

<b>Act Number</b>	<b>Session</b>	<b>Bill Number</b>	<b>Total Number of Committee Pages</b>	<b>Total Number of House Pages</b>	<b>Total Number of Senate Pages</b>
PA 71-371		219	4	2	6
<u>Committee Pages:</u> <ul style="list-style-type: none"> <li><i>Labor &amp; Public Employees 177-180</i></li> </ul>				<u>House Pages:</u> <ul style="list-style-type: none"> <li>3416-3417</li> </ul>	<u>Senate Pages:</u> <ul style="list-style-type: none"> <li>1896-1901</li> </ul>

**H-115**

**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
1971**

**VOL. 14  
PART 8  
3377-3877**

Friday, May 21, 1971

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MBS

The Chair and the body thanks you, sir.

The Clerk will continue with the regular call of the calendar business.

THE CLERK:

Page 6 of the calendar, Calendar No. 1010, Senate Bill No. 219, An Act Increasing the Maximum Rate of Workmen's Compensation Benefits.

MR. SPEAKER:

Will the Clerk call that Calendar item again?

THE CLERK:

On page 6, Calendar No. 1010, Senate Bill No. 219, An Act Increasing the Maximum Rate of Workmen's Compensation Benefits.

RONALD A. SARASIN, 95th District:

Mr. Speaker, I move adoption of the Joint Standing Committee's favorable report and passage of the bill.

MR. SPEAKER:

May I ask the members who are leaving the floor that they please do so, it's impossible to hear. The various conferences that are going on would better lend themselves to the hallway or some adjoining office. We will not proceed until the aisles are cleared and the members are seated.

RONALD A. SARASIN, 95th District:

Mr. Speaker, repeating again, I move adoption of the joint committee's favorable report and passage of the bill.

Friday, May 21, 1971

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MBS

MR. SPEAKER:

Will you remark?

RONALD A. SARASIN, 95th District:

Mr. Speaker, it is with great pleasure and with thanks to the Chairman of the Committee on Labor that I'm allowed to bring this bill out. I would strongly urge the House to consider favorably this bill which increases the compensation received weekly by an injured employee under the provisions of the workmen's compensation act from 60% of the average weekly wage to 66 2/3%. I would point out, Mr. Speaker, that the average weekly wage is determined by the United States Department of Labor, on an annual basis, and the Labor Commissioner makes a determination as to the state of Connecticut. At present the average weekly wage is \$142.00 and an injured employee, injured as a result of something that happened arising out of the course of employment, would receive \$85.20. Under the provisions of this act he would be able to receive \$94.67, an increase, Mr. Speaker, which perhaps is not very much for a person who is injured but an additional \$9.00 -- almost \$9.50 -- I strongly urge passage of this bill.

MR. SPEAKER:

Will you remark further on the bill? If not, all those in favor indicate by saying aye, opposed? The bill is passed.

THE CLERK:

Calendar No. 1011, Substitute for Senate Bill No. 263,

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**CONNECTICUT  
GENERAL ASSEMBLY**

**SENATE**

**PROCEEDINGS  
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PART 4  
1457-1920**

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SENATOR STRADA:

Mr. President, I move for acceptance of the joint committee's favorable report and passage of the bill.

THE CHAIR:

Will you remark?

SENATOR STRADA:

This bill validates a defective notice dated Jan. 22, 1970 concerning injuries sustained on Dec. 25, 1969. The bill was not defective with respect to time timliness, but rather was filed with the wrong municipality. It does not involve a waiver of the statute.

THE CHAIR:

The question is on passage of the bill. Will you remark further? If not all those in favor of passage of the bill signify by saying aye. AYE? Opposed nay. The ayes have it. The bill is passed.

THE CLERK:

Page 4 please, middle of the page. Cal. 611, File 848 Favorable report joint standing committee on Labor on S.B. 219 An Act Increasing the Maximum Rate of Workmen's Compensation Benefits.

THE CHAIR:

Senator Smith.

SENATOR SMITH:

Mr. President, I move for acceptance of the joint committee's favorable report and passage of the report.

THE CHAIR: Will you remark?

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SENATOR SMITH:

Mr. President, this simply raises the benefit of Workmen-s Compensation on any person who is injured from the present 60% to 6 and 2/3% making it a high level of 66 2/3%. I move for passage and a roll call vote taken on this measure.

THE CHAIR:

The question is on passage. Will you remark further?

Senator Ives.

SENATOR IVES:

Mr. President, very briefly I rise to oppose this bill. Connecticut is already in the forefront on the rate of Workmen's Compensation Insurance paid. And at this time where your increasing the costs to employers at a time when employment is at a low ebb. I don't think we can increase the cost of doing business in this state any further.

