



General Assembly

February Session, 2018

Raised Bill No. 5478

LCO No. 2273



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:
(LAB)

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

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

1 Section 1. Subsection (b) of section 3-123 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2018*):

4 (b) Whenever a firefighter, under the provisions of the constitution
5 and bylaws of the Connecticut State Firefighters Association, is entitled
6 to wage replacement benefits from said association pursuant to the
7 firefighters cancer relief program established pursuant to section 7-
8 313j, the State Treasurer shall, upon the delivery to the State Treasurer
9 of proper proof from said association of the right of such firefighter to
10 wage replacement benefits as aforesaid, process payment for such
11 firefighter entitled to such wage replacement benefits, or [their] his or
12 her legal representative, for the amount to which such firefighter is
13 entitled as wage replacement benefits as aforesaid, provided such
14 orders shall be limited to available funds contained in the firefighters
15 cancer relief account established pursuant to section 7-313h.

16 Sec. 2. Subsection (b) of section 7-479a of the general statutes is
17 repealed and the following is substituted in lieu thereof (*Effective*
18 *October 1, 2018*):

19 (b) "Interlocal risk management program" means a plan and
20 activities carried out under such plan by an interlocal risk management
21 agency to reduce risk of loss on account of one or more of the
22 following: Public liability, [worker's] workers' compensation liability,
23 automobile risks, or property perils and losses in excess of retentions,
24 including safety engineering and other loss prevention and control
25 techniques and to administer one or more interlocal risk management
26 pools, including the processing and defense of claims brought against
27 members of the agency.

28 Sec. 3. Subsection (c) of section 7-479g of the general statutes is
29 repealed and the following is substituted in lieu thereof (*Effective*
30 *October 1, 2018*):

31 (c) An interlocal risk management pool shall not function as a
32 means of sharing among members of an interlocal risk management
33 agency risks of loss for or from public liability, [worker's] workers'
34 compensation, automobile risks, property perils or losses in excess of
35 retentions until the agency's bylaws have been filed with and
36 approved by the Insurance Commissioner.

37 Sec. 4. Subdivision (2) of subsection (d) of section 8-265ff of the
38 general statutes is repealed and the following is substituted in lieu
39 thereof (*Effective October 1, 2018*):

40 (2) Lump-sum additions to family assets such as inheritances,
41 capital gains, insurance payments included under health, accident,
42 hazard or [worker's] workers' compensation policies and settlements,
43 verdicts or awards for personal or property losses or transfer of assets
44 without consideration within one year of the time of application.
45 Pending claims for such items must be identified by the homeowner as
46 contingent assets.

47 Sec. 5. Subdivision (2) of subsection (f) of section 8-265ss of the
48 general statutes is repealed and the following is substituted in lieu
49 thereof (*Effective October 1, 2018*):

50 (2) Lump-sum additions to family assets such as inheritances,
51 capital gains, insurance payments included under health, accident,
52 hazard or [worker's] workers' compensation policies and settlements,
53 verdicts or awards for personal or property losses or transfer of assets
54 without consideration within one year of the time of application.
55 Pending claims for such items must be identified by the borrower as
56 contingent assets.

57 Sec. 6. Section 31-3h of the 2018 supplement to the general statutes is
58 repealed and the following is substituted in lieu thereof (*Effective*
59 *October 1, 2018*):

60 (a) There is created, within the Labor Department, the Connecticut
61 Employment and Training Commission.

62 (b) The duties and responsibilities of the commission shall include:

63 (1) Carrying out the duties and responsibilities of a state job training
64 coordinating council pursuant to the federal Job Training Partnership
65 Act, 29 USC 1532, as amended from time to time, a state human
66 resource investment council pursuant to 29 USC 1501 et seq., as
67 amended from time to time, and such other related entities as the
68 Governor may direct;

69 (2) Reviewing all employment and training programs in the state to
70 determine their success in leading to and obtaining the goal of
71 economic self-sufficiency and to determine if such programs are
72 serving the needs of Connecticut's workers, employers and economy;

73 [(3) Developing a plan for the coordination of all employment and
74 training programs in the state to avoid duplication and to promote the
75 delivery of comprehensive, individualized employment and training
76 services and the reemployment of workers fifty years of age or older.

