
OLR Bill Analysis

sSB 210

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

SUMMARY

This bill makes various unrelated changes in the Department of Labor (DOL) statutes. It:

1. removes a requirement for the labor commissioner to collect (a) population and employment data to make projections about the workforce and (b) data about present job requirements and potential needs of new industry (§ 1);
2. limits DOL's reporting requirements on the Subsidized Training and Employment (STEP-UP) program and Unemployed Armed Forces Member Subsidized Training and Employment (Veterans STEP-UP) program (§§ 2-3);
3. eliminates a requirement for the labor commissioner to adopt regulations establishing procedures and requirements for granting exemptions to statutory meal period requirements (§ 4);
4. makes various changes to the unemployment insurance reform measures passed in 2021 (see below, §§ 5-6);
5. (a) requires the labor commissioner to make the state's unemployment laws, regulations, and other related materials available on DOL's website, rather than in print for distribution, and (b) removes a requirement for approval of the printing and distribution by the administrative services commissioner (§12);
6. eliminates a requirement for the labor commissioner to adopt regulations on alternate use committees (committees at certain defense contractors that must prepare plans to reduce or

- eliminate the contractor's dependence on defense contracts) (§ 13);
7. removes a statutorily specified process for filing employee complaints about violations of the occupational safety and health standards that apply to public employers and employees (§ 14);
 8. repeals obsolete statutes on (a) DOL providing self-employment assistance (CGS §§ 31-3y & 31-3z), (b) the DOL Department of Factory Inspection (CGS § 31-9), (c) developing a universal intake form for American Job Center and Workforce Development Board facilities (CGS § 31-11ll), (d) requirements for physicians and advanced practice registered nurses to report certain types of occupational poisonings to DOL (CGS § 31-40a), (e) employer requirements to provide lung function tests to certain employees (CGS § 31-40b), and (f) DOL adopting regulations for using video display terminals in state facilities (CGS 31-40u) (§ 17); and
 9. makes various technical and conforming changes (§§ 7-11 & 15-16).

EFFECTIVE DATE: Upon passage

§§ 2 & 3 — CHANGES TO STEP-UP AND VETERAN STEP-UP REPORTING REQUIREMENTS

Current law requires DOL to issue reports about the STEP-UP and Veterans STEP-UP programs twice each year, by January 15 and July 15. The reports, which must be provided to the Finance, Revenue and Bonding, Appropriations, and Labor and Public Employees committees, must generally include information on the number of businesses and individuals participating in the programs.

The bill limits the reporting requirements to fiscal years in which the programs are awarding grants, with only one report due for the year, by October 1. Correspondingly, it requires that the reports cover the previous fiscal year, rather than the previous six months.

§§ 5 & 6 — CHANGES TO THE 2021 UNEMPLOYMENT INSURANCE REFORM ACT

Experience Periods and Experience Rates (§ 5)

PA 21-200 made numerous changes to the state's unemployment insurance laws, most of which take effect in 2024. The bill makes several revisions to PA 21-200's provisions, as described below.

By law, DOL annually determines each employer's experience rate by calculating a benefit ratio for the employer over the experience period. This is the ratio between the amount charged to the employer's experience account for benefits paid to former employees and the amount of the employer's taxable wages. The experience period is the look back period (typically three years) used to determine an employer's experience rate for unemployment taxes.

PA 21-200 established a one-year experience period for employers in calendar year 2026 and a two-year experience period for employers in calendar year 2027. The bill removes these provisions, reverting to a three-year experience period for 2026 and 2027.

The bill makes a related change to employers' experience rates for 2026 and 2027. PA 21-200 requires that each employer's charged rate for the 2024 and 2025 calendar years be divided by 1.471 and 1.269, respectively. The bill further requires that the rates for the 2026 and 2027 calendar years be divided by 1.125 and 1.053, respectively.

The bill also requires that, starting on January 1, 2024 (when PA 21-200's changes become effective), if an employer's benefit ratio quotient is not an exact multiple of 0.1%, the charged rate must be the next highest multiple. Current law requires this same rounding-up for determining the rates before 2024.

Additionally, under PA 21-200, if the average benefit ratio of all employers within an industry sector increases over the prior calendar year's average by at least 0.01, DOL must adjust the benefit ratio for each employer in that sector downward by 50% of the average increase for the sector. The bill applies this requirement starting with calendar year 2024, rather than calendar year 2022 (as PA 21-200 requires).

Minimum Unemployment Benefit (§ 6)

For benefit years starting after 2024, PA 21-200 generally requires that the minimum weekly unemployment benefit for all workers be adjusted for inflation (unless the federal government provides a fully federally funded supplement to the benefit). The bill excludes from this requirement (1) the application of a construction worker's base period wages in determining his or her benefits or (2) a reduction in the maximum benefit allowed by law.

The bill also excludes the application of the constructions workers' base period wages in determining his or her benefits, or a reduction in the maximum benefit allowed by law, from the law that makes the maximum benefit allowed to construction workers the same as the maximum benefit allowed to non-construction workers.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 9 Nay 4 (03/10/2022)