

PA 11-033

HB5174

House	1152-1156	5
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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2011**

**VOL.54
PART 4
1040 – 1385**

rgd/md/gbr
HOUSE OF REPRESENTATIVES

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April 27, 2011

The House of Representatives is voting by roll call. Members to the chamber. The House is voting by roll call. Members to the chamber, please.

DEPUTY SPEAKER RYAN:

Have all members voted? Have all members voted? Will the members please check the board to determine if their vote is properly cast. If all members have voted, the machine will be locked and the Clerk will take a tally.

The Clerk will please announce the tally.

THE CLERK:

House Bill 6448.

Total Number voting	146
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Necessary for adoption	74
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Those voting Yea	146
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Those voting Nay	0
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Those absent and not voting	5
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DEPUTY SPEAKER RYAN:

The bill passes.

Will the Clerk please call Calendar Number 37.

THE CLERK:

On page 31, Calendar 37, Substitute for House Bill Number 5174, AN ACT CONCERNING STATE EMPLOYEES AND TRAINING TO DEAL WITH WORKPLACE VIOLENCE, favorable

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report of the Committee on Government Administration
and Elections.

DEPUTY SPEAKER RYAN:

The esteemed Chairman of the Labor Committee,
Representative Zalaski of the 81st.

REP. ZALASKI (81st):

Thank you, Mr. Speaker.

It's indeed a pleasure to see you up there today
after sitting on that -- the Labor Committee so many
years with you.

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

DEPUTY SPEAKER RYAN:

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

Representative Zalaski, you have the floor.

REP. ZALASKI (81st):

Yes, Mr. Speaker.

This bill requires the Department of
Administrative Services to develop an employee
training program and to instruct state employees on
workplace violence awareness and prevention.

And with that, I have an amendment, Mr. Speaker.
Then I ask the Clerk to call the amendment, 5267, and

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I be allowed to summarize.

DEPUTY SPEAKER RYAN:

Will the Clerk please call LCO 5267, which will be designated House Amendment Schedule "A."

THE CLERK:

LCO Number 5267, House "A," offered by Representative Zalaski and Senator Prague.

DEPUTY SPEAKER RYAN:

The Representative seeks leave of the Chamber to summarize the amendment. Is there objection to summarization? Is there objection? Hearing none, Representative Zalaski, you may proceed with summarization.

REP. ZALASKI (81st):

Thank you.

The amendment just changes the date which it becomes effective, the January 1, 2013, giving the department a little more time.

And with that, thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Do you move adoption, sir?

REP. ZALASKI (81st):

I move adoption.

DEPUTY SPEAKER RYAN:

The question before the Chamber is adoption of House Amendment Schedule "A." Will you remark on the amendment? Will you remark on the amendment? Will you remark further on the amendment before us? If not, I will try your minds. All those in favor, please signify by saying, aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER RYAN:

All those opposed, nay.

The ayes have it. And the amendment is adopted.

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

Representative Rigby of the 63rd.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

My colleague did a nice job explaining the bill itself and the amendment just improves on the bill. I urge my colleagues to support it. There is no fiscal impact. It's important training that we must do as a State. And I thank you for the opportunity to speak.

DEPUTY SPEAKER RYAN:

Thank you, Representative Rigby.

Will you remark further on the bill as amended?

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April 27, 2011

Will you remark further on the bill as amended? If not, will staff and guests please come to the well of the House. Will the members please take their seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by roll call. Members to the chamber. The House is voting by roll call. Members to the chamber, please.

DEPUTY SPEAKER RYAN:

Have all members voted? Have all members voted? Will the members please check the board to determine if your vote is properly cast. If all members have voted, the machine will be locked and the Clerk will take a tally.

The Clerk will please announce the tally.

THE CLERK:

House Bill 5174 as amended by House "A."

Total Number voting	148
Necessary for adoption	75
Those voting Yea	148
Those voting Nay	0
Those absent and not voting	3

DEPUTY SPEAKER RYAN:

The bill as amended is passed.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**LABOR AND
PUBLIC EMPLOYEES
PART 1
1 – 376**

**2011
INDEX**

1 February 10, 2011
lgg/sg LABOR AND PUBLIC EMPLOYEES 2:00 P.M.
COMMITTEE

CHAIRMEN: Senator Prague
Representative Zalaski

VICE CHAIRMAN: Senator Gomes
Representative Santiago

MEMBERS PRESENT:

SENATORS: Guglielmo

REPRESENTATIVES: Rigby, Aman, Esposito,
Hewett, Kiner, Miner

SENATOR PRAGUE: -- so that people can come up and testify. Did you bring down this stuff? Thank you.

Okay. The first person on our list who has signed up to testify is Teresa Younger from PCSW.

Teresa, you're going to testify on two bills.

TERESA YOUNGER: Two bills, yes.

SENATOR PRAGUE: Okay.

TERESA YOUNGER: Good afternoon, Senator Prague, Representative Zalaski, and members of the Labor Committee. I'm Teresa Younger, executive director of the Permanent Commission on the Status of Women, and I'm here to testify today on two bills that you have on your agenda.

First, I'd like to comment on House Bill 5465,
AN ACT CONCERNING FAMILY AND MEDICAL LEAVE
BENEFITS FOR CERTAIN MUNICIPAL EMPLOYEES.

House Bill 5465 would grant paraprofessionals the right to family medical -- family and medical leave. Passage of this bill would

HB5174

benefit paraprofessionals who work in public elementary and secondary schools. As you are aware the Permanent Commission on the Status of Women has long supported the paid family medical -- long supported family medical leave proposals. And, in fact, Connecticut was the first state to pass the Family Medical Leave Act in the country. We have done so because balancing the needs of work and family is now a priority for most workers, in fact, all workers. Additionally, the occupations which continue to deny FMLA benefits to employees are occupations that are female dominant -- dominated, such as the paraprofessionals addressed in this bill.

