

# Labor and Public Employees Committee

## JOINT FAVORABLE REPORT

**Bill No.:** HB-5164

**Title:** AN ACT CONCERNING UNEMPLOYMENT BENEFITS.

**Vote Date:** 3/7/2024

**Vote Action:** Joint Favorable Substitute

**PH Date:** 2/22/2024

**File No.:**

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### **SPONSORS OF BILL:**

Labor & Public Employees Committee

### **REASONS FOR BILL:**

This bill aims to support workers who are on strike for two consecutive weeks or longer to receive unemployment benefits, which would allow them to better support themselves and their families while they are unable to collect a salary.

### **RESPONSE FROM ADMINISTRATION/AGENCY:**

**Danté Bartolomeo Commissioner Department of Labor** requests that lines 9-10 of the bill be amended to read December 14, 2025 from the current mid December 2025 timeframe since each Sunday is the start of a new unemployment claim week. The Commissioner stated that the bill may result in a cost of \$197,000 via changes to the ReEmployCT program, split over two fiscal years. She further stated that to the extent the unemployment insurance trust fund is utilized by striking workers, it may have an impact on the fund.

### **NATURE AND SOURCES OF SUPPORT:**

**Senator Martin Looney, President Pro Tempore** supports the bill because it will help striking workers to support themselves and their families while still advocating for better pay, benefits, and working conditions. He stated that the decision to go on strike is not easy, and that presently, workers can only receive unemployment benefits during a lockout, not a strike.

**Jody Barr, Executive Director of AFSCME Council 4** supports the bill as it would provide some financial benefits to striking workers until the dispute is resolved. He stated that while

unemployment does not fully replace wages, it can support the children of striking workers while a labor dispute is ongoing. As AFSCME Council 4 represents the DOL staff who administer unemployment benefits, Mr. Barr states said staff are able to manage this benefit with the current resources available to them.

**Keith Brothers, President of the Connecticut State Building Trades** supports the bill because it is designed to help deter work stoppages and to encourage good faith bargaining. He stated that this law already exists in New York and New Jersey, and that other states have introduced similar bills as well.

**Shellye Davis, Executive Vice President Connecticut AFL-CIO** supports the bill because it offers vital financial support to workers who are exercising their right to collective bargaining and striking for improved workplace conditions. She stated that New York and New Jersey have similar legislation which allows for workers to receive unemployment benefits after two consecutive weeks of striking.

**Seth Freeman, President, Congress of Connecticut Community Colleges, SEIU 1973** is in support of the bill as it incentivizes employers to engage in good faith negotiations, averting prolonged strikes and safeguarding the economic stability of workers and their families. He stated that the bill provides a modest safety net, offering 50% wage replacement for a maximum of 26 weeks and does not provide full wages to workers on strike.

**Matthew Ginsburg, General Counsel, American Federation of Labor & Congress of Industrial Organizations** supports the bill and states that it is not preempted by federal labor law, despite what some may argue. He further stated the states have the discretion to decide this question, and that the bill does not punish employers who are engaged in an ongoing labor dispute, but simply ensures that workers do not need to sacrifice their own well-being in order to strike.

**Vincent Mauro Jr., Chair of the New Haven Democratic Town Committee** supports the bill as it would persuade employers to act responsibly in contract negotiations and support workers organizing for living wages, affordable health care, and respect in their workplace. He stated that the bill helps mitigate the extreme circumstances faced by workers on strike, and that it incentivizes a prompt resolution to labor disputes.

**Joelle Fishman, Chair, Connecticut Communist Party USA** supports the bill because allowing for unemployment benefits for striking workers can serve as a push at the bargaining table and provides support in time of crisis if a strike still results. He stated that this bill is a step towards racial and economic equity and related his personal experiences of living through two strikes.

**Ed Hawthorne, President Connecticut AFL-CIO** supported this bill and provided testimony on the exacerbated state of wealth inequality currently present in the country, emphasizing that if this had been in effect before 2021, it would have made a tangible difference in four strikes, but even still, would only have accounted for less than one-half of one percent of all unemployment claims administered by the Department of Labor. He also provided data from New Jersey and New York, claiming that this increase in claims would not adversely affect the UI Trust Fund.

