



General Assembly

January Session, 2013

Raised Bill No. 6433

LCO No. 3210



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:
(LAB)

***AN ACT CONCERNING TECHNICAL AND OTHER CHANGES TO THE
LABOR DEPARTMENT STATUTES.***

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

1 Section 1. Subdivision (3) of subsection (a) of section 31-232b of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (3) With respect to benefits for weeks of unemployment beginning
5 after June 23, 1993, there is a state "on" indicator for a week if the
6 average rate of total unemployment in the state, as determined by the
7 United States Secretary of Labor, for the period consisting of the most
8 recent [three months] thirteen weeks for which data for all states are
9 published before the close of such week (A) equals or exceeds six and
10 one-half per cent, and (B) equals or exceeds one hundred ten per cent
11 of such average for either or both of the corresponding [three-month]
12 thirteen-week periods ending in the two preceding calendar years.

13 Sec. 2. Subdivision (5) of subsection (a) of section 31-232b of the
14 general statutes is repealed and the following is substituted in lieu

15 thereof (*Effective from passage*):

16 (5) Notwithstanding the provisions of subdivision (3) of this
17 subsection, with respect to benefits for weeks of unemployment (A)
18 beginning after December 17, 2010, and ending on or before December
19 31, 2011, or (B) beginning after the date established in federal law
20 permitting this subdivision for which there is one hundred per cent
21 federal sharing authorized by federal law, there is a state "on" indicator
22 for a week if the average rate of total unemployment in the state, as
23 determined by the United States Secretary of Labor, for the period
24 consisting of the most recent [three months] thirteen weeks for which
25 data for all states are published before the close of such week (i) equals
26 or exceeds six and one-half per cent, and (ii) equals or exceeds one
27 hundred ten per cent of such average for any or all of the
28 corresponding [three-month] thirteen-week periods ending in the three
29 preceding calendar years.

30 Sec. 3. Subsection (a) of section 31-51xx of the general statutes is
31 repealed and the following is substituted in lieu thereof (*Effective from*
32 *passage*):

33 (a) There is established the "Connecticut IDA Initiative". The
34 initiative shall be administered by the Labor Department. The initiative
35 shall provide an eligible individual as provided in section 31-51yy with
36 an opportunity, through a certified state IDA program, to establish an
37 individual development account from which funds may be used by the
38 account holder for [one of] the following purposes as specified in the
39 approved plan: (1) The costs of education or job training; (2) the
40 purchase of a home as a primary residence; (3) the participation in or
41 development of a new or existing entrepreneurial activity; (4) the
42 purchase of an automobile for the purpose of obtaining or maintaining
43 employment; (5) the making of a lease deposit on a primary residence;
44 or (6) the costs of education or job training for a dependent child of the
45 account holder.

46 Sec. 4. Section 31-51aaa of the general statutes is repealed and the
47 following is substituted in lieu thereof (*Effective from passage*):

48 (a) Funds from the Individual Development Account Reserve Fund
49 shall be used to provide grants to community-based organizations that
50 are operating certified state IDA programs for the purpose of
51 providing matching funds for the individual development accounts in
52 their programs, to assist the organizations to provide training,
53 counseling and case management for program participants and for
54 program administration purposes. Funds may also be used to pay for
55 the evaluation required pursuant to section 31-51ccc, the operation of
56 the clearinghouse, and the department's administrative expenses for
57 the Connecticut IDA Initiative. The department shall determine what
58 proportion of the funds in the Individual Development Account
59 Reserve Fund shall be used for each of these purposes.

60 (b) The Individual Development Account Reserve Fund shall be
61 administered as follows:

62 (1) No new grant shall be approved by the department unless there
63 is sufficient funding in the Individual Development Account Reserve
64 Fund, as determined by the department, to meet all existing funding
65 obligations including the maximum amount of state matching funds
66 that would be required if each account holder in these certified
67 programs met the savings [goal] goals in such account holder's
68 approved plan.

69 (2) Any funds remaining in the Individual Development Account
70 Reserve Fund at the end of each fiscal year, and the interest thereon,
71 shall be retained in said fund and used in the next succeeding fiscal
72 year for expenditures set forth in subsection (a) of this section.

73 (c) Grants received by the community-based organization from the
74 Individual Development Account Reserve Fund for matching funds
75 shall be held in the organization's local reserve fund. This fund shall be
76 an account separate from account holders' individual development

77 accounts, and its funds shall be disbursed in accordance with
78 subsections (e) and (f) of this section pursuant to regulations adopted
79 pursuant to section 31-51ddd. Grants from the Individual
80 Development Account Reserve Fund for matching funds to certified
81 state IDA programs shall be made on behalf of each individual account
82 holder in the maximum amount of two dollars for every one dollar
83 deposited in the individual development account by the account
84 holder, not to exceed one thousand dollars of such matching funds per
85 account holder for any calendar year and three thousand dollars per
86 account holder for the duration of the account holder's participation in
87 the program.

88 (d) The department and the community-based organizations,
89 separately or cooperatively, may solicit grants and private
90 contributions for the Individual Development Account Reserve Fund
91 and for the local reserve funds of community-based organizations
92 operating certified state IDA programs.

