employee to answer an auditors questions honestly even where the answers may be harmful to a subject state agency. Thank you.

SENATOR MUSTO: Thank you very much.

Questions from members of the Committee?

Yes, Senator McLachlan.

SENATOR MCLACHLAN: Thank you, Mr. Chairman. Thank you, Ms. Mandour, for your testimony. And previous testimony from the state auditors I asked them the question about the -- how this would interact with the whistleblower law, and I notice that you've sort of zeroed in on that. So I wonder if I may take the liberty of asking, how would, pragmatically speaking, how would this work for a member of your union if they -- say that they don't have to go all the way to

**The Kennedy Center, Inc.**

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Martin D. Schwartz
President and CEO

Spoken

March 11, 2013

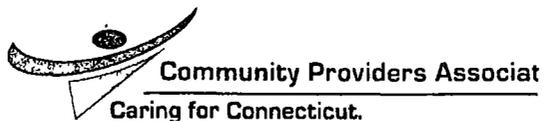
Good day to our Co-Chairmen Senator Anthony Musto and Representative Ed Jutila, the Government Administration, Elections Committee, and all here in attendance. My name is Bill Gill, and I am the Marketing Director for The Kennedy Center in Trumbull. My main responsibility is securing work for those with developmental disabilities.

Our agency has supported Connecticut citizens with varying disabilities for over 60 years. We could not have accomplished what we have without solid community support and that of our State! The last five years have been extremely difficult financially for the State, businesses in the State, and all non-profits who serve over 500,000 individuals with disabilities and special needs.

Two very important programs in support of people with disabilities are the Qualified Partnership Pilot Program and the Preferred Purchasing Program. Because of these programs, The Kennedy Center had over 100 consumers with janitorial jobs in 2012, earning nearly \$340,000 while logging an astounding 53,000 hours of work time. Remarkable!

The Kennedy Center thanks the Committee in advance for making S.B. No. 761 permanent. We ask for your continued support and applaud you for your foresight in allowing people with disabilities a level playing field to work, earn and achieve.

Thank you.



March 11, 2013

To: COMMITTEE ON GOVERNMENT ADMINISTRATION AND ELECTIONS

From: Kirk A. Springsted, Vice President, Administration,

Re: ***“AN ACT MAKING THE JANITORIAL WORK PILOT PROGRAM FOR PERSONS WITH A DISABILITY OR A DISADVANTAGE PERMANENT”***

My name is Kirk Springsted. I am the Vice President of Administration for the Connecticut Community Providers Association (CCPA). CCPA represents organizations that provide services and supports for people with disabilities. I am here to speak in favor of Senate Bill 761.

This is a measure which we view first and foremost as providing opportunities for people with disabilities to gain employment and to work towards self sufficiency.,

In Connecticut in 2011, the rate of employment for people with disabilities people was 38%¹. Historically, the rate of employment for people with severe disabilities is even lower. No other segment of society eligible to be part of the work force has such poor employment statistics. A by-product of a low rate of employment rate for people with disabilities is that their economic well being is substantially worse than for those without disabilities.

In 1977, the Connecticut Legislature created a preferred purchasing program (PA 77-405, CGS 17b-656) to address low employment rates for people with disabilities. The statute promotes employment opportunities for people with severe disabilities through government contracting. Since the original legislation, and through the program, community providers supply state agencies with needed products and services rendered by people with disabilities. The program has produced employment, employment training, work hours and wages for people with disabilities in a variety of work settings, including janitorial services, dry cleaning, temporary services, commercial laundry, landscaping, and manufacturing.

CCPA

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CCPA Testimony March 11, 2013

S.B. 761: "AN ACT MAKING THE JANITORIAL WORK PILOT PROGRAM FOR PERSONS WITH A DISABILITY OR A DISADVANTAGE PERMANENT"

Page 2

The Preferred Purchasing Program highlights for last year include:

- \$2.74 million in wages (bringing the total over the last ten years to \$24 million for workers with severe disabilities)
- 691 employment opportunities for people with disabilities

A 2013 national economic benefit study of similar programs shows that Connecticut saves over \$2,000 per worker employed through the program as the result of reductions in entitlement programs and increased tax payments. By putting people to work through this program Connecticut saves \$800,000 per year.

In 2006, the Connecticut Legislature expanded this program by creating the Qualified Partnership Pilot Program (PA 06-129 CGS 4a-82). The bill established a pilot program that promoted employment for people with disabilities and economic disadvantages with commercial sector janitorial contractors, an employment model that follows the priorities of the Departments of Developmental Services, Mental Health and Addiction Services and Rehabilitation Services. That bill was the result of cooperative work of the Department of Administrative Services, 32SBJ, and CCPA and its providers with the objective of creating standard wage opportunities for people with disabilities and economic disadvantages.

The Pilot Program highlights include:

- Eleven Partnerships formed between Commercial Sector Janitorial companies and Community Providers
- DAS Awarded Six Pilot Contracts
- The Pilot created employment for people with disabilities and economic disadvantages in commercial work settings

S.B. 761 makes the program permanent and offers the opportunity to expand it

We urge you to support this vital legislation and help protect employment opportunities for people with disabilities.

