



General Assembly

February Session, 2024

**Raised Bill No. 5267**

LCO No. 1119



Referred to Committee on LABOR AND PUBLIC  
EMPLOYEES

Introduced by:  
(LAB)

**AN ACT MAKING CHANGES TO AND REPEALING OBSOLETE  
PROVISIONS OF STATUTES RELEVANT TO THE LABOR  
DEPARTMENT.**

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

1 Section 1. Section 31-2 of the 2024 supplement to the general statutes  
2 is repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (a) The Labor Commissioner shall collect information upon the  
5 subject of labor, the hours of labor, the earnings of laboring individuals  
6 and the means of promoting their material, social and intellectual  
7 prosperity, and may summon and examine under oath such witnesses,  
8 and may direct the production of, and examine or cause to be produced  
9 and examined, such books, records, vouchers, memoranda, documents,  
10 letters, contracts or other papers in relation thereto as he deems  
11 necessary, and shall have the same powers in relation thereto as are  
12 vested in magistrates in taking depositions, but for this purpose persons  
13 shall not be required to leave the vicinity of their residences or places of

14 business.

15 (b) The commissioner may adopt regulations, in accordance with the  
16 provisions of chapter 54, for all programs within the jurisdiction of the  
17 Labor Department, including, but not limited to, employment and  
18 training programs in the state.

19 (c) The commissioner may request the Attorney General to bring an  
20 action in Superior Court for injunctive relief requiring compliance with  
21 any statute, regulation, order or permit administered, adopted or issued  
22 by the commissioner.

23 (d) The commissioner shall assist state agencies, boards and  
24 commissions that issue occupational certificates or licenses in (1)  
25 determining when to recognize and accept military training and  
26 experience in lieu of all or part of the training and experience required  
27 for a specific professional or occupational license, and (2) reviewing and  
28 revising policies and procedures to ensure that relevant military  
29 education, skills and training are given appropriate recognition in the  
30 certification and licensing process.

31 (e) The commissioner may enter into contractual agreements, as may  
32 be necessary, for all programs, activities, services and grants within the  
33 jurisdiction of the Labor Department, including, but not limited to,  
34 employment and training programs in the state and the application for  
35 and use, administration or repayments of any federal funds made  
36 available or allotted under any federal law.

37 (f) (1) The powers and duties enumerated in this section shall be in  
38 addition to any other powers and duties conferred to the Labor  
39 Commissioner in any other provision of the general statutes.

40 (2) Nothing in this section shall limit any other powers or duties  
41 conferred to the Labor Commissioner in any other provisions of the  
42 general statutes.

43 Sec. 2. Subdivision (1) of subsection (j) of section 31-225a of the 2024

44 supplement to the general statutes is repealed and the following is  
45 substituted in lieu thereof (*Effective from passage*):

46 (j) (1) (A) Each employer subject to this chapter shall submit  
47 quarterly, on forms supplied by the administrator, a listing of wage  
48 information, including the name of each employee receiving wages in  
49 employment subject to this chapter, such employee's Social Security  
50 account number and the amount of wages paid to such employee during  
51 such calendar quarter.

52 (B) Commencing with the third calendar quarter of 2026, any  
53 employer subject to this chapter may include in the quarterly filing  
54 submitted pursuant to subparagraph (A) of this subdivision, the  
55 following data for each employee receiving wages in employment  
56 subject to this chapter: (i) Such employee's occupation, (ii) such  
57 employee's hours worked, and (iii) the [business mailing address zip  
58 code of the employer of such employee] zip code of such employee's  
59 primary worksite.

60 Sec. 3. Section 31-402 of the general statutes is repealed and the  
61 following is substituted in lieu thereof (*Effective from passage*):

62 There is hereby established an Occupational Health Clinics Advisory  
63 Committee. [Said committee shall report to the Governor and the  
64 General Assembly no later than September 15, 1990, and annually  
65 thereafter, their recommendations as to: (1) Methods for the  
66 coordination of activities among occupational health clinics, auxiliary  
67 occupational health clinics, the state and any other entities; (2) methods  
68 and the nature of disclosure of research and data collection results and  
69 related educational information; (3) the appropriate methods of  
70 funding, including sources of funding for, occupational health clinics  
71 and related state activities, particularly regarding surveillance, and (4)  
72 delineation of new goals in occupational disease detection and  
73 prevention.] The advisory committee shall consist of fifteen persons as  
74 follows: The chairpersons and ranking members of the joint standing  
75 committee of the General Assembly having cognizance of matters

76 concerning occupational health and safety or their designees, two  
77 persons appointed by the Governor, one person appointed by the  
78 chairman of the Workers' Compensation Commission, one person  
79 appointed by the Labor Commissioner, one person appointed by the  
80 Commissioner of Public Health, one person appointed by the president  
81 pro tempore of the Senate to represent the insurance industry, one  
82 person appointed by the majority leader of the Senate to represent the  
83 business community, one person appointed by the minority leader of  
84 the Senate to represent the labor community, one person appointed by  
85 the speaker of the House of Representatives to represent the medical  
86 community, one person appointed by the majority leader of the House  
87 of Representatives to represent the labor community and one person  
88 appointed by the minority leader of the House of Representatives to  
89 represent the business community.

