



Senate

General Assembly

File No. 474

February Session, 2004

Substitute Senate Bill No. 560

Senate, April 6, 2004

The Committee on Judiciary reported through SEN. MCDONALD of the 27th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING CUSTODIAL STAFFING BY THE DEPARTMENT OF CORRECTION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) Not later than January 1,
2 2005, and every six months thereafter, the Commissioner of Correction
3 shall submit, to the Governor and to the joint standing committees of
4 the General Assembly having cognizance of matters relating to the
5 judiciary and labor and public employees, a report containing, for the
6 applicable reporting period, the number of: (1) Inmate disciplinary
7 reports filed during such period; (2) inmate assaults on custodial staff
8 reported during such period; (3) inmate assaults on other inmates
9 reported during such period; and (4) workers' compensation claims
10 filed by custodial staff during such period.

11 (b) If, during any reporting period, the number of disciplinary
12 reports, assaults or workers' compensation claims reported in
13 accordance with subsection (a) of this section has increased by more

14 than twenty per cent from the number of such disciplinary reports,
 15 assaults or workers' compensation claims reported for the preceding
 16 reporting period or for the same reporting period of the preceding
 17 year, the commissioner shall include in the report submitted in
 18 accordance with subsection (a) of this section an explanation for such
 19 increase and a general description of the measures to be taken by the
 20 Department of Correction to address such increase.

21 (c) Each report under this section shall be submitted in accordance
 22 with the provisions of section 11-4a of the general statutes. The joint
 23 standing committees of the General Assembly having cognizance of
 24 matters relating to the judiciary and labor and public employees may
 25 hold a public hearing on any such report.

26 Sec. 2. (*Effective from passage*) The Department of Correction shall
 27 conduct a study of the relationship between workers' compensation
 28 claims filed by custodial staff and the use of voluntary and mandatory
 29 overtime by the department. Such study shall include, but not be
 30 limited to, a determination of: (1) Whether the specific incident giving
 31 rise to each claim occurred (A) while the claimant was working
 32 overtime, or (B) within seventy-two hours after the claimant was
 33 working overtime; and (2) whether the relevant overtime worked by
 34 the claimant was voluntary or mandatory. The Commissioner of
 35 Correction shall submit a report containing the findings of such study
 36 to the Governor and the General Assembly not later than January 1,
 37 2005, in accordance with the provisions of section 11-4a of the general
 38 statutes.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>

JUD *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Correction, Dept.	GF - None	None	None

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill, which would not result in any fiscal impact, requires the Department of Correction to submit certain bi-annual reports and to study the relationship between workers compensation and overtime.¹

¹ This bill is the result of a study conducted by the Legislative Program Review and Investigations Committee. Similar reporting and study provisions are included in HB 5405, AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING CORRECTION OFFICER STAFFING.

OLR Bill Analysis

sSB 560

AN ACT CONCERNING CUSTODIAL STAFFING BY THE DEPARTMENT OF CORRECTION**SUMMARY:**

This bill requires the Department of Correction (DOC) commissioner to submit reports to the governor and Judiciary and Labor and Public Employees committees on the number of:

1. filed inmate disciplinary reports,
2. reported inmate assaults on custodial staff,
3. reported inmate assaults on other inmates, and
4. filed workers' compensation claims by custodial staff.

She must submit reports every six months with the first report due by January 1, 2005.

The bill authorizes the committees to hold a public hearing on any report.

If the number of disciplinary reports, assaults, or workers' compensation claims in a report increases by more than 20% from the number in the preceding report or from the same period in the previous year, the bill requires the commissioner to explain the increase in the report and describe measures to address it.

The bill also requires DOC to study the relationship between workers' compensation claims by custodial staff and the use of voluntary and mandatory overtime. The study must include a determination of (1) whether the specific incident giving rise to each claim occurred while the claimant was working overtime or within 72 hours of working overtime and (2) whether the overtime was voluntary or mandatory. The bill requires DOC to submit its findings to the governor and General Assembly by January 1, 2005.

EFFECTIVE DATE: Upon passage

BACKGROUND

Related Bill

HB 5405, File 97, reported favorably by the Program Review and Investigations Committee on March 3, contains similar reporting and study provisions.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute
Yea 26 Nay 16