



# House of Representatives

General Assembly

**File No. 75**

February Session, 2022

House Bill No. 5251

*House of Representatives, March 22, 2022*

The Committee on Labor and Public Employees reported through REP. PORTER of the 94th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## **AN ACT CONCERNING WORKERS' COMPENSATION FOR DISPATCHERS.**

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

1 Section 1. Subparagraph (A) of subdivision (1) of section 31-275 of the  
2 2022 supplement to the general statutes is repealed and the following is  
3 substituted in lieu thereof (*Effective July 1, 2022*):

4 (A) (i) For a police officer or firefighter, "in the course of his  
5 employment" encompasses such individual's departure from such  
6 individual's place of abode to duty, such individual's duty, and the  
7 return to such individual's place of abode after duty;

8 (ii) For an employee of the Department of Correction or a  
9 telecommunicator, as defined in section 28-30, (I) when responding to a  
10 direct order to appear at his or her work assignment under  
11 circumstances in which nonessential employees are excused from  
12 working, or (II) following two or more mandatory overtime work shifts  
13 on consecutive days, "in the course of his employment" encompasses

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

17 (iii) Notwithstanding the provisions of clauses (i) and (ii) of this  
18 subparagraph, the dependents of any deceased employee of the  
19 Department of Correction who was injured in the course of his  
20 employment, as defined in this subparagraph, on or after July 1, 2000,  
21 and who died not later than July 15, 2000, shall be paid compensation  
22 on account of the death, in accordance with the provisions of section 31-  
23 306, retroactively to the date of the employee's death. The cost of the  
24 payment shall be paid by the employer or its insurance carrier which  
25 shall be reimbursed for such cost from the Second Injury Fund as  
26 provided in section 31-354 upon presentation of any vouchers and  
27 information that the Treasurer may require;

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2022	31-275(1)(A)

**LAB**      *Joint Favorable*

*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 23 \$	FY 24 \$
Various State Agencies	GF - Potential Cost	See Below	See Below

Note: GF=General Fund

**Municipal Impact:**

Municipalities	Effect	FY 23 \$	FY 24 \$
Various Municipalities	STATE MANDATE <sup>1</sup> - Potential Cost	See Below	See Below

**Explanation**

The bill results in a potential cost to the state or self-insured municipality resulting from an increase in medical and indemnity claims and premium costs to the extent that certain employees apply for Workers' Compensation benefits and meet the other conditions of the bill. The bill establishes portal-to-portal workers' compensation coverage for any individual employed as a telecommunications operator by a public safety agency, as defined in Section 28-25.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

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<sup>1</sup> State mandate is defined in Sec. 2-32b(2) of the Connecticut General Statutes, "state mandate" means any state initiated constitutional, statutory or executive action that requires a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

**OLR Bill Analysis****HB 5251*****AN ACT CONCERNING WORKERS' COMPENSATION FOR DISPATCHERS.*****SUMMARY**

This bill extends “portal-to-portal” workers’ compensation coverage to telecommunicators (i.e., 9-1-1 emergency dispatchers) in two situations: (1) when responding to a direct order to appear at their work assignment when nonessential employees are excused from working or (2) after working two or more mandatory overtime shifts on consecutive days.

With “portal-to-portal” coverage, an injury that occurs while the employee is travelling directly between his or her home and workplace is deemed to have occurred in the course of the employee’s employment, making him or her eligible to receive workers’ compensation benefits for the injury. Current law provides portal-to-portal coverage to police officers and firefighters and, under the same limited circumstances that the bill applies to dispatchers, Department of Correction employees.

EFFECTIVE DATE: July 1, 2022

**COMMITTEE ACTION**

Labor and Public Employees Committee

Joint Favorable

Yea 13    Nay 0    (03/10/2022)