

# Labor and Public Employees Committee

## JOINT FAVORABLE REPORT

**Bill No.:** SB-938

AN ACT CONCERNING UNEMPLOYMENT BENEFITS FOR STRIKING

**Title:** WORKERS.

**Vote Date:** 2/16/2023

**Vote Action:** Joint Favorable

**PH Date:** 2/7/2023

**File No.:**

***Disclaimer:** The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.*

### SPONSORS OF BILL:

Labor and Public Employees Committee

### REASONS FOR BILL:

The bill is intended to provide unemployment benefits to workers who are striking after two weeks and are no longer receiving pay from their employer. With this unemployment provided to striking employees, they will be able to support themselves and their families while continuing to advocate for better pay, benefits, and working conditions.

### RESPONSE FROM ADMINISTRATION/AGENCY:

**Dante Bartolomeo, Commissioner, Connecticut Department of Labor:** She neither supported nor opposed this bill, but comments that the bill, according to the Office of Fiscal Analysis, would result in a cost to the UI Trust Fund. Subsequent increases in experience ratings by employers would result in increased tax revenue to the UI Trust Fund on a lagged basis.

### NATURE AND SOURCES OF SUPPORT:

**Martin Looney, Senate President Pro Tempore:** Supports this bill because workers must believe that the chance to achieve long-term improvements in pay, benefits and working conditions is worth the risk of going on strike. SB 938 would lessen the economic impact on Connecticut striking workers by providing them with unemployment benefits after a two-week waiting period. He comments that many frontline workers after working hard and risking their lives during the pandemic deserve substantial raises and improved working conditions.

**Jose Anaya, Organizer, UFCW Local 371:** Supports the bill because it allows striking workers to support themselves and their families while advocating for protections that benefit all workers.

**Jody Barr, Executive Director, AFSCME Council 4:** Supports the bill because workers are often bullied into a strike by management trying to incite a strike. Comments that the unemployment pays less than a worker's normal wage, so the bill would not incentivize striking just to receive unemployment. Says that the result of paying unemployment to striking workers will bring them to resolve a labor dispute quicker.

**John Brady, Executive Vice President, AFT Connecticut:** Supports the bill because it will begin to level the playing field and allow for workers to have more of a say at the bargaining table and resulting in fewer strikes. Comments that recent strikes in the healthcare profession have been the result of unsafe staffing levels and the lack of PPE provided to healthcare workers, and that these strikes resulted in safer hospitals.

**Jennifer Brown, Direct Support Staff, Sunrise Northeast:** Supports the bill because it will allow workers to go on strike to improve working conditions, pay, and benefits without the risk of a financial crisis at home.

**James Case, CWA Local 1298:** Supports the bill because striking is an extremely difficult choice because workers risk a loss of income and the permanent loss of their jobs. Comments that when striking workers can access unemployment benefits to help sustain themselves and their families, it empowers them to advocate for protections that benefit all workers and improves working conditions across the entire state.

**Rebecca Corbett, UNITE HERE Local 34:** Supports the bill because her own experience of striking made her worried about be able to pay bills, or eventually losing her job and healthcare benefits. Comments that this bill will empower striking workers to fight for better working conditions for themselves and others.

**Lisa Correia, Union Organizer, UFCW Local 919:** Supports the bill because in her own striking experience, the loss of eleven days pay was a heavy hit on her family. Comments that they could have held on longer to advocate for the best deal possible if they knew that they could receive unemployment benefits after two weeks.

**Joe Durette, Health & Safety Representative, Machinists Union Local 1746:** Supports the bill because it can help working families in times when all other options to negotiate fairly with their companies have failed and alleviate the uncertainty and stress of caring for their loved ones when the decision to strike is on the table.

**Michele Evermore, Senior Fellow, The Century Foundation:** Supports the bill because Connecticut could join New York and New Jersey as a state that provides this core safety net protection for workers who are off the job due to a strike. Comments that the unemployment insurance system exists to keep workers afloat in an uncertain world, and this legislation could help families and communities.

**Wanda Ferrera, UNITE HERE Local 34:** Supports the bill because some workers were scared to lose access to income because they were the sole providers for their household.

