



General Assembly

February Session, 2008

Raised Bill No. 5625

LCO No. 1825

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Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

**AN ACT CONCERNING WORKERS' COMPENSATION FOR
EMPLOYEES OF THE DEPARTMENT OF CHILDREN AND FAMILIES
INJURED AS A RESULT OF EMPLOYMENT.**

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

1 Section 1. Subsection (a) of section 5-142 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2008*):

4 (a) If any member of the Division of State Police within the
5 Department of Public Safety or of any correctional institution, or any
6 institution or facility of the Department of Mental Health and
7 Addiction Services giving care and treatment to persons afflicted with
8 a mental disorder or disease, or any institution for the care and
9 treatment of persons afflicted with any mental defect, or any full-time
10 enforcement officer of the Department of Environmental Protection,
11 the Department of Motor Vehicles, the Department of Consumer
12 Protection who carries out the duties and responsibilities of sections
13 30-2 to 30-68m, inclusive, the Office of Adult Probation, the
14 Department of Public Works or the Board of Pardons and Paroles, any
15 probation officer for juveniles or any employee of any juvenile

16 detention home, any member of the police or fire security force of The
17 University of Connecticut, any member of the police or fire security
18 force of Bradley International Airport, any member of the Office of
19 State Capitol Police or any person appointed under section 29-18 as a
20 special policeman for the State Capitol building and grounds and the
21 Legislative Office Building and parking garage and related structures
22 and facilities and other areas under the supervision and control of the
23 Joint Committee on Legislative Management, the Chief State's
24 Attorney, the Chief Public Defender, the Deputy Chief State's
25 Attorney, the Deputy Chief Public Defender, any state's attorney, any
26 assistant state's attorney or deputy assistant state's attorney, any public
27 defender, assistant public defender or deputy assistant public
28 defender, any chief inspector or inspector appointed under section 51-
29 286 or any staff member or employee of the Division of Criminal
30 Justice or of the Division of Public Defender Services, or any Judicial
31 Department employee, or any employee of the Department of Children
32 and Families sustains any injury (1) while making an arrest or in the
33 actual performance of such police duties or guard duties or fire duties
34 or inspection duties or child welfare related duties, or prosecution or
35 public defender or courthouse duties, or while attending or restraining
36 an inmate of any such institution or as a result of being assaulted in the
37 performance of such person's duty, or while responding to an
38 emergency or code at a correctional institution, and (2) that is a direct
39 result of the special hazards inherent in such duties, the state shall pay
40 all necessary medical and hospital expenses resulting from such injury.
41 If total incapacity results from such injury, such person shall be
42 removed from the active payroll the first day of incapacity, exclusive of
43 the day of injury, and placed on an inactive payroll. Such person shall
44 continue to receive the full salary that such person was receiving at the
45 time of injury subject to all salary benefits of active employees,
46 including annual increments, and all salary adjustments, including
47 salary deductions, required in the case of active employees, for a
48 period of two hundred sixty weeks from the date of the beginning of
49 such incapacity. Thereafter, such person shall be removed from the

50 payroll and shall receive compensation at the rate of fifty per cent of
51 the salary that such person was receiving at the expiration of said two
52 hundred sixty weeks as long as such person remains so disabled,
53 except that any such person who is a member of the Division of State
54 Police within the Department of Public Safety shall receive
55 compensation at the rate of sixty-five per cent of such salary as long as
56 such person remains so disabled. Such benefits shall be payable to a
57 member of the Division of State Police after two hundred sixty weeks
58 of disability only if the member elects in writing to receive such
59 benefits in lieu of any benefits payable to the employee under the state
60 employees retirement system. In the event that such disabled member
61 of the Division of State Police elects the compensation provided under
62 this subsection, no benefits shall be payable under chapter 568 or the
63 state employees retirement system until the former of the employee's
64 death or recovery from such disability. The provisions of section 31-
65 293 shall apply to any such payments, and the state of Connecticut is
66 authorized to bring an action or join in an action as provided by said
67 section for reimbursement of moneys paid and which it is obligated to
68 pay under the terms of this subsection. All other provisions of the
69 workers' compensation law not inconsistent with this subsection,
70 including the specific indemnities and provisions for hearing and
71 appeal, shall be available to any such state employee or the dependents
72 of such a deceased employee. All payments of compensation made to a
73 state employee under this subsection shall be charged to the
74 appropriation provided for compensation awards to state employees.
75 On and after October 1, 1991, any full-time officer of the Department of
76 Environmental Protection, the Department of Motor Vehicles, the
77 Department of Consumer Protection who carries out the duties and
78 responsibilities of sections 30-2 to 30-68m, inclusive, the Office of
79 Adult Probation, the Department of Public Works or the Board of
80 Pardons and Paroles, any probation officer for juveniles or any
81 employee of any juvenile detention home, the Chief State's Attorney,
82 the Chief Public Defender, the Deputy Chief State's Attorney, the
83 Deputy Chief Public Defender, any state's attorney, assistant state's

84 attorney or deputy assistant state's attorney, any public defender,
85 assistant public defender or deputy assistant public defender, any chief
86 inspector or inspector appointed under section 51-286 or any staff
87 member or employee of the Division of Criminal Justice or the
88 Division of Public Defender Services, or any Judicial Department
89 employee who sustains any injury in the course and scope of such
90 person's employment shall be paid compensation in accordance with
91 the provisions of section 5-143 and chapter 568, except, if such injury is
92 sustained as a result of being assaulted in the performance of such
93 person's duty, any such person shall be compensated pursuant to the
94 provisions of this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2008	5-142(a)

Statement of Purpose:

To modify the workers' compensation award available to employees of the Department of Children and Families who are assaulted by high risk clients as a result of their duties.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]