



Connecticut Department of Labor

*Scott D. Jackson, Commissioner*

**Public Hearing Testimony of  
Scott Jackson, Commissioner  
Department of Labor  
Labor and Public Employees Committee  
March 15, 2018**

Good Afternoon Senator Gomes, Senator Miner, Representative Porter, Representative Bocchino and members of the Labor and Public Employees Committee. Thank you for the opportunity to provide you with testimony regarding **House Bill No. 5478, AAC Technical and Minor Changes to the Labor Department Statutes**. My name is Scott Jackson and I am the Commissioner of the Department of Labor.

The Connecticut Department of Labor (CTDOL) supports this proposed bill, which includes several technical revisions sought by this agency. The bill seeks to add a definition of “pre-apprentice” to codify in statute the kind of work a pre-apprentice is allowed to perform under an apprenticeship. The bill also seeks to bring efficiencies to the wage investigation process. Currently, when DOL receives a complaint of a wage violation, employees in our Wage and Workplace Standards Division will conduct an investigation by entering the employer’s place of business to review payroll and other records, as well as interview employees. However, the statute only provides for the Labor Commissioner, the “Director of Minimum Wage” and “Wage Enforcement Agents” the right to do this, while two-thirds of DOL’s Wage and Workplace Standards field staff are “Wage and Hour Investigators.” Because of the way the statute is written, these Investigators must bring a Wage Enforcement Agent with them to perform this task as they previously have been denied entry by employers. Amending the language to the Labor Commissioner’s designee gives the Director the flexibility to send either a Wage Enforcement Agent or Wage and Hour Investigator to conduct the investigation.

The bill would also allow DOL to utilize a method of computation of the unemployment insurance maximum weekly benefit rate that more accurately reflects the average wages paid in Connecticut. The Department is charged with determining the maximum weekly benefit rate for unemployment insurance on an annual basis, which is based on USDOL’s Bureau of Labor Statistics sample-based production worker manufacturing wage. Unfortunately, this survey is highly variable and no longer reflects the average wage due to growth in the service sectors in Connecticut. This series also is becoming obsolete at the Bureau of Labor Statistics and they provide minimal support to maintain quality. Further, if certain large manufacturers do not participate in the voluntary survey (which has happened in the past), the results become unnecessarily variable and unrepresentative of the manufacturing industry. Finally, Connecticut is



---

Connecticut Department of Labor

*Scott D. Jackson, Commissioner*

one of the only states in the country that still uses this survey to calculate the maximum weekly benefit rate. This bill proposes to calculate the maximum weekly benefit rate by utilizing the Connecticut Quarterly Census of Employment and Wages, which provides a more accurate determination of the mean wage in the state. This is also the method most other states use and will help provide more consistency year to year.

Finally, the bill would repeal two reports, a committee and a board that all have been rendered obsolete by the Workforce Innovation and Opportunity Act (WIOA). WIOA requires both an annual report and a biennial state plan that are duplicative of the reporting requirements addressed in the bill, and can be provided in lieu of those reports. Moreover, the Connecticut Employment and Training Commission has gone through a restructuring process due to WIOA and the issues are otherwise addressed.

Thank you for the opportunity to provide this testimony. I am available to answer any questions you may have.