90 Sec. 4. Subsection (c) of section 31-76a of the 2024 supplement to the  
91 general statutes is repealed and the following is substituted in lieu  
92 thereof (*Effective from passage*):

93 (c) (1) If the commissioner determines, after an investigation  
94 pursuant to subsection (a) of this section, that an employer is in violation  
95 of (A) subsection (g) of section 31-288, or (B) subsection (b) of section 31-  
96 53, the commissioner shall issue, not later than seventy-two hours after  
97 making such determination, a stop work order against the employer  
98 requiring the cessation of all business operations of such employer. Such  
99 stop work order shall be issued only against the employer found to be  
100 in violation of subsection (g) of section 31-288 or in violation of  
101 subsection (b) of section 31-53 and only as to the specific place of  
102 business or employment for which the violation exists. Such order shall  
103 be effective when served upon the employer or at the place of business  
104 or employment. A stop work order may be served at a place of business  
105 or employment by posting a copy of the stop work order in a  
106 conspicuous location at the place of business or employment. Such order  
107 shall remain in effect until the commissioner issues an order releasing  
108 the stop work order upon a finding by the commissioner that the

109 employer has come into compliance with the requirements of subsection  
110 (b) of section 31-284 or subsection (b) of section 31-53, or after a hearing  
111 held pursuant to subdivision (2) of this subsection.

112 (2) Any employer against which a stop work order is issued pursuant  
113 to subdivision (1) of this subsection may request a hearing before the  
114 commissioner. Such request shall be made in writing to the  
115 commissioner not more than ten days after the issuance of such order.  
116 Such hearing shall be conducted in accordance with the provisions of  
117 chapter 54.

118 (3) Stop work orders and any penalties imposed under section 31-288  
119 or 31-69a against a corporation, partnership or sole proprietorship for a  
120 violation of subsection (g) of section 31-288 or for a violation of  
121 subsection (b) of section 31-53 shall be effective against any successor  
122 entity that has one or more of the same principals or officers as the  
123 corporation, partnership or sole proprietorship against which the stop  
124 work order was issued and are engaged in the same or equivalent trade  
125 or activity.

126 [(4) The commissioner shall adopt regulations, in accordance with the  
127 provisions of chapter 54, necessary to carry out this subsection.]

128 Sec. 5. Section 31-223b of the general statutes is repealed and the  
129 following is substituted in lieu thereof (*Effective from passage*):

130 (a) For purposes of this section:

131 (1) "Knowingly" means having actual knowledge of or acting with  
132 deliberate ignorance of or reckless disregard for a prohibition or  
133 requirement under this section;

134 (2) "Person" means an individual, corporation, limited liability  
135 company, company, trust, estate, partnership or association;

136 (3) "Trade or business" includes an employer's employees; and

137 (4) "Violates or attempts to violate" includes, but is not limited to, the  
138 evasion of or attempt to evade any provision of this section, or any  
139 misrepresentation or wilful nondisclosure of information required to be  
140 given under this section.

141 (b) No person who acquires the assets, organization, trade or business  
142 of an employer solely or primarily for the purpose of obtaining a lower  
143 contribution rate to the Unemployment Compensation Fund shall  
144 acquire the unemployment experience of such employer, and such  
145 acquisition shall be deemed a violation under this subsection. If the  
146 administrator determines that a person has acquired such assets solely  
147 or primarily for the purpose of obtaining a lower contribution rate, the  
148 administrator shall require such person to pay contributions at the rate  
149 provided in subsection (d) of section 31-225a for an employer who has  
150 not been chargeable with benefits for a sufficient period of time to have  
151 such employer's rate otherwise computed under section 31-225a or,  
152 where applicable, the person's charged tax rate, as provided in  
153 subsection (e) of section 31-225a, whichever is greater. In determining  
154 whether the assets, organization, trade or business of an employer was  
155 acquired solely or primarily for the purpose of obtaining a lower  
156 contribution rate, the factors the administrator shall consider shall  
157 include, but not be limited to, the cost of acquiring the business, whether  
158 the person continued the business activity of the acquired business, how  
159 long the business was continued and whether a substantial number of  
160 new employees were hired for performance of duties unrelated to the  
161 business activity conducted by the business prior to its acquisition.

162 (c) Notwithstanding any other provision of this chapter relating to  
163 the transfer of unemployment experience, if an employer transfers its  
164 assets, organization, trade or business, or a portion of its assets,  
165 organization, trade or business, to another employer with whom, at the  
166 time of such transfer, the transferring employer shares substantially  
167 common ownership, management or control, the unemployment  
168 experience of the transferring employer shall be transferred to the  
169 receiving employer. The administrator shall recalculate the contribution

170 rates of both employers and make such recalculated rates effective upon  
171 the date of the transfer. The administrator may require from any  
172 employer, whether or not otherwise subject to this chapter, any sworn  
173 or unsworn reports that are necessary for the effective administration of  
174 this section.