77 The plan shall contain the commission's recommendations for policies
78 and procedures to enhance the coordination and collaboration of all
79 such programs;]

80 [(4)] (3) Reviewing and commenting on all employment and
81 training programs enacted by the General Assembly;

82 [(5)] (4) Implementing the federal Workforce Innovation and
83 Opportunity Act of 2014, P.L. 113-128, as amended from time to time.
84 Such implementation shall include (A) developing, in consultation
85 with the regional workforce development boards, a single Connecticut
86 workforce development plan that (i) complies with the provisions of
87 said act and section 31-11p, and (ii) includes comprehensive state
88 performance measures for workforce development activities specified
89 in Title I of the federal Workforce Innovation and Opportunity Act of
90 2014, P.L. 113-128, as amended from time to time, which performance
91 measures comply with the requirements of 20 CFR Part 666.100, (B)
92 making recommendations to the General Assembly concerning the
93 allocation of funds received by the state under said act and making
94 recommendations to the regional workforce development boards
95 concerning the use of formulas in allocating such funds to adult
96 employment and job training activities and youth activities, as
97 specified in said act, (C) providing oversight and coordination of the
98 state-wide employment statistics system required by said act, (D) as
99 appropriate, recommending to the Governor that the Governor apply
100 for workforce flexibility plans and waiver authority under said act,
101 after consultation with the regional workforce development boards, (E)
102 developing performance criteria for regional workforce development
103 boards to utilize in creating a list of eligible providers, and (F) on or
104 before December 31, 1999, developing a uniform individual training
105 accounts voucher system that shall be used by the regional workforce
106 development boards to pay for training of eligible workers by eligible
107 providers, as required under said act;

108 [(6)] (5) Developing and overseeing a plan for the continuous
109 improvement of the regional workforce development boards

110 established pursuant to section 31-3k;

111 [(7)] (6) Developing incumbent worker, and vocational and
112 manpower training programs, including customized job training
113 programs to enhance the productivity of Connecticut businesses and to
114 increase the skills and earnings of underemployed and at-risk workers,
115 and other programs administered by the regional workforce
116 development boards. The Labor Department, in collaboration with the
117 regional workforce development boards, shall implement any
118 incumbent worker and customized job training programs developed
119 by the commission pursuant to this subdivision;

120 [(8)] (7) Developing a strategy for providing comprehensive services
121 to eligible youths, which strategy shall include developing youth
122 preapprentice and apprentice programs through, but not limited to,
123 technical education and career schools, and improving linkages
124 between academic and occupational learning and other youth
125 development activities; and

126 [(9)] (8) Coordinating an electronic state hiring campaign to
127 encourage the reemployment of workers fifty years of age or older to
128 be administered through the Labor Department's Internet web site,
129 which shall include testimony from various employers that
130 demonstrates the value of hiring and retaining workers fifty years of
131 age or older. Not later than January 1, 2015, the commission shall
132 submit a report, in accordance with section 11-4a, to the joint standing
133 committee of the General Assembly having cognizance of matters
134 relating to labor on the status of such campaign.