According to the paraprofessionals union, United Electrical Union Local 2222, paraprofessionals work 6.25 hours a day, 1,125 hours a school year, rather than the required 1,250 hours needed to be eligible for FMLA. Paraprofessionals are not allowed to work more than the 6.2 hours a day, and, therefore, they should not be penalized for not making that requirement. Passage of the bill would assist families to care for themselves and family members and to help make sure that they have a job and security when they come home -- excuse me -- when they come back to work.

I'd also like to comment on House Bill 5174, AN ACT CONCERNING STATE EMPLOYEES AND THE TRAINING TO DEAL WITH WORKPLACE VIOLENCE. This is a bill that sends -- one that we really need to consider. House Bill 5174 is -- would require the Department of Administrative Services to develop an employee training program to instruct state employees on workplace violence, awareness, prevention and preparedness. Passage of this bill would benefit all state employees by providing a safe working

environment.

Some statistical data that I think is always raising our eyebrows on this information: bullying is four times more preventable than -- than other forms of -- excuse me -- bullying is four times more prevalent than illegal forms of harassment; 37 percent of American workers, an estimated 54 million people have been bullied at work; 49 percent of American workers, 71.5 million workers are affected when they have -- when witnesses are included in those bullying numbers; 58 percent of all perpetrators are women; 81 percent of female bullies -- bullies target women; and 71 percent of male bullies target women. Not only can workplace bullying be detrimental to the -- to the health of the person being bullied, but it can also have a negative impact on employers.

Passage of this bill would address safety and security in the workplace. We appreciate your continued attention to these matters and we look forward to working with you on this and other important issues.

Thank you.

SENATOR PRAGUE: Thank you, Teresa, for your testimony.

Any questions from committee members?

Representative Miner.

REP. MINER: Thank you, Madam Chair.

Good afternoon.

TERESA YOUNGER: Representative Miner.

DONALD DEFRONZO: Thank you, Senator.

SENATOR PRAGUE: Welcome, Commissioner.

DONALD DEFRONZO: Glad to be here. Catch my breath, just ran over from the other building.

Good afternoon, Senator Prague and Representatives Zalaski -- Senator Guglielmo is up there somewhere -- Representative Rigby, distinguished members of the committee.

For the record, my name is Don DeFronzo. I'm now the Commission of Administrative Services. I'm going to comment on two bills today.

HB 5174

First, Senate Bill 850, which impacts the DAS construction contractor or prequal -- prequalification Program, and just in the way of background, the Prequalification Program is a screening process that evaluates construction companies to ensure they meet certain baseline standards to work on state-funded construction projects. And by statute, the prequalification unit evaluates a number of factors, such as a company's financial background, its experience and capability in various construction classifications, record of performance, integrity, safety record, and other criteria. And it should be noted that the DAS prequalification program does not apply to DOT projects and to contractors that bid on those contracts. And DOT actually has its own prequalification program.

DAS strongly believes that the performance evaluations are essential to the prequalification process, and we are attempting to strengthen their use. Senate Bill 850 will help in this goal. This bill will strengthen DAS's ability to use performance evaluation in

statue -- and that basically means any state funded project over \$500,000 in value.

Passage of this bill will support a key change in the renewal process, requiring tra -- contractors that did not work on enough large scale state-funded projects during the preceding year to provide evaluations from three -- for the three most recently completed projects regardless of funding source. This will enable DAS to obtain a more complete and current view of the contractor's actual performance record.

We anticipate that this change in the renewal process will result in more evaluations from private-sector owners. It will make the administrative changes possible by extending the liability protections currently provided to public-sector project owners who complete evaluation through the private-sector project owners as well. And extending this liability protection will promote compliance and will help ensure that we receive honest evaluations from these private-sector owners.

I also want to just mention House Bill 5174 on workplace violence and workplace violence prevention training. We think this is a reasonable bill. We have been engaged in such training at DAS since 1999 as a result of Executive Order 16. And we agree that it's time to formalize that process and so long as the training does not require us to go back and document training of prior employees or require us to validate certain trainings that occurred in the past and really is prospective in nature, we don't think this will have any real budget impacts since we conduct trainings four times a year already. So I think it's a good bill. I think it's one that's obviously timely

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COMMITTEE

and the agency supports.

With that, Madame Chairlady, I'd be glad to answer any questions that you might have.

SENATOR PRAGUE: Thank you for your testimony. We have some questions from committee members.

DONALD DEFRONZO: Sure.

SENATOR PRAGUE: Representative Rigby.

REP. RIGBY: Thank you very much for your testimony today. My question concerns House Bill 5174, workplace violence prevention training. You -- you state that the DAS is already conducting that training on a voluntary basis and you've been doing so since 1999; is that correct?

DONALD DEFRONZO: Yes.

REP. RIGBY: Let me ask this question. If -- if you're doing it voluntarily, do we need this bill to mandate it for -- for DAS? Is this necessary, this legislation?

DONALD DEFRONZO: Well, I think this is the policy issue involved and if you want it to be state policy that there be regular training for all new state employees, then if you want to be sure of that you need the legislation. Alternatively, as administrations turn over, a policy change can be made at the administrative level which would negate that impact. So -- I mean, I think, my -- if you're asking for my personal opinion I it's a good policy. It's a good practice. There have been far too many acts of workplace violence and training is a good thing. And at -- at this point since we've invested in it already, it will not have the -- a budgetary impact and I think we'll get

the benefit without spending any additional money.