93 (e) If moneys are withdrawn from an individual development
94 account by an account holder due to the account holder's decision to
95 leave the certified state IDA program, all matching funds designated
96 for said moneys shall be forfeited by the account holder and [not later
97 than December thirty-first of each year, the matching funds from the
98 Individual Development Account Reserve Fund] shall be retained in
99 the local reserve fund to match the funds of a new account holder, or if
100 not used shall be returned by the community-based organization to the
101 department for redeposit into the Individual Development Account
102 Reserve Fund [; except that, if] at the close of the grant. If the
103 withdrawal is an emergency withdrawal, as defined in regulations
104 adopted pursuant to section 31-51ddd, or is a withdrawal due to
105 circumstances other than an account holder's decision to leave the
106 certified state IDA program, the community-based organization may
107 retain the matching funds for the account holder in its local reserve
108 fund until such account holder redeposits the withdrawn funds. [or
109 leaves the certified state IDA program, in accordance with such

110 regulations.]

111 (f) When the account holder has made sufficient deposits to such
112 account holder's individual development account to achieve the
113 savings [goal] goals set forth in such account holder's approved plan,
114 the community-based organization shall pay such sum together with
115 the matching funds from the organization's local reserve account that
116 are attributed to this individual development account, directly to the
117 person or entity providing the goods or services. Where matching
118 funds from the Individual Development Account Reserve Fund have
119 not been paid out by the community-based organization for an eligible
120 purpose within five years after the [opening] establishment of an
121 individual development account [due to an account holder not making
122 contributions as provided in the approved plan] grant, the matching
123 funds from the Individual Development Account Reserve Fund shall
124 be returned to the department for deposit in the Individual
125 Development Account Reserve Fund, except that the community-
126 based organization may grant a leave of absence or extension of time
127 to an account holder for a period not to exceed two years, within such
128 five-year period in accordance with regulations adopted pursuant to
129 section 31-51ddd.

130 Sec. 5. Section 31-3g of the general statutes is repealed and the
131 following is substituted in lieu thereof (*Effective from passage*):

132 (a) The Labor Commissioner shall provide assistance within existing
133 resources to displaced homemakers and access to programs specific to
134 the job training and placement needs of displaced homemakers. The
135 commissioner shall, through the job service office of the Employment
136 Security Division, provide such access to all existing programs and
137 services suitable to the skill development of the applying displaced
138 homemaker. The commissioner shall establish the position of state-
139 wide coordinator of services for displaced homemakers in the Labor
140 Department. For the purposes of this section, a displaced homemaker
141 is an individual who (1) has worked in the home providing unpaid

142 household services for family members, (2) has been dependent on the
143 income of another family member but is no longer supported by that
144 income or is receiving public assistance, and (3) has had or would have
145 difficulty in securing employment sufficient to provide for economic
146 independence.

147 (b) Such assistance and program access services shall include, but
148 not be limited to: (1) Vocational counseling and education, (2)
149 assessment of skills, (3) job training for various occupations, including
150 skilled craft and technical vocations for which there is a demand in
151 industry, (4) job placement, (5) assistance with child care and
152 transportation, (6) personal counseling, (7) information and referral,
153 and (8) financial management counseling.

154 (c) In providing the appropriate assistance and access to all existing
155 programs deemed suitable, the commissioner shall consider the
156 applicants, with an emphasis on women over the age of thirty-five
157 years, and their need for services based on their: (1) Financial
158 resources, (2) level of marketable skills, (3) ability to speak the English
159 language and (4) area of residence. The commissioner shall refer
160 applicants to the appropriate support services necessary for
161 employment and training.

162 [(d) The Labor Commissioner shall establish an Advisory Council
163 on Displaced Homemakers and appoint not less than ten nor more
164 than fifteen members, including representatives from the Labor
165 Department, the Departments of Education, Higher Education and
166 Social Services, the Permanent Commission on the Status of Women
167 and providers of assistance and program access services, and such
168 other members as the commissioner deems necessary. The advisory
169 council shall consult with and advise the Labor Commissioner and the
170 state-wide coordinator of services for displaced homemakers as to
171 criteria which shall be used to identify displaced homemakers and
172 determine programs and services appropriate to the skills
173 development of the applying displaced homemaker. The advisory

174 council shall develop specific recommendations for funding
175 multiservice programs which meet the training and job placement
176 needs of displaced homemakers.]

177 [(e)] (d) The Labor Commissioner shall adopt regulations in
178 accordance with chapter 54 to implement the provisions of this section.
179 The commissioner shall consider the recommendations of the advisory
180 council in the adoption of such regulations and in further funding
181 requests necessary to provide services for the displaced homemaker
182 population.

183 Sec. 6. Section 31-51qq of the general statutes is repealed and the
184 following is substituted in lieu thereof (*Effective from passage*):

185 On or before January 1, 1997, the Labor Commissioner shall adopt
186 regulations, in accordance with the provisions of chapter 54, to
187 establish procedures and guidelines necessary to implement the
188 provisions of sections 5-248a and 31-51kk to 31-51qq, inclusive, as
189 amended by this act, including, but not limited to, procedures for
190 hearings and redress, including restoration and restitution, for an
191 employee who believes that there is a violation by the employer of
192 such employee of any provision of said sections. [, and procedures for
193 the periodic reporting by employers to the commissioner of their
194 current experience with leaves of absence taken pursuant to said
195 sections.] In adopting such regulations, the commissioner shall make
196 reasonable efforts to ensure compatibility of state regulatory
197 provisions with similar provisions of the federal Family and Medical
198 Leave Act of 1993 and the regulations promulgated pursuant to said
199 act.

