



PA 22-139—sSB 313

Labor and Public Employees Committee

AN ACT CONCERNING ADOPTION OF THE RECOMMENDATIONS OF THE TASK FORCE TO STUDY CANCER RELIEF BENEFITS FOR FIREFIGHTERS

SUMMARY: This act requires each town to make annual contributions to the state's firefighters cancer relief account, which is used to provide wage replacement benefits to eligible paid and volunteer firefighters diagnosed with cancer. Beginning January 1, 2024, each town must generally contribute \$10 for each career or volunteer firefighter in its fire district or districts by December 15 of each year. However, the act only requires towns to contribute funds for firefighters who meet certain work experience and other criteria.

The act specifies that wage replacement benefit approval for a firefighter does not create a presumption that the firefighter's cancer was work-related for a workers' compensation claim.

The act also requires the:

1. Joint Council of Connecticut Fire Service Organizations to craft a maintenance and remediation plan for toxic substances on firefighter turnout gear and submit it to the Commission on Fire Prevention and Control by July 1, 2023 (§ 1);
2. Workers' Compensation Commission to (a) maintain a record of all firefighters' workers' compensation claims made due to a cancer diagnosis and (b) report a summary of the records to the Labor and Public Employees Committee each year by January 1 (§ 2); and
3. comptroller to conduct a feasibility study on providing pension benefits to firefighters who retired early due to a qualifying cancer diagnosis and had not met the service years required for a full pension (§ 4).

EFFECTIVE DATE: Upon passage, except the provision on municipal contributions to the firefighters cancer relief account is effective January 1, 2024.

§ 1 — TURNOUT GEAR REMEDIATION PLAN

The act requires the Joint Council of Connecticut Fire Service Organizations, in consultation with the Connecticut State Firefighters Association, to craft a maintenance and remediation plan for toxic substances on firefighter turnout gear. The plan must be submitted for approval to the Commission on Fire Prevention and Control by July 1, 2023, and upon approval the commission must advise fire departments on plan implementation.

Under the act, each fire department must adopt a maintenance and remediation plan for toxic substances on firefighter turnout gear within 90 days after the commission's approval.

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§ 3 — FIREFIGHTERS CANCER RELIEF PROGRAM

By law and unchanged by the act, a subcommittee of the Connecticut State Firefighters Association awards wage replacement benefits under the state's firefighters cancer relief program. The act specifies that an award does not create a presumption that the firefighter's cancer was work-related for a workers' compensation claim for the cancer. It further provides that nothing in the program's law may be construed to diminish or affect in any manner a firefighter's rights and benefits or any rights and defenses that an employer may have under the state's workers' compensation law.

Also by law and unchanged by the act, wage replacement awards through the cancer relief program cannot be used as evidence, proof, or acknowledgment of liability or causation in a workers' compensation proceeding.

§ 4 — PENSION STUDY ON EARLY RETIREMENT DUE TO CANCER

The act requires the comptroller to study the feasibility of providing pension benefits when a firefighter's service years do not meet the full pension requirement because a qualifying cancer diagnosis caused an early retirement. The study must examine the feasibility of implementing a prorated benefit for early retirement situations.

The comptroller must report the findings and any recommendations to the Labor Committee. (The act does not provide a deadline for the study.)

§ 5 — MUNICIPAL PAYMENTS INTO THE FIREFIGHTERS CANCER RELIEF ACCOUNT

Beginning January 1, 2024, the act requires each town to contribute \$10 to the firefighters cancer relief account for each career or volunteer firefighter in the town's fire district or districts. The contributions must be made by each December 15 and based on the number of career and volunteer firefighters in the town at the time of the contribution.

Towns must only contribute funds for firefighters who have served at least five years as (1) an interior structural firefighter at a paid municipal, state, or volunteer fire department or (2) a local fire marshal, deputy fire marshal, fire investigator, fire inspector, or other class of inspector or investigator whose position meets minimum qualifications under state law set by the state fire marshal and the Codes and Standards Committee. Further, the firefighters must also have (1) submitted to annual physical examinations after starting their service that failed to reveal evidence of cancer or a propensity for cancer and (2) not used cigarettes or any other tobacco products, as defined in state law, within 15 years.