

Legislative History for Connecticut Act

**PA 14-42**

SB64

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**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
2014**

**VOL.57  
PART 14  
4451 – 4808**

Senate Bill 64, AN ACT CONCERNING THE CONNECTICUT

EMPLOYMENT AND TRAINING COMMISSION AND AMENDMENTS TO THE  
DEPARTMENT OF LABOR STATUTES.

DEPUTY SPEAKER BERGER:

Representative Tercyak. The Chairman, House chair of  
the Labor Committee. Sir, you have the floor.

REP. TERCYAK (26th):

Thank you very much, Mr. Speaker. I move for  
acceptance of the joint committee's favorable report and  
passage of the bill in concurrence with the Senate.

DEPUTY SPEAKER BERGER:

Motion before the Chamber is the joint committee's  
favorable report and passage of the bill in concurrence  
with the Senate. Sir, please continue.

REP. TERCYAK (26th):

Thank you very much, Mr. Speaker. This is the  
Department of Labor's Technical Bill. And on the Labor  
Committee, we're pretty proud of it, we really think it is  
a technical bill that came to us eight proposed changes  
described as technical in nature.

We agreed that four of them were technical in nature,  
and those are the ones that are in this bill. Of the ones  
that were deleted in the S language, the one that people  
might be most interested in was mentioned the other day.

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A requirement for labor organizations to file a report with the Department of Labor, and when this showed in up the technical bill, we had no trouble saying it's time to start collecting those reports. And did not delete the law.

Given that, I hope everybody will join me in supporting the bill. Thank you very much Mr. Speaker.

DEPUTY SPEAKER BERGER:

Thank you

Will you remark further on the bill? Will you remark on the bill?

Representative Smith of the 108th.

REP. SMITH (108th):

Mr. Speaker, thank you. Just a few questions, if I may, to the proponent of the bill.

DEPUTY SPEAKER BERGER:

Yes, sir, please proceed.

REP. SMITH (108th):

Yes, Mr. Speaker, I'm looking at Section 7 of the bill. And I see there's a change there based on how the reporting is made. And we used to report on a biweekly basis, and now it looks like the Labor Department will have to report pursuant to a memorandum of understanding with the Department of Social Services, and I'm just

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wondering if the Chairman could explain the nuances of this new procedure. Through you, Mr. Speaker.

DEPUTY SPEAKER BERGER:

Yes, sir, Representative Tercyak, sir.

REP. TERCYAK (26th):

Thank you very much, Mr. Speaker. I believe the answer is no, I cannot, but let me check.

DEPUTY SPEAKER BERGER:

Representative Smith, the answer to your question was tentatively no.

REP. TERCYAK (26th):

Excuse me, Mr. Speaker, could I ask the good Representative what lines he is speaking about?

DEPUTY SPEAKER BERGER:

Representative Smith.

REP. SMITH (108th):

Thank you, Mr. Speaker. Looking at lines 475 through 493.

DEPUTY SPEAKER BERGER:

Representative Tercyak.

REP. TERCYAK (26th):

Oh, thank you very much. This is about streamlining some of the reporting and fulfilling the requirements of the State Health Exchange and the ACA. Thank you very

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much. Through you, Mr. Speaker.

DEPUTY SPEAKER BERGER:

Thank you, Representative.

Representative Smith.

REP. SMITH (108th):

Thank you, Mr. Speaker. And I was -- mentioned in the past it looked like the reporting requirements were done on a biweekly basis in terms of if new employees came into the system and they were collecting social services, then there would be some type of indication of that and a cross checking.

Now it seems to be going through a memorandum of understanding and then some type of reporting requirement thereafter, and I'm wondering, because I heard the Chairman mention that this is streamlined, whether this will be done on a more frequent basis, or how this reporting that was done under the old practice will be done under the new practice, if he knows. Through you, Mr. Speaker.

DEPUTY SPEAKER BERGER:

Representative Tercyak, do you care to answer, sir?

REP. TERCYAK (26th):

Thank you very much. I think we might be moving on to Section 10 here in the bill when we talk about the

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memorandum of understanding, which is also to provide Access Health Connecticut, the State Health Insurance Exchange, direct access to confidential unemployment compensation, wage, and benefit data.

We used to have to share this data with the -- between the Department of Labor and the Department of Social Services, but the Department of Social Services is getting cut out as a destination for the frequency of this, because it's going to be picked up in the State Health Exchange supervision and oversight. Thank you very much, thank you, Mr. Speaker.

DEPUTY SPEAKER BERGER:

Thank you, Representative.

Representative Smith.

REP. SMITH (108th):

And I thank the Chairman for the clarification. And just one other question I have is, I noticed in Section, I believe it's Section 8, I believe the Field Workforce Training Program has been repealed. And I'm just wondering if the Chairman could comment as to why that was done. Through you, Mr. Speaker.

DEPUTY SPEAKER BERGER:

Representative Tercyak.

REP. TERCYAK (26th):

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Thank you very much, and I hate to do it, Mr. Speaker, but through you, could the good Representative tell me which lines he is looking at.

DEPUTY SPEAKER BERGER:

Representative Smith, can you identify the lines, please, sir?

REP. SMITH (108th):

Lines 617 and 618.

DEPUTY SPEAKER BERGER:

Representative Tercyak.

REP. TERCYAK (26th):

Thank you, Mr. Speaker. Oh, because the Department of -- it says that this report is obsolete. The training is no longer separate through the department with every -- with all those other departments. And questions about confidentiality, and who to share information with, therefore are moot, and that's why it's being deleted. Thank you very much. Through you, Mr. Speaker.

DEPUTY SPEAKER BERGER:

Representative Smith.

REP. SMITH (108th):

Ladies and gentlemen of the Chamber, this bill is indicated by the Chairman of the Labor Department -- Labor Committee is technical in nature. There were some things

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that were not technical when it first came out. We cleaned that up. It is truly technical at this point. Our Labor Department very much would desire to have this bill passed, and I encourage the support. Thank you, Mr. Chairman. Mr. Speaker.

DEPUTY SPEAKER BERGER:

Thank you, Representative Smith

Will you comment further on the bill before us? Will you remark further on the bill before us? If not, will staff and guests please come to the well of the House. Members, please take your seat. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll. The House of Representatives is voting by roll. Will members please return to the Chamber immediately.

DEPUTY SPEAKER BERGER:

Have all the members voted? Have all the members voted?

Representative Lesser, have all the members voted? Have all the members voted? Will the members please check the board to see if your vote has been properly cast. If all the members have voted, the machine will be locked, and the Clerk will take the tally.

Will the Clerk please announce the tally.

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THE CLERK:

Senate Bill 64 in concurrence with the Senate.

Total number voting	146
Necessary for passage	74
Those voting Yea	146
Those voting Nay	0
Those absent and not voting	5

DEPUTY SPEAKER BERGER:

Bill passes.

Representative Williams, sir, of the 68th.

REP. WILLIAMS (68th):

Well, thank you, Mr. Speaker, and good afternoon,  
nice to see you there today.

DEPUTY SPEAKER BERGER:

Good afternoon, sir.

REP. WILLIAMS (68th):

Mr. Speaker, for the purposes of an introduction,  
please.

DEPUTY SPEAKER BERGER:

Please proceed, sir.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker, ladies and gentlemen of the  
Chamber, I am so proud to have with me some folks from  
Woodbury who are here visiting with us. With me here is

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Safety and Security, Madam President, we have Calendar page 6, Calendar 166, Senate Bill 427 is marked go.

And under Matters Returned, Calendar page 28, Calendar 115, Senate Bill 291 marked go, Calendar page 129, