



General Assembly

Amendment

January Session, 2025

LCO No. 7870



Offered by:

SEN. SAMPSON, 16th Dist.

SEN. BERTHEL, 32nd Dist.

To: Subst. Senate Bill No. 1370

File No. 335

Cal. No. 209

**"AN ACT REQUIRING WORKERS PERFORMING OFF-SITE
CUSTOM FABRICATION FOR A PUBLIC WORKS PROJECT TO BE
PAID PREVAILING WAGE RATES."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subdivisions (1) and (2) of subsection (b) of section 5-278 of
4 the general statutes are repealed and the following is substituted in lieu
5 thereof (*Effective July 1, 2025*):

6 (b) (1) Any agreement reached by the negotiators shall be reduced to
7 writing. The agreement, together with a request for funds necessary to
8 fully implement such agreement and for approval of any provisions of
9 the agreement which are in conflict with any statute or any regulation
10 of any state agency, and any arbitration award, issued in accordance
11 with section 5-276a, as amended by this act, together with a statement
12 setting forth the amount of funds necessary to implement such award,
13 shall be filed by the bargaining representative of the employer with the

14 clerks of the House of Representatives and the Senate within ten days
15 after the date on which such agreement is reached or such award is
16 distributed. The General Assembly may approve any such agreement as
17 a whole by a majority vote of each house, [or] may reject such agreement
18 as a whole by a majority vote of either house or may modify any such
19 award by a majority vote of either house. The General Assembly may
20 reject any such award as a whole by a two-thirds vote of either house if
21 it determines that there are insufficient funds for full implementation of
22 the award.

23 (2) (A) If an agreement is rejected, the matter shall be returned to the
24 parties, who shall initiate arbitration in accordance with the provisions
25 of section 5-276a, as amended by this act. The parties [may submit] shall
26 file any award issued pursuant to such arbitration [to the General
27 Assembly for approval in the same manner as the rejected agreement]
28 with the clerks of the House of Representatives or the Senate within ten
29 days after the date such award is distributed. The General Assembly
30 may (i) approve any such award as a whole by a majority vote of each
31 house, (ii) reject any such award as a whole by a majority vote of either
32 house, or (iii) modify any such award by a majority vote of either house.
33 If the arbitration award is rejected by the General Assembly, the matter
34 shall be returned again to the parties for further arbitration. Any award
35 issued pursuant to such further arbitration shall [be deemed approved
36 by the General Assembly] again be filed with the General Assembly and
37 the General Assembly may approve, reject or modify such award in
38 accordance with the provisions of this subparagraph.

39 (B) If an arbitration award, other than an award issued pursuant to
40 subparagraph (A) of this subdivision, is rejected, the matter shall be
41 returned to the parties for further arbitration. Any award issued
42 pursuant to such further arbitration shall [be deemed approved by the
43 General Assembly] again be filed with the General Assembly and the
44 General Assembly may approve, reject or modify such award in
45 accordance with the provisions of subparagraph (A) of this subdivision.

46 Sec. 502. Subdivision (6) of subsection (e) of section 5-276a of the

47 general statutes is repealed and the following is substituted in lieu
48 thereof (*Effective July 1, 2025*):

49 (6) The award of the arbitrator shall be [final and binding upon the
50 employer and the designated employee organization unless rejected by
51 the legislature as provided in section 5-278, except that a] filed with the
52 clerks of the House of Representatives or the Senate within ten days
53 after the date such award is distributed. The General Assembly may (A)
54 approve any such award as a whole by a majority vote of each house,
55 (B) reject any such award as a whole by a majority vote of either house,
56 or (C) modify any such award by a majority vote of either house. A
57 motion to vacate or modify the arbitrator's decision concerning any
58 issue in such award may be filed in the superior court for the judicial
59 district of Hartford within thirty days following receipt of such award.
60 Such motion to vacate or modify shall identify the specific issue or issues
61 in the award which the court is being asked to vacate or modify. Any
62 decision by the arbitrator on issues that are not subject to a motion to
63 vacate or modify shall be final and binding upon the parties. The court,
64 after hearing, may vacate or modify the arbitrator's decision concerning
65 the award or any issue in the award only if the court finds that
66 substantial rights of a party have been prejudiced because such award
67 is: [(A)] (i) In violation of constitutional provisions; [(B)] (ii) in excess of
68 the statutory authority of the arbitrator; [(C)] (iii) made upon unlawful
69 procedure; [(D)] (iv) affected by other error of law; [(E)] (v) clearly
70 erroneous in view of the reliable, probative and substantial evidence of
71 the whole record; or [(F)] (vi) arbitrary or capricious or characterized by
72 abuse of discretion or clearly unwarranted exercise of discretion.