SENATOR PRAGUE: Any other questions from committee members?

Representative Aman.

REP. AMAN: Going back to Number 850, I'm trying to remember last year when we did something almost exactly the same. And I'm wondering if you know what the difference between proposal 850 is and the ones that we had literally hours in discussion on last year?

DONALD DEFRONZO: Well, my recollection is we didn't actually pass anything -- I say "we" because I was here last year -- we didn't actually pass anything last year. This -- this, I believe, at the end of the process, this proposal, with respect to the DAS process, was the one we had developed consensus on and would have approved if we had gone forward at that time. So I think this sort of picks up exactly where we let off last year. And I'm sure Senator Prague will correct me if I'm wrong, but I believe that's where we are.

REP. AMAN: And this one talks about the unsatisfactory written evaluations, and I think last year's bill had a lot of time devoted to file complaints. What is the current difference maybe between filed complaints and unanswered complaints and actual written evaluations, and when do you actual do a written evaluation just versus getting a complaint in and saying, oh, file it?

DONALD DEFRONZO: Well, the -- the prequalification process requires the submission of evaluations. The first time a company comes in for



CONNECTICUT AFL-CIO

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Testimony of Lori Pelletier

Secretary-Treasurer of the Connecticut AFL-CIO

Before the Labor and Public Employees Committee

February 8, 2001

HB5465 HB5460

Senator Prague and Representative Zalaski and members of the Labor and Public Employees Committee, I am Lori Pelletier and I serve as the Secretary-Treasurer of the Connecticut AFL-CIO, and I'm here to testify on behalf of the 900 affiliated local unions who represent 220,000 working women and men from every city and town in our great state.

S.B. No. 96 (COMM) AN ACT CONCERNING TERMINATION WITHOUT CAUSE FOR CERTAIN OFFICERS IN MUNICIPAL POLICE DEPARTMENTS. We are opposed to this legislation. Municipal police department employees are protected with just cause in their union contract, and Chiefs are protected with the personal contract they sign with the municipality. If this intended for confidential employees who are not in either category then this legislation needs to be adjusted otherwise we believe this legislation is unnecessary.

S.B. No. 97 (COMM) AN ACT CONCERNING THE DENIAL OF UNEMPLOYMENT COMPENSATION BENEFITS TO CERTAIN DRIVERS WHO ARE UNEMPLOYED AS A RESULT OF BEING DENIED A SPECIAL OPERATOR'S PERMIT. We are opposed to this legislation. Employers pay into the Unemployment system for all workers, and if a worker is laid off this fund is their safety net. This legislation creates a dangerous precedent for workers and their families who need the money provided by their unemployment claim. Punishing the individual is one thing, but unemployment checks are a family safety net.

S.B. No. 798 (RAISED) AN ACT REQUIRING DOUBLE DAMAGES BE AWARDED IN CIVIL ACTIONS TO COLLECT WAGES. We support this legislation. In this economy with high unemployment, bad employers are often found exploiting workers by failing to pay them their proper wage. This penalty should deter employers from taking such risky and hurtful action.

H.B. No. 5174 (COMM) AN ACT CONCERNING STATE EMPLOYEES AND TRAINING TO DEAL WITH WORKPLACE VIOLENCE. We support this legislation. One out of every five workers who are killed on the job are murdered, and for women 40% of workplace deaths are due to domestic violence following them to the workplace. Connecticut should take a proactive step to help alleviate this serious workplace condition. The time to act is now not and not wait for an incident to occur.

PRESIDENT John W Olsen	1st VICE PRESIDENT Sharon M Palmer	VICE PRESIDENTS John Ahern John A Altieri Linda Armstrong Tammie Botelho Beverley Brakeman Calvin Bunnell Wayne J Burgess Michael Calderon Peter S Carozza, Jr Peter Carroll Carol Censki	Frank Cirillo Everett C Corey Kenneth Delacruz John H Dirzius Alvin Douglas Steven R Ferrucci III Betty Gadson John Gentile Bill Henderson Keri Hoehne Kathleen S Jackson Clarke King	Thomas Ledoux Glenn Marshall John McCarthy Ronald McLellan Jean Morningstar James Parent Warren Pepicelli Melodie Peters Michael Petosa Ronald Petronella Roberta Price Robert Proto	Peter Reilly Carmen Reyes David Roche Edward Sasso Valerie Stewart William Shortell Ray Soucy James R Wallace, Jr Paul Wallace Kurt Westby Anthony Zona
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GENERAL VICE PRESIDENT Thomas Wilkinson	4th VICE PRESIDENT Jeffrey H Matchett				
EXECUTIVE SECRETARY Leo Cauty					

Senate Bill 850 Extends Liability Protection to Private-Sector Project Owners

In addition, the liability protections in Section 3 of SB 850 will enable us to secure more performance evaluations for contractors seeking renewals of their prequalification certificate. Currently, when a contractor first applies for certification, it must submit performance evaluations for its three most recently completed projects. These evaluations are completed by private-sector or public-sector projects owners, in-state or out-of-state. However, when a contractor files a renewal application, it provides only evaluations for any construction project that it completed in the preceding year that was subject to the prequalification statutes (i.e., state funded projects with a value of \$500,000 or more).

Passage of SB 850 will support a key change in the renewal process – requiring contractors that did not work on enough large state-funded projects during the preceding year to provide evaluations from their three most recently completed projects regardless of funding. This will enable DAS to obtain a more complete and current view of the contractor's actual performance record.

