

**Proposed Substitute
Bill No. 6633**

January Session, 2021

LCO No. 7168

**AN ACT RESTRUCTURING UNEMPLOYMENT INSURANCE BENEFITS
AND IMPROVING FUND SOLVENCY.**

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

1 Section 1. Subsection (b) of section 31-222 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective January*
3 *1, 2022*):

4 (b) (1) "Total wages" means all remuneration for employment and
5 dismissal payments, including the cash value of all remuneration paid
6 in any medium other than cash except the cash value of any
7 remuneration paid for agricultural labor or domestic service in any
8 medium other than cash.

9 (2) "Taxable wages" means total wages except:

10 (A) That part of the remuneration (i) in excess of seven thousand one
11 hundred dollars paid by an employer to an individual during any
12 calendar year commencing on or after January 1, 1983, and prior to
13 January 1, 1994, (ii) in excess of nine thousand dollars paid by an
14 employer to an individual during the calendar year commencing on
15 January 1, 1994, (iii) in excess of an amount equal to the taxable wages
16 for the prior year increased by one thousand dollars so paid during any
17 calendar year commencing on or after January 1, 1995, but prior to

18 January 1, 1999, [or] (iv) in excess of fifteen thousand dollars for any
19 calendar year commencing on or after January 1, 1999, but prior to
20 January 1, 2024, (v) in excess of twenty-five thousand dollars for the
21 calendar year commencing on January 1, 2024, or (vi) for each calendar
22 year commencing on or after January 1, 2025, in excess of an amount
23 equal to the taxable wages for the prior year (I) adjusted by the
24 percentage change in the employment cost index or its successor index,
25 for wages and salaries for all civilian workers, as calculated by the
26 United States Department of Labor, over the twelve-month period
27 ending on June thirtieth of the preceding year, and (II) rounded to the
28 nearest multiple of one hundred dollars. This subsection shall not apply
29 to wages paid in whole or in part from federal funds after January 1,
30 1976, to employees of towns, cities and other political and governmental
31 subdivisions and shall not operate to reduce an individual's benefit
32 rights. Remuneration paid to an individual by an employer with respect
33 to employment in another state or states upon which contributions were
34 required of and paid by such employer under an unemployment
35 compensation law of such other state or states shall be included as a part
36 of remuneration equal to the maximum limitation herein referred to;

37 (B) Dismissal payments [which] that the employer who is not subject
38 to the Federal Unemployment Tax Act is not legally required to make;

39 (C) Payments [which] that the employer is not legally required to
40 make to employees on leave of absence for military training;

41 (D) The payment by an employer, without deduction from the
42 remuneration of the employee, of the tax imposed upon an employee
43 under Section 3101 of the Federal Internal Revenue Code with respect
44 to remuneration paid to the employee for domestic service in a private
45 home of the employer or for agricultural labor;

46 (E) The amount of any payment excluded from "wages", as defined
47 in Section 3306(b) of the Federal Unemployment Tax Act, that is made
48 to, or on behalf of, an employee under a plan or system established by
49 an employer [which] that makes provision for [his] such employer's

50 employees generally or for a class or classes of [his] such employer's
51 employees, including any amount paid by an employer for insurance or
52 annuities, or into a fund, to provide for any such payment, on account
53 of (i) retirement, or (ii) sickness or accident disability, or (iii) medical
54 and hospitalization expenses in connection with sickness or accident
55 disability, or (iv) death. Whenever tips or gratuities are paid directly to
56 an employee by a customer of an employer, the amount thereof [which]
57 that is accounted for by the employee to the employer shall be
58 considered wages for the purposes of this chapter;

59 (F) If an employer has acquired all or substantially all the assets,
60 organization, trade or business of another employer liable for
61 contributions under this chapter and has assumed liability for unpaid
62 contributions, if any, due from such other employer, remuneration paid
63 by both employers shall be deemed paid by a single employer for the
64 purposes of this chapter;

65 (G) Payment to an employee by a stock corporation, partnership,
66 association or other business entity in which fifty per cent or more of the
67 proprietary interest is owned by such employee or [his] such employee's
68 son, daughter, spouse, father or mother or any combination of such
69 persons, unless the tax imposed by the Federal Unemployment Tax Act
70 is payable with respect to such payment;

71 (H) Any remuneration paid by any town, city or other political
72 subdivision to an individual for service performed in lieu of payment of
73 delinquent taxes.

74 (3) Notwithstanding any other provisions of this subsection, wages
75 shall include all remuneration for services with respect to which a tax is
76 required to be paid under any federal law imposing a tax against which
77 credit may be taken for contributions required to be paid into a state
78 unemployment fund or [which] that as a condition for full tax credit
79 against the tax imposed by the Federal Unemployment Tax Act are
80 required to be included under this chapter.

81 Sec. 2. Section 31-225a of the general statutes, as amended by section
82 26 of public act 19-25 and section 235 of public act 19-117, is repealed
83 and the following is substituted in lieu thereof (*Effective January 1, 2022*):

84 (a) As used in this chapter: [, "qualified employer"]

85 (1) "Qualified employer" means each employer subject to this chapter
86 whose experience record has been chargeable with benefits for at least
87 one full experience year, with the exception of employers subject to a
88 flat entry rate of contributions as provided under subsection [(d)] (e) of
89 this section, employers subject to the maximum contribution rate under
90 subsection (c) of section 31-273, and reimbursing employers;
91 ["contributing employer"]

92 (2) "Contributing employer" means an employer who is assigned a
93 percentage rate of contribution under the provisions of this section;
94 ["reimbursing employer"]

95 (3) "Reimbursing employer" means an employer liable for payments
96 in lieu of contributions as provided under section 31-225; ["benefit
97 charges"]

98 (4) "Benefit charges" means the amount of benefit payments charged
99 to an employer's experience account under this section; ["computation
100 date"]

101 (5) "Computation date" means June thirtieth of the year preceding the
102 tax year for which the contribution rates are computed; ["tax year"]

103 (6) "Tax year" means the calendar year immediately following the
104 computation date; "experience year" means the twelve consecutive
105 months ending on June thirtieth; and ["experience period"]

106 (7) "Experience period" means the three consecutive experience years
107 ending on the computation date, except that if the employer's account
108 has been chargeable with benefits for less than three years, the
109 experience period shall consist of the greater of one or two consecutive

110 experience years ending on the computation date, except that for tax
111 year 2026, "experience period" means one experience year ending on the
112 computation date and for tax year 2027, "experience period" means two
113 consecutive experience years ending on the computation date.