¹ Disabilitystatistics.org – American Community Survey

Line Number 1Page Number 18

Re: Quality Partnership Program

My name is Gregory Thomas I have worked for CW Resources for 16 years, since 1998. I presently work at 3580 Main St. in Hartford, CT at the Department of Labor. I am a custodian there. CW Resources first provided me with an opportunity many years ago first at Manchester Community College, then at a site in Middletown. When I was given the opportunity to take a job at the D.O.L building I said to my supervisor, I am going to retire from here. Without the program I am in I don't know where I would be. I am beyond thankful, happy, and proud to be part of such a great program. I have been able to buy a car, pay my bills, and have my own independence. Without the program in place I don't know where I would be, it makes me not be a bum and go to work everyday. I feel beyond happy to be part of this great program and I support it. I hope in the future there are more programs available, for the next people in line who need the opportunity to be given a chance when nobody else will. Thank you for your time.

Gregory Thomas

Line Number 13Page Number 17

HEADQUARTERS
200 Myrtle Street, New Britain CT 06053
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www.cwresources.org

My name is Petra Rentas and I support the Qualified Partnership Program. I have been in employment with CW Resources since 2004 and since 2008 I have been working at CCSU (Central Connecticut State University).

I am REALLY REALLY grateful for this program as it is not because of the money but the value that it has given me as a person.

I worked for 23 years. got older and became disabled and no one would look at me as a person. I am somebody but I wanted to be a person. I wanted a job so I can help and with my job at CCSU I feel we (our team) is helping people by cleaning the building for the students

I have no complaints and feel really good about what I do. I wish that more people would care about persons with disabilities People with disabilities are not numbers...they are people and the people at CW care.

Legislature should continue to support such programs as there is a new generations of people coming with disabilities. What are they going to do if the legislature doesn't keep supporting this program. Where are they going to go? The Legislature HAS TO and SHOULD support this program.

Petra Rentas

March 9, 2013



HEADQUARTERS
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www.cwresources.org

Line Number 25Page Number 14

My name is Neil Johnson and I am in support of the Qualified Partnership Program. I have worked with CW Resources since 1999 and in 2010 I began working at CCSU (Central Connecticut State University).

Through employment at CCSU through CW it has helped me financially to be a lot better. I feel more Independent and more self confident. I like the people I work with as I now feel a part of a team The staff as me things and respect my opinion.

CW has also helped me socially to open up as I originally was not outgoing or talkative.

I Highly recommend this program and hope it continues so it may help persons with disabilities do the things in life they want to do by helping financially, socially and to be given respect.

Neil Johnson

March 8, 2013

Spoken

Connecticut's Employment and Community Resource Since 1964

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Senator Musto, Representative Jutila, members of the Government Administration and Elections Committee, my name is Andrea Barton Reeves, and I am Vice President of Administration at HARC. For the past 61 years, we have supported people with intellectual and related disabilities and their families live with dignity and inclusion. Thank you for the opportunity to testify in favor of Senate Bill 761, AN ACT MAKING THE JANITORIAL WORK PILOT PROGRAM FOR PERSONS WITH A DISABILITY OR A DISADVANTAGE PERMANENT, proposing to expand the Preferred Purchasing Program for persons with disabilities.

As you may know, for people with intellectual and other disabilities, finding opportunities for competitive or supported employment is a challenging task. It is so difficult for people with disabilities to overcome misperceptions and stereotypes about their capabilities and their ability to contribute productively to a work environment. This is especially true in a recovering economy, where competition for any open job is fierce and employers are reticent to take a chance on anyone they may have uncertainty about. I am here today to ask you to be courageous enough to pass SB 761, which proposes to expand an already successful pilot program to as the bill reads "create and expand janitorial work opportunities for persons with a disability and persons with a disadvantage." Your courage in passing this bill will say to every employer that the State of Connecticut is committed to employment opportunities for every citizen, and that it believes that the benefits of providing work opportunities for people with disabilities.

Governor Malloy has spoken time and again about preserving the Safety Net of services that supports Connecticut's most vulnerable citizens. Often, preserving the Safety Net is perceived as the State spending more money to support people who cannot support themselves. By passing SB 761, the State has the chance to weave the Safety Net in a different way - a way that creates jobs that enhance independence and develop tax-paying citizens where they might not otherwise exist.

HARC has believed in and committed extensive resources to employment for individuals with disabilities in the community for over twenty years. We have proudly participated in the Preferred Purchasing Program for over ten years. Our participation in the program, coupled with our own collaborations with over 30 businesses throughout greater Hartford, has

allowed us to see firsthand the mutual benefit that comes from creating and providing meaningful work opportunities for people with disabilities. We have over 75 participants working in insurance companies, hospitals, retail facilities and even here, in the Legislative Office Building.

SB 761, which proposes to expand the Preferred Purchasing Program to the Judicial Branch, would offer even more people with disabilities the opportunity to work. Work means more independence, greater contribution to society, enhanced self-esteem and meaning and purpose to one's life.

Every single person in Connecticut who is capable of working should have that chance. We are a state and a nation of equality and opportunity. We believe in the dignity of every citizen and nothing brings one more dignity than earning their own paycheck and contributing to their own financial self-sufficiency. Supporting SB 761, expanding an already successful program, does more than provide opportunities for work for people with disabilities; it demonstrates that this State is committed to job creation and to providing opportunities for meaningful, dignified work for every citizen in the state, without regard to disability. I urge you to pass SB 761, demonstrating the State's commitment to employment for persons with disabilities.

