



General Assembly

January Session, 2021

Raised Bill No. 903

LCO No. 3460



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:
(LAB)

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

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

1 Section 1. Section 10-95h of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Not later than November thirtieth each year, the joint standing
4 committees of the General Assembly having cognizance of matters
5 relating to education, higher education and employment advancement
6 and labor shall meet with the chairperson of the Technical Education
7 and Career System board and the superintendent of the Technical
8 Education and Career System, the Labor Commissioner and such other
9 persons as they deem appropriate to consider the items submitted
10 pursuant to subsection (b) of this section.

11 (b) On or before November fifteenth, annually:

12 (1) The Labor Commissioner shall submit the following to the joint
13 standing committees of the General Assembly having cognizance of
14 matters relating to education, higher education and employment

15 advancement and labor: (A) Information identifying general economic
16 trends in the state; (B) occupational information regarding the public
17 and private sectors, such as continuous data on occupational
18 movements; and (C) information identifying emerging regional, state
19 and national workforce needs over the next [thirty] ten years.

20 (2) The superintendent of the Technical Education and Career System
21 shall submit the following to the joint standing committees of the
22 General Assembly having cognizance of matters relating to education,
23 higher education and employment advancement and labor: (A)
24 Information ensuring that the curriculum of the Technical Education
25 and Career System is incorporating those workforce skills that will be
26 needed for the next [thirty] ten years, as identified by the Labor
27 Commissioner in subdivision (1) of this subsection, into the technical
28 education and career schools; (B) information regarding the
29 employment status of students who graduate from or complete an
30 approved program of study at the Technical Education and Career
31 System, including, but not limited to: (i) Demographics such as age and
32 gender, (ii) course and program enrollment and completion, (iii)
33 employment status, and (iv) wages prior to enrolling and after
34 graduating; (C) an assessment of the adequacy of the resources available
35 to the Technical Education and Career System as the system develops
36 and refines programs to meet existing and emerging workforce needs;
37 (D) recommendations to the Technical Education and Career System
38 board to carry out the provisions of subparagraphs (A) to (C), inclusive,
39 of this subdivision; (E) information regarding staffing at each technical
40 education and career school for the current academic year; and (F)
41 information regarding the transition process of the Technical Education
42 and Career System as an independent agency, including, but not limited
43 to, the actions taken by the Technical Education and Career System
44 board and the superintendent to create a budget process and maintain
45 programmatic consistency for students enrolled in the technical
46 education and career system. The superintendent shall collaborate with
47 the Labor Commissioner to obtain information as needed to carry out
48 the provisions of this subsection.

49 Sec. 2. Section 12-217g of the general statutes is repealed and the
50 following is substituted in lieu thereof (*Effective from passage*):

51 (a) (1) There shall be allowed a credit for any taxpayer against the tax
52 imposed under this chapter for any income year with respect to each
53 apprenticeship in the manufacturing trades commenced by such
54 taxpayer in such year under a qualified apprenticeship training
55 program as described in this section, certified in accordance with
56 regulations adopted by the Labor Commissioner and registered with the
57 [Connecticut State Apprenticeship Council] Labor Department
58 established under [section 31-22n,] sections 31-22m to 31-22v, inclusive,
59 as amended by this act, in an amount equal to six dollars per hour
60 multiplied by the total number of hours worked during the income year
61 by apprentices in the first half of a two-year term of apprenticeship and
62 the first three-quarters of a four-year term of apprenticeship, provided
63 the amount of credit allowed for any income year with respect to each
64 such apprenticeship may not exceed seven thousand five hundred
65 dollars or fifty per cent of actual wages paid in such income year to an
66 apprentice in the first half of a two-year term of apprenticeship or in the
67 first three-quarters of a four-year term of apprenticeship, whichever is
68 less.

69 (2) Effective for income years commencing on and after January 1,
70 2015, for purposes of this subsection, "taxpayer" includes an affected
71 business entity, as defined in section 12-284b. Any affected business
72 entity allowed a credit under this subsection may sell, assign or
73 otherwise transfer such credit, in whole or in part, to one or more
74 taxpayers to offset any state tax due or otherwise payable by such
75 taxpayers under this chapter, or, with respect to income years
76 commencing on or after January 1, 2016, chapter 212 or 227, provided
77 such credit may be sold, assigned or otherwise transferred, in whole or
78 in part, not more than three times.