We anticipate that this change in our renewal process will result in more evaluations from private-sector project owners. SB 850 makes this administrative change possible by **extending the liability protections currently provided to public-sector project owners who complete evaluation to the private-sector project owners as well.** Extending this liability protection will promote compliance and will help ensure that we receive honest evaluations from these private-sector project owners.

Other Efforts to Improve Contracting Processes

I would also like to take this opportunity to let the Committee know that I have asked my staff at DAS to consider other ways to strengthen the prequalification program, particularly with regard to applicants' safety records. We are also analyzing how we can make the prequalification process – and state contracting in general – less cumbersome and more business-friendly while still ensuring that construction companies that perform work on state projects – and companies that are on other state contracts – are capable, reliable and trustworthy. We will keep the Committee apprised of any progress we make as we review these topics.

House Bill 5174 – Workplace Violence Prevention Training

House Bill 5174 requires DAS, by January 2012, to develop an employee training program to instruct state employees on workplace violence awareness, prevention, and preparedness. It also requires that any individual employed by the state on or after January 1, 2011 attend such training as a condition of his or her employment.

DAS has been offering and coordinating workplace violence prevention training to state employees since 1999 as a result of Executive Order 16. Since that time, DAS has provided training to all Executive Branch agencies, and thousands of state employees. Currently, DAS offers Workplace Violence Prevention training and Threat Assessment Team training to individual state employees through the DAS Learning Center at least 4 times per year, and also to larger groups upon request, at state agencies.

House Bill 5174 appears to codify this procedure in statute and mandate the training for all state employees who have not already participated in it. If that is the intent, and DAS is not required to re-formulate the trainings that we have already established, re-train employees who have already participated in prior classes, or validate prior attendance for employees hired prior to January 1, 2011, then the goals of this proposal could be accomplished within existing state resources. DAS would be happy to work with the proponents of this proposal to ensure that those goals and objectives are met.

Thank you again for the opportunity to submit testimony. Please do not hesitate to contact me or my staff if we can be of any assistance.



165 Capitol Avenue
Hartford, CT 06106-1658

Labor & Public Employees Committee

**Commissioner Donald DeFronzo
Department of Administrative Services**

February 10, 2011

Good afternoon Senator Prague, Representative Zalaski, Senator Guglielmo, Representative Rigby and distinguished members of the Labor and Public Employees Committee. For the record, I am Commissioner Donald DeFronzo and I want to thank you for the opportunity to submit comments on two bills today:

- Senate Bill 850, "An Act Concerning the Department of Administrative Services, Department of Transportation and Prequalification and Evaluation of Contractors," and
- House Bill 5174, "An Act Concerning State Employees and Training to Deal with Workplace Violence."

Senate Bill 850, "An Act Concerning the Department of Administrative Services, Department of Transportation and Prequalification and Evaluation of Contractors"

Senate Bill 850 impacts the DAS Construction Contractor Prequalification program. To provide a little background, DAS prequalification is a screening process that evaluates construction companies to ensure they meet certain baseline standards to work on state-funded construction projects. By statute, the prequalification unit evaluates a number of factors, such as a company's financial background, experience in certain construction classifications, record of performance, integrity, safety record, and other criteria. It should be noted that the DAS prequalification program does not apply to Department of Transportation ("DOT") projects or to contractors that seek to bid on DOT contracts. DOT has its own prequalification program.

DAS strongly believes that performance evaluations are essential to the prequalification process and we are attempting to strengthen their use. SB 850 will help with this goal.

***Senate Bill 850 Allows DAS to Disqualify Companies
with Three or More Unsatisfactory Evaluations***

First, SB 850 strengthens DAS's ability to use performance evaluations in the prequalification process in a more meaningful way. Currently, DAS is able to deny prequalification or disqualify a company with a poor performance record only if the average of all of the company's evaluations on file falls below the minimum threshold for satisfactory performance. Therefore, even if DAS receives several unsatisfactory evaluations about a contractor, DAS cannot disqualify that contractor if the combined average continues to remain above the minimum threshold as a result of older, better evaluations.

SB 850 allows us to address such situations by giving DAS the authority to deny prequalification or disqualify a company if the company receives three or more unsatisfactory evaluations within a five year period. This would eliminate the problem of failing contractors remaining prequalified based solely on outdated evaluations while continuing to reward contractors that demonstrate consistently good performance over the years.

Senate Bill 850 Extends Liability Protection to Private-Sector Project Owners

In addition, the liability protections in Section 3 of SB 850 will enable us to secure more performance evaluations for contractors seeking renewals of their prequalification certificate. Currently, when a contractor first applies for certification, it must submit performance evaluations for its three most recently completed projects. These evaluations are completed by private-sector or public-sector projects owners, in-state or out-of-state. However, when a contractor files a renewal application, it provides only evaluations for any construction project that it completed in the preceding year that was subject to the prequalification statutes (i.e., state funded projects with a value of \$500,000 or more).

Passage of SB 850 will support a key change in the renewal process – requiring contractors that did not work on enough large state-funded projects during the preceding year to provide evaluations from their three most recently completed projects regardless of funding. This will enable DAS to obtain a more complete and current view of the contractor's actual performance record.

We anticipate that this change in our renewal process will result in more evaluations from private-sector project owners. SB 850 makes this administrative change possible by **extending the liability protections currently provided to public-sector project owners who complete evaluation to the private-sector project owners as well.** Extending this liability protection will promote compliance and will help ensure that we receive honest evaluations from these private-sector project owners.