135 Sec. 7. Section 31-11ff of the 2018 supplement to the general statutes
136 is repealed and the following is substituted in lieu thereof (*Effective*
137 *October 1, 2018*):

138 (a) For purposes of this section:

139 (1) "Early college high school" means a school in which persons who
140 are underrepresented in higher education, including, but not limited

141 to, low-income youth, first-generation college students, English
142 language learners and minority students, may simultaneously earn,
143 tuition free, a high school diploma and an associate degree or up to
144 two years of credit toward a bachelor's degree;

145 (2) "Middle college program" means a collaboration between a
146 school district's high schools and a regional-community technical
147 college or a four-year college or university where a student may (A)
148 take core high school courses or courses for which college or
149 university-level credit may be given, and (B) attribute all such credits
150 earned toward a program of higher learning at an institution of higher
151 education in which such student enrolls upon graduation from the
152 middle college program; and

153 (3) "Connecticut Early College Opportunity program" or "CT-ECO"
154 means a collaboration between a school district's high schools, a local
155 community college and a company or business entity where a student
156 may earn an industry-recognized, two-year postsecondary degree in
157 addition to a high school diploma.

158 (b) The Connecticut Employment and Training Commission shall
159 develop, in collaboration with the Connecticut state colleges and
160 universities, Department of Education, and regional work force
161 development boards established pursuant to section 31-3j, a state-wide
162 plan for implementing, expanding or improving upon career certificate
163 programs established under section 10-20a, middle college programs,
164 early college high school programs and Connecticut Early College
165 Opportunity programs to provide education, training and placement
166 in jobs available in the manufacturing, health care, construction, green,
167 science, technology, engineering and mathematics industries and other
168 emerging sectors of the state's economy. Such plan shall include a
169 proposal to fund such programs.

170 [(c) (1) Not later than January 1, 2018, the Connecticut Employment
171 and Training Commission shall report, in accordance with the
172 provisions of section 11-4a, on the plan developed under subsection (b)

173 of this section, to the joint standing committee of the General
174 Assembly having cognizance of matters relating to higher education
175 and employment advancement.

176 (2) Not later than September 1, 2018, and annually thereafter, said
177 commission shall report, in accordance with the provisions of section
178 11-4a, on the status of programs included in the plan developed under
179 subsection (b) of this section to the joint standing committee of the
180 General Assembly having cognizance of matters relating to higher
181 education and employment advancement.]

182 Sec. 8. Subsection (c) of section 31-23 of the 2018 supplement to the
183 general statutes is repealed and the following is substituted in lieu
184 thereof (*Effective October 1, 2018*):

185 (c) No minor under the age of eighteen years shall be employed or
186 permitted to work in any occupation which has been or shall be
187 pronounced hazardous to health by the Department of Public Health
188 or pronounced hazardous in other respects by the Labor Department.
189 This section shall not apply to (1) the employment or enrollment of
190 minors sixteen years of age and over as registered apprentices or
191 registered preapprentices in a bona fide registered apprenticeship
192 [courses] program or registered preapprenticeship program in
193 manufacturing or mechanical establishments, technical education and
194 career schools or public schools, (2) the employment of such minors
195 who have graduated from a public or private secondary or technical
196 education and career school in any manufacturing or mechanical
197 establishment, (3) the employment of such minors who are
198 participating in a manufacturing or mechanical internship, registered
199 apprenticeship or registered preapprenticeship in any manufacturing
200 or mechanical establishment, or (4) the enrollment of such minors in a
201 cooperative work-study program approved by the Commissioner of
202 Education and the Labor Commissioner or in a program established
203 pursuant to section 10-20a. No provision of this section shall apply to
204 agricultural employment, domestic service, street trades or the
205 distribution of newspapers. For purposes of this subsection, (A)

206 "internship" means supervised practical training of a high school
207 student or recent high school graduate that is comprised of curriculum
208 and workplace standards approved by the Department of Education
209 and the Labor Department, [and] (B) "cooperative work-study
210 program" means a program of vocational education, approved by the
211 Commissioner of Education and the Labor Commissioner, for persons
212 who, through a cooperative arrangement between the school and
213 employers, receive instruction, including required academic courses
214 and related vocational instruction by alternation of study in school
215 with a job in any occupational field, provided these two experiences
216 are planned and supervised by the school and employers so that each
217 contributes to the student's education and to his employability. Work
218 periods and school attendance may be on alternate half days, full days,
219 weeks or other periods of time in fulfilling the cooperative work-study
220 program, (C) "apprentice" has the same meaning as provided in section
221 31-21m and includes a person registered with the Labor Department,
222 and (D) "preapprentice" means a person, student or minor (i)
223 employed under a written agreement with an apprenticeship sponsor
224 for a term of training and employment not exceeding two thousand
225 hours or twenty-four months in duration, and (ii) registered with the
226 Labor Department.