79 (b) There shall be allowed a credit for any taxpayer against the tax
80 imposed under this chapter for any income year with respect to each
81 apprenticeship in plastics and plastics-related trades commenced by

82 such taxpayer in such year under a qualified apprenticeship training
83 program as described in this section, certified in accordance with
84 regulations adopted by the Labor Commissioner and registered with the
85 [Connecticut State Apprenticeship Council] Labor Department
86 established under [section 31-22n,] sections 31-22m to 31-22v, inclusive,
87 as amended by this act, which apprenticeship exceeds the average
88 number of such apprenticeships begun by such taxpayer during the five
89 income years immediately preceding the income year with respect to
90 which such credit is allowed, in an amount equal to four dollars per
91 hour multiplied by the total number of hours worked during the income
92 year by apprentices in the first half of a two-year term of apprenticeship
93 and the first three-quarters of a four-year term of apprenticeship,
94 provided the amount of credit allowed for any income year with respect
95 to each such apprenticeship may not exceed four thousand eight
96 hundred dollars or fifty per cent of actual wages paid in such income
97 year to an apprentice in the first half of a two-year term of
98 apprenticeship or in the first three-quarters of a four-year term of
99 apprenticeship, whichever is less.

100 (c) There shall be allowed a credit for any taxpayer against the tax
101 imposed under this chapter for any income year with respect to wages
102 paid to apprentices in the construction trades by such taxpayer in such
103 year that the apprentice and taxpayer participate in a qualified
104 apprenticeship training program, as described in this section, which (1)
105 is at least four years in duration, (2) is certified in accordance with
106 regulations adopted by the Labor Commissioner, and (3) is registered
107 with the [Connecticut State Apprenticeship Council] Labor Department
108 established under [section 31-22n] sections 31-22m to 31-22v, inclusive,
109 as amended by this act. The tax credit shall be (A) in an amount equal
110 to two dollars per hour multiplied by the total number of hours
111 completed by each apprentice toward completion of such program, and
112 (B) awarded upon completion and notification of completion of such
113 program in the income year in which such completion and notification
114 occur, provided the amount of credit allowed for such income year with
115 respect to each such apprentice may not exceed four thousand dollars

116 or fifty per cent of actual wages paid over the first four income years for
117 such apprenticeship, whichever is less.

118 (d) For purposes of this section, a qualified apprenticeship training
119 program shall require at least four thousand but not more than eight
120 thousand hours of apprenticeship training for certification of such
121 apprenticeship by the [Connecticut State Apprenticeship Council]
122 Labor Department. The amount of credit allowed any taxpayer under
123 this section for any income year may not exceed the amount of tax due
124 from such taxpayer under this chapter with respect to such income year.

125 Sec. 3. Section 31-3b of the general statutes is repealed and the
126 following is substituted in lieu thereof (*Effective from passage*):

127 [(a) The Labor Commissioner shall appoint a job training coordinator
128 who shall develop and implement innovative programs which will
129 provide (1) job training for (A) workers who are needed by industries
130 planning to locate in Connecticut or by industries located in this state,
131 (B) unskilled entry level workers, (C) workers in need of retraining due
132 to the obsolescence of their skills and (D) workers who need skill
133 training to qualify for advancement, (2) an incentive for the
134 establishment of apprenticeship programs in selected occupations;
135 provided no program shall be developed for occupations where prior
136 skill or training is not typically a prerequisite to hiring, and (3) work
137 training opportunities and placement of the chronically unemployed
138 under section 31-3d.

139 (b) The Labor Commissioner is authorized to establish an interagency
140 program coordinating committee to coordinate the application of all
141 available resources for the purposes of this section. Said committee shall
142 consist of representatives of various employment and training agencies
143 within the Labor Department and representatives of the Department of
144 Education and the Department of Economic and Community
145 Development.]

146 [(c)] (a) The Labor Commissioner may contract with any public or
147 private agency for educational and job training services.

148 [(d)] (b) The Labor Commissioner may accept and receive funds from
149 any public or private source which become available for the purposes of
150 this section and section 31-3d.