114 (b) (1) The administrator shall maintain for each employer, except
115 reimbursing employers, an experience account in accordance with the
116 provisions of this section.

117 (2) With respect to each benefit year commencing on or after July 1,
118 1978, regular and additional benefits paid to an individual shall be
119 allocated and charged to the accounts of the employers who paid the
120 individual wages in his or her base period in accordance with the
121 following provisions: The initial determination establishing a claimant's
122 weekly benefit rate and maximum total benefits for his or her benefit
123 year shall include, with respect to such claimant and such benefit year,
124 a determination of the maximum liability for such benefits of each
125 employer who paid wages to the claimant in his or her base period. An
126 employer's maximum total liability for such benefits with respect to a
127 claimant's benefit year shall bear the same ratio to the maximum total
128 benefits payable to the claimant as the total wages paid by the employer
129 to the claimant within his or her base period bears to the total wages
130 paid by all employers to the claimant within his or her base period. This
131 ratio shall also be applied to each benefit payment. The amount thus
132 determined, rounded to the nearest dollar with fractions of a dollar of
133 exactly fifty cents rounded upward, shall be charged to the employer's
134 account.

135 (c) (1) (A) Any week for which the employer has compensated the
136 claimant in the form of wages in lieu of notice, dismissal payments or
137 any similar payment for loss of wages shall be considered a week of
138 employment for the purpose of determining employer chargeability.

139 (B) No benefits shall be charged to any employer who paid wages of
140 five hundred dollars or less to the claimant in his or her base period.

141 (C) No dependency allowance paid to a claimant shall be charged to
142 any employer.

143 (D) In the event of a natural disaster declared by the President of the
144 United States, no benefits paid on the basis of total or partial
145 unemployment [which] that is the result of physical damage to a place
146 of employment caused by severe weather conditions including, but not
147 limited to, hurricanes, snow storms, ice storms or flooding, or fire except
148 where caused by the employer, shall be charged to any employer.

149 (E) If the administrator finds that (i) an individual's most recent
150 separation from a base period employer occurred under conditions
151 [which] that would result in disqualification by reason of subdivision
152 (2), (6) or (9) of subsection (a) of section 31-236, as amended by this act,
153 or (ii) an individual was discharged for violating an employer's drug
154 testing policy, provided the policy has been adopted and applied
155 consistent with sections 31-51t to 31-51aa, inclusive, section 14-261b and
156 any applicable federal law, no benefits paid thereafter to such individual
157 with respect to any week of unemployment [which] that is based upon
158 wages paid by such employer with respect to employment prior to such
159 separation shall be charged to such employer's account, provided such
160 employer shall have filed a notice with the administrator within the time
161 allowed for appeal in section 31-241.

162 (F) No base period employer's account shall be charged with respect
163 to benefits paid to a claimant if such employer continues to employ such
164 claimant at the time the employer's account would otherwise have been
165 charged to the same extent that he or she employed him or her during
166 the individual's base period, provided the employer shall notify the
167 administrator within the time allowed for appeal in section 31-241.

168 (G) If a claimant has failed to accept suitable employment under the
169 provisions of subdivision (1) of subsection (a) of section 31-236, as
170 amended by this act, and the disqualification has been imposed, the
171 account of the employer who makes an offer of employment to a
172 claimant who was a former employee shall not be charged with any

173 benefit payments made to such claimant after such initial offer of
174 reemployment until such time as such claimant resumes employment
175 with such employer, provided such employer shall make application
176 therefor in a form acceptable to the administrator. The administrator
177 shall notify such employer whether or not his or her application is
178 granted. Any decision of the administrator denying suspension of
179 charges as herein provided may be appealed within the time allowed
180 for appeal in section 31-241.

181 (H) Fifty per cent of benefits paid to a claimant under the federal-state
182 extended duration unemployment benefits program established by the
183 federal Employment Security Act shall be charged to the experience
184 accounts of the claimant's base period employers in the same manner as
185 the regular benefits paid for such benefit year.

186 (I) No base period employer's account shall be charged with respect
187 to benefits paid to a claimant who voluntarily left suitable work with
188 such employer (i) to care for a seriously ill spouse, parent or child, or (ii)
189 due to the discontinuance of the transportation used by the claimant to
190 get to and from work, as provided in subparagraphs (A)(ii) and (A)(iii)
191 of subdivision (2) of subsection (a) of section 31-236, as amended by this
192 act.

193 (J) No base period employer's account shall be charged with respect
194 to benefits paid to a claimant who has been discharged or suspended
195 because the claimant has been disqualified from performing the work
196 for which he or she was hired due to the loss of such claimant's operator
197 license as a result of a drug or alcohol test or testing program conducted
198 in accordance with section 14-44k, 14-227a or 14-227b while the claimant
199 was off duty.

200 (K) No base period employer's account shall be charged with respect
201 to benefits paid to a claimant whose separation from employment is
202 attributable to the return of an individual who was absent from work
203 due to a bona fide leave taken pursuant to sections 31-49f to 31-49t,
204 inclusive, or 31-51kk to 31-51qq, inclusive.

