



General Assembly

Substitute Bill No. 7255

January Session, 2019



**AN ACT CONCERNING PUBLIC INSTITUTIONS OF HIGHER
EDUCATION AND COLLECTIVE BARGAINING AGREEMENTS.**

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

1 Section 1. (NEW) (*Effective October 1, 2019*) (a) As used in this
2 section:

3 (1) "Labor organization" means any organization which exists and is
4 constituted for the purpose, in whole or in part, of collective
5 bargaining, or of dealing with employers concerning grievances, terms
6 or conditions of employment, or other mutual aid or protection; and

7 (2) "Public institution of higher education" means the constituent
8 units of the state system of higher education identified in subdivisions
9 (1) and (2) of section 10a-1 of the general statutes.

10 (b) No collective bargaining agreement entered into on and after the
11 effective date of this section between a public institution of higher
12 education and a labor organization shall contain any provision (1)
13 prohibiting an employee covered under the collective bargaining
14 agreement from filing a civil or administrative action alleging
15 discrimination or retaliation for the exercise of any right afforded to
16 such employee pursuant to any state or federal law, or (2) limiting in
17 any way an employee's right to arbitrate a claim alleging such
18 discrimination or retaliation under the collective bargaining
19 agreement.

20 (c) Any employee aggrieved by a violation of subsection (b) of this
21 section may file a complaint with the Labor Commissioner alleging a
22 violation of the provisions of said subsection. Upon receipt of any such
23 complaint, the commissioner may hold a hearing. After the hearing,
24 the commissioner shall send each party a written copy of the
25 commissioner's decision. The commissioner may award the employee
26 all appropriate relief, including rehiring or reinstatement to the
27 employee's previous job, payment of back wages and reestablishment
28 of employee benefits to which the employee otherwise would have
29 been eligible if a violation of said subsection had not occurred. Any
30 party aggrieved by the decision of the commissioner may appeal the
31 decision to the Superior Court in accordance with the provisions of
32 chapter 54 of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2019	New section

HED *Joint Favorable Subst. -LCO*

APP *Joint Favorable*