200 Sec. 7. Subdivision (5) of subsection (c) of section 4a-100 of the
201 general statutes is repealed and the following is substituted in lieu
202 thereof (*Effective from passage*):

203 (5) A statement of whether (A) the applicant has been disqualified
204 pursuant to section 4b-95, this section or section 31-57c, as amended by

205 this act, or 31-57d, as amended by this act, (B) [the applicant is on the
206 list distributed by the Labor Commissioner pursuant to section 31-57a,
207 (C)] the applicant is disqualified or prohibited from being awarded a
208 contract pursuant to section 31-57b, [(D)] (C) the applicant has been
209 disqualified by another state, [(E)] (D) the applicant has been
210 disqualified by a federal agency or pursuant to federal law, [(F)] (E) the
211 applicant's registration has been suspended or revoked by the
212 Department of Consumer Protection pursuant to section 20-341gg,
213 [(G)] (F) the applicant has been disqualified by a municipality, and
214 [(H)] (G) the matters that gave rise to any such disqualification,
215 suspension or revocation have been eliminated or remedied; and

216 Sec. 8. Subsection (b) of section 31-57c of the general statutes is
217 repealed and the following is substituted in lieu thereof (*Effective from*
218 *passage*):

219 (b) Disqualification of a contractor is a serious action that shall be
220 used only in the public interest and for the state government's
221 protection and not for purposes of punishment or in lieu of other
222 applicable enforcement or compliance procedures. The causes for and
223 consequences of disqualification under this section shall be separate
224 from and in addition to causes for and consequences of
225 disqualification under sections 4b-95, 31-53a [, 31-57a] and 31-57b.

226 Sec. 9. Subsection (b) of section 31-57d of the general statutes is
227 repealed and the following is substituted in lieu thereof (*Effective from*
228 *passage*):

229 (b) Disqualification of a contractor is a serious action that shall be
230 used only in the public interest and for the state government's
231 protection and not for purposes of punishment or in lieu of other
232 applicable enforcement or compliance procedures. The causes for and
233 consequences of disqualification under this section shall be separate
234 from and in addition to causes for and consequences of
235 disqualification under sections 4b-95, 31-53a [, 31-57a] and 31-57b.

236 Sec. 10. Section 31-57h of the general statutes is repealed and the
237 following is substituted in lieu thereof (*Effective from passage*):

238 (a) There is established a joint enforcement commission on
239 employee misclassification. The commission shall consist of the Labor
240 Commissioner, the Commissioner of Revenue Services, the Insurance
241 Commissioner, the Commissioner of Consumer Protection, the
242 chairperson of the Workers' Compensation Commission, the Attorney
243 General and the Chief State's Attorney, or their designees.

244 (b) The joint enforcement commission on employee misclassification
245 shall meet not less than four times each year. The task force shall
246 review the problem of employee misclassification by employers for the
247 purposes of avoiding their obligations under state and federal labor,
248 employment and tax laws. The commission shall coordinate the civil
249 prosecution of violations of state and federal laws as a result of
250 employee misclassification and shall report any suspected violation of
251 state criminal statutes to the Chief State's Attorney or the State's
252 Attorney serving the district in which the violation is alleged to have
253 occurred.

254 (c) On or before February 1, 2010, and [annually] biennially
255 thereafter, the commission shall report, in accordance with section 11-
256 4a, to the Governor and the joint standing committee of the General
257 Assembly having cognizance of matters relating to labor. The report
258 shall summarize the commission's actions for the preceding calendar
259 year and include any recommendations for administrative or
260 legislative action.

261 Sec. 11. Section 31-58 of the general statutes is repealed and the
262 following is substituted in lieu thereof (*Effective from passage*):

263 As used in this part:

264 (a) "Commissioner" means the Labor Commissioner;

265 [(b) "Wage board" means a board created as provided in section 31-
266 61;]

267 [(c)] (b) "Fair wage" means a wage fairly and reasonably
268 commensurate with the value of a particular service or class of service
269 rendered, and, in establishing a minimum fair wage for such service or
270 class of service under this part, the commissioner and the wage board,
271 without being bound by any technical rules of evidence or procedure,
272 (1) may take into account all relevant circumstances affecting the value
273 of the services rendered, including hours and conditions of
274 employment affecting the health, safety and general well-being of the
275 workers, and (2) may be guided by such considerations as would
276 guide a court in a suit for the reasonable value of services rendered
277 where services are rendered at the request of an employer without
278 contract as to the amount of the wage to be paid and (3) may consider
279 the wages, including overtime or premium rates, paid in the state for
280 work of like or comparable character by employers who voluntarily
281 maintain minimum fair wage standards;

282 [(d)] (c) "Department" means the Labor Department;

283 [(e)] (d) "Employer" means any owner or any person, partnership,
284 corporation, limited liability company or association of persons acting
285 directly as, or on behalf of, or in the interest of an employer in relation
286 to employees, including the state and any political subdivision thereof;

287 [(f)] (e) "Employee" means any individual employed or permitted to
288 work by an employer but shall not include any individual employed in
289 camps or resorts which are open no more than six months of the year
290 or in domestic service in or about a private home, except any
291 individual in domestic service employment as defined in the
292 regulations of the federal Fair Labor Standards Act, or an individual
293 employed in a bona fide executive, administrative or professional
294 capacity as defined in the regulations of the Labor Commissioner or an
295 individual employed by the federal government, or any individual