151 Sec. 4. Subsection (e) of section 31-3pp of the general statutes is
152 repealed and the following is substituted in lieu thereof (*Effective from*
153 *passage*):

154 (e) (1) An eligible small business or eligible small manufacturer may
155 apply to the department for a grant to subsidize on-the-job training for
156 a preapprentice, where "preapprentice" means a person, [who is (A) a
157 current student at a public or private high school, preparatory school or
158 institution of higher education, or (B) not more than eighteen years of
159 age and employed under a written agreement with an apprenticeship
160 program sponsor for a term of training and employment not exceeding
161 two thousand hours or twenty-four months] student or minor (A)
162 employed under a written agreement with an apprenticeship sponsor
163 for a term of training and employment not exceeding two thousand
164 hours or twenty-four months in duration, and (B) registered with the
165 Labor Department. "Preapprentice" does not include a person who was
166 employed in this state by a related person with respect to the eligible
167 small business during the prior twelve months or a person employed on
168 a temporary or seasonal basis by a retailer, as defined in section 42-371.

169 (2) Grants to eligible small businesses or eligible small manufacturers
170 under the Subsidized Training and Employment program shall be in the
171 following amounts: (A) For the first thirty calendar days a preapprentice
172 is employed, one hundred per cent of an amount representing the cost
173 of on-the-job training for such preapprentice, but in no event shall such
174 amount exceed ten dollars per hour; (B) for the thirty-first to ninetieth,
175 inclusive, calendar days, seventy-five per cent of such amount; (C) for
176 the ninety-first to one hundred fiftieth, inclusive, calendar days, fifty per
177 cent of such amount; and (D) for the one hundred fifty-first to one
178 hundred eightieth, inclusive, calendar days, twenty-five per cent of such
179 amount. Grants shall be cancelled as of the date the preapprentice leaves
180 his or her apprenticeship with the eligible small business or eligible

181 small manufacturer.

182 Sec. 5. Section 31-22m of the general statutes is repealed and the
183 following is substituted in lieu thereof (*Effective from passage*):

184 When used in sections 31-22m to 31-22q, inclusive, and 31-22u,
185 "apprentice" means a person who is employed under a written
186 agreement to work at and learn a specific trade and who is registered
187 with the Labor Department; "apprentice agreement" means a written
188 agreement entered into by an apprentice, or on his behalf by his parent
189 or guardian, with an employer, or with an association of employers and
190 an organization of employees acting as a joint apprenticeship
191 committee, which agreement provides for not less than two thousand
192 hours of work experience in approved trade training consistent with
193 recognized requirements established by industry or joint labor-industry
194 practice and for the number of hours of related and supplemental
195 instructions prescribed by the Connecticut State Apprenticeship
196 Council or which agreement meets requirements of the federal
197 government for on-the-job training schedules which are essential, in the
198 opinion of the Labor Commissioner, for the development of manpower
199 in Connecticut industries; "council" means the Connecticut State
200 Apprenticeship Council; and "preapprentice" means a person, student
201 or minor employed under a written agreement with an apprenticeship
202 sponsor for a term of training and employment not exceeding two
203 thousand hours or twenty-four months in duration, and who is
204 registered with the Labor Department.

205 Sec. 6. Section 31-22o of the general statutes is repealed and the
206 following is substituted in lieu thereof (*Effective from passage*):

207 The council may [adopt recommendations for] recommend
208 minimum standards of apprenticeship and for related and
209 supplementary instruction, encourage registration and approval of
210 apprentice agreements and training programs, and issue certificates of
211 completion upon the verification by employers or joint apprenticeship
212 committees of the satisfactory completion of the term of apprenticeship.

213 The council shall [formulate] assist in recommending policies for the
214 effective administration of sections 31-22m to 31-22q, inclusive, as
215 amended by this act, and 31-22u. Such policies by the council shall not
216 invalidate any apprenticeship provision in any collective bargaining
217 agreement between employers and employees. All apprentice programs
218 adopted and registered with the [council] Labor Department under said
219 sections shall be on a voluntary basis and shall be installed for the
220 purpose of developing skilled workers for the service trades and
221 industries of Connecticut.

