

**MINUTES OF THE  
MANAGEMENT ADVISORY COUNCIL  
OCTOBER 24, 2018**

Visit the MAC website at: <http://www.ct.gov/MAC>  
<http://www.ct.gov/mac/site/default.asp>

**Welcome and Introductions**

Janice Deshais, MAC Chair called the business meeting to order at 9:03 am. Jan introduced the members of the Executive Committee. She also welcomed those in attendance and thanked them for their participation. Leland Moore, Vice-Chair and Jeri Beckford, Secretary were absent.

**Approval of Minutes**

The draft of the minutes of the September 19, 2018 meeting were circulated via the list serv and approved.

**Treasurer's Report**

Meredith Minnocci, Treasurer reported that the balance for the September, 2018 statement was \$8,606.65 and the report was shared. Nancy Nicolescu questioned the treasurer report and inquired as to payment for vendors for Managers' Day. Meredith reported that vendors were paid in September, and the vendor for the Awards, "Award of Elegance" was reflected in the October Treasurer's report however, the checks for the "Chowder Pot" and the Key Note Presenter at Managers' Day would be reflected in the November statement once the checks have been cleared from the bank. Meredith explained that going forward the Treasurer's report will be based on the bank statements and confirmation of the checks that have cleared or payment made as reflected on those statements. In addition the Treasurer's report will be distributed at the MAC meetings.

**Credentials Report**

Deb Paradis stated there were no updates to report as two agencies: CHRO and the Office of the State Treasurer still have not submitted election results to her as indicated at the meeting on September 19<sup>th</sup>.

**Old Business**

Managers Day Planning Committee- Janice thanked everyone for hard work and Wanda Seldon for being the Master of Ceremonies. Attendees were satisfied with the food at the Chowder Pot venue, the speakers, and the shorter day. The Planning Committee will debrief at the end of the meeting and discuss a survey for attendees to provide feedback.

Status of Updates to MAC List Serv - Nancy Nicolescu reported that there are some failed deliveries and she is making updates as necessary.

Enhancing MAC membership - Janice reported that Leland is to chair a subcommittee in November and is looking for a small group of managers to be on this committee. Janice stated that the goal of the committee is to be more proactive about informing managers about MAC and upcoming meetings.

Executive Committee Meeting Regarding Managerial Concerns - Janice reported that the Executive Committee plans to meet with the new administration as soon as possible after the election to advise them of managerial concerns.

## **New Business**

### Other New Business

Future of MAC - Wanda Seldon recommended that MAC should engage in a discussion about the future of MAC given the upcoming changes in the Governor's Office and OPM. It was suggested that the members of MAC meet with the Commissioners and Deputy Commissioners of Agencies in the future. Members agreed that this is a focus going forward.

Definition of Manager - The members would like the copy of the state statute of the definition of a Manager and Meredith agreed to provide this information. See copy of Connecticut General Statute C.G.S 5-270 at the end of the minutes.

AMECSS - Janice announced she will attend the October 25, 2018 AMECSS meeting and will provide an update at the November 14, 2018 meeting.

## **Adjournment**

The meeting adjourned at 9:49 am. Members of Managers' Day Planning Committee remained to meet.

The list of attendees is attached.

Respectfully Submitted:

Meredith Minnocci, Treasurer  
For Jeri Beckford, Secretary

grievances, applying other established personnel policies and procedures and in enforcing the provisions of a collective bargaining agreement; and (4) establishing or participating in the establishment of performance standards for subordinate employees and taking corrective measures to implement those standards, provided in connection with any of the foregoing the exercise of such authority is not merely of a routine or clerical nature, but requires the use of independent judgment, and such individuals shall be employees within the meaning of subsection (b) of this section. The above criteria for supervisory positions shall not necessarily apply to police or fire departments.

(g) "Managerial employee" means any individual in a position in which the principal functions are characterized by not fewer than two of the following, provided for any position in any unit of the system of higher education, one of such two functions shall be as specified in subdivision (4) of this subsection: (1) Responsibility for direction of a subunit or facility of a major division of an agency or assignment to an agency head's staff; (2) development, implementation and evaluation of goals and objectives consistent with agency mission and policy; (3) participation in the formulation of agency policy; or (4) a major role in the administration of collective bargaining agreements or major personnel decisions, or both, including staffing, hiring, firing, evaluation, promotion and training of employees.

(P.A. 75-566, S. 1; P.A. 77-22, S. 1, 3; P.A. 81-457, S. 12; P.A. 82-454; P.A. 86-411, S. 5, 8; P.A. 97-148, S. 1, 8; P.A. 01-103, S. 1.)

History: P.A. 77-22 deleted legislative branch from definition of "employer" in Subsec. (a); P.A. 81-457 added Subdiv. (g), which defines "managerial employee", and excluded them from collective bargaining by excepting them from the definition of "employee", where previously they were specifically excluded if working less than twenty-four hours per week; P.A. 82-454 amended Subsec. (b) to include part-time employees within the definition of "employee", where previously they were specifically excluded if working less than twenty-four hours per week; P.A. 86-411 amended Subsec. (g), removing the percentage cap on the number of managerial employees, and requiring the provisions of Subpara. (D) to be satisfied for any position in the system of higher education to be considered managerial, effective July 1, 1986, and applicable to negotiations then in progress; (Revisor's note: In 1995 the Revisors editorially substituted in Subdiv. (c) the alphabetic indicators (A), (B), (C) and (D) for (i), (ii), (iii) and (iv) for consistency with statutory usage); P.A. 97-148 amended Subsec. (b) to include special deputy sheriffs, effective July 1, 1997; P.A. 01-103 deleted former Subdiv. (2) re certain Department of Correction employees, redesignated existing Subparas. (A) to (D) as Subdivs. (1) to (4), and made conforming technical changes.

Cited. 204 C. 746, 747.

Cited. 40 CS 381.

Subsec. (b):

Cited. 184 C. 578. Cited. 204 C. 746—750. Cited. 226 C. 670, 673, 674.

Cited. 40 CS 381—384, 394.

Subsec. (f):

Court held section not unconstitutionally vague. 204 C. 746, 749, 756, 757, 759.

Cited. 40 CS 381, 383, 389—391.

Subsec. (g):

Court held section not unconstitutionally vague. 204 C. 746—751, 755—757, 759.

Classification of managerial employees and denial to them of collective bargaining rights survives challenge on equal protection grounds; statute repels vagueness challenge, is not offensive to due process requirements. 40 CS 381—384, 389, 394.

**Sec. 5-271. Rights of employees and representatives. Duty of fair representation.** (a) Employees shall have, and shall be protected in the exercise of the right of self-organization, to form, join or assist any employee organization, to bargain collectively through representatives of their own choosing on questions of wages, hours and other conditions of employment, except as provided in subsection (d) of section 5-272, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, free from actual interference, restraint or coercion.

(b) When an employee organization has been designated by the State Board of Labor Relations as the representative of the majority of employees in an appropriate unit, that employee organization shall be recognized by the employer as the exclusive bargaining agent for the employees of such unit.