Thank you for your consideration

Respectfully Submitted,

Andrea Barton Reeves

Written

March 11, 2013

TO: The Government Administration and Elections Committee

RE: Proposed S.B. No. 761 AN ACT MAKING THE JANITORIAL WORK PILOT PROGRAM FOR PERSONS WITH A DISABILITY OR A DISADVANTAGE PERMANENT.

Dear Committee Members:

My name is Ron Bourque, and I am the Vocational Rehabilitation Director at the Easter Seal Rehabilitation Center of Greater Waterbury. The Janitorial Work Pilot Program has provided gainful employment for Easter Seal individuals with disabilities for over twenty (20) years. Our organization strongly supports and endorses making this program PERMANENT, as it continues to provide significant community based employment jobs for persons with disabilities. In past years, we have seen the Work Pilot Program come up for renewal every three (3) years, and although we are extremely grateful for its continued renewal, a cloud of angst, uncertainty and trepidation exists each and every time that the program comes up for renewal.

Through our employment programs at Easter Seals, we provide vocational training and community employment opportunities to four hundred (400) individuals per year. Our workforce is comprised almost exclusively of individuals with intellectual disabilities, as well as other disabling conditions. Eighty-three (83) of our workers with intellectual disabilities are currently thriving, growing and increasing their independence due to the numerous employment opportunities being made available through the Qualified Partnership Program. The reach of this program is broad, extending throughout the entire state, generating significant positive outcomes to numerous persons with disabilities. For all involved workers across the State, their respective jobs represent their individual identities; they talk of their jobs with great pride and passion, and they are eager to expand their capacities as contributing citizens of Connecticut, Maximizing their full inclusion and participation at the workplace is an incredible outcome of this program.

The scope of the janitorial pilot and the outcomes that it generates for the State of Connecticut are significant and noteworthy, not only from a worker perspective, but also from a cost effective perspective. Services provided through this program are generated at fair market value, with services aligned to facility standards identified by the state. With regard to scope of work hours generated by the program, a total of 38,000 work hours for persons with disabilities for Easter Seal workers were realized in FY-12. Worker wages of \$335,000 were earned, again with a high quality standards being maintained at State of Connecticut facilities.

Our workers and our organization strongly endorse S.B. No. 761, and are eager to have this bill authorized on a PERMANENT basis. We believe that workers with disabilities, working under this program in our state, have established a proven track record of excellent performance, and that they have repeatedly demonstrated the capacity to get the job done to the state's exacting standards.

Workers with disabilities desire to continue to make positive contributions in their communities and throughout the state of Connecticut, and the Janitorial Work Pilot Program has proven itself to be an excellent vehicle to full inclusion of persons with disabilities into the workforce. We thank the committee for giving this bill your full consideration.



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www.cwresources.org

Written

My name is Ronald Buccilli, Psy.D. and I am the President of CW Resources, Inc. I am testifying for the record on Proposal S.B. No.761.

I strongly support Raised Bill 761. It extends work opportunities for persons with disabilities. It extends their jobs and paychecks during difficult economical times. And, even within an improved economic climate, most of our clients will remain at a disadvantage for competitive employment due to a variety of reasons related to their respective disabilities.

Providing these work opportunities to our clients were part of extraordinary legislation passed unanimously by the 2006 Legislature. Extraordinary in that it created the Qualified Partnership Program. A Program that has recognized Connecticut for it's willingness to protect jobs for those that are most likely to lose their jobs because of the vagaries of the economy. A Program that other State Legislatures has reviewed for their own states.

Currently, CW Resources has 64 CCPA contracts involving over 218 workers performing more than 83,795 hours of work generating more than \$1,000,000 in wages. Our workers are proud of the work they do at multiple government buildings. Proud of earning, on average, \$11.95/hour. These wages mitigate our clients dependency on SSDI, Food Stamps and Medicaid benefits.

Beyond the wages and pride of working, are the immeasurable the mental health benefits our clients incur via a work routine, scheduled hours and the sense of contributing to their community. Something we all take pride in.

Thank you for the opportunity this Bill presents to our clients.

Written

- Date of hearing: Monday, March 11, 2013 at 11:00am
- Committee name: (COMMITTEE ON GOVERNMENT ADMINISTRATION AND ELECTIONS)
- John H. Barrett Jr., Janitor, Capitol Cleaning.
- Subject Testimony for the Record “*AN ACT MAKING THE JANITORIAL WORK PILOT PROGRAM FOR PERSONS WITH A DISABILITY OR A DISADVANTAGE PERMANENT*”

My name is John Barrett, Jr. and I am a Janitor for Capitol Cleaning. I am testifying for the record on S.B. 761 “AN ACT MAKING THE JANITORIAL WORK PILOT PROGRAM FOR PERSONS WITH A DISABILITY OR A DISADVANTAGE PERMANENT.”

My name is John Barrett, Jr. I am 29 years old, I live in my own apartment in Middletown, CT and I work for Capitol Cleaning at the Department of Transportation headquarters in Newington. Futures Inc. assisted me in being placed in this job through the Qualified Partnership program and therefore I have been employed as a Janitorial worker since November of 2007. This job has provided me with opportunities to live independent of Federal and State Assistance. Before I was employed at Capital Cleaning, I was eligible for Social Security Disability Benefits, Rent Subsidy from DMHAS and Food Stamps.