THE CHAIR:

Will you remark further? Senator Smith.

SENATOR SMITH:

Mr. President, simply we are constantly hearing about Connecticut being so much foreward in the area of wages and unemployment compensation, workmen's compensation. I think we also ought to recognize too that Connecticut is way ahead of a lot of other states in its cost of living and services.

THE CHAIR:

Will you remark further? If not the motion has been made for a

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roll call vote. Senator Power.

SENATOR POWER.:

Mr. President, I must rise and oppose this bill also. I believe that I would reiterate the remarks of the distinguished minority leader. That it is costing enough for the industrial concerns at this point. While I believe that at some date in the future this workmen's compensation rate should be increased. I do not believe this is the proper time for it. I will oppose the bill.

THE CHAIR:

Will you remark further? Senator Crafts.

SENATOR CRAFTS:

Mr. President, members of the circle. I too will oppose the bill. I do sincerely believe that this would be most damaging to the many small businesses in the state of Connecticut. I sincerely believe that the Senator from the 2nd District is correct in saying that the cost of living in the state of Connecticut is rather high compared to many states in the union. However, this compensation is a percentage of income. And income has been increasing in step with the cost of living in the state of Connecticut for several years. I believe this bill should be defeated. And I ask you to search your conscience and not your political affiliation when you vote on this issue.

THE CHAIR:

Will you remark further? Senator Fauliso.

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SENATOR FAULISO:

Mr. President, I want to assure the Senator from the 18th. That in searching my conscience I find that historically the state of Connecticut has never been posthumousness with regard to injury to an individual who is hurt during the course of his employment. We must remember that workmen's compensation was passed in lieu of the common law that was available to an injured employee. In this particular act the individual does not sue at common law. Where an individual does sue at common law he is entitled to special damages of loss of wages in full. What we are doing here is recognizing that the individual who is injured during the course of his employment should be at least be compensated for at the rate of 2/3. I think this is fair. I think that we are moving in the direction where we recognize injury and compensation, just compensation for injury occurring during the course of employment. This is no time for us to deny people who are hurt and have injury. They are losing a full weeks pay and what we are saying is, We are giving you back 2/3 of the average weekly pay which is in lieu, which they could get in any other kind of injury, except in workmen's compensation. I think its a good bill. I think the labor committee is doing certainly not only something complimentary for the people who are injured, but it seems to me that it is indigitive of the progress of our state. Certainly it puts us in the forefront. And I definitely disagree that my conscience at any time would give me qualms that its going to cost me as an employer

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just a little more money to redeem and compensate a person and make him hold. This is all that we are asking.

THE CHAIR:

Will you remark further? Senator Dowd.

SENATOR DOWD:

Mr. President, I rise to support this bill. What we are talking about is, as my distinguished colleague from the 1st has pointed out, are work connected injuries of a worker. And what in effect this bill is doing is allowing workers to earn a maximum benefit amount of \$95. rather than \$84. as it is right now. It has no affect in other words on an employee whose average weekly wage is less than \$168. What we are doing is essentially extending a basic policy of our state. Those who are injured may receive a maximum of  $2/3$  of their wages. We are extending that principal. From those who earn \$168. up to those who earn \$190. I think that this is a fair measure. We are talking about people who are losing the potential to work. And I support the bill.

THE CHAIR:

Will you remark further? Senator Rudolf.

SENATOR RUDOLF:

Mr. President, I briefly would like to rise in support of this bill. I think that its important that we lend our support to those who want to work in the state of Connecticut. And thru an unfortunate accident, I think we lend our support to helping them.

THE CHAIR:

Will you remark further? Senator Ciarlone

SENATOR CIARLONE:

Mr. President, I rise to support the bill. I don't agree with those in the circle who say that this would be a burden on industry. And on business because the plain simple fact is that this will be passed along to the consumer increased overhead. Its a good bill and I support it.

THE CHAIR:

Will you remark further? If not motion has been made for a roll call vote. All those in favor of a roll call vote signify by saying aye. AYE. Opposed nay? Roll call is ordered in the Senaote.

Results of the roll call vote on S.B. 219

Whole number voting 34.  
Necessary for passage 18  
Those voting yea 30  
Those voting nay 4  
Those absent and not voting 2

The bill is passed.

THE CLERK:

Please turn to page 5. Cal. 615 , File 858 F<sub>a</sub>vorable report joint standing committee on Human Rights and Opportunities on Substitute S.B. 1129 An Act Eliminating Resident Requirements For Municipal Housing Projects.