73 Sec. 503. Subdivisions (10) to (15), inclusive, of subsection (d) of
74 section 7-473c of the general statutes are repealed and the following is
75 substituted in lieu thereof (*Effective July 1, 2025*):

76 (10) The decision of the panel and the resolved issues shall be [final
77 and binding upon the municipal employer and the municipal employee
78 organization except as provided in subdivision (12) of this subsection
79 and, if such award is not rejected by the legislative body pursuant to

80 said subdivision, except that a] submitted to the legislative body of the
81 municipal employer within ten days of distribution of such award. The
82 legislative body may approve, reject or modify such award in
83 accordance with the provisions of subdivision (12) of this subsection. A
84 motion to vacate or modify such decision may be made in accordance
85 with sections 52-418 and 52-419.

86 (11) In regard to all proceedings undertaken pursuant to this
87 subsection the secretary of the State Board of Mediation and Arbitration
88 shall serve as staff to the arbitration panel.

89 (12) Within twenty-five days of the receipt of an arbitration award
90 issued pursuant to this section, the legislative body of the municipal
91 employer may approve, reject or modify the award of the arbitrators or
92 single arbitrator by a two-thirds majority vote of the members of such
93 legislative body present at a regular or special meeting called and
94 convened for such purpose. If the twenty-fifth day specified in this
95 subdivision falls on a weekend or a holiday, such deadline shall be
96 extended through the next business day following the twenty-fifth day.

97 (13) [Within] If an award is rejected by the legislative body, within
98 ten days after such rejection, the legislative body or its authorized
99 representative shall be required to state, in writing, the reasons for such
100 vote and shall submit such written statement to the State Board of
101 Mediation and Arbitration and the municipal employee organization.
102 Within ten days after receipt of such notice, the municipal employee
103 organization shall prepare a written response to such rejection and shall
104 submit it to the legislative body and the State Board of Mediation and
105 Arbitration.

106 (14) Within ten days after receipt of such rejection notice, the State
107 Board of Mediation and Arbitration shall select a review panel of three
108 arbitrators or, if the parties agree, a single arbitrator who are residents
109 of Connecticut and labor relations arbitrators approved by the
110 American Arbitration Association and not members of the panel who
111 issued the rejected award. Such arbitrators or single arbitrator shall

112 review the decision on each such rejected issue. The review conducted
 113 pursuant to this subdivision shall be limited to the record and briefs of
 114 the hearing pursuant to subsection (c) of this section, the written
 115 explanation of the reasons for the vote and a written response by either
 116 party. In conducting such review, the arbitrators or single arbitrator
 117 shall be limited to consideration of the criteria set forth in subdivision
 118 (9) of this subsection. Such review shall be completed within twenty
 119 days of the appointment of the arbitrators or single arbitrator. The
 120 arbitrators or single arbitrator shall accept the last best offer of either of
 121 the parties.

122 (15) Within five days after the completion of such review the
 123 arbitrators or single arbitrator shall render a decision with respect to
 124 each rejected issue, which shall [be final and binding upon the
 125 municipal employer and the employee organization except that a] again
 126 be submitted to the legislative body of the municipal employer within
 127 ten days of distribution of such decision and the legislative body may
 128 approve, reject or modify such award in accordance with the provisions
 129 of subdivision (12) of this subsection. A motion to vacate or modify such
 130 award may be made in accordance with sections 52-418 and 52-419. The
 131 decision of the arbitrators or single arbitrator shall be in writing and
 132 shall include specific reasons and standards used by each arbitrator in
 133 making a decision on each issue. The decision shall be filed with the
 134 parties. The reasonable costs of the arbitrators or single arbitrator and
 135 the cost of the transcript shall be paid by the legislative body. Where the
 136 legislative body of a municipal employer is the town meeting, the board
 137 of selectmen shall perform all of the duties and shall have all of the
 138 authority and responsibilities required of and granted to the legislative
 139 body under this subsection."

This act shall take effect as follows and shall amend the following sections:

Sec. 501	July 1, 2025	5-278(b)(1) and (2)
Sec. 502	July 1, 2025	5-276a(e)(6)
Sec. 503	July 1, 2025	7-473c(d)(10) to (15)