Now and most importantly, because I have this job I am able to pay my rent and other bills on time and I am able to be a productive part of society despite having a disability. Less than 6 years ago no one, including myself, could have predicted that I would be in the situation that I am in now. Then, I was living in an institution in New York where everything I did was controlled. I had to earn my privileges like going out to eat and even having the freedom to watch TV. Today I have more choices and a greater sense of self respect than I've ever had in my life. I know I am a quite capable man and this program has given me the chance to prove it. As a member of the Union (32SBJ) I am receiving a living wage and some benefits, which I did not get from my previous employers.

For the past 5 years I have felt more independent and I am allowed make my own choices and options of how I want to live my life. I have made friends at work with my fellow co-workers, many of whose lives have also been positively affected by being part of this pilot project. Thank You for your time this morning.



A CW Group Company

HEADQUARTERS

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www.cwresources.org

March 11, 2013

My name is William Green and I am the Sr. Vice President with *CW Resources*. I am *testifying for the record* on Proposed S.B. No. 761, "AN ACT MAKING THE JANITORIAL WORK PILOT PROGRAM FOR PERSONS WITH A DISABILITY OR A DISADVANTAGE PERMANENT."

We support S.B 761 because it extends opportunities for people with disabilities to get and keep employment at a time when the economy still makes such opportunities very difficult to obtain. CW Resources, Inc. is a non-profit whose mission is dedicated to, the needs of persons with disabilities through the creation of integrated vocational training and employment opportunities, individuals who are physically, mentally, or emotionally challenged.

CW Resources holds numerous contracts in the Preferred Purchasing Program. In FY12, CW Resources had 64 such contracts with 218 workers performing 83,795 hours of work and earning \$1,000,000 in wages, averaging \$11.95 per hour. We are very proud of our workers ability to perform at a sufficiently high productivity rate to garner a wage well above the minimum wage. The additional benefits accorded our employees include self sufficiency, increased self esteem, decreased dependence on federal programs such as food stamps and Social Security Disability.

Our workers also achieve recognition from the facilities in the form of achievement awards and or informal communication lauding them for their efforts to ready a facility for visiting dignitary or inspections. The financial success combined with the self esteem elevates our workers to achieve bigger goals and fuels their ambition to learn more skills and continue on their path to more independence.

The contracts we obtain through this program are vital to C.W. Resources ability to keep our workers with disabilities employed. The work obtained through these contracts are key to allowing these individuals to be self-sustaining and independent.

A handwritten signature in black ink, appearing to read 'William J Green'.

William J Green
Sr. Vice President Contract Services

Written

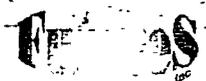
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Monday, March 11 2013

COMMITTEE ON GOVERNMENT ADMINISTRATION AND ELECTIONS

My name is Jo-Ann Flynn and I am the Regional Manager with Futures, Inc. I am **testifying for the record on S.B. 761** "AN ACT MAKING THE JANITORIAL WORK PILOT PROGRAM FOR PERSONS WITH A DISABILITY OR A DISADVANTAGE PERMANENT."



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Written

"Futures, Inc. represents individuals with disabilities in this qualified partnership initiative. Futures is responsible for recruiting, prescreening, and qualifying individuals with disabilities for this program.

Futures, currently works with 4 of the major cleaning contractors. As an agency we support S.B. 761, because it provides a living wage for individuals with disabilities where by they are treated with dignity and respect. I remember being part of the process in 2006 when making these opportunities available were passed originally as Public Act 06-126 and then again when it was extended in 2010. Making the Qualified Partnership permanent will increase employment opportunities for individuals with disabilities and protect the jobs of those currently employed. With each new hire, the state and federal government saves money on entitlements. In addition, these employees become productive members of society working alongside other community members. This experience contributes to improved quality of life by participating in an employment community that allows for social interaction. We would hope that this concept of set aside contracts would extend into other career opportunities such as but not limited to cafeteria's and office contracts.

Futures, Inc. empowers individuals with disabilities to live life to its fullest and know the satisfaction of personal achievement. Futures, Inc. is a participant in the State Preferred Purchasing Program through the Connecticut Community Providers Association. Last year this program created 1 new job for an individual in the community as well as maintained previous jobs for others that have been on the program since 2006. Through the pilot program we have placed 8 people with disabilities in standard wage janitorial positions.



DEPARTMENT OF ADMINISTRATIVE SERVICES STATE OF CONNECTICUT

SB 761

165 Capitol Avenue
Hartford, CT 06106-1658

**An Act Making the Janitorial Work Pilot Program
for Persons with a Disability or a Disadvantage Permanent**

**Government Administration & Elections Committee
March 11, 2013**

Thank you for the opportunity to submit testimony on Senate Bill 761, An Act Making the Janitorial Work Pilot Program for Persons with a Disability or a Disadvantage Permanent. The Department of Administrative Services (DAS) has been working with SEIU 32BJ, the Connecticut Community Providers Association (CCPA) and other stakeholders to develop the language for this proposal, and the agency would like to express its support for this concept.

The Janitorial Work Pilot Program was originally established in 2006 (P.A. 06-129) as a partnership between the community of individuals with disabilities and representatives of economically disadvantaged workers. P.A. 06-129 provided for the development of "qualified partnerships" between private janitorial contractors and community rehabilitation providers, and established a preference for such qualified partnerships when they bid on state janitorial contracts if the partnerships met specified criteria.

The goals of the Pilot Program were to expand employment for people with disabilities and people with economic disadvantages, provide employment security for workers on State of Connecticut janitorial contracts, and develop new integrated work opportunities for persons with disabilities.