Having unemployment benefits for workers on strike would have made it possible for those coworkers to join her on the picket lines.

**Yvonne Foster, Direct Support Staff, Sunrise Northeast:** Supports this bill because if her and her coworkers had access to unemployment benefits, they would have been able to strike without fear that they wouldn't be able to support their families. Unemployment pay would have provided financial stability, and confidence that they could survive through the struggle of the strike.

**Phyllis Frazier, Direct Support Staff, Sunrise Northeast:** Supports this bill because it allows striking workers to advocate for better working conditions and compensation without the fear of losing financial stability.

**Matthew Ginsberg, General Counsel, AFL-CIO:** Supports this bill because recent legislation has given striking workers in New York and New Jersey similar benefits. Also comments that the bill is not preempted by federal law, and that federal labor law does not bar states from using their discretion to determine whether and in what situations workers engaged in a labor dispute may receive unemployment benefits.

**Xavier Gordon, President, AFSCME Council 4 Local 269:** Supports the bill because this expansion of unemployment benefits would be positive for working people and would allow them to maintain some wages during a labor dispute. Also comments that it is a commonsense progression that follows New York and New Jersey where striking workers can collect unemployment benefits.

**Madeline Granato, Policy Director, CWEALF:** Supports the bill because employers will be more likely to bargain in good faith to avoid a work stoppage altogether knowing that they may have to pay higher unemployment insurance rates. Comments that unionize workplaces have stronger pay and benefits for all workers but especially women, who across all major ethnic groups earn more when comparing full-time workers in unions with full-time non-union workers.

**Ed Hawthorne, President, Connecticut AFL-CIO:** Supports this bill because striking workers risk losing their income, their jobs if replacement workers are hired, and employer retaliation. But the chance to achieve long-term improvements in pay, benefits and working conditions is worth with the risk. Comments that the bill would lessen the financial impact on Connecticut striking workers by providing them with some modest economic relief after a two-week waiting period.

**Daniel Livingston, Attorney, L.A.P.M.-K.:** Supports this bill because current law advantages employers for every week of the strike by treating strikers as though they just didn't want to work. The proposed law would maintain that advantage for only two weeks, but then would provide workers unemployment benefits, cushioning the blow for them, their families, and their communities.

**Brandon Mancilla, Director, UAW Region 9A:** Supports this bill because workers only strike when they have exhausted all other options available to them in collective bargaining and they have no other resort when up against a stubborn employer. Comments that the bill aligns Connecticut law with that of nearby states New York and New Jersey. This bill would

give workers greater leverage before a strike were to even occur, as the employer will seek to negotiate better contracts knowing that striking is less of a risk to the employees.

**Heather Merrick, IAMAW Local 700:** Supports this bill as a former striking worker because striking can be a tough decision, especially for young families. Having the security of unemployment benefits for striking workers would be a huge asset to negotiating committees, unions, and working families.

**Mark Nati, IAMAW Member:** Supports this bill because a strike puts a great financial hardship on the striking workers, thus making it challenging to get enough votes in order to strike. Believes this bill will force companies to bargain in better faith, and that they will not have as much power over the worker as they now do.

**Rochelle Palache, District Director, 32BJ SEIU:** Supports this bill because when striking workers can access unemployment benefits to help sustain themselves and their families, it empowers them to advocate for protections that benefit all workers.

**Ron Petronella, President, UFCW Local 371:** Supports this bill because Connecticut workers who go on strike are unable to collect unemployment benefits because they are presumed to have left their jobs voluntarily. Comments that unemployment is not a living and that no one would stay out on strike needlessly because they are collecting unemployment benefits. The bill would allow strikers to avoid relying on social services and help them recover economically after a strike.

**Emily Sabo, Organizing Director, UFCW Local 919:** Supports this bill because many union members live paycheck to paycheck, and that this bill would allow striking workers to get the best deal possible for themselves and their communities, with the peace of mind knowing they would be able to collect unemployment benefits after two weeks out on strike.

**Mustafa Salahuddin, President and Business Agent, ATU Local 1336:** Supports this bill because it helps strengthen the right to strike. Comments that by exempting workers on strike from unemployment benefits, the state of Connecticut strengthens the hands of employers who refuse to play fair. This legislation would level the playing field and mitigate the financial strain on striking workers and the families they support.