222 Sec. 7. Section 31-230 of the general statutes is repealed and the
223 following is substituted in lieu thereof (*Effective from passage*):

224 (a) An individual's benefit year shall commence with the beginning
225 of the week with respect to which the individual has filed a valid
226 initiating claim and shall continue through the Saturday of the fifty-first
227 week following the week in which it commenced, provided no benefit
228 year shall end until after the end of the third complete calendar quarter,
229 plus the remainder of any uncompleted calendar week that began in
230 such quarter, following the calendar quarter in which it commenced,
231 and provided further, the benefit year of an individual who has filed a
232 combined wage claim, as described in subsection (b) of section 31-255,
233 shall be the benefit year prescribed by the law of the paying state. In no
234 event shall a benefit year be established before the termination of an
235 existing benefit year previously established under the provisions of this
236 chapter. Except as provided in subsection (b) of this section, the base
237 period of a benefit year shall be the first four of the five most recently
238 completed calendar quarters prior to such benefit year, provided such
239 quarters were not previously used to establish a prior valid benefit year
240 and provided further, the base period with respect to a combined wage
241 claim, as described in subsection (b) of section 31-255, shall be the base
242 period of the paying state, except that for any individual who is eligible
243 to receive or is receiving workers' compensation or who is properly
244 absent from work under the terms of the employer's sick leave or
245 disability leave policy, the base period shall be the [first four of the five
246 most recently worked quarters] four consecutive quarters immediately

247 preceding the most recently worked quarter prior to such benefit year,
248 provided such quarters were [consecutive and] not previously used to
249 establish a prior valid benefit year and provided further, the last most
250 recently worked calendar quarter is no more than twelve calendar
251 quarters prior to the date such individual makes an initiating claim. As
252 used in this section, an initiating claim shall be deemed valid if the
253 individual is unemployed and meets the requirements of subdivisions
254 (1) and (3) of subsection (a) of section 31-235. The base period of an
255 individual's benefit year shall include wages paid by any nonprofit
256 organization electing reimbursement in lieu of contributions, or by the
257 state and by any town, city or other political or governmental
258 subdivision of or in this state or of any municipality to such person with
259 respect to whom such employer is subject to the provisions of this
260 chapter. With respect to weeks of unemployment beginning on or after
261 January 1, 1978, wages for insured work shall include wages paid for
262 previously uncovered services. For purposes of this section, the term
263 "previously uncovered services" means services that (1) were not
264 employment, as defined in section 31-222, and were not services covered
265 pursuant to section 31-223, at any time during the one-year period
266 ending December 31, 1975; and (2) (A) are agricultural labor, as defined
267 in subparagraph (H) of subdivision (1) of subsection (a) of section 31-
268 222, or domestic service, as defined in subparagraph (J) of subdivision
269 (1) of subsection (a) of section 31-222, or (B) are services performed by
270 an employee of this state or a political subdivision of this state, as
271 provided in subparagraph (C) of subdivision (1) of subsection (a) of
272 section 31-222, or by an employee of a nonprofit educational institution
273 that is not an institution of higher education, as provided in
274 subparagraph (E)(iii) of subdivision (1) of subsection (a) of section 31-
275 222, except to the extent that assistance under Title II of the Emergency
276 Jobs and Unemployment Assistance Act of 1974 was paid on the basis
277 of such services.

278 (b) The base period of a benefit year for any individual who is
279 ineligible to receive benefits using the base period set forth in subsection
280 (a) of this section shall be the four most recently completed calendar

281 quarters prior to the individual's benefit year, provided such quarters
282 were not previously used to establish a prior valid benefit year, except
283 that for any such individual who is eligible to receive or is receiving
284 workers' compensation or who is properly absent from work under the
285 terms of an employer's sick leave or disability leave policy, the base
286 period shall be the [four most recently worked calendar quarters] four
287 consecutive quarters immediately preceding the most recently worked
288 quarter prior to such benefit year, provided such quarters were
289 [consecutive and] not previously used to establish a prior valid benefit
290 year and provided further, the last most recently worked calendar
291 quarter is not more than twelve calendar quarters prior to the date such
292 individual makes the initiating claim. If the wage information for an
293 individual's most recently worked calendar quarter is unavailable to the
294 administrator from regular quarterly reports of systematically
295 accessible wage information, the administrator shall promptly contact
296 the individual's employer to obtain such wage information.

