



General Assembly

January Session, 2023

Raised Bill No. 912

LCO No. 3252



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:
(LAB)

AN ACT CONCERNING THE STATUS OF PROBATE COURT SYSTEM EMPLOYEES.

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

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2 repealed and the following is substituted in lieu thereof (*Effective October*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

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

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 Section 45a-21 of the general statutes is repealed and the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

14 (a) Except as provided in subsection (b) of this section, Probate Court

15 employees shall not be deemed state employees and shall serve at the
16 pleasure of the judge of the court of probate in which they are employed.

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

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25 repealed and the following is substituted in lieu thereof (*Effective October*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

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

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

39 (a) When an employee organization has been designated, in
40 accordance with the provisions of sections 5-270 to 5-280, inclusive, as
41 amended by this act, as the exclusive representative of employees in an
42 appropriate unit, the employer shall be represented in collective
43 bargaining with such employee organization in the following manner:
44 (1) In the case of an executive branch employer, including the Division
45 of Criminal Justice, by the chief executive officer whether elected or
46 appointed, or [his] the chief executive officer's designated

47 representative; who shall maintain a close liaison with the legislature
48 relative to the negotiations and the potential fiscal ramifications of any
49 proposed settlement; (2) in the case of a judicial branch employer, by the
50 Chief Court Administrator or [his] the Chief Court Administrator's
51 designated representative; [and] (3) in the case of each segment of the
52 system of higher education, the faculty and professional employees
53 shall negotiate with their own board of trustees or its designated
54 representative; and (4) in the case of a Probate Court employer, by the
55 Probate Court Administrator or the Probate Court Administrator's
56 designated representative.

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

60 (b) The board shall determine the appropriateness of a unit which
61 shall be the public employer unit or a subdivision thereof. In
62 determining the appropriateness of the unit, the board shall: (1) Take
63 into consideration, but shall not limit consideration to, the following:
64 (A) Public employees must have an identifiable community of interest,
65 and (B) the effects of overfragmentation; (2) not decide that any unit is
66 appropriate if (A) such unit includes both professional and
67 nonprofessional employees, unless a majority of such professional
68 employees vote for inclusion in such unit, or (B) such unit includes both
69 Department of Correction employees at or above the level of lieutenant
70 and Department of Correction employees below the level of lieutenant;
71 (3) take into consideration that when the state is the employer, it will be
72 bargaining on a state-wide basis unless issues involve working
73 conditions peculiar to a given governmental employment locale; (4)
74 permit the faculties of (A) The University of Connecticut, (B) the
75 Connecticut State University System, and (C) the Technical Education
76 and Career System to each comprise a separate unit, which in each case
77 shall have the right to bargain collectively with their respective boards
78 of trustees or their designated representatives; [and] (5) permit the
79 community college faculty and the technical college faculty as they
80 existed prior to July 1, 1992, to continue to comprise separate units,

81 which in each case shall have the right to bargain collectively with its
82 board of trustees or its designated representative, [. Nonfaculty]
83 provided nonfaculty professional staff of [the above] such institutions
84 may by mutual agreement be included in such bargaining units, or they
85 may form a separate bargaining unit of their own; and (6) permit
86 employees of the Probate Court to form not more than two separate
87 bargaining units, one nonprofessional and one professional. This section
88 shall not be deemed to prohibit multiunit bargaining.

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

Statement of Purpose:

To allow Probate Court employees to be recognized as state employees for the purpose of collective bargaining.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]