The Pilot Program was originally established for a four-year term, and was later extended for an additional three years. Without legislative action this year, the Program will expire in October 2013.

In DAS's view, the Pilot Program has been a success. As a result, DAS and other stakeholders are seeking to make the program permanent. CCPA, SEIU 32BJ, and DAS have met a number of times to discuss all concerns that have arisen during the course of the Pilot, and to identify the necessary changes to the statutes to address those concerns. We have worked cooperatively to develop mutually-agreeable language to accomplish our goals (attached), and respectfully ask for the Committee's support.

As always, DAS is happy to discuss this bill with the Committee at any time.

SB 761Qualified Partnerships

Section 1. Section 4a-82 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) For the purposes of this section:

(1) "Person with a disability" means any individual with a disability, excluding blindness, as such term is applied by the Department of Mental Health and Addiction Services, the Department of Developmental Services, the Department of Rehabilitation Services or the Veterans' Administration and who is certified by the Department of Rehabilitation Services as qualified to participate in a qualified partnership, as described in subsections [(f) to (m)] (e) to (l), inclusive, of this section;

(2) "Vocational rehabilitation service" means any goods and services necessary to render a person with a disability employable, in accordance with Title I of the Rehabilitation Act of 1973, 29 USC 701 et seq., as amended from time to time;

(3) "Community rehabilitation program" means any entity or individual that provides directly for or facilitates the provision of vocational rehabilitation services to, or provides services in connection with, the recruiting, hiring or managing of the employment of persons with disabilities based on an individualized plan and budget for each worker with a disability;

(4) "Commercial janitorial contractor" means any for-profit proprietorship, partnership, joint venture, corporation, limited liability company, trust, association or other privately owned entity that employs persons to perform janitorial work, and that enters into contracts to provide janitorial services;

(5) "Janitorial work" means work performed in connection with the care or maintenance of buildings, including, but not limited to, work customarily performed by cleaners, porters, janitors and handypersons;

(6) "Janitorial contract" means a contract or subcontract to perform janitorial work for a department or agency of the state; and

(7) "Person with a disadvantage" means any individual who is determined by the Labor Department, or its designee, to be eligible for employment services in accordance with the Workforce Investment Act or whose verified individual gross annual income during the previous calendar year was not greater than two hundred per cent of the federal poverty level for a family of four.

(b) The Commissioner of Administrative Services shall establish a [pilot] program, [for a term of seven years,] to create and expand janitorial work job opportunities for persons with a disability and persons with a disadvantage. [Such pilot program shall consist of four identified projects for janitorial work.] The program shall create [a minimum of sixty] full-time jobs or [sixty] full-time equivalents at standard wage[s] rates for persons with disabilities and persons with disadvantages [and have a total market value for all janitorial contracts awarded under the program of at least three million dollars. In establishing such pilot program, the Commissioner of Administrative Services may consult with the Commissioner of Social Services and the Labor Commissioner]. The commissioner may create a task force to study the expansion of this program beyond janitorial services.

(c) Notwithstanding any other provision of the general statutes, under such [pilot] program, the Commissioner of Administrative Services, the Chief Court Administrator of the Judicial Branch and the President of the Board of Regents for Higher Education [shall] may award [four] janitorial contracts, [one for each identified project,] pursuant to the following procedures, but with the exception of sites where a contract has previously been awarded to a qualified partnership pursuant to this section, shall not do so for sites where employees are employed pursuant to an existing collective bargaining agreement or sites where a contract has been awarded pursuant to section 17b-656; (1) Upon receipt of a request for janitorial services by an agency or department of the state, the Commissioner of Administrative Services, chief court administrator or president, as applicable, shall notify each qualified partnership, as described in subsections [(f) to (m)] (e) to (l), inclusive, of this section, of such request and invite each qualified partnership in good standing to submit a bid or proposal for such janitorial contract to the commissioner, chief court administrator or president, as applicable, in a manner and form as prescribed by the commissioner, chief court administrator or president, as applicable; (2) in the event that only one such qualified partnership submits a bid or proposal for such janitorial contract, the commissioner, chief court administrator or president shall award such contract to [the bidding] that qualified partnership, provided such bid or proposal does not exceed the fair market value for such contract, as determined by the commissioner, chief court administrator or president; (3) if more than one qualified partnership submits a bid or proposal, the commissioner, chief court administrator or president shall award the contract to the lowest responsible qualified bidder or most advantageous proposer, as defined in section 4a-59 [may have to add citations here re: contract award authority/process for judicial & BOR]; and (4) in the event that a qualified partnership does not submit a bid, proposal or is not awarded such contract, the commissioner, chief court administrator or president shall award such contract in accordance with the provisions of sections 4a-59 and 17b-656 or title 51, as applicable.

(d) Notwithstanding any other provision of the general statutes, the responsibilities of the Commissioner of Administrative Services, the Chief Court Administrator of the Judicial Branch or the President of the Board of Regents of Higher Education, as established in subsections (b) and (c) of this section, may not be delegated to an outside vendor.

[(e) The Commissioner of Administrative Services may adopt regulations, in accordance with the provisions of chapter 54, to undertake the requirements established in subsections (b) to (e), inclusive,

of this section.]