296 engaged in the activities of an educational, charitable, religious,
297 scientific, historical, literary or nonprofit organization where the
298 employer-employee relationship does not, in fact, exist or where the
299 services rendered to such organizations are on a voluntary basis, or
300 any individual employed as a head resident or resident assistant by a
301 college or university, or any individual engaged in baby sitting, or an
302 outside salesman as defined in the regulations of the federal Fair Labor
303 Standards Act; or any individual employed by a nonprofit theater,
304 provided such theater does not operate for more than seven months in
305 any calendar year;

306 [(g)] (f) A resort is defined as an establishment under one
307 management whose principal function it is to offer lodging by the day,
308 week, month or season, or part thereof, to vacationers or those in
309 search of recreation;

310 [(h)] (g) "Employ" means to employ or suffer to work;

311 [(i)] (h) "Wage" means compensation due to an employee by reason
312 of his employment;

313 [(j)] (i) "Minimum fair wage" in any industry or occupation in this
314 state means a wage of not less than six dollars and seventy cents per
315 hour, and effective January 1, 2003, not less than six dollars and ninety
316 cents per hour, and effective January 1, 2004, not less than seven
317 dollars and ten cents per hour, and effective January 1, 2006, not less
318 than seven dollars and forty cents per hour, and effective January 1,
319 2007, not less than seven dollars and sixty-five cents per hour, and
320 effective January 1, 2009, not less than eight dollars per hour, and
321 effective January 1, 2010, not less than eight dollars and twenty-five
322 cents per hour or one-half of one per cent rounded to the nearest whole
323 cent more than the highest federal minimum wage, whichever is
324 greater, except as may otherwise be established in accordance with the
325 provisions of this part. All wage orders in effect on October 1, 1971,
326 wherein a lower minimum fair wage has been established, are

327 amended to provide for the payment of the minimum fair wage herein
328 established except as hereinafter provided. Whenever the highest
329 federal minimum wage is increased, the minimum fair wage
330 established under this part shall be increased to the amount of said
331 federal minimum wage plus one-half of one per cent more than said
332 federal rate, rounded to the nearest whole cent, effective on the same
333 date as the increase in the highest federal minimum wage, and shall
334 apply to all wage orders and administrative regulations then in force.
335 The rates for learners, beginners, and persons under the age of
336 eighteen years shall be not less than eighty-five per cent of the
337 minimum fair wage for the first two hundred hours of such
338 employment and equal to the minimum fair wage thereafter, except
339 institutional training programs specifically exempted by the
340 commissioner.

341 Sec. 12. Section 31-58a of the general statutes is repealed and the
342 following is substituted in lieu thereof (*Effective from passage*):

343 Notwithstanding the provisions of subsection [(j)] (i) of section 31-
344 58, as amended by this act, minors between the ages of sixteen and
345 eighteen years who are employees of the state or any political
346 subdivision thereof shall be paid a minimum wage of not less than
347 eighty-five per cent of the minimum fair wage as defined in said
348 subsection, and notwithstanding the provisions of said subsection,
349 minors between the ages of fourteen and eighteen who are agricultural
350 employees shall be paid a minimum wage of not less than eighty-five
351 per cent of the minimum fair wage as defined in said section except
352 agricultural employees between the ages of fourteen and eighteen who
353 are employed by employers who did not, during the preceding
354 calendar year, employ eight or more workers at the same time shall be
355 paid a minimum wage of not less than seventy per cent of the
356 minimum wage, as defined in said section 31-58.

357 Sec. 13. Section 31-76e of the general statutes is repealed and the
358 following is substituted in lieu thereof (*Effective from passage*):

359 No employer shall be deemed to have violated section 31-76c by
360 employing any employee for a workweek in excess of the maximum
361 workweek applicable to such employee if such employee is employed
362 pursuant to a bona fide individual contract, or pursuant to an
363 agreement made as a result of collective bargaining by representatives
364 of employees, if the duties of such employee necessitate irregular
365 hours of work, and the contract or agreement (1) specifies a regular
366 rate of pay of not less than the minimum hourly rate provided in
367 subsection [(j)] (i) of section 31-58, as amended by this act, and
368 compensation at not less than one and one-half times such rate for all
369 hours worked in excess of such maximum workweek, and (2) provides
370 a weekly guaranty of pay for not more than sixty hours based on the
371 rates so specified.

372 Sec. 14. Subsection (f) of section 52-361a of the general statutes is
373 repealed and the following is substituted in lieu thereof (*Effective from*
374 *passage*):

375 (f) The maximum part of the aggregate weekly earnings of an
376 individual which may be subject under this section to levy or other
377 withholding for payment of a judgment is the lesser of (1) twenty-five
378 per cent of his disposable earnings for that week, or (2) the amount by
379 which his disposable earnings for that week exceed forty times the
380 higher of (A) the minimum hourly wage prescribed by Section 6(a)(1)
381 of the Fair Labor Standards Act of 1938, USC Title 29, Section 206(a)(1),
382 or (B) the full minimum fair wage established by subsection [(j)] (i) of
383 section 31-58, as amended by this act, in effect at the time the earnings
384 are payable. Unless the court provides otherwise pursuant to a motion
385 for modification, the execution and levy shall be for the maximum
386 earnings subject to levy and shall not be limited by the amount of the
387 installment payment order. Only one execution under this section shall
388 be satisfied at one time. Priority of executions under this section shall
389 be determined by the order of their presentation to the employer.

