



Greater Hartford Legal Aid

**Testimony of Attorney Susan Garten
Greater Hartford Legal Aid, Inc.
In Opposition to HB 243 and HB 320
In Support of SB 317 and HB 5452**

I am a managing attorney at Greater Hartford Legal Aid, Inc. I am submitting this testimony on behalf of the state's legal services programs. We often represent low-income workers, who depend on unemployment compensation ("UC") to pay for basic necessities for their families.

HB 243 is a kitchen-sink of a bill concerning the unemployment compensation system. Section 2 is the most objectionable part of the bill. It would, once again, expand the circumstances under which an employee's absence from work would be considered disqualifying wilful misconduct. A worker who is absent without either good cause or notice to the employer for three separate instances within a twelve-month period is disqualified from receiving UC benefits. Conn. Gen. Stat. §31-236(a)(16).

Section 2 of HB 243 would harshly penalize a worker with a second consecutive day of absence without proper notice. In my experience, this happens if the employee or the employee's child has a medical emergency and asks a family member to notify the employer that the employee will be absent for a couple of days, but the family member doesn't call or calls but doesn't know the proper call-in protocol. Then the worker doesn't call in the second day, because they assume that the call-in by the family member the first day was sufficient. Under the proposed bill, these workers can be fired and disqualified from receiving unemployment benefits if they have been absent without good cause or proper notice one other day within the past year.

This is too drastic. Employees' rights in this area were already significantly cut back in 2004 when the law counting all consecutive days of absence as one day was changed to the current version.

We also oppose HB 320, which would remove the ability of Department of Labor UC staff to waive the repayment of overpayments. This is only for claimants who received benefits "in error," not because of fraud. It is important to preserve unemployed workers' ability to present evidence to the UC claims examiners that "repayment or recoupment of such sum would defeat the purpose of the benefits or be against equity and good conscience and should be waived." Conn. Gen. Stat. §31-273(a)(1). Bureaucratic error, claimant mistake, tragic financial and health circumstances should not be ignored by a system that is meant to be the financial lifeblood of individuals and families struggling without work.

Finally, we support SB 317, AAC Employee Privacy, and HB 5452, AAC Community Service and Unemployment Benefits.

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