THE CHAIR:

Senator Smith.

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**LABOR  
AND  
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LABOR AND INDUSTRIAL RELATIONS

HALL OF THE HOUSE  
FRIDAY - 1:00 P.M.

MARCH 19, 1971

- R. Fedorowicz: My name is Ronald Fedorowicz, Personnel Director for the City of Hartford. I am speaking on behalf of Mr. Freedman in his capacity as City Manager also as Chairman of the Legislative Committee for the Connecticut Town and City Managers Association and I have also been asked to extend the same comments on behalf of the Connecticut Conference of Mayors. This bill is being opposed not on the basis of its philosophy but because of the increased cost, especially during a time that the municipalities are in dire financial straits. If the General Assembly in its wisdom sees fit to pass such a provision, we would request that the money be made available to make payment.
- Chr. Badolato: Thank you. Is there anyone else that wants to be heard in opposition to this bill? There being none, then we will move on to S. B. 187 (Sen. Dupont of the 29th) AN ACT CONCERNING MEDICAL REPORTS IN WORKMEN'S COMPENSATION CASES. Those that are in favor of S. B. 187. Is there anyone in opposition?
- L. Lemaire: Leon Lemaire speaking for the Connecticut Business and Industry Association. I'm not sure what the cost of such medical reports would amount to, but it would add to the employer's cost and I don't know but whether or not lawyers representing claimants might be demanding reports indiscriminately on the basis that the employer is going to pick up the tab anyway. I hope that you will reject the bill.
- Chr. Badolato: Thank you. Is there anyone else?
- D. Van Winkle: Mr. Chairman. Dale Van Winkle of the United Aircraft Corporation. This bill would make the employer responsible for the cost of all medical reports including those requested by the employee or the employee's attorney. It's grossly unreasonable to expect the employer to pay this and it certainly would invite harassment and multiple reports at great expense to employers.
- Chr. Badolato: Thank you. Is there anyone else that cares to be heard on this bill? Then, we will move on to S. B. 219 (Sen. Cutillo of the 15th) AN ACT INCREASING THE MAXIMUM RATE OF WORKMEN'S COMPENSATION BENEFIT RATE. Those in favor of S. B. 219.
- N. Zolot: Mr. Chairman, Members of the Committee. My name is Norman Zolot. I am speaking on behalf of the Connecticut State Labor Council, AFL-CIO, in support of S. B. 219 (Sen. Cutillo of the 15th) AN ACT INCREASING THE MAXIMUM RATE OF WORKMEN'S COMPENSATION BENEFIT RATE. This bill would increase the

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N. Zolot: maximum benefit rates for an individual from 60% to 66 2/3% of the average weekly earning of production and related workers of the State. I suppose the battle-cry has already been raised and the issue is clear. Anything that would appear to increase costs is, therefore, verboten this year. Well, unfortunately, all that means is that those that live in poverty must continue to exist in poverty and there is no hope for them to improve themselves. I just can't believe that that's the legislative spirit in this State nor is it the position of rational, equitable men.

The question is whether or not the present benefits provided for injured workers are adequate and whether a change from 60% to 66 2/3% would make that individual able to meet his needs in the face of the present requirements for a standard of living which the individual has maintained. The change here will not help the high wage earner. That individual is still being grossly discriminated against. A 66 2/3% rate of a construction worker's pay is less than 1/3 of his take-home pay. On the other hand, a change of 60% to 66 2/3% for a low wage earner and the average factory worker means a 10% increase in the amount he can secure and that, it seems to me, is only fair and equitable.

I can only call to the attention of this Committee the fact that yesterday the President decided that Social Security benefits should be increased 10% and, I think, using the same approach, the time has come for us to increase our Workmen's Compensation benefits at the lower spectrum 10% and even then it's still going to be inadequate.

Chr. Badolato: Thank you. Is there anyone else in favor?

B. Fecteau: Mr. Chairman. My name is Bernard Fecteau, Workmen's Compensation for Local #626, UAW. I would like to go down on record as seconding the motion of Mr. Norman Zolot.

Chr. Badolato: Is there anyone else?

S. Patterson: Mr. Chairman. My name is Samuel Patterson, Local #5623, United Steel Workers, to rise in support of this bill. I would like to point out that there are some inequities in this because the related workers, as you might recall, could be, or some engineers, etc., in this field that average \$250. a week and they are being discriminated because they only receive a small percentage of their wages. I rise in support of this bill.

Chr. Badolato: Thank you. Anyone else?