390 Sec. 15. Section 31-59 of the general statutes is repealed and the

391 following is substituted in lieu thereof (*Effective from passage*):

392 The commissioner or any authorized representative of the
393 commissioner shall have authority: (a) To investigate and ascertain the
394 wages of persons employed in any occupation in the state; (b) to enter
395 the place of business or employment of any employer of persons in
396 any occupation for the purpose of examining and inspecting any and
397 all books, registers, payrolls and other records of any such employer
398 that in any way appertain to or have a bearing upon the question of
399 wages of any such persons and for the purpose of ascertaining whether
400 the provisions of this part and the orders of the commissioner have
401 been and are being complied with; and (c) to require from such
402 employer full and correct statements in writing, when the
403 commissioner or any authorized representative of the commissioner
404 deems necessary, of the wages paid to all persons in his employment.
405 [The commissioner may, on his own motion, and shall, on the petition
406 of fifty or more residents of the state, cause an investigation to be made
407 of the wages being paid to persons in any occupation to ascertain
408 whether any substantial number of persons in such occupation is
409 receiving less than a fair wage. If the commissioner is of the opinion
410 that any substantial number of persons in any occupation or
411 occupations is receiving less than a fair wage, he shall appoint a wage
412 board as provided in section 31-61 to report upon the establishment of
413 minimum fair wage rates of not less than the minimum fair wage as
414 defined in section 31-58 for such persons in such occupation or
415 occupations.]

416 Sec. 16. Subsection (b) of section 31-60 of the general statutes is
417 repealed and the following is substituted in lieu thereof (*Effective from*
418 *passage*):

419 (b) The Labor Commissioner shall adopt such regulations, in
420 accordance with the provisions of chapter 54, as may be appropriate to
421 carry out the purposes of this part. Such regulations may include, but
422 are not limited to, regulations defining and governing an executive,

423 administrative or professional employee and outside salesperson;
424 learners and apprentices, their number, proportion and length of
425 service; and piece rates in relation to time rates; and shall recognize, as
426 part of the minimum fair wage, gratuities in an amount (1) equal to
427 twenty-nine and three-tenths per cent, and effective January 1, 2009,
428 equal to thirty-one per cent of the minimum fair wage per hour for
429 persons, other than bartenders, who are employed in the hotel and
430 restaurant industry, including a hotel restaurant, who customarily and
431 regularly receive gratuities, (2) equal to eight and two-tenths per cent,
432 and effective January 1, 2009, equal to eleven per cent of the minimum
433 fair wage per hour for persons employed as bartenders who
434 customarily and regularly receive gratuities, and (3) not to exceed
435 thirty-five cents per hour in any other industry, and shall also
436 recognize deductions and allowances for the value of board, in the
437 amount of eighty-five cents for a full meal and forty-five cents for a
438 light meal, lodging, apparel or other items or services supplied by the
439 employer; and other special conditions or circumstances which may be
440 usual in a particular employer-employee relationship. The
441 commissioner may provide, in such regulations, modifications of the
442 minimum fair wage herein established for learners and apprentices;
443 persons under the age of eighteen years; and for such special cases or
444 classes of cases as the commissioner finds appropriate to prevent
445 curtailment of employment opportunities, avoid undue hardship and
446 safeguard the minimum fair wage herein established. Regulations in
447 effect on July 1, 1973, providing for a board deduction and allowance
448 in an amount differing from that provided in this section shall be
449 construed to be amended consistent with this section. [without the
450 necessity of convening a wage board or amending such regulations.]

451 Sec. 17. Subsection (a) of section 31-69 of the general statutes is
452 repealed and the following is substituted in lieu thereof (*Effective from*
453 *passage*):

454 (a) Any employer or his agent, or the officer or agent of any
455 corporation, who discharges or in any other manner discriminates

456 against any employee because such employee has [served or is about
457 to serve on a wage board or has] testified or is about to testify [before
458 any wage board or] in any [other] investigation or proceeding under or
459 related to this part, or because such employer believes that such
460 employee may [serve on any wage board or may] testify [before any
461 wage board or] in any investigation or proceeding under this part,
462 shall be fined not less than one hundred dollars nor more than four
463 hundred dollars.

464 Sec. 18. Section 31-311 of the general statutes is repealed and the
465 following is substituted in lieu thereof (*Effective from passage*):

466 (a) The Labor Commissioner [, in consultation with the
467 Commissioner of Economic and Community Development and the
468 Commissioner of Education,] shall, within available appropriations,
469 establish and operate the [Twenty-First Century Skills] Incumbent
470 Worker Training Program, the purposes of which shall be to: (1)
471 Sustain high growth occupation and economically vital industries
472 identified by such commissioners; and (2) assist workers in obtaining
473 skills to start or move up their career ladders. Such job training
474 program may include training designed to increase the basic skills of
475 employees, including, but not limited to, training in written and oral
476 communication, mathematics or science, or training in technical and
477 technological skills and such other training as such commissioners
478 determine is necessary to meet the needs of the employer. No more
479 than five per cent of the appropriation for the program may be used
480 for administrative purposes.

481 (b) Not less than fifty per cent of the cost of such training shall be
482 borne by the employer requesting the training.