**Elizabeth H. Shuler, President, AFL-CIO** supported this bill and stated that the very right to organize is under attack in the country, and that this bill would provide a huge benefit at very limited cost. She stated that only 14% of strikes go beyond 2 weeks, and of those, 99% are completed within 100 days, but for those strikes where an employer attempts to "starve out" workers, these benefits would make the negotiating process fairer, and would reduce the length of a strike.

**Peter Brown, President Uniformed Professional Fire Fighters of Connecticut** testified in support of this bill and stated that while firefighters are not legally allowed to strike, some have nonetheless done so when in difficult and extreme circumstances. He stated that this bill will help to improve working conditions across all workplaces, not just unionized ones.

**Arita Acharya, UNITE HERE Local 33** offered testimony in support of this bill, and shared a personal anecdote of their experience dealing with difficult union negotiations during their time at Yale as a graduate student worker.

**Jose Anaya, former Stop and Shop Employee** testified in support of this bill and shared a personal anecdote regarding his experience with the 2019 Stop and Shop strike, and the financial burden the strike placed on him, including missing a credit card payment.

**Anonymous, AOA, American Red Cross** testified in support of this bill and shared a personal anecdote regarding their experience going on strike three times while supporting two children and paying for a car and a mortgage.

**Anonymous, Collection Tech, Red Cross** testified in support of this bill and shared a personal anecdote regarding anxiety about strikes and contract negotiations.

**Anonymous** testified in support of this bill and shared a personal anecdote regarding having been on strike twice. They stated that this bill will send a strong message to corporations that employees should be treated fairly.

**Heather Brauth, RN, AFT CT 5149** testified in support of this bill and shared a personal anecdote regarding their experience participating in a strike at Backus Hospital. She stated that this provision would encourage good faith negotiation on behalf of employers.

**Kirby Boyce, Machine Operator at Pratt and Whitney** offered testimony in support of this bill, and shared a personal anecdote regarding their experience going on strike on two different occasions, with different unions. They stated that state law generally favors employers during a labor dispute, and that this bill would help to balance the bargaining table.

**Robyn Bayersdorfer, Phlebotomist, AFSCME** testified in support of this bill and shared a personal anecdote regarding their experience participating in a strike shortly after coming off of maternity leave, as well as two other strikes. She stated that if she had access to unemployment benefits during these strikes, it would have been enormously helpful to offset stress.

**John Brady, AFT Connecticut Vice President** offered testimony in support of this bill and stated that the employer/employee relationship is unequal, with the former having a

significant inherent advantage in negotiations. He described several hospital strikes in CT over the last decade, and argued that this bill would level the playing field in such strikes.

**Nate Brown, President, Operating Engineers Local 478** testified that present CT law is tilted in favor of employers during a labor dispute, as it considers striking workers to have voluntarily left their positions, which opens up striking workers to the threat of repossessions and evictions while on strike. He argued that the current model penalizes workers for utilizing their legal right to strike.

**Tina Buskey CNA, Davis Place District 1199 New England** testified in support of this bill and shared a personal anecdote regarding her experience going on strike in 2001, and how access to unemployment benefits would have lessened the financial burden she and her coworkers faced during that time.

**Peter Baker, President Metal Trades Council of New London County** testified in support of this bill and shared a personal anecdote regarding his experience in a 1988 strike against Electric Boat, which lasted for over 100 days. He stated that his union does not practice maintaining a strike fund, and he elaborated on the personal hardships he faced, which the provisions in this bill would alleviate.

**Melissa Carter, RN, American Red Cross CT** offered testimony in support of this bill and shared a personal anecdote regarding her experience with three separate strikes during her tenure with the Red Cross. She stated that having access to unemployment during the 6-week strike in 2000 would have allowed her to better support her family while on strike.

**James Case, CWA Local 1298** testified in support of this bill and described the difficulty of deciding to go on strike, and claimed that this bill will help avoid labor disputes and strikes, by keeping parties bargaining in good faith.

**Dale Cunningham, RN, Lawrence & Memorial Hospital** offered testimony in support of this bill and shared a personal anecdote regarding his experience with a hospital strike and lockout in 2013. He stated that unemployment benefits could have helped avert a strike entirely, or possibly shorten one.

