



Connecticut Education Association
Capitol Place, Suite 500
21 Oak Street, Hartford, CT 06106
860-525-5641 | fax: 860-955-2508 | cea.org
Affiliate Services & Member Training
Marilyn Mathes, Director
Herman Whitter, Director

Testimony of

Michael Casey
Connecticut Education Association

Before the
Labor and Public Employees Committee

Re:

SB 1371 AN ACT ESTABLISHING A JUST CAUSE STANDARD FOR TEACHER CONTRACT TERMINATIONS AND MAKING THE DECISION OF A NEUTRAL HEARING OFFICER IN TEACHER CONTRACT TERMINATION HEARINGS BINDING ON THE PARTIES.

February 27, 2025

Good afternoon, Senator Kushner, Representative Sanchez, Senator Sampson, Representative Weir, and distinguished members of the Labor and Public Employees Committee. My name is Michael Casey and I serve as a Union Representative for certified teachers in ten school districts throughout southeastern Connecticut.

I testify today in support of SB 1371 to secure for our teachers in the State of Connecticut the same basic fairness and due process rights that other public employee in our state enjoy. And that is the right to be secure in their employment unless there is “just cause” to terminate them, and the right to have that determination made by a neutral third-party arbitrator with binding authority.

Teacher terminations must require “Just Cause.”

In my nearly 30 years working with union employees, I have represented sworn police officers, correctional officers, 911 dispatchers, highway workers, nurses, social workers and literally hundreds of other job descriptions in unionized work settings. And of all of the employees I have represented over three decades, certified teachers in the State Connecticut are the only group not afforded the basic decency and respect to be secure in

their jobs. Why would we not grant teachers the same rights and protections that police officers, fire fighters, and other highly valued members of our public work force enjoy?

This question becomes even more perplexing when you consider that under current law, school districts already have the statutory authority to non-renew or essentially terminate a teacher during their first four years of employment simply because an administrator concludes that a teacher is “not a good fit” for their position. I have seen far too many teachers non-renewed, or threatened with non-renewal from their jobs, sometimes after providing three or four years of loyal service to a school district. Usually, they resign rather than suffer the indignity of a public record documenting their non-renewal.

It is no wonder that there is a worsening teacher shortage in our state. Given this aberrant lack of basic job protection, it should come as no surprise to anyone that we have lost and continue to lose so many well-educated and talented educators.

It is also important to understand that the “just cause” standard has been around since 1964 and has been applied in almost every line of work imaginable. It has been applied in literally thousands of cases, meaning that there is an extremely well-developed body of caselaw interpreting the standard, which typically consists of seven factors:

- Notice of rules/expected standards of employee conduct, and failure to abide by them might result in discipline
- Reasonableness of the rule in relation to the employer’s business
- Did the employer investigate the alleged misconduct?
- Was the investigation fair and objective?
- Did the investigation establish proof of the alleged misconduct?
- Non-discriminatory, non-disparate, even-handed administering of discipline for similar conduct/violations
- That the discipline is reasonable given the infraction, the employee’s work history, and any mitigating factors

The just cause analysis applies to *all* reasons which an employer asserts for terminating an employee, so in order to correct the current inequities in existing law, SB 1371 really needs to be amended so that “just cause” applies to all six (6) of the reasons for termination enumerated in 10-151(d).

Neutral third-party arbitrator with binding authority

A second and equally important change that SB 1371 would make, if passed, is to place the determination of whether “just cause” exists appropriately in the hands of a neutral third-party arbitrator, and it makes that arbitrator’s decision *binding on the parties*.

Under the current law, although a neutral third party can conduct a hearing, and make findings of fact and a recommendation, ultimately the employer (i.e. the Board of Education) can reject the neutral hearing officer's recommendation and proceed with firing the teacher anyway. You may wonder why a teacher would go through the entire hearing process if, in the end, the employer gets to do whatever they want. And you would be absolutely right to question it. This fundamental unfairness is precisely why many teachers choose to resign rather than endure a process that is so blatantly biased. In many cases, they leave the profession altogether.

In conclusion, on behalf of the many teachers I represent, thank you for taking up this incredibly important bill, and I ask that, with some slight amendments as mentioned earlier, you move it forward for ultimate passage. Principles of "just cause," as determined by a neutral third-party with binding authority have existed for decades because the decision of whether to take a person's livelihood away should be based on reasonableness and fairness, not personal likes or dislikes, or shifting political winds. We have lost too many talented people from the teaching profession. I respectfully urge you to move this bill forward. Thank you.