483 (c) Fifty per cent of any funds appropriated for the Incumbent
484 Worker Training Program in a fiscal year shall be used for companies
485 that have not received Incumbent Worker Training Program funding
486 in the previous three fiscal years.

487 (d) The Labor Commissioner shall allocate funds for the Incumbent
488 Worker Training Program on a regional basis and may designate an
489 entity to administer such program in each region.

490 (e) The application for the Incumbent Worker Training Program
491 shall be on a form prescribed by the Labor Commissioner.

492 ~~[(c)]~~ (f) The Labor Commissioner is authorized to adopt, pursuant to
493 chapter 54, any regulations required to carry out this section.

494 Sec. 19. Section 53-303e of the general statutes is repealed and the
495 following is substituted in lieu thereof (*Effective from passage*):

496 (a) No employer shall compel any employee engaged in any
497 commercial occupation or in the work of any industrial process to
498 work more than six days in any calendar week. An employee's refusal
499 to work more than six days in any calendar week shall not constitute
500 grounds for his dismissal.

501 [(b) No person who states that a particular day of the week is
502 observed as his Sabbath may be required by his employer to work on
503 such day. An employee's refusal to work on his Sabbath shall not
504 constitute grounds for his dismissal.]

505 ~~[(c)]~~ (b) Any employee, who believes that his discharge was in
506 violation of subsection (a) [or (b)] of this section may appeal such
507 discharge to the State Board of Mediation and Arbitration. If said
508 board finds that the employee was discharged in violation of said
509 subsection (a), [or (b),] it may order whatever remedy will make the
510 employee whole, including but not limited to reinstatement to his
511 former or a comparable position.

512 [(d) No employer may, as a prerequisite to employment, inquire
513 whether the applicant observes any Sabbath.]

514 ~~[(e)]~~ (c) Any person who violates any provision of this section shall
515 be fined not more than two hundred dollars.

516 Sec. 20. Subdivision (1) of subsection (g) of section 31-254 of the
517 general statutes is repealed and the following is substituted in lieu
518 thereof (*Effective from passage*):

519 (g) (1) Notwithstanding any of the information disclosure
520 provisions of this section, the administrator shall disclose information
521 obtained pursuant to subsection (a) of this section to: (A) A regional
522 workforce development board, established pursuant to section 31-3k,
523 to the extent necessary for the effective administration of the federal
524 Trade Adjustment Assistance Program of the Trade Act of 1974, as
525 amended from time to time, the federal Workforce Investment Act, as
526 amended from time to time, and the state employment services
527 program established pursuant to section 17b-688c for recipients of
528 temporary family assistance, provided a regional workforce
529 development board, enters into a written agreement with the
530 administrator, pursuant to subdivision (2) of this subsection,
531 concerning protection of the confidentiality of such information prior
532 to the receipt of any such information; (B) a nonpublic entity that is
533 under contract with the administrator where necessary for the effective
534 administration of this chapter or with the United States Department of
535 Labor to administer grants which are beneficial to the interests of the
536 administrator, provided such nonpublic entity enters into a written
537 agreement with the administrator, pursuant to subdivision (2) of this
538 subsection, concerning protection of the confidentiality of such
539 information prior to the receipt of any such information; [or] (C) the
540 president of the Board of Regents for Higher Education, appointed
541 under section 10a-1a, for use in the performance of such president's
542 official duties to the extent necessary for evaluating programs at
543 institutions of higher education governed by said board pursuant to
544 section 10a-1a, provided such president enters into a written
545 agreement with the administrator, pursuant to subdivision (2) of this
546 subsection, concerning protection of the confidentiality of such
547 information prior to the receipt of any such information; or (D) a third
548 party pursuant to written, informed consent of the individual or

549 employer to whom the information pertains.

550 Sec. 21. Subdivision (9) of section 31-11dd of the general statutes is
551 repealed and the following is substituted in lieu thereof (*Effective from*
552 *passage*):

553 (9) Prepare information on the status of adult literacy in this state
554 for inclusion in the commission's annual report card, in accordance
555 with subsection (d) of this section; [and section 31-3bb;] and

556 Sec. 22. Section 4-124hh of the general statutes is repealed and the
557 following is substituted in lieu thereof (*Effective from passage*):

558 (a) The Department of Economic and Community Development
559 shall, within available appropriations, establish a grant program to
560 provide a flexible source of funding for the creation and generation of
561 talent in institutions of higher education and, with appropriate
562 connections to technical high schools and other secondary schools, for
563 student outreach and development. Grants pursuant to this subsection
564 shall be awarded to institutions of higher education and may be used
565 to:

566 (1) Upgrade instructional laboratories to meet specific industry-
567 standard laboratory and instrumentation skill requirements;

568 (2) Develop new curriculum and certificate and degree programs at
569 the associate, bachelor's, master's and doctorate levels, tied to industry
570 identified needs;

571 (3) Develop seamlessly articulated career development programs in
572 workforce shortage areas forecasted pursuant to subdivision (10) of
573 subsection (b) of section 4-124w in collaboration with technical high
574 schools and other secondary schools and institutions of higher
575 education;

576 (4) Support undergraduate and graduate student research projects
577 and experimental learning activities; and

578 (5) Establish a nanotechnology post-secondary education program
579 and clearinghouse for curriculum development, scholarships and
580 student outreach.