205 (L) On and after January 1, 2024, (i) no base period employer's
206 account shall be charged with respect to benefits paid to a claimant
207 through the voluntary shared work unemployment compensation
208 program established pursuant to section 31-274j if a claim for benefits is
209 filed in a week in which the average rate of total unemployment in the
210 state equals or exceeds six and one-half per cent based on the most
211 recent three months of data published by the Labor Commissioner, and
212 (ii) the Labor Commissioner may determine that no base period
213 employer's account shall be charged with respect to benefits paid to a
214 claimant through the voluntary shared work unemployment
215 compensation program established pursuant to section 31-274j if a claim
216 for benefits is filed in a week in which the average rate of total
217 unemployment in the state equals or exceeds eight per cent in the most
218 recent one month of data published by the Labor Commissioner.

219 (2) All benefits paid [which] that are not charged to any employer
220 shall be pooled.

221 (3) The noncharging provisions of this chapter, except subparagraphs
222 (D), (F) and (K) of subdivision (1) of this subsection, shall not apply to
223 reimbursing employers.

224 (d) The standard rate of contributions shall be five and four-tenths
225 per cent. Each employer who has not been chargeable with benefits, for
226 a sufficient period of time to have his or her rate computed under this
227 section shall pay contributions at a rate that is the higher of (1) one per
228 cent, or (2) the state's five-year benefit cost rate. For purposes of this
229 subsection, the state's five-year benefit cost rate shall be computed
230 annually on or before June thirtieth and shall be derived by dividing the
231 total dollar amount of benefits paid to claimants under this chapter
232 during the five consecutive calendar years immediately preceding the
233 computation date by the five-year payroll during the same period. If the
234 resulting quotient is not an exact multiple of one-tenth of one per cent,
235 the five-year benefit cost rate shall be the next higher such multiple.

236 (e) (1) (A) As of each June thirtieth, the administrator shall determine

237 the charged tax rate for each qualified employer. [Said] Such rate shall
238 be obtained by calculating a benefit ratio for each qualified employer.
239 The employer's benefit ratio shall be the quotient obtained by dividing
240 the total amount chargeable to the employer's experience account
241 during the experience period by the total of his or her taxable wages
242 during such experience period [which] that have been reported by the
243 employer to the administrator on or before the following September
244 thirtieth. The resulting quotient, expressed as a per cent, shall constitute
245 the employer's charged [tax] rate, except that each employer's charged
246 rate for calendar years 2024 and 2025 shall be divided by 1.471 and 1.269,
247 respectively. [If]

248 (i) For calendar years commencing prior to January 1, 2024, if the
249 resulting quotient is not an exact multiple of one-tenth of one per cent,
250 the charged rate shall be the next higher such multiple, except that if the
251 resulting quotient is less than five-tenths of one per cent, the charged
252 rate shall be five-tenths of one per cent and if the resulting quotient is
253 greater than five and four-tenths per cent, the charged rate shall be five
254 and four-tenths per cent. [The employer's charged tax rate will be in
255 accordance with the following table:

T1	Employer's Charged Tax Rate Table	
T2		
T3		Employer's Charged
T4	Employer's Benefit Ratio	Tax Rate
T5		
T6	.005 or less	.5% minimum subject
T7	.006	.6% to fund
T8	.007	.7% solvency
T9	.008	.8% adjustment
T10	.009	.9%
T11	.010	1.0%
T12	.011	1.1%
T13	.012	1.2%

T14	.013	1.3%
T15	.014	1.4%
T16	.015	1.5%
T17	.016	1.6%
T18	.017	1.7%
T19	.018	1.8%
T20	.019	1.9%
T21	.020	2.0%
T22	.021	2.1%
T23	.022	2.2%
T24	.023	2.3%
T25	.024	2.4%
T26	.025	2.5%
T27	.026	2.6%
T28	.027	2.7%
T29	.028	2.8%
T30	.029	2.9%
T31	.030	3.0%
T32	.031	3.1%
T33	.032	3.2%
T34	.033	3.3%
T35	.034	3.4%
T36	.035	3.5%
T37	.036	3.6%
T38	.037	3.7%
T39	.038	3.8%
T40	.039	3.9%
T41	.040	4.0%
T42	.041	4.1%
T43	.042	4.2%
T44	.043	4.3%
T45	.044	4.4%
T46	.045	4.5%
T47	.046	4.6%

T48	.047	4.7%
T49	.048	4.8%
T50	.049	4.9%
T51	.050	5.0%
T52	.051	5.1%
T53	.052	5.2%
T54	.053	5.3%
T55	.054 & higher	5.4% maximum subject
T56		to fund solvency
T57		adjustment]

256 (ii) For calendar years commencing on or after January 1, 2024, if the
257 resulting quotient is less than one-tenth of one per cent, the charged rate
258 shall be one-tenth of one per cent and if the resulting quotient is greater
259 than ten per cent, the charged rate shall be ten per cent.

260 (B) If the benefit ratios calculated pursuant to subparagraph (A) of
261 this subdivision would result in the average benefit ratio of all
262 employers within a sector of the North American Industry Classification
263 System increasing over the current such average by an amount equal to
264 or greater than .01, the benefit ratio of each employer within such sector
265 shall be adjusted downward by an amount equal to one-half of the
266 increase in the average benefit ratio of all employers within such sector.
267 Sectors 21 and 23 of said system shall be considered one sector for the
268 purposes of this subparagraph.

269 (2) (A) Each contributing employer subject to this chapter shall pay
270 an assessment to the administrator at a rate established by the
271 administrator sufficient to pay interest due on advances from the federal
272 unemployment account under Title XII of the Social Security Act (42 U.S.
273 Code Sections 1321 to 1324). The administrator shall establish the
274 necessary procedures for payment of such assessments. The amounts
275 received by the administrator based on such assessments shall be paid
276 over to the State Treasurer and credited to the General Fund. Any
277 amount remaining from such assessments, after all such federal interest

278 charges have been paid, shall be transferred to the Employment Security
279 Administration Fund or to the Unemployment Compensation Advance
280 Fund established under section 31-264a, (i) to the extent that any federal
281 interest charges have been paid from the Unemployment Compensation
282 Advance Fund, (ii) to the extent that the administrator determines that
283 reimbursement is appropriate, or (iii) otherwise to the extent that
284 reimbursement of the advance fund is the appropriate accounting
285 principle governing the use of the assessments. Sections 31-265 to 31-
286 274, inclusive, shall apply to the collection of such assessments.

