



**STATE OF CONNECTICUT**  
**OFFICE OF POLICY AND MANAGEMENT**  
**OFFICE OF THE SECRETARY**

August 12, 2011

Dear Commissioner:

I would like to begin by thanking you for your considerable efforts during a time of great uncertainty. Thanks to your efforts we have been able to develop and implement the necessary unprecedented savings options.

As we approach a final resolution of the SEBAC ratification process, I want to take the opportunity to lay out the administrative tasks that we will follow to implement the budget. Since there are a number of variations based on the potential for split votes, with the SEBAC health and pension provisions approved but the individual unit wage and job security agreements rejected, it is difficult to predict the outcome. Nevertheless, we must all plan accordingly for the various potential outcomes so that we can act expediently, decisively and directly, once we know.

In the event that the clarified 2011 SEBAC Agreement is not ratified by union membership or in bargaining units that fail to ratify their unit agreements, layoffs should continue to be carried out and facilities and programs shut down based on the schedule developed by agency. OPM will promptly establish an allotment plan based on the budget balancing plan submitted to the legislature on July 15. Please be mindful that the General Assembly's Appropriations Committee will likely hold a public hearing in the week following SEBAC rejection to review that plan. Each agency should be prepared to answer questions from the committee about the details and implications of the various cuts. In addition, we have some administrative flexibility to modify that plan in a cost-neutral way if you have identified other alternatives. Please present any such modifications to your OPM budget analyst for review as soon as possible.

In the event the clarified 2011 SEBAC Agreement is ratified, in those bargaining units that also ratify their individual unit wage and job security agreement all permanent state employees who are members of such bargaining unit will return to work if they have been separated. Any notice regarding layoff of permanent state employees who are members of such bargaining unit will be rescinded. The Office of Labor Relations will provide instructions to accomplish both the rescission of layoffs and provide for an orderly return to work for those bargaining unit members who have separated from state service. Your Human Resource professional should contact the Office of Labor

Relations to determine the process to provide an appropriate opportunity for any individuals impacted or displaced by reorganization, consolidation or restructuring.

Nonrepresented employees, including unclassified, confidential, managerial and nonpermanent employees (determined as of July 1, 2011) including, trainees, durational, individuals in their working test period and temporary employees will **not** necessarily be brought back to work or have layoff or separations rescinded. A review process will be put into place to address these positions.

As soon as possible, please submit a plan to your OPM budget analyst including the following:

1. A listing of those nonrepresented and/or nonpermanent employees in your agency who you propose to bring back or whose layoff or separation you wish to rescind. Please provide a brief justification for each. If you propose to rescind a layoff which would have resulted in separation before August 26, please contact OLR to determine if we can either expedite review of the request or postpone the separation date to avoid a needless break in service.
2. You will be notified of approval or modification of recall or layoff /separation rescission for nonrepresented and nonpermanent employees by August 26 at the latest. If the individual has separated, you may or may not be able to bring back the same individual as there may be another individual with superior rights to the position, if it is approved.
3. In the event that a bargaining unit with employees working in your agency does not approve their individual unit agreement, it is possible that you would have some flexibility to rescind some of the layoffs in that bargaining unit. If you are considering that action, you should provide a listing of those members who you propose to bring back or for whom you would propose rescinding a pending layoff. You may or may not be able to bring back or retain the same individual as there may be other individuals with superior rights to the position.
4. In the coming weeks, OPM will ask you to prepare the following:
  - a. A refill plan for your agency that identifies which specific vacant and funded positions that you would propose to refill. Please include alternatives that fill 10% and 30% of the available vacancies. This list should not include retirements, which will be compiled separately.
  - b. A list of positions that have become vacant due to retirement (or anticipated to become vacant due to retirement by 10/1/11). Please indicate up to 10% or 30% of these which you would propose to refill.
  - c. A final refill plan will not be finalized until after October 1.

Unfortunately, regardless of the outcome of the ratification, we face an uncertain year. We have considerable savings targets that we must accomplish, and have no option but to operate state government in the black. While we will all be glad that resolution of our path forward means that we

can focus our energies on the management of our agencies and service to the public, we cannot lose sight of our economic plight and control our finances accordingly.

If you are uncertain about the outcome of the ratification vote and how it impacts your agency, please contact OLR for the most accurate information. Also, please expect more detailed guidance from OPM on these matters in the coming weeks.

Again, thank you for your tireless efforts. Please feel free to contact me if I can be of assistance.

Kind Regards,

A handwritten signature in blue ink, appearing to read "Ben Barnes". The signature is fluid and cursive, with a large initial "B".

Ben Barnes

C: Governor Dannel P. Malloy  
Lt. Governor Nancy Wyman  
Tim Bannon  
Andrew McDonald  
Roy Occhiogrosso  
Mark Ojakian  
Paul Potamianos  
Linda Yelmini