Other Efforts to Improve Contracting Processes

I would also like to take this opportunity to let the Committee know that I have asked my staff at DAS to consider other ways to strengthen the prequalification program, particularly with regard to applicants' safety records. We are also analyzing how we can make the prequalification process – and state contracting in general – less cumbersome and more business-friendly while still ensuring that construction companies that perform work on state projects – and companies that are on other state contracts – are capable, reliable and trustworthy. We will keep the Committee apprised of any progress we make as we review these topics.

House Bill 5174 – Workplace Violence Prevention Training

House Bill 5174 requires DAS, by January 2012, to develop an employee training program to instruct state employees on workplace violence awareness, prevention, and preparedness. It also requires that any individual employed by the state on or after January 1, 2011 attend such training as a condition of his or her employment.

DAS has been offering and coordinating workplace violence prevention training to state employees since 1999 as a result of Executive Order 16. Since that time, DAS has provided training to all Executive Branch agencies, and thousands of state employees. Currently, DAS offers Workplace Violence-Prevention training and Threat Assessment Team training to individual state employees through the DAS Learning Center at least 4 times per year, and also to larger groups upon request, at state agencies.

House Bill 5174 appears to codify this procedure in statute and mandate the training for all state employees who have not already participated in it. If that is the intent, and DAS is not required to re-formulate the trainings that we have already established, re-train employees who have already participated in prior classes, or validate prior attendance for employees hired prior to January 1, 2011, then the goals of this proposal could be accomplished within existing state resources. DAS would be happy to work with the proponents of this proposal to ensure that those goals and objectives are met.

Thank you again for the opportunity to submit testimony. Please do not hesitate to contact me or my staff if we can be of any assistance.



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January 31, 2011

Mr. Steve Palmer
Committee Clerk
Labor and Public Employees Committee
State of Connecticut
Room 3800, Legislative Office Building
Hartford, CT 06106

Dear Mr. Palmer:

Thank you for the opportunity to provide feedback in support of Connecticut House Bill 5174, which would require all state employees to undergo training to deal with workplace violence.

CPI is the standard-setting provider of behavior management training that equips employees to have an immediate, tangible, and lasting positive impact on the people and organizations they serve. CPI has provided training in safe behavior management, best practices, and innovative resources to organizations around the world. Through a variety of specialized offerings and innovative resources, CPI educates and empowers organizations to create respectful, service oriented, and physically and emotionally safe work environments.

Since 1980, more than six million professionals around the world have participated in CPI training programs. Our specialized offerings include *Nonviolent Crisis Intervention*® training, the *Prepare Training*® program, and Dementia Care Specialist training.

CPI applauds the State of Connecticut for its proactive efforts in the prevention of workplace violence. We urge the Connecticut Labor and Public Employees Committee to include best practice in the definition of workplace violence identified in Bill 5174. We explore this concept in more depth in our comments to the Labor and Public Employees Committee.

Please contact us if we can be of further assistance.

Sincerely,

William F. Badzmierowski, M.Ed., CSW
Director of Instructor Services
Prepare Training® Program
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CPI Comments – Connecticut House Bill 5174

AN ACT CONCERNING STATE EMPLOYEES AND TRAINING TO DEAL WITH WORKPLACE VIOLENCE

CPI is the standard-setting provider of behavior management training that equips employees to have an immediate, tangible, and lasting positive impact on the people and organizations they serve. CPI has provided training in safe behavior management, best practices, and innovative resources to organizations around the world.

Through a variety of specialized offerings and innovative resources, CPI educates and empowers organizations to create respectful, service oriented, and physically and emotionally safe work environments.

Since 1980, more than six million professionals around the world have participated in CPI training programs. Our specialized offerings include *Nonviolent Crisis Intervention*® training, the *Prepare Training*® program, and Dementia Care Specialist training.

We recently engaged in a comprehensive review of Connecticut House Bill 5174: AN ACT CONCERNING STATE EMPLOYEES AND TRAINING TO DEAL WITH WORKPLACE VIOLENCE. If passed, Bill 5174 would require all state employees to undergo training to deal with workplace violence.

CPI applauds the State of Connecticut for its proactive efforts in the prevention of workplace violence. As this bill moves forward, we urge the Labor and Public Employees Committee to consider best practice in the definition of workplace violence identified in Bill 5174.

The International Labour Organization (ILO) acknowledges a broad definition of violence that includes many forms of physical and psychological violence and harassment at work.

The United States Department of Labor, Occupational Safety and Health Administration (OSHA) defines violence in the workplace as a serious safety and health issue. Its most extreme form, homicide, is the fourth leading cause of fatal occupational injury in the United States. According to the Bureau of Labor Statistics Census of Fatal Occupational Injuries (CFOI), there were 521 workplace homicides in the preliminary count of 2009 in the United States, out of 4,349 fatal work injuries.