287 (B) On and after January 1, 1994, and conditioned upon the issuance
288 of any revenue bonds pursuant to section 31-264b, each contributing
289 employer shall also pay an assessment to the administrator at a rate
290 established by the administrator sufficient to pay the interest due on
291 advances from the Unemployment Compensation Advance Fund and
292 reimbursements required for advances from the Unemployment
293 Compensation Advance Fund, computed in accordance with subsection
294 (h) of section 31-264a. The administrator shall establish the assessments
295 as a percentage of the charged tax rate for each employer pursuant to
296 subdivision (1) of this subsection. The administrator shall establish the
297 necessary procedures for billing, payment and collection of the
298 assessments. Sections 31-265 to 31-274, inclusive, shall apply to the
299 collection of such assessments by the administrator. The payments
300 received by the administrator based on the assessments, excluding
301 interest and penalties on past due assessments, are hereby pledged and
302 shall be paid over to the State Treasurer for credit to the Unemployment
303 Compensation Advance Fund.

304 (f) (1) (A) For each calendar year commencing with calendar year
305 1994 but prior to calendar year 2013, the administrator shall establish a
306 fund balance tax rate sufficient to maintain a balance in the
307 Unemployment Compensation Trust Fund equal to eight-tenths of one
308 per cent of the total wages paid to workers covered under this chapter
309 by contributing employers during the year ending the last preceding
310 June thirtieth. If the fund balance tax rate established by the

311 administrator results in a fund balance in excess of said per cent as of
312 December thirtieth of any year, the administrator shall, in the year next
313 following, establish a fund balance tax rate sufficient to eliminate the
314 fund balance in excess of said per cent.

315 (B) For each calendar year commencing with calendar year 2013, the
316 administrator shall establish a fund balance tax rate sufficient to
317 maintain a balance in the Unemployment Compensation Trust Fund
318 that results in an average high cost multiple equal to 0.5.

319 (C) Commencing with calendar year 2014 and ending with calendar
320 year 2018, the administrator shall establish a fund balance tax rate
321 sufficient to maintain a balance in the Unemployment Compensation
322 Trust Fund that results in an average high cost multiple that is increased
323 by 0.1 from the preceding calendar year.

324 (D) Commencing with calendar year 2019, the administrator shall
325 establish a fund balance tax rate sufficient to maintain a balance in the
326 Unemployment Compensation Trust Fund that results in an average
327 high cost multiple equal to 1.0. If the fund balance tax rate established
328 by the administrator results in a fund balance in excess of the amount
329 prescribed in this subdivision as of December thirtieth of any year, the
330 administrator shall, in the year next following, establish a fund balance
331 rate sufficient to eliminate the fund balance in excess of said amount.

332 (E) The assessment levied by the administrator at any time [(A)] (i)
333 during a calendar year commencing on or after January 1, 1994, but prior
334 to January 1, 1999, shall not exceed one and five-tenths per cent, [(B)] (ii)
335 during a calendar year commencing on or after January 1, 1999, but prior
336 to January 1, 2013, shall not exceed one and four-tenths per cent, and
337 shall not be calculated to result in a fund balance in excess of eight-
338 tenths of one per cent of such total wages, [and (C)] (iii) during a
339 calendar year commencing on or after January 1, 2013, but prior to
340 January 1, 2024, shall not exceed one and four-tenths per cent and shall
341 not be calculated to result in a fund balance in excess of the amounts
342 prescribed in this subdivision, and (iv) during a calendar year

343 commencing on or after January 1, 2024, shall not exceed one per cent
344 and shall not be calculated to result in a fund balance in excess of the
345 amounts prescribed in this subdivision.

346 (F) During a calendar year that begins during an economic recession
347 declared by the National Bureau of Economic Research on or before
348 November fifteenth of the prior calendar year, the assessment levied by
349 the administrator shall not exceed one-half of one per cent unless such
350 maximum rate jeopardizes the state's access to interest-free federal
351 advances, including, but not limited to, those offered pursuant to 42
352 USC 1322 and subject to the funding goals established in 20 CFR 606.32,
353 as amended from time to time.

354 (2) The average high cost multiple shall be computed as follows: The
355 result of the balance of the Unemployment Compensation Trust Fund
356 on December thirtieth immediately preceding the new rate year divided
357 by the total wages paid to workers covered under this chapter by
358 contributing employers for the twelve months ending on the December
359 thirtieth immediately preceding the new rate year shall be the
360 numerator and the average of the three highest calendar benefit cost
361 rates in (A) the last twenty years, or (B) a period including the last three
362 recessions, whichever is longer, shall be the denominator. Benefit cost
363 rates are computed as benefits paid including the state's share of
364 extended benefits but excluding reimbursable benefits as a per cent of
365 total wages in covered employment. The results rounded to the next
366 lower one decimal place will be the average high cost multiple.

367 (g) Each qualified employer's contribution rate for each calendar year
368 after 1973 shall be a percentage rate equal to the sum of his or her
369 charged tax rate as of the June thirtieth preceding such calendar year
370 and the fund balance tax rate as of December thirtieth preceding such
371 calendar year.

372 (h) (1) With respect to each benefit year commencing on or after July
373 1, 1978, notice of determination of the claimant's benefit entitlement for
374 such benefit year shall include notice of the allocation of benefit charges

375 of the claimant's base period employers and each such employer shall
376 be provided a copy of such notice of determination and shall be an
377 interested party thereto. Such determination shall be final unless the
378 claimant or any of such employers files an appeal from such decision in
379 accordance with the provisions of section 31-241.

380 (2) The administrator shall, not less frequently than once each
381 calendar quarter, provide a statement of charges to each employer to
382 whose experience record any charges have been made since the last
383 previous such statement. Such statement shall show, with respect to
384 each week for which benefits have been paid and charged, the name and
385 Social Security account number of the claimant who was paid the
386 benefit, the amount of the benefits charged for such week and the total
387 amount charged in the quarter.