**Brian Simmons, Union Representative, UFCW Local 371:** Supports this bill because it might have allowed him and his coworkers to hold out longer and secure a better agreement but might have also prevented a strike in the first place, as he believes his employer thought they would fold sooner than they did.

**Kayan Stewart, CNA, SEIU 1199NE:** Supports this bill because the decision to strike is a difficult one, and striking workers risk losing income that they need to sustain themselves and their loved ones. The bill would allow workers to stand up for themselves without the fear of financial ruin and give them the peace of mind that they can continue to support their families through a strike.

**Joe Toner, Executive Director, Connecticut State Building Trades Council:** Supports this bill because it will prevent work stoppages and encourage good faith bargaining. It allows striking workers to support themselves and their families while advocating for protections that

benefit all workers. Also notes that both New Jersey and New York have passed similar legislation giving unemployment to striking workers.

**Freddie Vazquez, President, Steelworkers Union Local 14323:** Supports this bill because it is designed to avoid a labor dispute, and that unionized workplaces raise standards for all workers. Comments that New Jersey and New York have both passed similar legislation.

**David Weidlich, President, CWA Local 1298:** Supports this bill because an employer who doesn't have to pay unemployment benefits has less incentive to bargain in good faith. Comments that it is important that workers aren't unfairly intimidated or financially imperiled by labor disputes and are able to fully exercise their right to strike.

**Stephen Weirbicki, Secretary, AFSCME Council 4 Local 269:** Supports this bill because it will bring Connecticut in line with the nearby states of New Jersey and New York. Comments that it is important that workers still have a wage, even though it is less than they normally receive, during labor disputes instead of having to go weeks without a paycheck.

#### **NATURE AND SOURCES OF OPPOSITION:**

**Kristen Abrahamson, Executive Vice President, MCAC:** Opposes this bill because it could have unintended consequences: it could adversely affect the solvency of the unemployment insurance trust fund, lead to delays on construction projects and raise costs for municipalities and the state.

**Eric Gjede, Vice President of Public Policy, CBIA:** Opposes this bill because Connecticut employers incurred hundreds of millions of dollars of debt during the pandemic to ensure that every eligible unemployed worker receives benefits. Comments that the unemployment trust fund should not be treated as a source of revenue to fund lawmakers' policy goals or to provide leverage in disputes between employers and employees.

**Andy Markowski, Connecticut State Director, NFIB:** Opposes this bill because allowing those who leave work because of a strike to be eligible for unemployment payments undercuts the purpose of the unemployment insurance system and in turn, draws money out of the trust fund, potentially taking away benefits from those who are unemployed through no fault of their own.

**Evan Murphy, Principal, UTCA:** Opposes this bill because they are aware of the historical struggles of Connecticut's UI trust solvency and the most recent solvency issue driven by pandemic borrowing. They fear this proposed legislation will jeopardize the progress towards long-term solvency and will ultimately create a harsher business climate for the state of Connecticut. They say that employees who are on strike cannot be considered eligible for unemployment payments based on the UI trust fund eligibility requirements.

**Garrett Sheehan, President & CEO, GNHCC and QCC:** Opposes this bill because expanding unemployment benefits for striking workers could jeopardize the unemployment system's solvency. He states that a striking employee does not satisfy the criteria necessary to receive unemployment benefits.

**Bonnie Stewart, CEO, CTCPA:** Opposes this bill because allowing striking workers to collect unemployment benefits does not align with the program's original purpose. She states that they have chosen to leave the workforce, and because they are striking, they are not readily available to work. She further states that expanding the unemployment insurance program is not in the best interests of the state.

**Michael Thompson, Executive Director, ASMRCC:** Opposes this bill on the grounds that it could have unintended consequences: it could adversely affect the solvency of the unemployment insurance trust fund, lead to delays on construction projects and raise costs for municipalities and the state. He argues that striking worker fails to meet the requirements for receiving unemployment, as have not lost their job through no fault of their own and are neither available for work nor actively seeking another job.

**Reported by:**

**Date: 2/27/23**

**Gabriel Marques, Assistant Clerk**