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## **OLR Bill Analysis**

### **HB 6096**

#### ***AN ACT PRESERVING GOOD CAUSE FOR LATE FILING OF CERTAIN UNEMPLOYMENT COMPENSATION APPEALS.***

#### **SUMMARY:**

This bill extends the deadline to appeal certain unemployment compensation decisions if the appealing party (1) can show “good cause” for the delay in appealing or (2) has an appeal filed by mail postmarked prior to the deadline (see BACKGROUND). Appeals postmarked by private postage meters do not qualify for the extension. The extension applies to decisions finding (1) overpayment of unemployment benefits, (2) receipt of such benefits through fraud, or (3) false claims for benefits.

Under the bill, good cause exists for filing delays when a reasonably prudent individual under the same or similar circumstances would have been prevented from filing a timely appeal. The factors used in determining good cause include:

1. whether the claimant was represented;
2. the claimant’s familiarity with the appeals procedures;
3. administrative error or the failure of another party to discharge its responsibilities;
4. factors outside the claimant’s control that prevented a timely action; and
5. whether the claimant acted diligently in filing the appeal once the reason for the late filing no longer existed (Conn. Agencies Reg., § 31-237g-15).

The bill also continues the current practice of extending to the next business day filing deadlines that fall on a day that the Employment

Security Division is closed.

EFFECTIVE DATE: October 1, 2011

**BACKGROUND**

The law allows 21 days for claimants to appeal a determination that they received more benefits than they were entitled to receive, received benefits through fraud, or made a false claim for benefits. The time limit begins when the determination notice is mailed to the claimant.

**COMMITTEE ACTION**

Labor and Public Employees Committee

Joint Favorable

Yea 11 Nay 0 (02/24/2011)