388 (3) The statement of charges provided for in subdivision (2) of this
389 subsection shall constitute notice to the employer that it has been
390 determined that the benefits reported in such statement were properly
391 payable under this chapter to the claimants for the weeks and in the
392 amounts shown in such statements. If the employer contends that
393 benefits have been improperly charged due to fraud or error, a written
394 protest setting forth reasons therefor shall be filed with the
395 administrator within sixty days of the date the quarterly statement was
396 provided. An eligibility issue shall not be reopened on the basis of such
397 quarterly statement if notification of such eligibility issue had
398 previously been given to the employer under the provisions of section
399 31-241, and he or she failed to file a timely appeal therefrom or had the
400 issue finally resolved against him or her.

401 (4) The provisions of subdivisions (2) and (3) of this subsection shall
402 not apply to combined wage claims paid under subsection (b) of section
403 31-255. For such combined wage claims paid under the unemployment
404 law of other states, the administrator shall, each calendar quarter,
405 provide a statement of charges to each employer whose experience
406 record has been charged since the previous such statement. Such

407 statement shall show the name and Social Security number of the
408 claimant who was paid the benefits and the total amount of the benefits
409 charged in the quarter.

410 (i) (1) At the written request of any employer [which] that holds at
411 least eighty per cent controlling interest in another employer or
412 employers, the administrator may mingle the experience rating records
413 of such dominant and controlled employers as if they constituted a
414 single employer, subject to such regulations as the administrator may
415 make and publish concerning the establishment, conduct and
416 dissolution of such joint experience rating records.

417 (2) The executors, administrators, successors or assigns of any former
418 employer shall acquire the experience rating records of the predecessor
419 employer with the following exception: The experience of a predecessor
420 employer, who leased premises and equipment from a third party and
421 who has not transferred any assets to the successor, shall not be
422 transferred if there is no common controlling interest in the predecessor
423 and successor entities.

424 (3) The administrator is authorized to establish such regulations
425 governing joint accounts as may be necessary to comply with the
426 requirements of the federal Unemployment Tax Act.

427 (j) (1) Each employer subject to this chapter shall submit quarterly, on
428 forms supplied by the administrator, a listing of wage information,
429 including the name of each employee receiving wages in employment
430 subject to this chapter, such employee's Social Security account number
431 and the amount of wages paid to such employee during such calendar
432 quarter.

433 (2) Commencing with the first calendar quarter of 2014, each
434 employer subject to this chapter [who] that reports wages for employees
435 receiving wages in employment subject to this chapter, and each person
436 or organization that, as an agent, reports wages for employees receiving
437 wages in employment subject to this chapter on behalf of one or more

438 employers subject to this chapter shall submit quarterly the information
439 required by subdivision (1) of this subsection on magnetic tape, diskette,
440 or other similar electronic means [which] that the administrator may
441 prescribe, in a format prescribed by the administrator, unless such
442 employer or agent receives a waiver pursuant to subdivision (5) of this
443 subsection.

444 (3) Any employer that fails to submit the information required by
445 subdivision (1) of this subsection in a timely manner, as determined by
446 the administrator, shall be liable to the administrator for a late filing fee
447 of twenty-five dollars. Any employer that fails to submit the information
448 required by subdivision (1) of this subsection under a proper state
449 unemployment compensation registration number shall be liable to the
450 administrator for a fee of twenty-five dollars. All fees collected by the
451 administrator under this subdivision shall be deposited in the
452 Employment Security Administration Fund.

453 (4) Commencing with the first calendar quarter of 2014, each
454 employer subject to this chapter [who] that makes contributions or
455 payments in lieu of contributions for employees receiving wages in
456 employment subject to this chapter, and each person or organization
457 that, as an agent, makes contributions or payments in lieu of
458 contributions for employees receiving wages in employment subject to
459 this chapter on behalf of one or more employers subject to this chapter
460 shall make such contributions or payments in lieu of contributions
461 electronically.

462 (5) Any employer or any person or organization that, as an agent,
463 submits information pursuant to subdivision (2) of this subsection or
464 makes contributions or payments in lieu of contributions pursuant to
465 subdivision (4) of this subsection may request in writing, not later than
466 thirty days prior to the date a submission of information or a
467 contribution or payment in lieu of contribution is due, that the
468 administrator waive the requirement that such submission or
469 contribution or payment in lieu of contribution be made electronically.

470 The administrator shall grant such request if, on the basis of information
471 provided by such employer or person or organization and on a form
472 prescribed by the administrator, the administrator finds that there
473 would be undue hardship for such employer or person or organization.
474 The administrator shall promptly inform such employer or person or
475 organization of the granting or rejection of the requested waiver. The
476 decision of the administrator shall be final and not subject to further
477 review or appeal. Such waiver shall be effective for twelve months from
478 the date such waiver is granted.

479 (k) The employer may inspect his or her account records in the office
480 of the Employment Security Division at any reasonable time.

