



SENATE CLERK'S OFFICE  
RECEIVED ON 3-2-2016

March 2, 2016

Garey E. Coleman  
Clerk of the Senate  
State Capitol, Room 305  
Hartford, CT 06115

**RE: Revised Supersedence Index for Collective Bargaining Agreement between the University of Connecticut and the University of Connecticut Professional Employees Association, Local 3695, AFTCT, AFT, AFL-CIO**

Dear Mr. Coleman,

On February 8, 2016, in accordance with Conn. Gen Stat. Section 5-278(b), the University of Connecticut ("UConn") submitted to the Legislature a proposed collective bargaining agreement with the University of Connecticut Professional Employees Association, Local 3695, AFTCT, AFT, AFL-CIO (UCPEA). An index of collective bargaining agreement provisions that will supersede contrary statutes or regulations was submitted with the proposed agreement that contained two errors. UConn hereby submits a revised index with the appropriate corrections.

Please let me know if you need any further information.

Sincerely,

Michael J. Eagen, J.D.  
Director of Labor Relations

cc: Susan Herbst, President  
Scott Jordan, Executive Vice President for Administration and CFO  
Benjamin Barnes, Secretary of OPM  
Paul Potamianos, Executive Budget Officer OPM  
Kathleen Sanner, President of UCPEA  
Lisa Grasso Egan, Undersecretary for Labor Relations, OPM

## SUPERSEDECENCES

February 8, 2016

### Collective Bargaining Agreement Between

### The University of Connecticut Board of Trustees and the University of Connecticut Professional Employees Association (UCPEA)

Pursuant to Conn. Gen. Stat. § 5-278 (e), "[w]here there is a conflict between any agreement...on matters appropriate to collective bargaining...and any general statute or special act, or regulations adopted by any state agency, the terms of such agreement or arbitration award shall prevail...."

In accordance with Conn. Gen. Stat. § 5-278 (b). The following state statutes and regulations, if applicable to employees in the unclassified service, are superseded by contrary provisions in this agreement. This list includes continuing, new and revised supersedences:

Tentative Agreement	Provision	State Statute (as Amended) or Regulation Superseded
Article 1 Recognition	Provides for unit of professional employees.	C.G.S. § 5-196; § 5-198
Article 2 Role of Professional Staff	Defines work to be classified as professional union work and defines employees to be recognized as professional staff.	C.G.S. § 5-196; C.G.S. § 5-200 and related DAS Regulation § 5-200-1; C.G.S. § 31-58; C.G.S. § 31-60 and related DAS Regulation § 31-60-16; C.G.S. § 31-71a;
Article 5 Nondiscrimination	Requires parties proceed via certain internal administrative procedures related to concerns of discrimination or about diversity/affirmative action.	DAS Regulation § 5-201-14; C.G.S. § 5-227 and § 5-228; C.G.S. § 31-69b; C.G.S. §§ 46a-51 <i>et seq.</i> and related DAS Regulations § 46a-5-1 through 46a-68k-8
Article 6 Vacation Leave	Provides for vacation accruals, cap on such accrual and use.	C.G.S. § 5-200 and related DAS Regulation § 5-200-1; C.G.S. § 5-250 through § 5-253 and related DAS Regulations § 5-250-1 through 5-250-8; C.G.S. § 31-74a; C.G.S. § 31-76k
Article 7 Notice of Intent to Leave	Requires 30 days' notice of intent to leave and attending work for certain of those days.	C.G.S. § 5-243 and related DAS Regulation § 5-243-1
Article 8 Holidays	Establishes holidays on which professionals are not required to work; permits professionals required to work a holiday to arrange for alternative day off; permits the professional to work a holiday in order	C.G.S. § 5-200 and related DAS Regulation § 5-200-1; C.G.S. § 5-247 and related DAS Regulation § 5-247-8; C.G.S. § 5-250 and related DAS Regulations § 5-250-1 through § 5-250-8; C.G.S. § 5-251; C.G.S. § 5-254 and related DAS Regulations § 5-254-1 and § 5-254-2; C.G.S. 31-76k; C.G.S. § 46a-51 <i>et seq.</i> and related DAS Regulations § 46a-5-1 through 46a-68k-8

	to earn a day off on religious holidays.	
Article 9 Personal Leave	Provides for personal leave.	C.G.S. § 5-200 and related DAS Regulation § 5-200-1; C.G.S. § 5-248 and related DAS regulations § 5-248-1 through § 5-248-6; C.G.S. § 5-248a & § 5-248b and related Regulations § 5-248b-1 through § 5-248b-9; C.G.S. § 5-250 and related DAS Regulation § 5-250-8; C.G.S. § 31-70, § 31-71e; C.G.S. 31-76k
Article 10 Civic Obligations	Provides for time off for emergency duty for certain professional employees (fire, ambulance, recognized emergency personnel).	C.G.S. § 5-249
Article 11 Sick Leave	Provides for sick leave, limitations on use, accumulation rules for unused time. Includes definition of immediate family and defines parameters for use of unpaid leave and family leave. Provides for sick leave bank and authorization for such leave.	C.G.S. § 5-143; C.G.S. § 5-200 and related DAS Regulation § 5-200-1; C.G.S. § 5-244 and related DAS Regulation § 5-244-1; C.G.S. § 5-247 and related DAS Regulations § 5-247-1 through § 5-247-12; C.G.S. § 5-248 and related DAS regulations §§ 5-248-1 through § 5-248-6; C.G.S. § 5-248a & § 5-248b and related Regulations §§ 5-248b-1 through § 5-248b-9; C.G.S. § 5-250 and related DAS Regulation § 5-250-6; C.G.S. § 5-251; C.G.S. § 5-254 and related DAS Regulation § 5-254-1; C.G.S. § 31-51kk through § 31-51rr and related DAS Regulations § 31-51qq-1 through § 31-51qq-48; C.G.S. § 46a-51 <i>et seq.</i> and related DAS Regulations § 46a-5-1 through § 46a-68k-8; C.G.S. § 31-70, C.G.S. § 31-71e; C.G.S. § 31-76k
Article 12 Maternity and Paternal Benefits	Provides for childbirth/childrearing leave.	C.G.S. § 5-200 and related DAS Regulation § 5-200-1; C.G.S. § 5-247 and related DAS Regulations § 5-247-1 through § 5-247-12; C.G.S. § 5-248 and related DAS regulations § 5-248-1 through § 5-248-6; C.G.S. § 5-248a; & § 5-248b and related Regulations § 5-248b-1 through § 5-248b-9; C.G.S. § 5-250; C.G.S. § 31-51kk through § 31-51rr and related DAS Regulations § 31-51qq-1 through § 31-51qq-48; C.G.S. § 31-70, C.G.S. § 31-71e; C.G.S. § 31-76k
Article 13 Educational Leave	Provides for educational leave	C.G.S. § 5-200 and related DAS Regulation § 5-200-1; C.G.S. § 5-248 and related DAS regulations § 5-248-1 through § 5-248-6; C.G.S. § 5-248c and related DAS Regulations § 5-248-1 through § 5-248c-3; § 5-250; ; C.G.S. § 31-70, C.G.S. § 31-71e; C.G.S. § 31-76k

<p>Article 14 Maintenance of Status While on Paid Leave</p>	<p>Provides for continued benefits and accruals to employees on paid leave.</p>	<p>C.G.S. § 5-200 and related DAS Regulation § 5-200-1; C.G.S. § 5-248 and related DAS regulations §§ 5-248-1 through § 5-248-6; C.G.S. § 5-248a &amp; § 248b and related Regulations § 5-248b-1 through § 5-248b-9; C.G.S. § 5-248c and related DAS Regulations § 5-248c-1 through § 5-248c-3; C.G.S. § 5-251; ; C.G.S. § 31-70, C.G.S. § 31-71e; C.G.S. § 31-76k</p>
<p>Article 15 Leaves without Pay</p>	<p>Provides for unpaid leaves of absence. Provides for certain accruals to continue, but not for vacation, holiday or seniority to accrue.</p>	<p>C.G.S. § 5-200 and related DAS Regulation § 5-200-1; C.G.S. § 5-248 and related DAS regulations § 5-248-1 through § 5-248-6; C.G.S. § 5-248c and related DAS Regulations § 5-248c-1 through § 5-248c-3; § 5-250; C.G.S. § 31-70; § 31-71e; C.G.S. § 31-76k</p>
<p>Article 16 Work Schedules</p>	<p>Provides for change in hours of workweek and increasing hours for current employees. Establishes work schedules and circumstances for deviation from work schedules. Addresses telecommuting procedures.</p>	<p>C.G.S. § 5-200 and related DAS Regulation § 5-200-1; C.G.S. § 5-238 and related DAS regulations § 5-238-1 through § 5-238-5; C.G.S. § 5-245; C.G.S. § 5-248i; C.G.S. § 31-58, C.G.S. § 31-60, .G.S. § 31- 68; C.G.S. § 31-71a through § 31-71f; C.G.S. § 31-76b; § 31-76k</p>
<p>Article 17 Health Services</p>	<p>Provides for certain salary differentials and compensation for Student Health Services.</p>	<p>C.G.S. § 5-200 and related DAS Regulation § 5-200-1; C.G.S. § 5-238 and related DAS regulations § 5-238-1 through § 5-238-5; C.G.S § 5-245; C.G.S § 5-253; C.G.S § 31-58, C.G.S § 31-60, C.G.S § 31-71a; C.G.S § 31-71a through § 31-71f; C.G.S. § 31-76b</p>
<p>Article 18 Compensatory Time</p>	<p>Provides for compensatory time or other adjustments for work in excess of the standard workweek.</p>	<p>C.G.S. § 5-200 and related DAS Regulation § 5-200-1; C.G.S. § 5-238 and related DAS regulations § 5-238-1 through § 5-238-5; C.G.S § 5-245; C.G.S. § 5-253; C.G.S § 31-58, C.G.S. § 31-60; C.G.S. § 31- 68; C.G.S § 31-71a through § 31-71f; C.G.S. § 31-76b; DAS Regulation § 31-51rr-21.</p>

Article 19 Personnel Files	Provides for certain documents to constitute the employee file. Allows for certain access to file, disclosure of file to other than the employee, employee right to obtain documents. Requires notice to employee of negative material in employment file.	C.G.S. § 1-206; C.G.S. § 1-210 through § 1-214; C.G.S. § 31-128a <i>et seq.</i> , C.G.S. § 31-128b, C.G.S. § 31-128e
Article 20 Probationary Employees	Provides for probationary or working test periods for new employees, and in circumstances where a staff member accepts a new position through voluntary reassignment/transfer, recall from layoff, rehire or appointment to a new position through a search process. Defines probationary employees.	C.G.S. § 5-196; C.G.S. § 5-200 through § 5-202 and related DAS Regulation § 5-200-1; C.G.S. § 5-215a; C.G.S. § 5-228; C.G.S. § 5-230 and related DAS Regulation § 5-230-1; C.G.S. § 5-235; C.G.S. § 5-239 and related DAS Regulations § 5-239-1 and 2; C.G.S. § 5-241; DAS Regulation § 5-201-10.
Article 21 Evaluation	Provides Evaluation procedures for professional employees.	C.G.S. § 5-200 and related DAS Regulation § 5-200-1; C.G.S. § 5-200a; DAS Regulations § 5-201-10 through § 5-201-17; C.G.S. § 5-225; C.G.S. § 5-237 and related DAS Regulation § 5-237-1
Article 22 Dismissal or Other Disciplinary Action	Provides process for and grounds for discipline, including but up to termination.	C.G.S. § 5-194; C.G.S. § 5-200 and related DAS Regulation § 5-200-1; C.G.S. § 5-201 and related DAS Regulations § 5-201-10 through DAS § 5-201-17; C.G.S. § 5-202; C.G.S. § 5-225; C.G.S. § 5-240; DAS Regulations § 5-240-1a through § 5-240-8a; C.G.S. § 5-244; C.G.S. § 31-68
Article 23 Grievance Procedure	Provides process for grievances and arbitrations, including authority and time limits.	C.G.S. § 5-194; C.G.S. § 5-200 and related DAS Regulation § 5-200-1; C.G.S. § 5-201 and related DAS Regulations § 5-201-10 through § 5-201-17; C.G.S. § 5-202; C.G.S. § 5-240; DAS Regulations § 5-240-1a through § 5-240-8a; C.G.S. § 5-244; C.G.S. § 31-68
Article 25 Career Ladders	Allows for development of "Career Ladders" within units.	C.G.S. § 5-196 through 198; C.G.S. § 5-200, through C.G.S. § 5-218 and related DAS Regulation § 5-200-1; C.G.S. § 5-227a and b; C.G.S. § 228; C.G.S. § 5-236; C.G.S. § 5-239; C.G.S. § 5-266f

Article 26 Vacancies and Job Posting	Provides for process posting and filling vacancies and job openings.	C.G.S. § 5-196 through 198; C.G.S. § 5-200 through C.G.S. § 5-219 and related DAS Regulations § 5-201-1 through § 5-201-17; C.G.S. § 5-227a and b; C.G.S. § 5-228; C.G.S. § 5-236; C.G.S. § 5-239 and related DAS Regulations § 5-239-1 and § 5-239-2; C.G.S. § 5-266f
Article 27 Reduction of Professional Staff	Provides process for layoffs, available notice periods and rights when laid off or terminated. Provides for payout of notice period under certain circumstances.	C.G.S. § 5-200 and related DAS Regulation § 5-200-1; DAS Regulation § 5-201-14; C.G.S. § 5-202; C.G.S. § 5-240; C.G.S. § 5-241 and related DAS Regulations § 5-241-1 and § 5-241-2; C.G.S. § 5-243; DAS Regulation § 5-247-9
Article 28 mergers and Acquisitions	Provides contract survives any merger.	C.G.S. § 10a-6
Article 29 Meet and Discuss	Requires parties to meet to discuss matters of professional concern.	C.G.S. § 46a-51 <i>et seq.</i>
Article 30 Parking	Provides University will continue to offer parking to professional employees; and retains control for the Parking Advisory Committee to establish certain conditions on parking.	C.G.S. § 10a-139; DAS Regulations § 5-141c-4
Article 31 Job Classification	Provides for components of new Job Classification system for all professional employees and processes for reclassification.	C.G.S. § 5-196 through § 5-198; C.G.S. § 5-200 through C.G.S. § 5-219 and related DAS Regulations § 5-201-1 through § 5-201-17; C.G.S. § 5-227a and b; C.G.S. § 228; C.G.S. § 5-235; C.G.S. § 5-236; C.G.S. § 5-239 and related DAS Regulations § 5-239-1 and 5-239-2; C.G.S. § 5-266f
Article 32 Salary	Provides for increase to salary during term of agreement, including increases for change in work week and for performance.	C.G.S. § 5-200 through § 5-200c and related DAS Regulation § 5-200-1; C.G.S. § 5-208 through § 5-213c; C.G.S. § 3-119, C.G.S. § 10a-105, C.G.S. § 31-58, C.G.S. § 31-60; C.G.S. § 31-71a through § 31-71f; C.G.S. § 31-76b; Comptroller Regulations
Article 33 Retirement, Medical Benefits and Disability Insurance	Provides that professionals shall be provided health insurance.	C.G.S. § 3-123b; C.G.S. § 3-123aaa; C.G.S. § 3-123bbb; C.G.S. § 3-123ddd; C.G.S. § 5-160 through § 5-192x; C.G.S. § 5-200 and related DAS Regulation § 5-200-1; C.G.S. § 5-208a; C.G.S. § 5-243; C.G.S. § 5-247 and related DAS Regulations § 5-247-1 through 5-247-12; C.G.S. § 5-248c; C.G.S. § 5-257; C.G.S. § 5-259 through 5-259c; C.G.S. § 5-278; C.G.S. § 31-70; C.G.S. § 31-71e; DAS Regulations §§ 5-155-1 <i>et seq.</i>

Article 34 Tuition Reimbursement and Professional Development	Permits a pool for tuition reimbursement and professional development.	C.G.S. § 5-141c; C.G.S. § 5-200 and related DAS Regulation § 5-200-1; C.G.S. § 10a-16; C.G.S. § 10a-26; C.G.S. § 10a-105; C.G.S. § 10a-151a-c; DAS Regulations § 5-141-1 through § 5-141-11; and Comptroller Policies/Regulations
Article 35 Tuition Waivers	Permits tuition waivers and reimbursement of certain fees.	C.G.S. § 5-141c; C.G.S. § 5-200 and related DAS Regulation § 5-200-1; C.G.S. § 10a-16; C.G.S. § 10a-26; C.G.S. § 10a-99; C.G.S. § 10a-105; C.G.S. § 10a-151a-c; DAS Regulations § 5-141-1 through § 5-141-1; and Comptroller Policies/Regulations
Article 36 Child Care	Permits a pool for child care reimbursements.	C.G.S. § 5-141c; C.G.S. § 5-200 and related DAS Regulation § 5-200-1; C.G.S. § 10a-105; C.G.S. § 10a-151a-c; DAS Regulations § 5-141-1 through § 5-141-11; and Comptroller Policies/Regulations
Article 37 Travel	Provides for travel reimbursement, which will be in the authority of the University.	C.G.S. § 5-200 and related DAS Regulation § 5-200-1; C.G.S. § 5-141c, C.G.S. § 10a-151a-c; Standard State Travel Regulations; Comptroller Policies/Regulations; DAS Regulations § 5-141-1 through § 5-141-11
Article 40 Union Leave	Provides release time to union representatives and stipends.	C.G.S. § 31-105 and Comptroller Policies/Regulations
Article 41 Representation Rights and Responsibilities	Requires University to provide demographic information to union. Provides for union use of mail services, bulletin boards, etc. Permits union representatives to handle grievances during regular working hours.	C.G.S. § 1-206; C.G.S. § 1-210 through C.G.S. § 1-214; C.G.S. § 31-105
Article 42 UCPEA Security and Payroll Deductions	Provides for University to deduct membership dues, initiation fees and voluntary contributions.	C.G.S. § 5-260
Article 44 Temporary and End-Date Employees	Provides for certain temporary or durational employment and related benefits and/or rights for those employees.	C.G.S. § 5-235
Article 46 Wireless Communication Device Stipends	Provides for stipends to employees for approved wireless device use.	C.G.S. § 5-200 and related DAS Regulation § 5-200-1; C.G.S. § 5-141c; C.G.S. § 5-160 through § 5-192x; C.G.S. § 10-98; C.G.S. § 10a-98a; § 10a-151a-c; Comptroller Policies/Regulations; DAS Regulations § 5-141-1 through § 5-141-11.

<p>Article 47 Phased Retirement Program</p>	<p>Provides for work reduction prior to retirement by incorporating Voluntary Schedule Reduction Program as administered for the unclassified of employees of UConn into the agreement. Permits schedule and pay reduction while maintaining full accruals.</p>	<p>C.G.S § 3-123b; C.G.S. § 3-123aaa; C.G.S. § 3-123bbb; C.G.S. § 3-123ddd; C.G.S. § 5-152 through § 5-192x; DAS Regulations § 5-155-1 through § 5-181-1; C.G.S. § 5-200 and related DAS Regulation § 5-200-1; C.G.S. § 5-208a; C.G.S. § 5-257; C.G.S. § 5-238 and related DAS regulations §§ 5-238-1 through 5-238-5; C.G.S. § 5-240; C.G.S. § 5-243; C.G.S. § 5-245; C.G.S. § 5-247 and related DAS Regulations §§ 5-247-1 through 5-247-12; C.G.S. § 5-248c and related DAS Regulations §§5-148c-1 through § 5-148c-3; C.G.S. § 5-248i; C.G.S. § 5-257; C.G.S. § 5-259; <del>C.G.S. § 5-278</del>; C.G.S. § 31-58, C.G.S. § 31-60, C.G.S. § 31-68; C.G.S. § 31-70; C.G.S. § 31-71a through § 31-71f; C.G.S. 31-76b; § 31-76k</p>
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