

Union violates own bylaws to force revote by Connecticut workers

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Connecticut's 45,000 state workers are being forced to revote on a \$1.6 billion concessions agreement they rejected in June. The administration of Democratic Governor Dannel Malloy and the State Employees Bargaining Agent Coalition (SEBAC), which bargains on behalf of Connecticut's 15 public employee unions, succeeded on July 22 in putting together what they are calling a "clarified" version of the previously rejected concessions package. The revote will take place over the next couple of weeks and is scheduled to finish by August 18.

In preparing for the revote, SEBAC rewrote its bylaws to allow for the ratification of new labor agreements by a simple majority, replacing the far higher hurdle of 80 percent of voters and 14 out of 15 unions which was in place when workers voted against concessions. At that time, only 57 percent voted in favor of the proposed agreement.

Workers rejected the concessions package—despite threats of thousands of layoffs from the governor's office—because it would have imposed a two-year wage freeze, required them to pay more into their pensions, upped the retirement age for many workers and substantially altered the health care plans of those still working.

The Malloy administration and SEBAC are explicit about the fact that the agreement presently being voted on is, with respect to *every major provision*, identical to the one workers have already turned down. Certain statements pertaining to employee healthcare plans have been reworded and some retirement deadlines moved up a couple of months to reflect the time that has elapsed since the first vote. Also, a wage freeze

proposed in the original agreement has been extended so as to cancel out the previously scheduled raises workers began receiving this past month.

The two agreements are so similar, in fact, that unions representing employees of University of Connecticut and the Connecticut State University System will not even vote a second time. SEBAC has estimated that only 83 percent of the bargaining units involved in the agreement will hold a revote.

The voting is taking place at the height of vacation season for state workers, raising serious questions about turnout. In this connection, it must be noted that the university employees who will not vote again approved the deal overwhelmingly the first time around. The bias in this arrangement is evident. Great pains are taken to ensure those unions who voted heavily in favor of concessions during the first round of balloting will not have their vote count affected by a low turnout. Meanwhile, Governor Malloy's message to the remaining rank and file is: "If they're concerned, they should get back and vote—if they're on the Cape."

As the revote takes place, the state is sending out the thousands of pink slips threatened by Malloy. So far more than 3,000 people have received layoff notifications. As they vote, many state workers are receiving layoff notices or watching their co-workers get laid off, while being told the layoffs will stop if they ratify the agreement. Thus the state is using the layoffs to extort concessions from its employees.

The proposed package offers a four-year no-layoff pledge in exchange for concessions. The promise of "job security" is SEBAC and the state's main selling

point. The state, however, reopens labor negotiations whenever it sees fit, so it is far from certain that workers will not see this promise vanish the next time Connecticut finds itself in a budget crisis. Moreover, assuming the state makes good on its promise, what happens after four years?

Immediately following the “no” vote at the end of June, the administration insisted that in addition to laying off 6,466 workers, it would need to institute substantial new cuts to various state programs to make up the money it had failed to take out of state workers’ wages, pensions and healthcare. Governor Malloy’s office proceeded to present a plan consisting of \$1.6 billion in cuts over the next two years, impacting hospitals, the Department of Social Services, arts organizations, the Department of Motor Vehicles and the Department of Transportation, drug court programs and technical schools.

Much as the Obama administration seized on the debt ceiling debate to push for new cuts to Social Security and Medicare, so Malloy is using the present budget crisis as a pretext to enact cuts his administration had been planning all along. The governor’s top aide Roy Occhiogrosso was explicit about this fact. He told reporters: “This process of downsizing state government was going to occur anyway.”

Lisa Herskowitz, a public prosecutor and a member of the Connecticut Association of Prosecutors, one of the unions represented by SEBAC, has challenged the revote on legal grounds. About fifty state workers rallied outside a preliminary meeting between Herskowitz and the Board of Labor Relations on August 3, carrying signs reading, “SEBAC- State Employees Backs Against Corner!” and “Read our lips... no means NO.”

Herskowitz’s challenge is a devastating exposure of the lawless and anti-democratic means through which SEBAC has worked in concert with the Malloy administration to impose concessions on state workers. It details numerous instances in which SEBAC violated its own bylaws and brings to light previously unreported efforts on the part of the union bureaucracy to stifle dissent within the rank and file.

Herskowitz charges that SEBAC, according to its own bylaws, does not have the authority to negotiate with the state concerning wages, yet the agreement SEBAC worked out with the state “tied the wage,

pension and healthcare provisions together.” SEBAC also violated its bylaws by reopening two agreements with the state (a health-care agreement not set to expire until 2017 and a wage agreement which expires in 2012) without a vote by union members authorizing it to do so. SEBAC committed similar violations when it sought to change its bylaws following the ‘no’ vote in June and when it reopened negotiations with the Malloy administration, again by not holding votes it was required to hold.

The complaint also notes the “coercive” nature of Malloy’s layoff threats. It points out that on the eve of the first vote, Malloy went from saying 4,500 workers would be laid off in the event of a ‘no’ vote, to saying 7,500 would be laid off.

Anti-working class ends require anti-democratic means. SEBAC and the unions under its umbrella are working closely with the state to force through concessions, using every means at their disposal to prevent employees from openly discussing the issues involved in their contract, to isolate state workers who voice any opposition to cuts and concessions and to intimidate the workforce into accepting concessions it knows are against its interests.



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