481 Sec. 3. Subsection (a) of section 31-236 of the general statutes is
482 repealed and the following is substituted in lieu thereof (*Effective January*
483 *1, 2022*):

484 (a) An individual shall be ineligible for benefits:

485 (1) If the administrator finds that the individual has failed without
486 sufficient cause either to apply for available, suitable work when
487 directed so to do by the Public Employment Bureau or the
488 administrator, or to accept suitable employment when offered by the
489 Public Employment Bureau or by an employer, such ineligibility to
490 continue until such individual has returned to work and has earned at
491 least six times such individual's benefit rate. Suitable work means either
492 employment in the individual's usual occupation or field or other work
493 for which the individual is reasonably fitted, provided such work is
494 within a reasonable distance of the individual's residence. In
495 determining whether or not any work is suitable for an individual, the
496 administrator may consider the degree of risk involved to such
497 individual's health, safety and morals, such individual's physical fitness
498 and prior training and experience, such individual's skills, such
499 individual's previous wage level and such individual's length of
500 unemployment, but, notwithstanding any [other] provision of this
501 chapter, no work shall be deemed suitable nor shall benefits be denied

502 under this chapter to any otherwise eligible individual for refusing to
503 accept work under any of the following conditions: (A) If the position
504 offered is vacant due directly to a strike, lockout or other labor dispute;
505 (B) if the wages, hours or other conditions of work offered are
506 substantially less favorable to the individual than those prevailing for
507 similar work in the locality; (C) if, as a condition of being employed, the
508 individual would be required to join a company union or to resign from
509 or refrain from joining any bona fide labor organization; (D) if the
510 position offered is for work [which] that commences or ends between
511 the hours of one and six o'clock in the morning if the administrator finds
512 that such work would constitute a high degree of risk to the health,
513 safety or morals of the individual, or would be beyond the physical
514 capabilities or fitness of the individual or there is no suitable
515 transportation available from the individual's home to or from the
516 individual's place of employment; or (E) if, as a condition of being
517 employed, the individual would be required to agree not to leave such
518 position if recalled by the individual's former employer;

519 (2) (A) If, in the opinion of the administrator, the individual has left
520 suitable work voluntarily and without good cause attributable to the
521 employer, until such individual has earned at least ten times such
522 individual's benefit rate, provided whenever an individual voluntarily
523 leaves part-time employment under conditions that would render the
524 individual ineligible for benefits, such individual's ineligibility shall be
525 limited as provided in subsection (b) of this section, if applicable, and
526 provided further, no individual shall be ineligible for benefits if the
527 individual leaves suitable work (i) for good cause attributable to the
528 employer, including leaving as a result of changes in conditions created
529 by the individual's employer, (ii) to care for the individual's spouse,
530 child, or parent with an illness or disability, as defined in subdivision
531 (16) of this subsection, (iii) due to the discontinuance of transportation,
532 other than the individual's personally owned vehicle, used to get to and
533 from work, provided no reasonable alternative transportation is
534 available, (iv) to protect the individual, the individual's child, the
535 individual's spouse or the individual's parent from becoming or

536 remaining a victim of domestic violence, as defined in section 17b-112a,
537 provided such individual has made reasonable efforts to preserve the
538 employment, but the employer's account shall not at any time be
539 charged with respect to any voluntary leaving that falls under
540 subparagraph (A)(iv) of this subdivision, (v) for a separation from
541 employment that occurs on or after July 1, 2007, to accompany a spouse
542 who is on active duty with the armed forces of the United States and is
543 required to relocate by the armed forces, but the employer's account
544 shall not at any time be charged with respect to any voluntary leaving
545 that falls under subparagraph (A)(v) of this subdivision, or (vi) to
546 accompany such individual's spouse to a place from which it is
547 impractical for such individual to commute due to a change in location
548 of the spouse's employment, but the employer's account shall not be
549 charged with respect to any voluntary leaving under subparagraph
550 (A)(vi) of this subdivision; or

551 (B) ~~[if] If~~, in the opinion of the administrator, the individual has been
552 discharged or suspended for felonious conduct, conduct constituting
553 larceny of property or service, the value of which exceeds twenty-five
554 dollars, or larceny of currency, regardless of the value of such currency,
555 wilful misconduct in the course of the individual's employment, or
556 participation in an illegal strike, as determined by state or federal laws
557 or regulations, until such individual has earned at least ten times the
558 individual's benefit rate; provided an individual who (i) while on layoff
559 from regular work, accepts other employment and leaves such other
560 employment when recalled by the individual's former employer, (ii)
561 leaves work that is outside the individual's regular apprenticeable trade
562 to return to work in the individual's regular apprenticeable trade, (iii)
563 has left work solely by reason of governmental regulation or statute, or
564 (iv) leaves part-time work to accept full-time work, shall not be
565 ineligible on account of such leaving and the employer's account shall
566 not at any time be charged with respect to such separation, unless such
567 employer has elected payments in lieu of contributions;

568 (3) During any week in which the administrator finds that the

569 individual's total or partial unemployment is due to the existence of a
570 labor dispute other than a lockout at the factory, establishment or other
571 premises at which the individual is or has been employed, provided the
572 provisions of this subsection do not apply if it is shown to the
573 satisfaction of the administrator that (A) the individual is not
574 participating in or financing or directly interested in the labor dispute
575 that caused the unemployment, and (B) the individual does not belong
576 to a trade, class or organization of workers, members of which,
577 immediately before the commencement of the labor dispute, were
578 employed at the premises at which the labor dispute occurred, and are
579 participating in or financing or directly interested in the dispute; or (C)
580 the individual's unemployment is due to the existence of a lockout. A
581 lockout exists whether or not such action is to obtain for the employer
582 more advantageous terms when an employer (i) fails to provide
583 employment to its employees with whom the employer is engaged in a
584 labor dispute, either by physically closing its plant or informing its
585 employees that there will be no work until the labor dispute has
586 terminated, or (ii) makes an announcement that work will be available
587 after the expiration of the existing contract only under terms and
588 conditions that are less favorable to the employees than those current
589 immediately prior to such announcement; provided in either event the
590 recognized or certified bargaining agent shall have advised the
591 employer that the employees with whom the employer is engaged in the
592 labor dispute are ready, able and willing to continue working pending
593 the negotiation of a new contract under the terms and conditions current
594 immediately prior to such announcement;

595 (4) [During] (A) Prior to January 1, 2024, during any week with
596 respect to which the individual has received or is about to receive
597 remuneration in the form of [(A)] (i) (I) wages in lieu of notice or
598 dismissal payments, including severance or separation payment by an
599 employer to an employee beyond the employee's wages upon
600 termination of the employment relationship, unless the employee was
601 required to waive or forfeit a right or claim independently established
602 by statute or common law, against the employer as a condition of