581 (b) The Department of Economic and Community Development
582 shall, within available appropriations, establish a grant program to
583 provide funding for the advancement of research capabilities and
584 research opportunities. Grants pursuant to this subsection shall be
585 awarded to institutions of higher education and technology focused
586 organizations and may be used to:

587 (1) Recruit eminent faculty in basic and applied research;

588 (2) Leverage federal funding for research centers;

589 (3) Provide pilot funding for faculty to develop initial research data
590 for the development of larger grant funding proposals and to nonstate
591 granting entities, such as federal agencies; and

592 (4) Establish a Connecticut Nanotechnology Collaboration Initiative
593 to foster industry-university relationships by providing:

594 (A) Discovery grants, not to exceed fifty thousand dollars, to
595 support post-doctorate or graduate students working with industry on
596 nanotechnology projects under the supervision of faculty members.
597 Each discovery grant shall be matched with a direct or in-kind
598 industry grant in the same amount;

599 (B) Collaborative grants, not to exceed one hundred fifty thousand
600 dollars, to support university research teams working with industry on
601 collaborative research projects focused on specific application
602 development. Each collaborative grant shall be matched with an
603 industry grant in the same amount;

604 (C) Prototype grants, not to exceed two hundred fifty thousand
605 dollars, to enable universities and companies to demonstrate whether
606 a prototype is manufacturable and functional and the cost effectiveness

607 of nanotechnology-related applications. Each prototype grant shall be
608 matched with an industry grant in an amount equal to two dollars for
609 every one dollar of such prototype grant.

610 (c) The Department of Economic and Community Development
611 shall, within available appropriations, establish a grant program to
612 provide funding for the promotion of collaborative research
613 applications between industry and institutions of higher education.
614 Grants pursuant to this subsection shall be awarded to institutions of
615 higher education, technology-focused organizations and business
616 entities and may be used:

617 (1) To improve technology infrastructure by advancing the
618 development of shared use between institutions of higher education
619 and business entities of laboratories and equipment, including, but not
620 limited to, technology purchase, lease and installation, operating and
621 necessary support personnel and maintenance; and

622 (2) As matching grants for joint projects between an industry, a
623 technology-focused organization or a university. The Department of
624 Economic and Community Development shall structure the matching
625 grants to provide two rounds of funding annually and shall do
626 outreach to companies. The matching grant part of the program shall
627 include, but not be limited to, (A) one-to-one matching grants not to
628 exceed one hundred thousand dollars, with in-kind match allowed for
629 small and mid-sized companies, (B) involvement of a competitive
630 process with outside reviewers using as key criteria (i) the
631 demonstration of commercial relevance, and (ii) a clear path to the
632 marketplace for any innovations developed in the course of the
633 research, and (C) an aggressive marketing campaign through business
634 organizations to raise industry awareness of resources from
635 universities or technology-focused organizations. [; and]

636 [(3) To develop a Connecticut Center for Nanoscale Sciences and
637 Development to provide a shared-use laboratory in one or more sites

638 in the state to advance university research, industry application
639 development and education involving the synthesis, characterization
640 and fabrication of nanoscale materials, intermediates and devices and
641 related program activities. The Department of Economic and
642 Community Development shall conduct a feasibility study and
643 business planning model leading to the establishment of such center,
644 including strategies for securing investments from the federal
645 government and private entities. On or before January 1, 2007, said
646 department shall submit the results of such study, in accordance with
647 the provisions of section 11-4a, to the joint standing committees of the
648 General Assembly having cognizance of matters relating to commerce
649 and higher education and employment advancement.]

650 (d) The Department of Economic and Community Development
651 shall, within available appropriations, establish a grant program to
652 provide funding for the promotion of commercialization of research
653 done by institutions of higher education. Grants pursuant to this
654 subsection shall be awarded to institutions of higher education and
655 business entities and may be used:

656 (1) To provide funding to verify the technical and commercial
657 feasibility of early stage discoveries by institutions of higher education
658 that are disclosed or patented to accelerate and increase the likelihood
659 that the technology will be successfully commercialized;

660 (2) To provide matching support for smaller institutions of higher
661 education to allow for contracts with independent technology transfer
662 organizations to provide specific service to support specific needs; and

663 (3) To provide specialized technical assistance to advance
664 nanotechnology awards to Connecticut companies, including
665 nanotechnology-related workshops and seminars, grant preparation
666 assistance, marketing assistance, services related to matching grants
667 and other technical assistance to assist companies with
668 nanotechnology-related applications.

669 Sec. 23. Section 31-3a of the general statutes is repealed and the
670 following is substituted in lieu thereof (*Effective from passage*):

671 [(a)] To assist the state in attaining maximum economic growth and
672 technological progress while minimizing individual hardship and
673 reducing unemployment, the Labor Commissioner shall: (1) Evaluate
674 the impact of, and benefits and problems created by, automation,
675 technological progress and other changes in the structure of
676 production; evaluate the adequacy of the state's human resources in
677 attaining maximum economic growth for the state; establish
678 techniques and methods for detecting in advance the potential impact
679 of such developments; and prepare recommendations for the solution
680 to these problems; (2) establish a program of factual studies on the
681 state's economy to determine the manpower needs of the state by
682 occupation, by industry and by area, and make recommendations
683 concerning the best methods and techniques to be used to meet such
684 needs; (3) appraise the growing work force in the state to determine
685 the occupational qualifications of its citizens with particular emphasis
686 on young people and on persons displaced by automated processes;
687 compare the manpower needs of the state with the occupational
688 qualifications of its citizens, and prepare plans for the maximum
689 utilization of its citizens; (4) determine those areas, occupations and
690 industries which have need for additional trained workers, and
691 establish preemployment training programs which best meet the needs
692 of business and industry, and of the unemployed. In establishing such
693 programs, the commissioner shall, in cooperation with the
694 Commissioner of Education, use funds from all available federal
695 programs.

