



State of Connecticut
DIVISION OF CRIMINAL JUSTICE

Testimony of the Division of Criminal Justice

In Support of:

H.B. No. 5204 (RAISED) An Act Implementing the Recommendations of the Joint Enforcement Commission on Employee Misclassification

Joint Committee on Labor and Public Employees
March 4, 2010

The Division of Criminal Justice respectfully recommends the Committee's Joint Favorable Substitute for H.S. No. 5204, *An Act Implementing the Recommendations of the Joint Enforcement Commission on Employee Misclassification*. The Division concurs in the amendments submitted to the Committee concerning revisions to section 31-69a and subsection (g) of section 31-288 of the general statutes.

The Division is among the various state agencies represented on the Joint Enforcement Commission on Employee Misclassification. Our primary role is through the Workers' Compensation Fraud Control Bureau in the Office of the Chief State's Attorney, which is responsible for the investigation and prosecution of criminal violations of the Workers' Compensation statutes. While the public may be most familiar with the prosecution of individuals who commit fraud in the improper collection of benefits, the bureau also prosecutes employers who fail to meet requirements such as having the necessary coverage for their employees. This is the area of expertise the Division of Criminal Justice brings to the Joint Enforcement Commission's work.

With regard to H.B. No. 5204, the Division supports the bill and the amendments for revisions to section 31-69a and subsection (g) of section 31-288. The Division believes these further revisions will make a good bill even better. Specifically, the revision to subsection (g) of section 31-288 strengthens the position of the state and its ability to prosecute the failure to pay assessments for Workers' Compensation insurance and the Second Injury Fund.

Respectfully submitted,

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Chief State's Attorney