227 Sec. 9. Subsection (a) of section 31-76a of the general statutes is
228 repealed and the following is substituted in lieu thereof (*Effective*
229 *October 1, 2018*):

230 (a) On receipt of a complaint for nonpayment of wages or a
231 violation of the provisions of subsection (g) of section 31-288, the Labor
232 Commissioner, [the director of minimum wage and wage enforcement
233 agents of the Labor Department] or the commissioner's designee, shall
234 have power to enter, during usual business hours, the place of
235 business or employment of any employer to determine compliance
236 with the wage payment laws or subsection (g) of section 31-288, and
237 for such purpose may examine payroll and other records and
238 interview employees, call hearings, administer oaths, take testimony
239 under oath and take depositions in the manner provided by sections

240 52-148a to 52-148e, inclusive.

241 Sec. 10. Subsection (b) of section 31-231a of the general statutes is
242 repealed and the following is substituted in lieu thereof (*Effective*
243 *October 1, 2018*):

244 (b) For an individual not included in subsection (a) of this section,
245 the individual's total unemployment benefit rate for his benefit year
246 commencing after September 30, 1967, shall be an amount equal to one
247 twenty-sixth, rounded to the next lower dollar, of the average of his
248 total wages, as defined in subdivision (1) of subsection (b) of section
249 31-222, paid during the two quarters of his current benefit year's base
250 period in which such wages were highest but not less than fifteen
251 dollars nor more than one hundred fifty-six dollars in any benefit year
252 commencing on or after the first Sunday in July, 1982, nor more than
253 [sixty] fifty per cent rounded to the next lower dollar of the average
254 wage of [production and related] all workers in the state in any benefit
255 year commencing on or after the first Sunday in October, 1983, and
256 provided the maximum benefit rate in any benefit year commencing
257 on or after the first Sunday in October, 1988, shall not increase more
258 than eighteen dollars in any benefit year, such increase to be effective
259 as of the first Sunday in October of such year. The average wage of
260 [production and related] all workers in the state shall be determined
261 by (1) the administrator, on or before August fifteenth annually, as of
262 the year ended the previous [June thirtieth] ~~March thirty-first~~ to be
263 effective during the benefit year commencing on or after the first
264 Sunday of the following October, and [shall be so determined in
265 accordance with the standards for the determination of average
266 production wages established by the United States Department of
267 Labor, Bureau of Labor Statistics] (2) the Connecticut Quarterly Census
268 of Employment and Wages or by such other method, as determined by
269 the administrator, that accurately reflects the average wage of all
270 workers in the state.

271 Sec. 11. Sections 4-124bb and 4-124dd of the general statutes are
272 repealed. (*Effective October 1, 2018*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2018</i>	3-123(b)
Sec. 2	<i>October 1, 2018</i>	7-479a(b)
Sec. 3	<i>October 1, 2018</i>	7-479g(c)
Sec. 4	<i>October 1, 2018</i>	8-265ff(d)(2)
Sec. 5	<i>October 1, 2018</i>	8-265ss(f)(2)
Sec. 6	<i>October 1, 2018</i>	31-3h
Sec. 7	<i>October 1, 2018</i>	31-11ff
Sec. 8	<i>October 1, 2018</i>	31-23(c)
Sec. 9	<i>October 1, 2018</i>	31-76a(a)
Sec. 10	<i>October 1, 2018</i>	31-231a(b)
Sec. 11	<i>October 1, 2018</i>	Repealer section

Statement of Purpose:

To implement the recommendations of the Labor Department and to make technical and minor changes to the labor statutes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]