[(f)] (e) The Connecticut Community Providers Association shall designate a commercial janitorial contractor and a community rehabilitation program as a "qualified partnership" whenever the following criteria have been established: (1) Such commercial janitorial contractor has entered into a binding agreement with such community rehabilitation program in which such contractor agrees to fill not less than one-third of the jobs from a successful bid for a janitorial contract under the [pilot] program established in subsections (b) to **[(e)] (d)**, inclusive, of this section with persons with disabilities and not less than one-third of such jobs with persons with a disadvantage; (2) such contractor employs not less than two hundred persons who perform janitorial work in the state; and (3) such contractor certifies, in writing, that it will pay the standard wage to employees, including persons with disabilities, under such janitorial contract. Any partnership between a commercial janitorial contractor and a community rehabilitation program that has been denied designation as a qualified partnership may appeal such denial, in writing, to the Commissioner of Administrative Services and said commissioner may, after review of such appeal, designate such program as a qualified partnership.

[(g)] (f) The requirement established in subsection **[(f)] (e)** of this section to fill not less than one-third of the jobs from a successful bid for a janitorial contract with persons with disabilities and one-third with persons with a disadvantage shall be met whenever such janitorial contractor employs the requisite number of persons with disabilities and persons with a disadvantage throughout the entirety of its operations in the state provided any persons with disabilities employed by such janitorial contractor prior to the commencement date of any such contract shall not be counted for the purpose of determining the number of persons with disabilities employed by such janitorial contractor.

[(h)] (g) The number of persons with disabilities and the number of persons with a disadvantage that such janitorial contractor is required to employ pursuant to the provisions of subsection **[(f)] (e)** of this section shall be employed not later than six months after the commencement of janitorial work under the terms of any contract awarded pursuant to the provisions of subsections (b) to **[(e)] (d)**, inclusive, of this section, provided such contractor shall fill any vacancy for janitorial work that arises during the first six months of any such contract with persons with disabilities and persons with disadvantages.

[(i)] (h) The Connecticut Community Providers Association shall develop an application process and submit a list of employees who have applied to participate in a partnership to the Department of Rehabilitation Services for certification. Such association shall maintain a list of certified employees who are persons with disabilities and community rehabilitation programs.

[(j)] (i) Any qualified partnership awarded a janitorial contract pursuant to the provisions of subsections (b) to **[(e)] (d)**, inclusive, of this section shall provide to the Connecticut Community Providers Association, not later than six months after the commencement date of such contract and annually thereafter, a list of the persons with disabilities and persons with a disadvantage employed by such contractor that includes the date of hire and employment location for each such person. Such association shall certify annually to the Department of Administrative Services, the Judicial Branch or

the Board of Regents of Higher Education, as applicable, in such manner and form as prescribed by the Commissioner of Administrative Services, Chief Court Administrator of the Judicial Branch, or the President of the Board of Regents, that the requisite number of persons with disabilities for such contract continue to be employed by such contractor in positions equivalent to those created under such janitorial contract and have been integrated into the general workforce of such contractor.

~~[(k)]~~ ~~(i)~~ Notwithstanding any other provision of the general statutes, the responsibilities of the Department of Rehabilitation Services, as established in subsections ~~[(f) to (m)]~~ ~~(e) to (l)~~, inclusive, of this section, may not be delegated to an outside vendor.

~~[(l)]~~ ~~(k)~~ The Commissioner of Rehabilitation Services may adopt regulations, in accordance with the provisions of chapter 54, to undertake the certification requirements established pursuant to subsections ~~[(f) to (m)]~~ ~~(e) to (l)~~, inclusive, of this section.

~~[(m)]~~ ~~(l)~~ Notwithstanding the provisions of subsection ~~[(f)]~~ ~~(e)~~ of this section, the Commissioner of Administrative Services shall authorize certified small and minority businesses to participate in such [pilot] program.

~~[(n)]~~ ~~(m)~~ During the [term of the pilot] program described in subsections (b) to ~~[(e)]~~ ~~(d)~~, inclusive, of this section, the joint standing committee of the General Assembly having cognizance of matters relating to government administration shall study the effectiveness of such [pilot] program, including, but not limited to, the effectiveness of such program to create integrated work settings for persons with disabilities. Additionally, said committee shall study [the need to make such pilot program permanent and] ways to provide incentives for municipalities and businesses to utilize such [pilot] program if such program is determined by the committee to be effective.

~~[(o)]~~ ~~(n)~~ [During the term of the pilot program described in subsections (b) to (e), inclusive, of this section, any exclusive contract awarded pursuant to section 17b-656 shall remain in effect with no changes in the formula for fair market value.] Each exclusive contract awarded prior to October 1, 2013 pursuant to section 17b-656 shall remain in full force and effect until such time as either party terminates the contract in its own best interest, with 60 days written notice. Each such contract may be amended to include updated terms and conditions, but shall not allow for any price increases except statutory or other mandatory increases to the minimum wage and standard wage. If either party exercises its right to terminate any such contract, the next contract solicitation may be awarded pursuant to this section or section 4a-59 and section 17b-656. Additionally, any new janitorial contract awarded pursuant to section 17b-656 shall be limited to not more than four full-time employees per contract.

~~[(p)]~~ ~~(o)~~ Any person employed under a janitorial contract let: (1) On or before October 1, 2006, or thereafter if such contract constitutes a successor contract to such janitorial contract let on or before October 1, 2006, and (2) pursuant to section 4a-57 or 10a-151b or by the judicial or legislative departments or pursuant to subsections (b) to ~~[(e)]~~ ~~(d)~~, inclusive, of this section shall have the same

rights conferred upon an employee by section 31-57g for the duration of the [pilot] program described in subsections (b) to [(e)] (d), inclusive, of this section. The provisions of this subsection shall not apply to any new janitorial contract with not more than four full-time employees per contract, as described in subsection [(o)] (n) of this section.

