



General Assembly

Amendment

January Session, 2017

LCO No. 6954



Offered by:

REP. CANDELORA, 86th Dist.
REP. RUTIGLIANO, 123rd Dist.
REP. BOCCHINO, 150th Dist.
REP. ROJAS, 9th Dist.

To: Subst. House Bill No. 6461

File No. 258

Cal. No. 198

"AN ACT CONCERNING UNEMPLOYMENT COMPENSATION."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 31-231a of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) [For] (1) Prior to the effective date described in subsection (c) of
6 this section, for a construction worker identified pursuant to
7 regulations adopted in accordance with subsection [(c)] (d) of this
8 section, the total unemployment benefit rate for the individual's benefit
9 year commencing on or after April 1, 1996, shall be an amount equal to
10 one twenty-sixth, rounded to the next lower dollar, of his total wages
11 paid during that quarter of his current benefit year's base period in
12 which wages were the highest but not less than fifteen dollars nor
13 more than the maximum benefit rate as provided in subsection (b) of

14 this section.

15 (2) On and after the effective date described in subsection (c) of this
16 section, for a construction worker identified pursuant to regulations
17 adopted in accordance with subsection (d) of this section, the total
18 unemployment benefit rate for the individual's benefit year
19 commencing on or after April 1, 1996, shall be an amount equal to one
20 twenty-sixth, rounded to the next lower dollar, of his or her total
21 wages paid during that quarter of his or her current benefit year's base
22 period in which wages were the highest but not less than fifteen
23 dollars, and commencing on or after the effective date described in
24 subsection (c) of this section, shall be an amount equal to one twenty-
25 sixth, rounded to the next lower dollar, of his or her total wages paid
26 during that quarter of his or her current benefit year's base period in
27 which wages were the highest but not less than fifty dollars nor more
28 than the maximum benefit rate as provided in subsection (b) of this
29 section.

30 (b) [For] (1) Prior to the effective date described in subsection (c) of
31 this section, for an individual not included in subsection (a) of this
32 section, the individual's total unemployment benefit rate for his benefit
33 year commencing after September 30, 1967, shall be an amount equal
34 to one twenty-sixth, rounded to the next lower dollar, of the average of
35 his total wages, as defined in subdivision (1) of subsection (b) of
36 section 31-222, paid during the two quarters of his current benefit
37 year's base period in which such wages were highest but not less than
38 fifteen dollars nor more than one hundred fifty-six dollars in any
39 benefit year commencing on or after the first Sunday in July, 1982, nor
40 more than sixty per cent rounded to the next lower dollar of the
41 average wage of production and related workers in the state in any
42 benefit year commencing on or after the first Sunday in October, 1983,
43 and provided the maximum benefit rate in any benefit year
44 commencing on or after the first Sunday in October, 1988, shall not
45 increase more than eighteen dollars in any benefit year, such increase
46 to be effective as of the first Sunday in October of such year. The
47 average wage of production and related workers in the state shall be

48 determined by the administrator, on or before August fifteenth
49 annually, as of the year ended the previous June thirtieth to be
50 effective during the benefit year commencing on or after the first
51 Sunday of the following October and shall be so determined in
52 accordance with the standards for the determination of average
53 production wages established by the United States Department of
54 Labor, Bureau of Labor Statistics.

55 (2) On and after the effective date described in subsection (c) of this
56 section, for an individual not included in subsection (a) of this section,
57 the individual's total unemployment benefit rate for his or her benefit
58 year commencing after September 30, 1967, shall be an amount equal
59 to one twenty-sixth, rounded to the next lower dollar, of the average of
60 his or her total wages, as defined in subdivision (1) of subsection (b) of
61 section 31-222, paid during the two quarters of his or her current
62 benefit year's base period in which such wages were highest but not
63 less than fifteen dollars, and commencing on or after the effective date
64 described in subsection (c) of this section, shall be an amount equal to
65 one twenty-sixth, rounded to the next lower dollar, of the average of
66 his or her current total wages, as defined in section 31-222, paid during
67 the three quarters of his or her current benefit year's base period in
68 which wages were the highest but not less than fifty dollars nor more
69 than one hundred fifty-six dollars in any benefit year commencing on
70 or after the first Sunday in July, 1982, nor more than sixty per cent
71 rounded to the next lower dollar of the average wage of production
72 and related workers in the state in any benefit year commencing on or
73 after the first Sunday in October, 1983, and provided the maximum
74 benefit rate in any benefit year commencing on or after the first
75 Sunday in October, 1988, shall not increase more than eighteen dollars
76 in any benefit year, such increase to be effective as of the first Sunday
77 in October of such year, and further provided the maximum benefit
78 rate shall not increase in any benefit year commencing on or after the
79 first Sunday after the effective date described in subsection (c) of this
80 section, if the balance in the Unemployment Trust Fund results in an
81 average high cost multiple that is less than 0.7, as calculated pursuant

82 to subsection (f) of section 31-225a. The average wage of production
83 and related workers in the state shall be determined by the
84 administrator, on or before August fifteenth annually, as of the year
85 ended the previous June thirtieth to be effective during the benefit year
86 commencing on or after the date that is three hundred sixty-five days
87 after said first Sunday and shall be so determined in accordance with
88 the standards for the determination of average production wages
89 established by the United States Department of Labor, Bureau of Labor
90 Statistics.

91 (c) Not later than October 1, 2017, the Labor Commissioner shall
92 determine whether federal funds in an amount sufficient to cover the
93 costs of implementing the provisions of subdivision (1) of subsection
94 (a) of this section and subdivision (1) of subsection (b) of this section
95 will be made available to the state and the provisions of subdivision (1)
96 of subsection (a) of this section and subdivision (1) of subsection (b) of
97 this section shall be effective thirty days following the date such funds
98 have been received by the state.

99 ~~[(c)]~~ (d) The administrator shall adopt regulations pursuant to the
100 provisions of chapter 54 to implement the provisions of this section.
101 Such regulations shall specify the National Council on Compensation
102 Insurance employee classification codes which identify construction
103 workers covered by subsection (a) of this section and specify the
104 manner and format in which employers shall report the identification
105 of such workers to the administrator.

106 Sec. 2. Subdivision (4) of subsection (a) of section 31-236 of the
107 general statutes is repealed and the following is substituted in lieu
108 thereof (*Effective October 1, 2017*):

109 (4) During any week with respect to which the individual has
110 received or is about to receive remuneration in the form of (A) wages
111 in lieu of notice or dismissal payments, including severance or
112 separation payment by an employer to an employee beyond the
113 employee's wages upon termination of the employment relationship,

114 [unless the employee was required to waive or forfeit a right or claim
 115 independently established by statute or common law, against the
 116 employer as a condition of receiving the payment,] or any payment by
 117 way of compensation for loss of wages, or any other state or federal
 118 unemployment benefits, except mustering out pay, terminal leave pay
 119 or any allowance or compensation granted by the United States under
 120 an Act of Congress to an ex-serviceperson in recognition of the ex-
 121 serviceperson's former military service, or any service-connected pay
 122 or compensation earned by an ex-serviceperson paid before or after
 123 separation or discharge from active military service, or (B)
 124 compensation for temporary disability under any workers'
 125 compensation law;"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	31-231a
Sec. 2	<i>October 1, 2017</i>	31-236(a)(4)