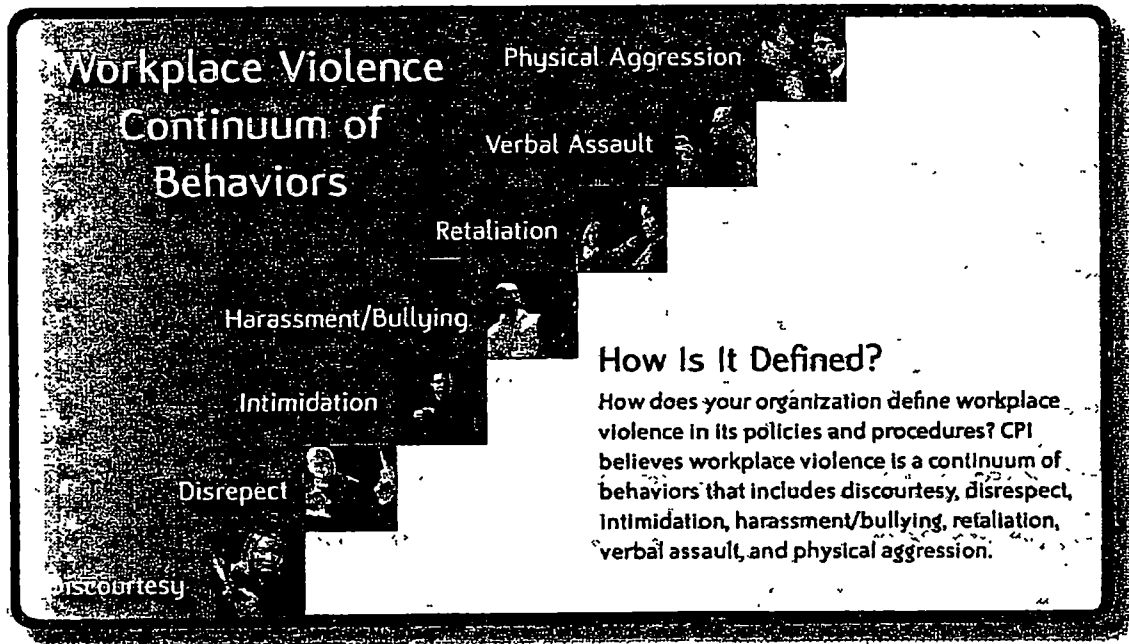


CPI supports a broad definition of workplace violence because violence doesn't occur in a vacuum. Without a broad definition, our experience has been that significant issues that could be otherwise interpreted as violence may leave some employees vulnerable and victimized.

So often, guns, knives, and bombs immediately come to our minds when we think about workplace violence and harassment. This is with good reason, especially when considering the high profile events we often see unfolding worldwide every day.

However, even these forms of violence frequently occur within a context involving identifiable precursors. It is therefore imperative that we broaden our thinking about the definition of violence and harassment in the workplace.

As the graphic below illustrates, CPI asserts that these kinds of problems occur along a behavioral continuum.



UCPEA

UNIVERSITY OF CONNECTICUT
PROFESSIONAL EMPLOYEES ASSOCIATION

AFT Connecticut, AFT, AFL-CIO Local 3695

To: Senator Edith Prague, Senator Edwin Gomes, Senator Tony Guglielmo, Representative Bruce Zelaski, Representative Louis Esposito, Representative Ezequiel Santiago, Representative John Rigby and members of the Labor and Public Employees Committee

From: Peggy Beckett-Rinker, Executive Director of UCPEA

Re: Committee Bill No. 5174, An Act concerning State Employees and Training to Deal with Workplace Violence

The University of Connecticut Professional Employees Association representing more than 1,700 non teaching professional employees at the University of Connecticut Storrs Campus , the School of Law, the School of Social Work and the regional campuses fully supports mandatory training to instruct state employees on workplace violence awareness, prevention and preparedness.

In addition we support a program to reduce workplace stress including awareness and prevention which is called for in section (a) of the newly drafted bill. However we believe that this training should also be mandatory.

We live in extremely stressful times. In many of our work sites we have employees who have had to do more with less. Often they are asked to pick up the work of colleagues who have taken advantage of the last two early retirement offers and have not been replaced. The stresses of having to deal with a pay cut while expenses continue to rise.

In December of 2008 UCPEA's Women's Issues Committee ran a survey asking that employees identify major sources of stress for them. The state economy and the state budget, the national economy and job security as a state employee were the top three choices with 59.4%, 57.4% and 52.4% respectively. More than 20% identified "feeling overworked in my professional role for an extended period of time" a major source of stress. Since this poll was run both the state and national economy have gotten worse, the

state budget promises to be problematic and job security is still a concern. If we were to run that survey today I am sure that the results would not be any better.

We have also had a number of complaints about workplace bullying and will be taking a poll of our membership on bullying in the workplace. We have invited Professor Katherine Hermes to address our members. And we have engaged the University's Administration in a discussion on the topic hoping to have an ombudsman in place who will report directly to the president. But we know we have a long way to go in order to ensure a workplace free of harassment and bullying and we hope the Legislature will act precipitously to enact anti workplace bullying legislation.

We were happy to see violence prevention and training in section (b) of the bill and agree that the training should be mandatory. Every workplace has the potential to become the site of violence. We have seen violence on and off campus. I have stood by UConn Police Chief Hudd as students return to the Storrs campus in the fall when he noted that the sleepy little town of Mansfield becomes a small city with all of a city's problems including drinking and driving, drugs, assaults, robbery, rape etc. The campus is the workplace of UCPEA employees, many of whom work during Spring Weekend. This event has often been the scene of out of control behavior most of it perpetrated by visitors to the campus and the surrounding apartments. This year, in order to curb this behavior the administration has decided not to sponsor any University events. While it is doubtful that such behavior will cease to exist, it is hoped that the actions of students and off campus visitors will be curbed.

The UConn Police Department Currently offers a Workplace Violence Prevention Training which is quite good. It is specific to the University environment and includes a video produced by the Center for Personal Protection and Safety outlining things that can be done in an escalating situation. It covers employee and student violence, stranger violence, client violence and domestic violence. It instructs employees and students on the use of the emergency blue phones that are located around campus, the use of 911 and use of the emergency notification system used by the police to alert students and staff

when an incident occurs. It is tailored to the specific environment within the University where staff, students, professors and clients interact. However, this training is voluntary and I am certain most employees at the University have not had it.

I understand there are some who will question putting resources into this training when we are in a difficult budget situation. I would ask: If it saves one life, how can we afford not to?



