



PA 18-126—sHB 5478

Labor and Public Employees Committee

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

SUMMARY: This act reconfigures the formula used to determine the maximum weekly unemployment benefit provided to claimants. It also:

1. eliminates two Connecticut Employment and Training Commission (CETC) reporting requirements,
2. exempts registered pre-apprentices from the law's prohibition on minors working in certain hazardous occupations,
3. allows the Department of Labor's (DOL) wage and workplace standards director's designees to enter businesses to investigate certain wage- and workers' compensation-related complaints,
4. repeals the laws creating the Connecticut Career Ladder Advisory Committee (CGS § 4-124bb) and the Connecticut Allied Health Workforce Policy Board (CGS § 4-124dd), and
5. makes numerous technical and conforming changes (§§ 1-5, 11 & 12).

EFFECTIVE DATE: October 1, 2018

§ 10 — UNEMPLOYMENT BENEFITS CAP

The act reconfigures the formula used to determine the maximum weekly unemployment benefit a claimant may receive. Prior law capped benefits at 60% of the average wage paid to the state's production (i.e., manufacturing) workers, as determined by the labor commissioner under the U.S. Bureau of Labor Statistics' standards for determining average production wages, for each year ending June 30.

Starting in any benefit year commencing on or after the first Sunday in October 2018, the act instead caps benefits at 50% of the average wage of all workers in the state, as determined by the commissioner and the Connecticut Quarterly Census of Employment and Wages or another method prescribed by the commissioner that accurately reflects the average wage of workers in the state. Under the act, the commissioner must determine the average wage of all workers in the state for each year ending March 31, instead of for each year ending June 30.

By law, unchanged by the act, the commissioner must annually determine a new cap by August 15. It becomes effective on the first Sunday of October but cannot increase more than \$18 each year.

OLR PUBLIC ACT SUMMARY

§§ 6 & 7 — CONNECTICUT EMPLOYMENT AND TRAINING COMMISSION

The law requires CETC to carry out a number of duties related to employment and training programs in the state. The act eliminates its duty to develop a written plan for the coordination of state employment and training programs. (The federal Workforce Innovation and Opportunity Act requires this same information to be included in an annual report and biennial state plan which CETC produces.)

The act also eliminates:

1. an obsolete requirement for CETC to report on a plan to implement, expand, or improve on career certificate programs, middle college programs, early college high school programs, and the Connecticut Early College Opportunity program by January 1, 2018, and
2. a requirement for CETC, starting by September 1, 2018, to annually report the status of those programs to the Higher Education and Employment Advancement Committee.

§ 8 — MINORS WORKING IN HAZARDOUS OCCUPATIONS

The law generally prohibits minors under age 18 from working in certain hazardous occupations, but makes an exception for apprentices who are at least age 16 and in manufacturing or mechanical establishments, technical education and career schools, or public schools. The act defines these apprentices as those who are (1) employed under a written agreement to work at and learn a specific trade and (2) registered with DOL, thus limiting the exception to DOL-registered apprentices.

The act also expands the exemption to include registered “pre-apprentices” who are at least age 16. Under the act, a pre-apprentice is a person, student, or minor (1) employed under a written agreement with an apprenticeship sponsor for a term of training and employment up to 2,000 hours or 24 months long and (2) registered with DOL.

§ 9 — WAGE COMPLAINT INVESTIGATIONS

The act expands the type of DOL personnel who can enter a business to investigate complaints of an employer’s nonpayment of wages or failure to meet certain workers’ compensation coverage requirements. Prior law authorized DOL’s wage enforcement agents to enter an employer’s place of business to conduct these investigations. The act instead allows the department’s director of wage and workplace standards to assign this authority to his designees (which, in practice, can include wage enforcement agents and wage and hour investigators). The law, unchanged by the act, also authorizes the DOL commissioner and the director to enter businesses to conduct these investigations.