J. Barry: John Barry, Local #3571, United Steel Workers of America. I

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- J. Barry: rise in support of this bill.
- Chr. Badolato: Thank you. Is there anyone else?
- S. Volpe: My name is Sam Volpe, President of Brass Workers Local #24411, AFL-CIO. I'm in support of S. B. 219 (Sen. Cutillo of the 15th) AN ACT INCREASING THE MAXIMUM RATE OF WORKMEN'S COMPENSATION CASES.
- Chr. Badolato: Thank you. Is there anyone else in favor?
- W. Gingeroski: My name is Walter Gingeroski, Grievance Committee of the Bridgeport Brass Workers, Local #24411. I'm in support of S. B. 219 (Sen. Cutillo of the 15th) AN ACT INCREASING THE MAXIMUM RATE OF WORKMEN'S COMPENSATION CASES.
- Chr. Badolato: Thank you. Is there anyone else in favor of this bill? Then, we will hear the opposition. Anyone opposed?
- L. Lemaire: Leon Lemaire speaking for the Connecticut Business and Industry Association. We oppose the bill. We cannot afford to increase the cost of doing business in Connecticut with Workmen's Compensation, Unemployment Compensation, or any other area. The analogy of the 10% increase in Social Security is not a proper one, number one. We have an escalator in Connecticut which is not available at the Federal level. We have dependency allowances in Connecticut which are, also, not available at the Federal level. The cost is automatically increased every year. We do have a ratio which is 60% of a man's average wage. I think that ought to be maintained. Where does it stop - 70%, 80%, 90%? There is a recognition of the dependency allowance which has been completely ignored by the previous speakers. I hope you will reject this bill.
- Chr. Badolato: Thank you. Is there anyone else?
- H. E. Snoke: Mr. Chairman. I am Harmon E. Snoke, Executive Vice-President of the Manufacturers Association of Bridgeport, and we wish to appear in opposition to this bill. Reference has been made, and is always made to the average weekly earnings whether they are justified or not but you have to have some kind of a bench mark and if I may give you a definition of average, off the record, so it will not appear in the record, I would like to say that it is the worst of the best and the best of the leu-est but, however, we are stuck with it. You have to have a bench mark and this is a well accepted bench mark. It wasn't mentioned, either, that this is a tax-free payment to the recipient and, therefore, it is a 60% tax-free payment. I would just like to make that point, sir. Thank you.

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Chr. Badolato: Thank you. Is there anyone else in opposition to this bill?

D. Van Winkle: Mr. Chairman. My name is Dale Van Winkle of the United Aircraft Corporation. I won't repeat some of the points that have been mentioned already but Connecticut, of course, does tax business higher than other states. The costs of doing business here are higher. We already have close to, or the very highest benefits in Workmen's Compensation and other compensation fields. This is no time to be increasing those already high benefits and I oppose the increase to 66 2/3%. Thank you.

Chr. Badolato: Is there anyone else in opposition? If not, then we will move on to the next bill but before I do, I want to welcome into the House our former Chairman of the Senate, Senator Anthony Miller. We will move on then to S. B. 429 (Sen. Lieberman of the 11th) AN ACT CONCERNING THE RETIREMENT SALARY OF CERTAIN WORKMEN'S COMPENSATION COMMISSIONERS. Is there anyone that wants to be heard in favor of this bill?

H. E. Sneke: Mr. Chairman. I would like to get on the pro side of this. I think these men earn their money. Our Commissioner in Bridgeport, Mr. Zalinsky, is the hardest working man almost I know of and not knowing what his retirement basis is, I think he might merit to have a cost-of-living adjustment. I don't know but just so someone will say something kind, and properly so, for the Workmen's Compensation Commissioners.

Chr. Badolato: Is there anyone else in favor?

N. Zolet: Mr. Chairman. Norman Zolet speaking only for myself. Knowing the personnel involved in this case, I would certainly support this measure for these individuals who are affected by it. It is my personal position.

Chr. Badolato: Thank you, sir. Is there anyone else in favor?

B. Fecteau: Mr. Chairman. Bernard Fecteau supports it also, UAW.

S. Patterson: Mr. Chairman. Samuel Patterson, United Steel Workers, Local #5623, Bridgeport. Now, that the Commissioner's name has been mentioned, I think he is a fine fellow and he deserves our support on this bill.

Chr. Badolato: Thank you. Is there anyone else in favor? Alright, is there any opposition to this bill? Hearing none, we will move on to S. B. 708 (Sen. Ives of the 32nd) AN ACT CONCERNING THE REGULATION OF WORKMEN'S COMPENSATION AND EMPLOYERS' LIABILITY INSURANCE RATES. These in favor of S. B. 708.