STATE OF CONNECTICUT

OFFICE OF VICTIM ADVOCATE
505 HUDSON STREET, HARTFORD, CONNECTICUT 06106

Michelle S. Cruz, Esq.
State Victim Advocate

**Testimony of Michelle Cruz, State Victim Advocate
Submitted to the Labor and Public Employees Committee
Thursday, February 10, 2011**

Good afternoon Senator Prague, Representative Zalaski and distinguished members of the Labor and Public Employees Committee. For the record, my name is Michelle Cruz and I am the Victim Advocate for the State of Connecticut. Thank you for the opportunity to provide testimony concerning:

House Committee Bill No. 5174, An Act Concerning State Employees and Training to Deal with Workplace Violence (Support with amendment)

The Office of the Victim Advocate (OVA) was established to protect and promote the constitutional rights of crime victims throughout the criminal justice process. Additionally, the OVA is mandated to conduct programs of public education and to ensure a centralized location for victim services information.

The Office of Victim Services (OVS), a Judicial Branch agency, is the lead agency in the state that provides the direct services to victims of crime, including, compensation, notification, referral services and court advocacy. Additionally, the OVS contracts with non-profit organizations to provide direct services to victims of certain offenses, such as domestic violence, sexual assault and drunk driving. Further, the OVS is required to provide a training program for judges, prosecutors, police and other members of the criminal justice community, to inform them of victims' rights and available services.

House Committee Bill No. 5174 would require the Department of Administrative Services (DAS) to develop an employee training program to instruct state employees on workplace violence awareness, prevention and preparedness. In order to accomplish the intended purpose and to ensure the state is providing informative training programs, the OVA respectfully requests that the bill be amended to require collaboration between the DAS, the OVA and the OVS for the development and implementation of the training program on workplace violence.

Thank you for consideration of my testimony.

Very Sincerely,

Michelle Cruz, Esq.
State Victim Advocate



STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC WORKS



Testimony of Raymond Philbrick
Supervisor, Statewide Security, Department of Public Works
To the Labor Committee
February 1, 2011

House Bill 5174
An Act Concerning
State Employees and Training to Deal With Workplace Violence

Twelve years ago, in the wake of the tragedy that occurred at the Connecticut Lottery in March of 1998, the General Assembly enacted Public Act 99-220, An Act Concerning Security for State Facilities, now codified at Chapter 60a of the Connecticut General Statutes.

The act charged the Department of Public Works (DPW) with developing and then implementing a comprehensive security program for state employees at State-owned and leased facilities. New procedures were initiated and the program remains operational today. It is a responsibility that the DPW undertakes with the utmost seriousness.

One of DPW's first initiatives was to partner with several other agencies, most notably the Department of Administrative Services, the Department of Mental Health and Addiction Services, the Department of Public Safety, and the Office of Policy and Management, including its Office of Labor Relations, and in the preparation of a **workplace violence policy and procedures manual** for use at all state agencies. This manual known as the "Violence in the Workplace Policy and Procedures Manual for Human Resource Professionals" was most recently updated in September of 2010.

The DPW also played an active role in both the development and delivery of the original workplace violence prevention training program that was attended by several hundred human resources professionals. This is an area where we have a demonstrated degree of expertise and given the criticality of this subject matter, it is an area where we are always willing to offer our assistance.

We have gained a tremendous amount of knowledge from our experience in managing numerous workplace violence incidents and agencies seek our assistance and expertise on a regular basis. We have also continued to train on the topic internally and stay up to date on research in the area. We understand that far and away the most effective tool against workplace violence is to maintain open lines of communication and an employee base that is continually educated on the subject. Workplace violence prevention is not a subject that should be taught once and then put on a shelf

somewhere to be forgotten. Rather it should be continually reviewed and reinforced to ensure that employees have a clear understanding of the critical role they can play in preventing these tragedies.

As in most of these cases, including workplace and school violence, there is usually information that comes to light in the aftermath that a colleague or supervisor had a suspicion that something was wrong. It is essential to impress upon all our employees that each agency has a threat assessment team in place to investigate these matters by gathering information, comparing notes and when warranted developing the best course of action to prevent the next tragedy from occurring. The intent is not necessarily to be punitive but rather to intervene early before a situation spirals out of control. Providing our employees with a basic understanding of the early warning signs and whom to contact to report these types of concerns is paramount to maintaining a safe and secure work environment for everyone.

The Department of Public Works has over a decade of experience administering the statewide workplace violence prevention program and stands ready to assist the committee with any refinements to that program that it deems appropriate to enact. If the intent is to codify our existing program, with minor adjustment, we would assume this could be accomplished within existing resources. Thank you for the opportunity to submit this testimony.

For further information, please contact:
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Connecticut General Assembly



PCSW

Permanent Commission on the Status of Women

The State's leading force for women's equality

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Testimony of
 Teresa C. Younger, Executive Director
 The Permanent Commission on the Status of Women
 Before the
 Labor and Public Employees Committee
 February 10, 2011

RE: HB. 5174, AAC State Employees and Training to Deal with Workplace Violence
H.B. 5465, AAC Family and Medical Leave Benefits for Certain Municipal Employees.

Senators Prague and Guglielmo, Representatives Zalaski and Rigby, and members of the committee, thank you for this opportunity to provide testimony on behalf of the Permanent Commission on the Status of Women (PCSW) in response to the introduction of HB. 5174, AAC State Employees and Training to Deal with Workplace Violence and H.B. 5465, AAC Family and Medical Leave Benefits for Certain Municipal Employees.

H.B. 5465, AAC Family and Medical Leave Benefits for Certain Municipal Employees

H.B. 5465 would grant paraprofessionals the right to family and medical leave. Passage of this bill would benefit paraprofessionals who work in public elementary and secondary schools.

