

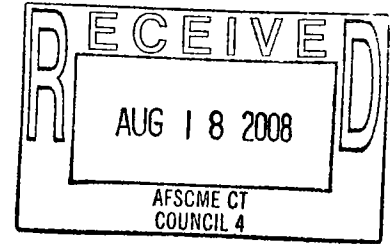
STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT

Office of Labor Relations

August 15, 2008

Mr. J. Larry Foy
12 Meadow Crossing
Simsbury, CT 06070



RE: State of Connecticut Reply Brief
Case No. AAA 12 390 00717 07
State of Connecticut and AFSCME
NP-4 Interest Arbitration

Dear Mr. Foy:

Enclosed, please find the State of Connecticut's Reply brief in the above entitled matter. As agreed by the parties during the Interest Arbitration proceeding reply briefs are to be sent to the Arbitrator via electronic mail and US mail.

Also enclosed is a copy of said brief for exchange (electronically and US Mail) with the Union once the Arbitrator has received the briefs for both sides.

Please feel free to contact me at 860-418-6215 if you should have any questions.

Very truly yours,

Paul Bodenhofer

Paul Bodenhofer
Labor Relations Specialist
Office of Labor Relations

cc: A. Chiucarello-AFSCME

**STATE OF CONNECTICUT
STATUTORY INTEREST ARBITRATION
BEFORE
HONORABLE J. LARRY FOY, ARBITRATOR**

In the matter of)	
)	
STATE OF CONNECTICUT)	Case# 2008-SBA-4
)	NP-4 Bargaining Unit
<i>and</i>)	
)	AAA Case 12 390 00717 07
)	
AMERICAN FEDERATION)	
OF STATE, COUNTY AND)	
MUNICIPAL EMPLOYEES,)	
Council 4, AFL-CIO)	
Locals 387, 391 and 1565)	August 15, 2008
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**REPLY BRIEF
OF THE
STATE OF CONNECTICUT**

**Paul Bodenhofer
Labor Relations Specialist
Office of Labor Relations
450 Capitol Avenue
Hartford, CT 06106**

INTRODUCTION

Both the State and the Union submitted extensive arguments and discussions regarding the outstanding issues before the arbitrator. The State's brief thoroughly addressed each issue; therefore, the State will not reargue the same points here. However, there are a few areas in the Union's brief that require further discussion.

The Factors:

As a reminder, the Connecticut General Statutes (C.G.S.), in Section 5-276a(e)(4), provides that the arbitrator "shall select the more reasonable last best offer proposal on each of the disputed issues based on the factors in subdivision (5)". Subsection (4) also provides that the arbitrator shall state, "...with particularity the basis for such decision" and "...shall not affect the rights accorded to either party by law or by any collective bargaining agreement". The factors to be considered by the arbitrator are listed in C.G.S. Section 5-276 a(e)(5) and are as follows:

1. The history of negotiations between the parties (including those leading to the instant proceeding);
2. The existing conditions of employment of similar groups of employees;
3. The wages, fringe benefits and working conditions prevailing in the labor market;
4. The overall compensation paid to unit employees; (including direct wages compensation, overtime and premium pay, vacations, holidays and other leave, insurance, pensions, medical and hospitalization benefits, food and apparel furnished and all other benefits received by unit employees);
5. The ability of the employer to pay;
6. Changes in the cost of living;
7. The interests and welfare of the employees.

