



General Assembly

January Session, 2019

**Committee Bill No. 6929**

LCO No. 5929



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:  
(LAB)

**AN ACT ALLOWING CERTAIN STATE AND MUNICIPAL WORKERS  
AND FIRST RESPONDERS TO FILE WORKERS' COMPENSATION  
CLAIMS FOR INJURIES SUSTAINED WHILE TRAVELING TO AND  
FROM WORK.**

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

1 Section 1. Subdivision (1) of section 31-275 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2019*):

4 (1) "Arising out of and in the course of his employment" means an  
5 accidental injury happening to an employee or an occupational disease  
6 of an employee originating while the employee has been engaged in  
7 the line of the employee's duty in the business or affairs of the  
8 employer upon the employer's premises, or while engaged elsewhere  
9 upon the employer's business or affairs by the direction, express or  
10 implied, of the employer, provided:

11 (A) (i) For a police officer or firefighter, emergency management  
12 service employee or dispatcher employed by the state or a  
13 municipality of the state, "in the course of his employment"

14 encompasses such individual's departure from such individual's place  
15 of abode to duty, such individual's duty, and the return to such  
16 individual's place of abode after duty;

17 (ii) For an employee of the Department of Correction, (I) when  
18 responding to a direct order to appear at his or her work assignment  
19 under circumstances in which nonessential employees are excused  
20 from working, or (II) following two or more mandatory overtime work  
21 shifts on consecutive days, "in the course of his employment"  
22 encompasses such individual's departure from such individual's place  
23 of abode directly to duty, such individual's duty, and the return  
24 directly to such individual's place of abode after duty;

25 (iii) Notwithstanding the provisions of clauses (i) and (ii) of this  
26 subparagraph, the dependents of any deceased employee of the  
27 Department of Correction who was injured in the course of his  
28 employment, as defined in this subparagraph, on or after July 1, 2000,  
29 and who died not later than July 15, 2000, shall be paid compensation  
30 on account of the death, in accordance with the provisions of section  
31 31-306, retroactively to the date of the employee's death. The cost of the  
32 payment shall be paid by the employer or its insurance carrier which  
33 shall be reimbursed for such cost from the Second Injury Fund as  
34 provided in section 31-354 upon presentation of any vouchers and  
35 information that the Treasurer may require;

36 (B) A personal injury shall not be deemed to arise out of the  
37 employment unless causally traceable to the employment other than  
38 through weakened resistance or lowered vitality;

39 (C) In the case of an accidental injury, a disability or a death due to  
40 the use of alcohol or narcotic drugs shall not be construed to be a  
41 compensable injury;

42 (D) For aggravation of a preexisting disease, compensation shall be  
43 allowed only for that proportion of the disability or death due to the  
44 aggravation of the preexisting disease as may be reasonably attributed

45 to the injury upon which the claim is based;

46 (E) A personal injury shall not be deemed to arise out of the  
47 employment if the injury is sustained: (i) At the employee's place of  
48 abode, and (ii) while the employee is engaged in a preliminary act or  
49 acts in preparation for work unless such act or acts are undertaken at  
50 the express direction or request of the employer;

51 (F) For purposes of subparagraph (C) of this subdivision, "narcotic  
52 drugs" means all controlled substances, as designated by the  
53 Commissioner of Consumer Protection pursuant to subsection (c) of  
54 section 21a-243, but does not include drugs prescribed in the course of  
55 medical treatment or in a program of research operated under the  
56 direction of a physician or pharmacologist. For purposes of  
57 subparagraph (E) of this subdivision, "place of abode" includes the  
58 inside of the residential structure, the garage, the common hallways,  
59 stairways, driveways, walkways and the yard;

60 (G) The Workers' Compensation Commission shall adopt  
61 regulations, in accordance with the provisions of chapter 54, to  
62 implement the provisions of this section and shall define the terms "a  
63 preliminary act", "acts in preparation for work", "departure from place  
64 of abode directly to duty" and "return directly to place of abode after  
65 duty" on or before January 1, 2006.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2019	31-275(1)

**Statement of Purpose:**

To protect certain workers and first responders by allowing them to file workers' compensation claims for injuries sustained while traveling to and from work.

*[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.]*

Co-Sponsors: REP. LUXENBERG, 12th Dist.

H.B. 6929