603 receiving the payment, or any payment by way of compensation for loss
604 of wages, or (II) any other state or federal unemployment benefits,
605 except mustering out pay, terminal leave pay or any allowance or
606 compensation granted by the United States under an Act of Congress to
607 an ex-servicperson in recognition of the ex-servicperson's former
608 military service, or any service-connected pay or compensation earned
609 by an ex-servicperson paid before or after separation or discharge from
610 active military service, or [(B)] (ii) compensation for temporary
611 disability under any workers' compensation law; and

612 (B) On or after January 1, 2024, during any week with respect to
613 which the individual has received or is about to receive remuneration in
614 the form of (i) (I) wages in lieu of notice or dismissal payments,
615 including severance or separation payment by an employer to an
616 employee beyond the employee's wages upon termination of the
617 employment relationship or any payment by way of compensation for
618 loss of wages, (II) any other state or federal unemployment benefits, or
619 (III) any vacation pay relating to an identifiable week or weeks
620 designated as a vacation period by arrangement between the individual
621 or the individual's representative and the individual's employer or that
622 is the customary vacation period in the employer's industry. The
623 following are excluded from this subparagraph: Mustering out pay,
624 terminal leave pay or any allowance or compensation granted by the
625 United States under an Act of Congress to an ex-servicperson in
626 recognition of the ex-servicperson's former military service, or any
627 service-connected pay or compensation earned by an ex-servicperson
628 paid before or after separation or discharge from active military service,
629 or any payment of accrued vacation pay payable upon separation from
630 employment, or (ii) compensation for temporary disability under any
631 workers' compensation law;

632 (5) Repealed by P.A. 73-140;

633 (6) If the administrator finds that the individual has left employment
634 to attend a school, college or university as a regularly enrolled student,

635 such ineligibility to continue during such attendance;

636 (7) Repealed by P.A. 74-70, S. 2, 4;

637 (8) If the administrator finds that, having received benefits in a prior
638 benefit year, the individual has not again become employed and been
639 paid wages since the commencement of said prior benefit year in an
640 amount equal to the greater of three hundred dollars or five times the
641 individual's weekly benefit rate by an employer subject to the provisions
642 of this chapter or by an employer subject to the provisions of any other
643 state or federal unemployment compensation law;

644 (9) If the administrator finds that the individual has retired and that
645 such retirement was voluntary, until the individual has again become
646 employed and has been paid wages in an amount required as a
647 condition of eligibility as set forth in subdivision (3) of section 31-235;
648 except that the individual is not ineligible on account of such retirement
649 if the administrator finds (A) that the individual has retired because (i)
650 such individual's work has become unsuitable considering such
651 individual's physical condition and the degree of risk to such
652 individual's health and safety, and (ii) such individual has requested of
653 such individual's employer other work that is suitable, and (iii) such
654 individual's employer did not offer such individual such work, or (B)
655 that the individual has been involuntarily retired;

656 (10) Repealed by P.A. 77-426, S. 6, 19;

657 (11) Repealed by P.A. 77-426, S. 6, 19;

658 (12) Repealed by P.A. 77-426, S. 17, 19;

659 (13) If the administrator finds that, having been sentenced to a term
660 of imprisonment of thirty days or longer and having commenced
661 serving such sentence, the individual has been discharged or suspended
662 during such period of imprisonment, until such individual has earned
663 at least ten times such individual's benefit rate;

664 (14) If the administrator finds that the individual has been discharged
665 or suspended because the individual has been disqualified under state
666 or federal law from performing the work for which such individual was
667 hired as a result of a drug or alcohol testing program mandated by and
668 conducted in accordance with such law, until such individual has
669 earned at least ten times such individual's benefit rate;

670 (15) If the individual is a temporary employee of a temporary help
671 service and the individual refuses to accept suitable employment when
672 it is offered by such service upon completion of an assignment until such
673 individual has earned at least six times such individual's benefit rate;
674 and

675 (16) (A) For purposes of subparagraph (A)(ii) of subdivision (2) of this
676 subsection, "illness or disability" means an illness or disability
677 diagnosed by a health care provider that necessitates care for the ill or
678 disabled person for a period of time longer than the employer is willing
679 to grant leave, paid or otherwise, and "health care provider" means [(A)]
680 (i) a doctor of medicine or osteopathy who is authorized to practice
681 medicine or surgery by the state in which the doctor practices; [(B)] (ii)
682 a podiatrist, dentist, psychologist, optometrist or chiropractor
683 authorized to practice by the state in which such person practices and
684 performs within the scope of the authorized practice; [(C)] (iii) an
685 advanced practice registered nurse, nurse practitioner, nurse midwife
686 or clinical social worker authorized to practice by the state in which such
687 person practices and performs within the scope of the authorized
688 practice; [(D)] (iv) Christian Science practitioners listed with the First
689 Church of Christ, Scientist in Boston, Massachusetts; [(E)] (v) any
690 medical practitioner from whom an employer or a group health plan's
691 benefits manager will accept certification of the existence of a serious
692 health condition to substantiate a claim for benefits; [(F)] (vi) a medical
693 practitioner, in a practice enumerated in [subparagraphs (A) to (E)]
694 clauses (i) to (v), inclusive, of this [subdivision] subparagraph, who
695 practices in a country other than the United States, who is licensed to
696 practice in accordance with the laws and regulations of that country; or

697 [(G)] (vii) such other health care provider as the Labor Commissioner
698 approves, performing within the scope of the authorized practice.

