



General Assembly

February Session, 2012

Raised Bill No. 152

LCO No. 893

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Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

AN ACT CONCERNING ONE DAY EQUALS ONE ABSENCE.

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

1 Section 1. Subdivision (16) of section 31-236 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2012*):

4 (16) For purposes of subparagraph (A)(ii) of subdivision (2) of this
5 subsection, "illness or disability" means an illness or disability
6 diagnosed by a health care provider that necessitates care for the ill or
7 disabled person for a period of time longer than the employer is
8 willing to grant leave, paid or otherwise, and "health care provider"
9 means (A) a doctor of medicine or osteopathy who is authorized to
10 practice medicine or surgery by the state in which the doctor practices;
11 (B) a podiatrist, dentist, psychologist, optometrist or chiropractor
12 authorized to practice by the state in which such person practices and
13 performs within the scope of the authorized practice; (C) an advanced
14 practice registered nurse, nurse practitioner, nurse midwife or clinical
15 social worker authorized to practice by the state in which such person
16 practices and performs within the scope of the authorized practice; (D)

17 Christian Science practitioners listed with the First Church of Christ,
18 Scientist in Boston, Massachusetts; (E) any medical practitioner from
19 whom an employer or a group health plan's benefits manager will
20 accept certification of the existence of a serious health condition to
21 substantiate a claim for benefits; (F) a medical practitioner, in a practice
22 enumerated in subparagraphs (A) to (E), inclusive, of this subdivision,
23 who practices in a country other than the United States, who is
24 licensed to practice in accordance with the laws and regulations of that
25 country; or (G) such other health care provider as the Labor
26 Commissioner approves, performing within the scope of the
27 authorized practice. For purposes of subparagraph (B) of subdivision
28 (2) of this subsection, "wilful misconduct" means deliberate
29 misconduct in wilful disregard of the employer's interest, or a single
30 knowing violation of a reasonable and uniformly enforced rule or
31 policy of the employer, when reasonably applied, provided such
32 violation is not a result of the employee's incompetence and provided
33 further, in the case of absence from work, "wilful misconduct" means
34 an employee must be absent without either good cause for the absence
35 or notice to the employer which the employee could reasonably have
36 provided under the circumstances for three separate instances within a
37 twelve-month period. Except with respect to tardiness, for purposes of
38 subparagraph (B) of subdivision (2) of this subsection, each instance in
39 which an employee is absent for one day [or two consecutive days]
40 without either good cause for the absence or notice to the employer
41 which the employee could reasonably have provided under the
42 circumstances constitutes a "separate instance". For purposes of
43 subdivision (15) of this subsection, "temporary help service" means any
44 person conducting a business that consists of employing individuals
45 directly for the purpose of furnishing part-time or temporary help to
46 others; and "temporary employee" means an employee assigned to
47 work for a client of a temporary help service.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2012	31-236(16)
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Statement of Purpose:

To allow employers to count each day of an employee's absence without good cause or notice to the employer count as a separate instance of absence for the purposes of eligibility for unemployment compensation benefits.

[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.]