**Rebecca Damon**, Executive Director, New York Local SAG-AFTRA, offered testimony in support of this bill and described the recent SAG-AFTRA strike. She reiterated that unemployment benefits are limited in their scope and duration, so this benefit would not continue in perpetuity.

**Yvonne Dimmett, CNA Network & Mosaic District 1199 New England** testified in support of this bill and shared a personal anecdote regarding her experience going on strike, and the difficult decision to do so given her financial situation.

**Joseph Durette, Newsletter Editor IAM Local Lodge 1746** offered testimony in support of this bill and shared a personal anecdote regarding his experience going on strike in 2001, and how an individual unable to guarantee basic necessities may choose to cross a picket line, to the detriment of union relations.

**Kimberly R. Edwards, Steward, CWA Local 1298** offered testimony in support of this bill and shared a personal anecdote regarding her experience deciding to go on strike, and the difficulties doing so entailed. She stated that unemployment benefits are not a bonus to workers, but a lifeline.

**Michele Evermore, The Century Foundation** submitted testimony in support of this bill and argued that allowing striking workers access to unemployment benefits supports both the workers in question and the economy at large. She argued that a generous unemployment benefit helps ensure macroeconomic stabilization, and that while CT's unemployment benefits are close to the national average, they are insufficient for the cost of living in the state. She stated that by denying striking workers access to unemployment, the state implicitly encourages them to cross a picket line.

**Yvonne Foster, CNA Windsor Rehab District 1199 New England** offered testimony in support of this bill, and described the difficult financial situation of a coworker who chose to go on strike due to extremely low wages despite decades on the job. She stated that unemployment would have helped alleviate the stress of striking.

**Corey Geisman, Executive Director SEIU State Council** testified in support of this bill and argued that unemployment does not incentivize workers to remain on strike, but rather guarantees workers' ability to continue fighting for wages. He further stated that Connecticut was tied with Wyoming for the highest degree of income inequality in 2021, and that this bill would help to balance that.

**Travis Glenney-Tegtmeier, Starbucks Workers United** offered testimony in support of this bill, and shared a personal anecdote about the difficulties of organizing Starbucks workers despite significant opposition. He stated that this bill would provide a lifeline and safety net to workers on strike.

**Steve Greer, Chief Executive Officer AIL/NILICO Agency Divisions** testified in support of this bill and argued that unemployment benefits for workers on strike would help level the playing field and encourage employers to remain at the bargaining table and negotiate in good faith..

**Margaret Henderson, Board President of the Unitarian Universalist Congregation of Danbury** offered testimony in support of this bill, and stated that every dollar of unemployment benefits generates two dollars of economic activity, which supports other local businesses and communities during a labor dispute.

**Keri Hoehne, Executive Vice President of the United Food and Commercial Workers Union Local 371** testified in support of this bill and shared a personal anecdote regarding her negotiations in advance of the Stop and Shop strike in 2019. She stated that while that strike lasted 11 days, and members wouldn't have had access to unemployment benefits under this bill, it may have made the bargaining table more balanced in the run-up to the strike, by encouraging good-faith bargaining.

**Heather Howlett, Clinical Assistant, Windham Hospital** offered testimony in support of this bill, and shared a personal anecdote about the difficulties of negotiating with an employer believed to be bargaining in bad faith. She stated that bill would make the difference

between workers being able to pay essential bills or not, and that it would not enrich workers who chose to strike.

**Joe Jarmie** testified in support of this bill and shared a personal anecdote regarding his experience of the Stop and Shop strike in 2019. He stated that while there was a strike fund in place within the union, it only provided 1/8 wage replacement. He argued that if his employer has been aware that workers would have had access to unemployment benefits after 14 days of striking, they would have settled sooner.

**Nancy R. Newton & Mary A. Krusiewicz**-Local 3145 testified in support of this bill and related a personal anecdote of the 2000 strike undertaken against the Red Cross. They stated that going 5 weeks without pay was incredibly stressful, and access to unemployment benefits would have mitigated some of that stress.

**Dan Livingston**, Attorney argued that the state has the authority to make this decision, under *New York Telephone Co. v. New York State Dept. of Labor* and other cases. He stated that the current law advantages employers during a labor dispute by making it harder for workers to remain on strike.