699 (B) For purposes of subparagraph (B) of subdivision (2) of this
700 subsection, "wilful misconduct" means deliberate misconduct in wilful
701 disregard of the employer's interest, or a single knowing violation of a
702 reasonable and uniformly enforced rule or policy of the employer, when
703 reasonably applied, provided such violation is not a result of the
704 employee's incompetence and provided further, in the case of absence
705 from work, "wilful misconduct" means an employee must be absent
706 without either good cause for the absence or notice to the employer
707 which the employee could reasonably have provided under the
708 circumstances for three separate instances within a twelve-month
709 period. Except with respect to tardiness, for purposes of subparagraph
710 (B) of subdivision (2) of this subsection, (i) prior to January 1, 2024, each
711 instance in which an employee is absent for one day or two consecutive
712 days without either good cause for the absence or notice to the employer
713 which the employee could reasonably have provided under the
714 circumstances constitutes a "separate instance", and (ii) on or after
715 January 1, 2024, each instance in which an employee is absent for one
716 day without either good cause for the absence or notice to the employer
717 which the employee could reasonably have provided under the
718 circumstances constitutes a "separate instance".

719 (C) For purposes of subdivision (15) of this subsection, "temporary
720 help service" means any person conducting a business that consists of
721 employing individuals directly for the purpose of furnishing part-time
722 or temporary help to others; and "temporary employee" means an
723 employee assigned to work for a client of a temporary help service.

724 Sec. 4. Section 31-231a of the general statutes is repealed and the
725 following is substituted in lieu thereof (*Effective January 1, 2022*):

726 (a) (1) For a construction worker identified pursuant to regulations
727 adopted in accordance with subsection (c) of this section, the total
728 unemployment benefit rate for the individual's benefit year

729 commencing on or after April 1, 1996, shall be an amount equal to one
730 twenty-sixth, rounded to the next lower dollar, of [his] the individual's
731 total wages paid during that quarter of [his] the individual's current
732 benefit year's base period in which wages were the highest but not less
733 than fifteen dollars. [nor]

734 (2) The total unemployment benefit rate for the individual's benefit
735 year commencing on January 1, 2024, shall be not less than forty dollars,
736 except that when the federal government provides a fully federally-
737 funded supplement to the individual's weekly benefit amount, the total
738 unemployment benefit rate shall be not less than fifteen dollars.

739 (3) The total unemployment benefit rate for the individual's benefit
740 year commencing on or after January 1, 2025, shall be not less than the
741 total unemployment benefit rate for the prior year (A) adjusted by the
742 percentage change in the employment cost index or its successor index,
743 for wages and salaries for all civilian workers, as calculated by the
744 United States Department of Labor, over the twelve-month period
745 ending on June thirtieth of the preceding year, and (B) rounded to the
746 nearest dollar, except that when the federal government provides a fully
747 federally-funded supplement to the individual's weekly benefit
748 amount, the total unemployment benefit rate shall be not less than
749 fifteen dollars.

750 (4) The maximum weekly benefit rate under this subsection shall be
751 not more than the maximum benefit rate as provided in subdivision (4)
752 of subsection (b) of this section.

753 (b) (1) For an individual not included in subsection (a) of this section,
754 the individual's total unemployment benefit rate for [his] the
755 individual's benefit year commencing after September 30, 1967, shall be
756 an amount equal to one twenty-sixth, rounded to the next lower dollar,
757 of the average of [his] the individual's total wages, as defined in
758 subdivision (1) of subsection (b) of section 31-222, as amended by this
759 act, paid during the two quarters of [his] the individual's current benefit
760 year's base period in which such wages were highest but not less than

761 fifteen dollars. [nor]

762 (2) The total unemployment benefit rate for the individual's benefit
763 year commencing on January 1, 2024, shall be not less than forty dollars,
764 except that when the federal government provides a fully federally-
765 funded supplement to the individual's weekly benefit amount, the total
766 unemployment benefit rate shall be not less than fifteen dollars.

767 (3) The total unemployment benefit rate for the individual's benefit
768 year commencing on or after January 1, 2025, shall be not less than the
769 total unemployment benefit rate for the prior year (A) adjusted by the
770 percentage change in the employment cost index or its successor index,
771 for wages and salaries for all civilian workers, as calculated by the
772 United States Department of Labor, over the twelve-month period
773 ending on June thirtieth of the preceding year, and (B) rounded to the
774 nearest dollar, except that when the federal government provides a fully
775 federally-funded supplement to the individual's weekly benefit
776 amount, the total unemployment benefit rate shall be not less than
777 fifteen dollars.

778 (4) (A) The maximum weekly benefit rate shall not be more than one
779 hundred fifty-six dollars in any benefit year commencing on or after the
780 first Sunday in July, 1982, nor more than [(1)] (i) sixty per cent rounded
781 to the next lower dollar of the average wage of production and related
782 workers in the state in any benefit year commencing on or after the first
783 Sunday in October, 1983, and [(2)] (ii) fifty per cent rounded to the next
784 lower dollar of the average wage of all workers in the state in any benefit
785 year commencing on or after the first Sunday in October, 2018. [, and
786 provided the] The maximum benefit rate in any benefit year
787 commencing on or after the first Sunday in October, 1988, shall not
788 increase more than eighteen dollars in any benefit year, such increase to
789 be effective as of the first Sunday in October of such year, except that
790 the maximum benefit rate shall not increase in the benefit years
791 commencing on the first Sunday in October of 2024, 2025, 2026 and 2027.

792 (B) The average wage of all workers in the state shall be determined

793 by [(A)] (i) the administrator, on or before August fifteenth annually, as
794 of the year ended the previous March thirty-first to be effective during
795 the benefit year commencing on or after the first Sunday of the following
796 October, and [(B)] (ii) the Connecticut Quarterly Census of Employment
797 and Wages or by such other method, as determined by the
798 administrator, that accurately reflects the average wage of all workers
799 in the state.

800 (c) The administrator shall adopt regulations pursuant to the
801 provisions of chapter 54 to implement the provisions of this section.
802 Such regulations shall specify the National Council on Compensation
803 Insurance employee classification codes [which] that identify
804 construction workers covered by subsection (a) of this section and
805 specify the manner and format in which employers shall report the
806 identification of such workers to the administrator.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2022</i>	31-222(b)
Sec. 2	<i>January 1, 2022</i>	31-225a
Sec. 3	<i>January 1, 2022</i>	31-236(a)
Sec. 4	<i>January 1, 2022</i>	31-231a