(p) (NEW) If a position is not available at a job site for a janitorial contract awarded pursuant to subsection (c) of this section and a person with a disability or a person with a disadvantage is placed elsewhere in the operations of the janitorial contractor pursuant to subsection (f) of this section, such person with a disability or person with a disadvantage shall be paid the wage applicable at such alternate site, provided that when a position at the job site for a janitorial contract awarded pursuant to subsection (c) of this section becomes available, such person with a disability or person with a disadvantage shall be transferred to the job site for a janitorial contract awarded pursuant to subsection (c) of this section and shall be paid at the applicable standard wage for such site.

(q) (NEW) If a person with a disability or a person with a disadvantage is transferred pursuant to subsection (p) of this section, and such person subsequently leaves such position, the position shall be filled with another person with a disability or a person with a disadvantage, notwithstanding the collective bargaining rights of any other employee of the janitorial contractor who does not meet the definition of "person with a disability" or "person with a disadvantage."

Section 2. Section 31-57f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) As used in this section: (1) "Required employer" means any provider of food, building, property or equipment services or maintenance listed in this subdivision whose rate of reimbursement or compensation is determined by contract or agreement with the state or any state agent: (A) Building, property or equipment service companies; (B) management companies providing property management services; and (C) companies providing food preparation or service, or both; (2) "state agent" means any state official, state employee or other person authorized to enter into a contract or agreement on behalf of the state; (3) "person" means one or more individuals, partnerships, associations, corporations, business trusts, legal representatives or organized groups of persons; (4) "building, property or equipment service" means any janitorial, cleaning, maintenance or related service; (5) "prevailing rate of wages" means the hourly wages paid for work performed within the city of Hartford under the collective bargaining agreement covering the largest number of hourly nonsupervisory employees employed within Hartford County in each classification established by the Labor Commissioner under subsection (e) of this section, provided the collective bargaining agreement covers no less than five hundred employees in the classification; (6) "prevailing rate of benefits" means the total cost to the employer on an hourly basis for work performed within the city of Hartford, under a collective bargaining agreement that establishes

the prevailing rate of wages, of providing health, welfare and retirement benefits, including, but not limited to, (A) medical, surgical or hospital care benefits; (B) disability or death benefits; (C) benefits in the event of unemployment; (D) pension benefits; (E) vacation, holiday and personal leave; (F) training benefits; and (G) legal service benefits, and may include payment made directly to employees, payments to purchase insurance and the amount of payment or contributions paid or payable by the employer on behalf of each employee to any employee benefit fund; (7) "employee benefit fund" means any trust fund established by one or more employers and one or more labor organizations or one or more other third parties not affiliated with such employers to provide, whether through the purchase of insurance or annuity contracts or otherwise, benefits under an employee health, welfare or retirement plan, but does not include any such fund where the trustee or trustees are subject to supervision by the Banking Commissioner of this state or of any other state, or the Comptroller of the Currency of the United States or the Board of Governors of the Federal Reserve System; and (8) "benefits under an employee health, welfare or retirement plan" means one or more benefits or services under any plan established or maintained for employees or their families or dependents, or for both, including, but not limited to, medical, surgical or hospital care benefits, benefits in the event of sickness, accident, disability or death, benefits in the event of unemployment, retirement benefits, vacation and paid holiday benefits, legal service benefits or training benefits.

(b) On and after July 1, 2000, the wages paid on an hourly basis to any employee of a required employer in the provision of food, building, property or equipment services provided to the state pursuant to a contract or agreement with the state or any state agent, shall be at a rate not less than the standard rate determined by the Labor Commissioner pursuant to subsection (g) of this section.

(c) Any required employer or agent of such employer that violates subsection (b) of this section shall pay a civil penalty in an amount not less than two thousand five hundred dollars but not more than five thousand dollars for each offense. The contracting department of the state that has imposed such civil penalty on the required employer or agent of such employer shall, within two days after taking such action, notify the Labor Commissioner, in writing, of the name of the employer or agent involved, the violations involved and steps taken to collect the fine.

(d) The Labor Commissioner may make complaint to the proper prosecuting authorities for the violation of any provision of subsection (b) of this section.

(e) For the purpose of predetermining the standard rate of covered wages on an hourly basis, the Labor Commissioner shall establish classifications for all hourly nonsupervisory employees based on the applicable occupation codes and titles set forth in the federal Register

of Wage Determinations under the Service Contract Act of 1965, 41 USC 351, et seq., provided the Labor Commissioner shall classify any individual employed on or before July 1, 2009, as a grounds maintenance laborer or laborer as a janitor, and shall classify any individual hired after July 1, 2009, performing the duty of grounds maintenance laborer, laborer or janitor as a light cleaner, heavy cleaner, furniture handler or window cleaner, as appropriate. The Labor Commissioner shall then determine the standard rate of wages for each classification of hourly nonsupervisory employees which shall be (1) the prevailing rate of wages paid to employees in each classification, or if there is no such prevailing rate of wages, the minimum hourly wages set forth in the federal Register of Wage Determinations under the Service Contract Act, plus (2) the prevailing rate of benefits paid to employees in each classification, or if there is no such prevailing rate of benefits, a thirty per cent surcharge on the amount determined in subdivision (1) of this subsection to cover the cost of any health, welfare and retirement benefits or, if no such benefits are provided to the employees, an amount equal to thirty per cent of the amount determined in subdivision (1) of this section, which shall be paid directly to the employees. The standard rate of wages for any employee entitled to receive such rate on or before July 1, 2009, shall not be less than the minimum hourly wage for the classification set forth in the federal Register of Wage Determinations under the Service Contract Act plus the prevailing rate of benefits for such classification for as long as that employee continues to work for a required employer.