**Joseph Malcarne, Business Manager at IBEW Local 420** testified in support of this bill and related a personal anecdote regarding negotiations with Eversource and Northeast Utilities, and the inability of workers to push back effectively against what were perceived to be unfair changes. He stated that this bill may help prevent such a repeat.

**Kylie McCarthy, International Association of Machinists Union Local 700** offered testimony in support of this bill, and related personal anecdotes about her father's work as a unionized Pratt & Whitney employee. She stated that unemployment benefits for striking workers will make sure that workers do not suffer unnecessary financial hardships while bargaining.

**Mark Nati, IAM Lodge 700** testified in support of this bill and related personal anecdotes of his experience negotiating union contracts and going on strike. He stated that this bill will ensure good-faith negotiations on behalf of employers.

**Rochelle Palache, Connecticut State Director and a Vice President of 32BJ SEIU** testified in support of this bill and argued that this benefit would not disincentivize people working, as the current average unemployment benefit rate in CT is only just above the federal poverty line. She stated that striking is one of the few tools workers have to fight against unfair business practices, and this bill would empower them to fight on behalf of all workers.

**Daniel Perez, State Economic Analyst, Economic Policy Institute** testified in support of this bill and stated that extending unemployment benefits to striking workers would account for less than one half of one percent of all unemployment claims. He included data to support the claim that while this would only affect a small number of workers, it would be a significant lifeline to those workers, by allowing them to remain on strike longer and avoid "starving out" tactics.

**Sal Punzo, New Haven Board of Alders**, testified in support of this bill and shared a personal anecdote of his experience going on strike on several occasions, and the financial difficulties he experience while doing so.

**Andrea Riley**, AFT CT Local 5041, Windham Federation of Professional Nurses offered testimony in support of this bill, and shared a personal anecdote about her experience on a strike. She stated that employers have a significant advantage in negotiations, and are able to disregard the bargaining process entirely, with strikes as a final option.

**Lucille Sciarretto, Union Steward and Executive Board member, Local 371 UFCW** testified in support of this bill and shared a personal anecdote about her experience on strike against Stop and Shop, and the difficulties and uncertainties associated with having both herself and her husband on strike at the same time. She stated that if she had been able to collect unemployment, she would have been able to rest easier.

**Constanza Segovia, Lead Organizer, Hartford Deportation Defense** testified in support of this bill and described that many immigrant families work in difficult and tenuous employment situations, and are often on the worse end of a power imbalance in negotiations. She argued that unionized workplaces raise the standards for all workers.

**Jessica Shuck, Collection Tech Organization, AFSCME** offered testimony in support of this bill and stated that workers are often unsure how long a strike will last, which leads to fear and concern over how they will make ends meet while striking. She stated that this bill would help ensure that workers won't have to worry about losing their homes as a result of being on strike.

**Tonishia Signore, Policy Director, She Leads Justice** testified in support of this bill and stated that workplaces such as healthcare and education which are often impacted by unfair working conditions are majorly occupied by women and people of color. She reiterated that workers do not go on strike voluntarily or lightly.

**Amy Traub, Senior Researcher and Policy Analyst, National Employment Law Project** testified in support of this bill, and stated that it makes a significant step towards racial equity by supporting Black workers, who make up a majority of union members nationally, and will have limited fiscal impact on the unemployment system. She stated that many corporate executives receive pay during a strike, and as such, the workers should be able to receive a degree of compensations as well.

**Ben Wilcox, President, UAW Local 405** testified in support of this bill, and stated that nobody willfully goes on strike, even if unemployment is available. He stated that employers cut both pay and healthcare while workers are on strike, which leaves many families without a lifeline. He stated that since 1993, only 5 large-scale strikes in CT would have been eligible for unemployment benefits under this bill, but for those workers, this would have provided a lifeline in a difficult and uncertain situation.