297 Sec. 8. Section 31-235 of the general statutes is repealed and the
298 following is substituted in lieu thereof (*Effective from passage*):

299 (a) An unemployed individual shall be eligible to receive benefits
300 with respect to any week only if it has been found that (1) such
301 individual has made claim for benefits in accordance with the
302 provisions of section 31-240 and has registered for work at the public
303 employment bureau or other agency designated by the administrator
304 within such time limits, with such frequency and in such manner as the
305 administrator may prescribe, provided failure to comply with this
306 condition may be excused by the administrator upon a showing of good
307 cause therefor; (2) except as provided in subsection (b) of this section,
308 such individual is physically and mentally able to work and is available
309 for work and has been and is making reasonable efforts to obtain work,
310 provided the individual shall not be considered to be unavailable for
311 work solely because the individual is attending a school, college or
312 university as a regularly enrolled student during the separation from
313 employment, within the limitations of subdivision (6) of subsection (a)
314 of section 31-236, and provided further, the individual shall not be

315 considered to be lacking in efforts to obtain work if, as a student, such
316 efforts are restricted to employment which does not conflict with the
317 individual's regular class hours as a student, and provided the
318 administrator shall not use prior "patterns of unemployment" of the
319 individual to determine whether the individual is available for work; (3)
320 such individual has been paid wages by an employer who was subject
321 to the provisions of this chapter during the base period of the current
322 benefit year in an amount at least equal to forty times the individual's
323 benefit rate for total unemployment, provided an unemployed
324 individual who is sixty-two years of age or older and is involuntarily
325 retired under a compulsory retirement policy or contract provision shall
326 be eligible for benefits with respect to any week, notwithstanding
327 subdivisions (1) and (2) of this subsection, if it is found by the
328 administrator that the individual has made claim for benefits in
329 accordance with the provisions of section 31-240, has registered for
330 work at the public employment bureau, is physically and mentally able
331 to work, is available for work, meets the requirements of this
332 subdivision and has not refused suitable work to which the individual
333 has been referred by the administrator; (4) such individual participates
334 in reemployment services, such as job search assistance services, if the
335 individual has been determined to be likely to exhaust regular benefits
336 and need reemployment services pursuant to a profiling or
337 Reemployment Services and Eligibility Assessment system established
338 by the administrator unless the administrator determines that (A) for
339 purposes of the profiling system only, the individual has completed
340 such services, or (B) there is justifiable cause for the individual's failure
341 to participate in such services. The administrator shall adopt
342 regulations, in accordance with the provisions of chapter 54, for the
343 administration of the Reemployment Services and Eligibility
344 Assessment system and the profiling system. For purposes of
345 subdivision (2) of this subsection, "patterns of unemployment" means
346 regularly recurring periods of unemployment of the claimant in the
347 years prior to filing the claim in question.

348 (b) The provisions of subdivision (2) of subsection (a) of this section

349 relating to the eligibility of students for benefits shall not be applicable
 350 to any claimant who attended a school, college or university as a
 351 regularly enrolled full-time student at any time during the two years
 352 prior to such claimant's date of separation from employment, unless
 353 such claimant was employed on a full-time basis, as determined by the
 354 administrator, for the two years prior to such date.

355 (c) (1) Notwithstanding the provisions of subsection (a) or (b) of this
 356 section, an unemployed individual may limit such individual's
 357 availability for work to part-time employment, provided the individual
 358 (A) provides documentation from a licensed physician or an advanced
 359 practice registered nurse that (i) the individual has a physical or mental
 360 impairment that is chronic or is expected to be long-term or permanent
 361 in nature, and (ii) the individual is unable to work full-time because of
 362 such impairment, and (B) establishes, to the satisfaction of the
 363 administrator, that such limitation does not effectively remove such
 364 individual from the labor force.

365 (2) In determining whether the individual has satisfied the
 366 requirements of subparagraph (B) of subdivision (1) of this subsection,
 367 the administrator shall consider the individual's work history, efforts to
 368 find work, the hours such individual is medically permitted to work and
 369 the individual's availability during such hours for work that is suitable
 370 in light of the individual's impairment.

371 Sec. 9. Sections 31-3a, 31-3g, 31-3u, 31-3ff, 31-3ii, 31-22s and 31-76n of
 372 the general statutes are repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-95h
Sec. 2	<i>from passage</i>	12-217g
Sec. 3	<i>from passage</i>	31-3b
Sec. 4	<i>from passage</i>	31-3pp(e)
Sec. 5	<i>from passage</i>	31-22m
Sec. 6	<i>from passage</i>	31-22o
Sec. 7	<i>from passage</i>	31-230

Sec. 8	<i>from passage</i>	31-235
Sec. 9	<i>from passage</i>	Repealer section

Statement of Purpose:

To make technical and other changes to Labor Department statutes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]