175 (d) In addition to the penalty imposed pursuant to subsection (e) of  
176 this section and any applicable penalties under this chapter, if a person  
177 knowingly violates or attempts to violate any provision of subsection  
178 (b) or (c) of this section, or any other provision of this chapter relating to  
179 determining the assignment of a contribution rate, or knowingly advises  
180 another person in the violation of subsection (b) or (c) of this section,  
181 such person shall be subject to the following penalties:

182 (1) If the person is an employer, such person shall be assigned a  
183 penalty rate of contributions of two per cent of taxable wages for the  
184 year during which such violation or attempted violation occurred and  
185 for the following three years.

186 (2) If the person is not an employer, such person shall be subject to a  
187 civil penalty of not less than five hundred dollars or more than five  
188 thousand dollars. Any such penalty shall be deposited into the  
189 Employment Security Special Administration Fund established under  
190 subsection (d) of section 31-259.

191 (e) Any person who violates this section shall be fined not more than  
192 two thousand dollars or imprisoned not more than one year, or both.

193 [(f) The administrator shall adopt regulations, in accordance with the  
194 provisions of chapter 54, to establish procedures and guidelines  
195 necessary to implement the provisions of this section, including  
196 procedures to identify the transfer or acquisition of a business for  
197 purposes of this section.]

198 [(g)] (f) This section shall be interpreted and applied in such a manner  
199 as to meet the minimum requirements of Public Law 108-295 as  
200 interpreted by the federal Department of Labor.

201 [(h)] (g) This section shall apply to unemployment compensation tax  
202 years beginning on and after January 1, 2006.

203 Sec. 6. Section 38a-513e of the general statutes is repealed and the  
204 following is substituted in lieu thereof (*Effective from passage*):

205 (a) In the event (1) an employer, as defined in section 31-58,  
206 terminates an employee for any reason other than layoff or relocation or  
207 closing of a covered establishment, [as defined in section 31-51n,] or (2)  
208 an employee voluntarily terminates employment with an employer,  
209 such employer may elect not to pay the premium for such employee and  
210 any such employee's dependents under a group health insurance policy  
211 after the date of such employee's termination. In the event such  
212 employer makes such election, any insurer, health care center, hospital  
213 service corporation, medical service corporation or fraternal benefit  
214 society that issues such group health insurance policy shall credit such  
215 employer the amount of any premium paid by such employer with  
216 respect to such policy for such employee and such employee's  
217 dependents attributable to the period after the date of such employee's  
218 termination, provided the employer notifies the insurer, health care  
219 center, hospital service corporation, medical service corporation or  
220 fraternal benefit society that issued such policy and the terminated  
221 employee not later than seventy-two hours after the termination. Upon  
222 the issuance or renewal of such policy, such insurer, health care center,  
223 hospital service corporation, medical service corporation or fraternal  
224 benefit society shall provide such employer with relevant information  
225 related to such employer's election, including a notice that it is the  
226 employer's responsibility to remit to the terminated employee such  
227 employee's portion of the credited premium. Any such credit shall be  
228 applied to the employer's next month's premium. In the event of  
229 nonrenewal of such policy, the insurer, health care center, hospital  
230 service corporation, medical service corporation or fraternal benefit  
231 society shall refund such credit to the employer. As used in this section,  
232 "covered establishment" means any industrial, commercial or business  
233 facility which employs, or has employed at any time in the preceding



234 twelve-month period, one hundred or more persons.

235 (b) Notwithstanding the provisions of subsection (a) of this section,  
 236 (1) any contractual agreement entered into through collective  
 237 bargaining that requires the employer to pay the premium for an  
 238 employee under a group health insurance policy after the date of such  
 239 employee's termination shall supersede the provisions of subsection (a)  
 240 of this section, and (2) no credit shall be available to an employer for any  
 241 employee's and employee's dependents' coverage for the seventy-two  
 242 hours immediately following the termination of such employee.

243 (c) Any right of an employee and his dependents to continuation of  
 244 coverage following the relocation or closing of a covered establishment  
 245 [ , as set forth in section 31-51o,] shall not be affected by the provisions  
 246 of this section.

247 Sec. 7. Sections 31-51n, 31-51o and 31-76l of the general statutes are  
 248 repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	31-2
Sec. 2	<i>from passage</i>	31-225a(j)(1)
Sec. 3	<i>from passage</i>	31-402
Sec. 4	<i>from passage</i>	31-76a(c)
Sec. 5	<i>from passage</i>	31-223b
Sec. 6	<i>from passage</i>	38a-513e
Sec. 7	<i>from passage</i>	Repealer section

**LAB**      *Joint Favorable*