**The following individuals offered general comments and/or anecdotes in support of the bill:**

**Anonymous, Tech, AFSCME**

**Anonymous, Collection Tech, AFSCME**

**Beata Borkowski, Collection tech**

**Taylor Biniarz**

**Jim Carvalho, Staff Director of Unite Here New England Joint Board**

**Jenna Combs, Collections Technician, American Red Cross**

**Theresa Destefano, Collection Tech 2, AFSCME 3145**

**Dave Hannon, CHCA District 1199, NUHHCE**

**Leanne Harpin**

**Laura Kaminsky**

**Jill Marks, New Haven Rising**

**Tawanza McLean, Unite Here Local 34**

**Heather Merrick, IAMAW C.A.N.E.L. Lodge 700**

**Melissa Moreau, Registered Nurse, Backus Hospital**

**Joseph Messina**

**Nancy Newton, AFSCME Local 3145**

**Carol Noel, CNA at Davis Place, Danielson, CT**

**Donna Perry, Registered Nurse at Backus Hospital**

**Wendy Pilkington, Collection Technician II, American Red Cross CT Region**

**Bettina Reagan, Member, AFSCME, Local 3145**

**Erica Seitz, Collections Technician II, American Red Cross**

**Roger Senserrich, Policy and Communications Director, Connecticut Working Families**

**Samantha Sharples, Collections Tech, AFCSME**

**Brian Simmons, Union Representative, UFCW Local 371**

**Ashley Sprague, Social Welfare Action Alliance**



**Joseph Toner, Executive Director CT State Building Trades Council**

**Joseph Tine IV, President of AFSCME Local 3145**

**Freddie Vazquez, Local Union President, UNITED STEELWORKERS**

**Dave Weidlich Jr., President, CWA Local 1298**

**Lee Wheeler, Torrington Resident**

**Karla Wong, Registered Nurse, American Red Cross**

**Travis Woodward, President, CSEA SEIU Local 2001**

**Joseph Messina, President/business agent, Union**

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

**Kristen Brainerd Abrahamson**, Executive Vice President of MCAC testified in opposition to this bill, on the grounds that it could have a negative impact on the UI Trust Fund and could result in strikes lasting longer. She stated that a worker on strike is there of their own volition, and as such would not qualify for unemployment benefits unlike someone who was laid off work.

**Dr. Linda** expressed general opposition to this bill.

**Debbie Esposito** expressed opposition to this bill on the grounds that someone receiving unemployment cannot qualify as an employee, since they are on strike of their own volition.

**Jim Gildea, President, ManufactureCT** submitted testimony in opposition to this bill, on the grounds that striking workers have voluntarily left their jobs and have the support of their unions. He stated that this bill would increase the cost of doing business in Connecticut, and possibly make it untenable to do so.

**Andy Markowski, State Director, National Federations of Independent Business (NFIB)** testified in opposition to this bill, stating that an employee on strike would not meet the necessary qualification of being "available and willing" to work, and as such should not receive unemployment benefits. He further stated that similar legislation was recently vetoed in California, and that workers could receive unemployment while also receiving benefits from a union strike fund.

**Allen Nadeau, Chair of the legislative committee for the New England Spring and Metal Stamping Association** submitted testimony in opposition to this bill, on the grounds that the unemployment insurance trust fund is a crucial safety net that should not be used in this method. He stated that this policy would create an unequal field between employers and employees.

**Frank Ricci, Labor Fellow, Yankee Institute** testified in opposition to this bill on the grounds that it would encourage labor disputes to go on longer and cause more economic damage. He stated that if workers were able to be supported by strike funds on top of unemployment compensation, it could cause them to receive more money on strike than they would when working.

**Kathy Saint, Owner and President, Schwerdtle Inc** submitted testimony in opposition to this bill, on the grounds that the unemployment insurance trust fund is a crucial safety net that should not be used in this method. She stated that women- and minority- owned businesses would be hit particularly hard by this policy.

**Michael Thompson, Executive Director of MCAC** submitted testimony in opposition to this bill, on the grounds that the unemployment insurance trust fund is a crucial safety net that should not be used in this method.

**Michael Thompson, Executive Director of SMACNA Connecticut** submitted testimony in opposition to this bill, on the grounds that the unemployment insurance trust fund is a crucial safety net that should not be used in this method. He stated this bill could result in more frequent and prolonged strikes.

**Ashley Zane, Government Affairs Associate, CBIA** submitted testimony in opposition to this bill, on the grounds that the unemployment insurance trust fund is a crucial safety net that should not be used in this method. She stated that this use of the fund could weigh in on labor disputes in an unequal manner.

**Reported by: Cameron Clarke & Jason Snukis      Date: March 28, 2024**