(f) Required employers with employees covered by collective bargaining agreements which call for wages and benefits that are reasonably related to the standard rate of wages shall not be economically disadvantaged in the bidding process, provided the collective bargaining agreement was arrived at through arms-length negotiations.

(g) The Labor Commissioner shall, in accordance with subsection (e) of this section, determine the standard rate of wages for each classification on an hourly basis where any covered services are to be provided, and the state agent empowered to let such contract shall contact the Labor Commissioner at least ten days prior to the date such contract will be advertised for bid, to ascertain the standard rate of wages and shall include the standard rate of wages on an hourly basis for all classifications of employment in the proposal for the contract. The standard rate of wages on an hourly basis shall, at all times, be considered the minimum rate for the classification for which it was established.

(h) Where a required employer is awarded a contract to perform services that are substantially the same as services that have been rendered under a predecessor contract, such required employer shall retain, for a period of ninety days, all employees who had been employed by the predecessor to perform services under such predecessor contract, except that the successor contract need not retain employees who worked less than fifteen hours per week

or who had been employed at the site for less than sixty days. During such ninety-day period, the successor contract shall not discharge without just cause an employee retained pursuant to this subsection. If the performance of an employee retained pursuant to this subsection or section 4a-82 is satisfactory during the ninety-day period, the successor contractor shall offer the employee continued employment for the duration of the successor contract under the terms and conditions established by the successor contractor, or as required by law. The provisions of this subsection shall not apply to any contract covered by section 31-57g or subsections (n) and (o) [and (p)] of section 4a-82.

(i) Each required employer subject to the provisions of this section shall (1) keep, maintain and preserve such records relating to the wages and hours worked by each employee and a schedule of the occupation or work classification at which each person is employed during each work day and week in such manner and form as the Labor Commissioner establishes to assure the proper payments due to such employees, and (2) annually or upon written request, submit to the contracting state agent a certified payroll which shall consist of a complete copy of such records accompanied by a statement signed by the employer which indicates that (A) such records are correct, (B) the rate of wages paid to each employee is not less than the standard rate of wages required by this section, (C) such employer has complied with the provisions of this section, and (D) such employer is aware that filing a certified payroll which it knows to be false is a class D felony for which such employer may be fined not more than five thousand dollars or imprisoned not more than five years, or both. Notwithstanding the provisions of section 1-210, the certified payroll shall be considered a public record and every person shall have the right to inspect and copy such record in accordance with the provisions of section 1-212. The provisions of subsections (a) and (b) of section 31-59, section 31-66 and section 31-69 which are not inconsistent with the provisions of this section shall apply. Any person who files a false certified payroll in violation of subdivision (2) of this subsection shall be guilty of a class D felony for which such person may be fined not more than five thousand dollars or imprisoned not more than five years, or both.

(j) This section shall not apply to contracts, agreements or grants which do not exceed forty-nine thousand nine hundred ninety-nine dollars per annum.

(k) On receipt of a complaint for nonpayment of the standard rate of wages, the Labor Commissioner, the Director of Wage and Workplace Standards and wage enforcement agents of the Labor Department shall have power to enter, during usual business hours, the place of business or employment of any employer to determine compliance with this section, and for such purpose may examine payroll and other records and interview employees, call hearings, administer oaths, take testimony under oath and take depositions in the manner provided by sections 52-148a to 52-148e, inclusive. The commissioner or the director, for such purpose,

may issue subpoenas for the attendance of witnesses and the production of books and records. Any required employer, an officer or agent of such employer, or the officer or agent of any corporation, firm or partnership who wilfully fails to furnish time and wage records as required by law to the commissioner, the director or any wage enforcement agent upon request or who refuses to admit the commissioner, the director or such agent to a place of employment or who hinders or delays the commissioner, the director or such agent in the performance of any duties in the enforcement of this section shall be fined not less than twenty-five dollars nor more than one hundred dollars, and each day of such failure to furnish time and wage records to the commissioner, the director or such agent shall constitute a separate offense, and each day of refusal of admittance, of hindering or of delaying the commissioner, the director or such agent shall constitute a separate offense.

(l) Notwithstanding subsection (j) of this section, any employer that pays the state for a franchise to provide food preparation or service, or both, for the state shall be required to certify that the wages and benefits paid to its employees are not less than the standard rate established pursuant to this section, provided, if no prevailing rate of wages or benefits was in effect at the time the state entered into a franchise agreement, then the employer shall not be required to pay the prevailing rate of wages or benefits during the life of the agreement, unless the agreement is amended, extended or renewed.

(m) The Labor Commissioner may adopt regulations, in accordance with chapter 54, to carry out the provisions of this section.

(n) The provisions of this section and any regulation adopted pursuant to subsection (m) of this section shall not apply to any contract or agreement entered into before July 1, 2000.