



General Assembly

January Session, 2017

**Committee Bill No. 611**

LCO No. 4200

\* SB00611LAB\_\_030717\_\_\*

Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:  
(LAB)

**AN ACT CONCERNING THE CHARGING OF UNEMPLOYMENT  
COMPENSATION BENEFITS TO EMPLOYERS.**

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

1 Section 1. Subdivision (1) of subsection (c) of section 31-225a of the  
2 general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective October 1, 2017*):

4 (c) (1) (A) Any week for which the employer has compensated the  
5 claimant in the form of wages in lieu of notice, dismissal payments or  
6 any similar payment for loss of wages shall be considered a week of  
7 employment for the purpose of determining employer chargeability.  
8 (B) No benefits shall be charged to any employer who paid wages of  
9 five hundred dollars or less to the claimant in his or her base period.  
10 (C) No dependency allowance paid to a claimant shall be charged to  
11 any employer. (D) In the event of a natural disaster declared by the  
12 President of the United States, no benefits paid on the basis of total or  
13 partial unemployment which is the result of physical damage to a  
14 place of employment caused by severe weather conditions including,  
15 but not limited to, hurricanes, snow storms, ice storms or flooding, or  
16 fire except where caused by the employer, shall be charged to any

17 employer. (E) If the administrator finds that (i) an individual's most  
18 recent separation from a base period employer occurred under  
19 conditions which would result in disqualification by reason of  
20 subdivision (2), (6) or (9) of subsection (a) of section 31-236, or (ii) an  
21 individual was discharged for violating an employer's drug testing  
22 policy, provided the policy has been adopted and applied consistent  
23 with sections 31-51t to 31-51aa, inclusive, section 14-261b and any  
24 applicable federal law, no benefits paid thereafter to such individual  
25 with respect to any week of unemployment which is based upon  
26 wages paid by such employer with respect to employment prior to  
27 such separation shall be charged to such employer's account, provided  
28 such employer shall have filed a notice with the administrator within  
29 the time allowed for appeal in section 31-241. (F) No base period  
30 employer's account shall be charged with respect to benefits paid to a  
31 claimant if such employer continues to employ such claimant at the  
32 time the employer's account would otherwise have been charged to the  
33 same extent that he or she employed him or her during the  
34 individual's base period, provided the employer shall notify the  
35 administrator within the time allowed for appeal in section 31-241. (G)  
36 If a claimant has failed to accept suitable employment under the  
37 provisions of subdivision (1) of subsection (a) of section 31-236 and the  
38 disqualification has been imposed, the account of the employer who  
39 makes an offer of employment to a claimant who was a former  
40 employee shall not be charged with any benefit payments made to  
41 such claimant after such initial offer of reemployment until such time  
42 as such claimant resumes employment with such employer, provided  
43 such employer shall make application therefor in a form acceptable to  
44 the administrator. The administrator shall notify such employer  
45 whether or not his or her application is granted. Any decision of the  
46 administrator denying suspension of charges as herein provided may  
47 be appealed within the time allowed for appeal in section 31-241. (H)  
48 Fifty per cent of benefits paid to a claimant under the federal-state  
49 extended duration unemployment benefits program established by the  
50 federal Employment Security Act shall be charged to the experience  
51 accounts of the claimant's base period employers in the same manner

52 as the regular benefits paid for such benefit year. (I) No base period  
53 employer's account shall be charged with respect to benefits paid to a  
54 claimant who voluntarily left suitable work with such employer [(i) to  
55 care for a seriously ill spouse, parent or child or (ii) due to the  
56 discontinuance of the transportation used by the claimant to get to and  
57 from work, as provided in subparagraphs (A)(ii) and (A)(iii) of  
58 subdivision (2) of subsection (a) of section 31-236.] without good cause  
59 attributable to the employer. (J) No base period employer's account  
60 shall be charged with respect to benefits paid to a claimant who has  
61 been discharged or suspended because the claimant has been  
62 disqualified from performing the work for which he or she was hired  
63 due to the loss of such claimant's operator license as a result of a drug  
64 or alcohol test or testing program conducted in accordance with  
65 section 14-44k, 14-227a or 14-227b while the claimant was off duty.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2017	31-225a(c)(1)

**LAB**      *Joint Favorable*