CT Specific Data

- Families incur income losses ranging from over \$300 to more than \$3,500 per year due to lost wages from the wage-earner's own illnesses.¹
- Families incur losses ranging from \$800 to \$6,900 per year due to lost wages during a family illness.²

As you are aware, the PCSW has long supported paid family and medical leave proposals. We have done so because balancing the needs of work and family is now a priority for most workers. Additionally, the occupations which continue to deny FMLA benefits to its employees are occupations that are female dominated, such as the paraprofessionals addressed in this bill.

¹ Women's Union. *The Real Cost of Living and Getting Health Care in Connecticut: The Health Economic Sufficiency Standard*. Prepared for the Permanent Commission on the Status of Women and the Foundation for Connecticut Women, February 2006.

²Ibid.

PCSW Testimony
Before the Labor and Public Employees Committee
February 10, 2011
Page 2 of 2

According to the paraprofessional's union, United Electrical Union Local 22, paraprofessionals work 6.25 hours a day (1,125 a school year), rather than the required 1,250 hours needed to be eligible for FMLA. Paraprofessionals are not allowed to work more than 6.25 hours a day, and therefore should not be penalized for it. Passage of this bill would assist families to care for themselves and family members when they are ill, and add some protection against loss of income.

HB. 5174, AAC State Employees and Training to Deal with Workplace Violence

HB. 5174 would require the Department of Administrative Services to develop an employee training program to instruct state employees on workplace violence awareness, prevention and preparedness. Passage of this bill would benefit all state workers by providing a safe working environment.

National Data

- Bullying is 4 times more prevalent than illegal forms of "harassment."³
- 37% of American workers, an estimated 54 million people, have been bullied at work.⁴
- 49% of American workers, 71.5 million workers, are affected when witnesses are included.⁵
- 58% of all perpetrators are women.
- 81% of female bully's targets women
- 71% of male bully's targets are women.

Not only can workplace bullying have a detrimental affect on a person's health, it can also have negative affects for employers. In addition to obvious financial costs such as increased turnover rates of staff, employers can also be harmed if their business environment is seen as a hostile work environment.⁶ Passage of this bill would address safety and security in the workplace.

We appreciate continued attention to these matters, and look forward to working with you on this important issue.

³ Ibid.

⁴ <<http://bullyinginstitute.org/zogby2007/wbi-zogby2007.html>>

⁵ Ibid.

⁶ Ibid.

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2011**

**VOL. 54
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SENATE

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May 20, 2011

SENATOR LOONEY:

Thank you, Madam President.

Moving to calendar page 13, Calendar 425,
House Bill 5174; move to place that item on the
consent calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

Moving to calendar page 19, Calendar 479,
House Bill 5468; move to place that item on the
consent calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

And Calendar page 26, Calendar 56, Senate
Bill 28; move to place that item on the consent
calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

And Madam President, if we might call as the

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Thank you, Mr. President.

Also on calendar page 13, Calendar 423, House Bill 6286, Mr. President, move to place that item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

And additionally on calendar page 27, Calendar 92, Senate Bill 912, Mr. President, move to place that item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, if the Clerk would call the items on the first consent calendar and if we might proceed to a vote on that consent calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Immediate roll call has been ordered in the Senate on the consent calendar. Will all Senators please return to the Chamber. Immediate roll call

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has been ordered in the Senate on the consent calendar. Will all Senators please return to the Chamber.

Mr. President, those items placed on the first consent calendar begin on calendar page 11, Calendar Number 373, Substitute for Senate Bill 951; calendar page 12, Calendar 414, Substitute for House Bill 6299; Calendar 416, House Bill 6345; Calendar 417, Substitute for House Bill 6462; calendar page 13, Calendar 419, Substitute for House Bill 6310; Calendar 420, House Bill 6419; Calendar 423, Substitute for House Bill 6286; Calendar 425, Substitute for House Bill 5174.

Calendar page 19, Calendar Number 479, House Bill 5468; calendar page 26, Calendar Number 56, Substitute for Senate Bill 28; calendar page 27, Calendar Number 92, Senate Bill 912; and calendar page 32, Calendar Number 190, Substitute for Senate Bill 957.

Mr. President, that completes the items placed on the first consent calendar.

THE CHAIR:

This is an inquiry, was Calendar 416 on page 12 among those items that you called?

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THE CLERK:

Yes, Mr. President. Calendar Number 416,
which was House Bill 6345 was called and placed on
the first consent calendar.

THE CHAIR:

Thank you.

THE CLERK:

The Senate is now voting by roll call on the
consent calendar. Will all Senators please return
to the Chamber. Immediate roll call has been
ordered in the Senate on the consent calendar.
Will all Senators please return to the Chamber.

THE CHAIR:

The machine is open.

Senators, please check the board to see that
your vote is properly recorded. If all members
have voted and if all votes are properly recorded
the machine will be locked. Would the Clerk please
take a tally.

THE CLERK:

Motion is on adoption of Consent Calendar
Number 1.

Total Number voting	36
Necessary for adoption	19

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Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

The consent calendar is passed.

SENATOR LOONEY:

Mr. President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you. Thank you, Mr. President.

I have some additional items to mark go at
this time.

THE CHAIR:

You may proceed, sir.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, first, on calendar page 6,
Calendar 229, Senate Bill 205 might be marked go.
Next, Mr. President, calendar page 36,
Calendar 273, Senate Bill 1115 is marked go. And
then, Mr. President, moving back to calendar page
9, Calendar 330, Senate Bill 3673 is marked go.

THE CHAIR: