



Testimony on House Bill 6926 (an act requiring public employers to provide exclusive representatives with certain employee-related information)

Submitted by Scott Shepard, Policy Director

February 21, 2019

Good afternoon. My name is Scott Shepard. I am the Policy & Research Director for the Yankee Institute for Public Policy, Connecticut's free-market think tank. I submit this note in opposition to **House Bill 6926**.

This proposed bill would require that the state provide government union leaders with constantly updated employee lists that would include extensive contact information for all employees. It would not place any limits on how those union leaders might use the information. It does not permit any employees – including those who have opted out of union membership – to remove their information. It does not create any liability if union leaders use this information inappropriately, such as to harass employees who exercise their constitutional right not to join or remain as members of the union.

In this era of enhanced recognition of and intolerance for workplace hostility and bullying of any kind, this is unacceptable. We must protect public employees from mistreatment by all parties, just as we protect other members of society.

While there are legitimate reasons why union leaders should have reasonably up-to-date access to appropriate employee information for limited purposes, this bill does not carefully address and narrowly respond to those concerns. Any bill of this sort must, to protect all workers at the standard to which society has moved:

- (1) Permit employees to opt out of the information provision.
- (2) Clearly let employees know both that the information is being provided, and of their right to opt out.
- (3) Default to non-provision of information for public employees who have not joined, or have resigned from, the union.
- (4) Restrict unions from using the personal information provided by the state to press union members who have elected not join the union to change their minds.
- (5) Restrict unions from using the personal information provided by the state for any intimidatory purposes or any purposes not directly related to their activities as sole representative.

- (6) Hold unions and their leaders liable for any misuse of personal information provided by the state by any union leaders or by any third parties who gained access to the information through union auspices.
- (7) Establish statutory penalties for any misuse of this information to pressure, intimidate or otherwise inappropriately communicate with non-union employees.
- (8) Establish a means by which employees can report inappropriate communications or behaviors anonymously and in safety to employer representatives with the authority to investigate and to sanction.

We all know that some people do not always live up to what is required of them. We must minimize the possibilities for inappropriate behavior where we can. These suggested revisions are necessary to protect Connecticut workers in the proper exercise of their constitutional rights. Anything less would represent a failure by the state to protect them. Because this bill as now written includes no protections at all, we must oppose it.