696 [(b)] The Labor Commissioner shall, within thirty days after the end
697 of each calendar year, make such reports and recommendations to the
698 Governor as he deems appropriate on manpower requirements,
699 resources, use and training, and on economic developments and trends
700 affecting such items.]

701 Sec. 24. Section 31-11s of the general statutes is repealed and the
702 following is substituted in lieu thereof (*Effective from passage*):

703 (a) On or before February 9, 2000, and annually thereafter, the
704 Connecticut Employment and Training Commission shall make
705 recommendations consistent with the provisions of the single
706 Connecticut workforce development plan submitted to the Governor
707 pursuant to section 31-11r to the Governor and the General Assembly
708 concerning the appropriation of funds received for adult workforce
709 development activities under the federal Workforce Investment Act of
710 1998, P.L. 105-220, as from time to time amended, for (1) job-related
711 vocational, literacy, language or numerical skills training; (2)
712 underemployed and at-risk workers; (3) individuals with barriers to
713 full-time, stable employment, including language, basic skills and
714 occupational literacy barriers; (4) vocational training using apprentice
715 and preapprentice programs and customized job training programs
716 that are designed to serve at-risk workers and promote job retention
717 and the obtainment of higher wage jobs; (5) special incentives for
718 programs that successfully train (A) women for nontraditional
719 employment, and (B) minorities for occupations or fields of work in
720 which such minorities are underrepresented; and (6) special grants or
721 contracts in each region for training programs that target workers who
722 are difficult to serve, including, but not limited to, workers (A) with
723 limited literacy or numerical skills, (B) without a high school diploma
724 or its equivalent, or (C) for whom English is a second language. For
725 purposes of this section, "nontraditional employment" refers to
726 occupations or fields of work for which women comprise less than
727 twenty-five per cent of the individuals employed in each such
728 occupation or field of work.

729 [(b) On or before February 9, 2000, and annually thereafter, the
730 commission shall make recommendations to the Governor and the
731 General Assembly concerning the appropriation of funds received
732 under the federal Workforce Investment Act of 1998, P.L. 105-220, as
733 from time to time amended, for young adult programs for teenage

734 parents, those at risk of dropping out of school and young adults who
 735 attend technical high schools, adult education programs or other
 736 programs to assist such persons in attaining a high school diploma or
 737 its equivalent.]

738 [(c)] (b) On or before February 9, 2000, and annually thereafter, the
 739 commission shall make recommendations to the Governor and the
 740 General Assembly concerning the appropriation of funds received
 741 under the federal Workforce Investment Act of 1998, P.L. 105-220, as
 742 from time to time amended, for dislocated workers.

743 [(d)] (c) Pursuant to Section 189(i)(4)(A) of the federal Workforce
 744 Investment Act of 1998, P.L. 105-220, as from time to time amended,
 745 the Governor is authorized by the General Assembly to apply for a
 746 waiver of federal eligibility requirements to allow incumbent workers
 747 with annual family incomes that do not exceed two hundred per cent
 748 of the poverty level guidelines issued by the federal Department of
 749 Health and Human Services to receive job training services.

750 Sec. 25. Sections 4-124, 12-217y, 31-3bb, 31-3kk, 31-22, 31-57a, 31-61,
 751 31-62, 31-64, 31-65 and 31-274h of the general statutes are repealed.
 752 (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	31-232b(a)(3)
Sec. 2	<i>from passage</i>	31-232b(a)(5)
Sec. 3	<i>from passage</i>	31-51xx(a)
Sec. 4	<i>from passage</i>	31-51aaa
Sec. 5	<i>from passage</i>	31-3g
Sec. 6	<i>from passage</i>	31-51qq
Sec. 7	<i>from passage</i>	4a-100(c)(5)
Sec. 8	<i>from passage</i>	31-57c(b)
Sec. 9	<i>from passage</i>	31-57d(b)
Sec. 10	<i>from passage</i>	31-57h
Sec. 11	<i>from passage</i>	31-58

Sec. 12	<i>from passage</i>	31-58a
Sec. 13	<i>from passage</i>	31-76e
Sec. 14	<i>from passage</i>	52-361a(f)
Sec. 15	<i>from passage</i>	31-59
Sec. 16	<i>from passage</i>	31-60(b)
Sec. 17	<i>from passage</i>	31-69(a)
Sec. 18	<i>from passage</i>	31-3ll
Sec. 19	<i>from passage</i>	53-303e
Sec. 20	<i>from passage</i>	31-254(g)(1)
Sec. 21	<i>from passage</i>	31-11dd(9)
Sec. 22	<i>from passage</i>	4-124hh
Sec. 23	<i>from passage</i>	31-3a
Sec. 24	<i>from passage</i>	31-11s
Sec. 25	<i>from passage</i>	Repealer section

Statement of Purpose:

To make technical changes deleting obsolete reports, streamlining the administration of certain programs and making other federally-mandated conforming changes to improve department functionality and customer satisfaction.

[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.]