



# STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT

Office of Labor Relations

June 9, 2010

**GENERAL NOTICE NO. 2010-07**

**TO: Labor Relations Designees**

**FROM: Office of Labor Relations**

**SUBJECT: P-4 Award – Seniority Calculations Should NOT Include Layoff Time**

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Article 12, Section 1 of the P-4 contract provides that “*seniority for all purposes within this Agreement shall be defined as total length of State service including war service.*” As you will recall, in May, 2003, Public Act 03-2 was passed and provided in relevant part that:

Each person laid off but returned to employment with the State pursuant to this section shall be deemed to have been continuously employed by the State, with no interruption in service or pension credit, during any period that such person was laid off on or after November 1, 2002 to June 30, 2003.

In a recent arbitration (OLR No. 15-3545), the P-4 Union asserted that the above referenced section of the Public Act should be interpreted as having modified Article 12, Section 1 of the P-4 contract (2005-2009) with the result that time on layoff during the period referenced in the Act should be counted as state service and P-4 seniority.

The State raised arbitrability, asserting that the Arbitrator had no authority to interpret laws external to the contract which would include acts such as P.A. 03-2. Further, the State presented evidence that historically in P-4, the State has never counted “layoff” time in the calculation of seniority, including layoff time in 2003.

The State prevailed on its arbitrability argument. Accordingly, please check your records to ensure that with respect to P-4 members, unpaid layoff time is NOT being included in the calculation of seniority as defined in Article 12, Section 1.

Agency Labor Relations Designees should direct questions about this Award to Christine Cieplinski (418-6321) or e-mail [Christine.Cieplinski@ct.gov](mailto:Christine.Cieplinski@ct.gov)

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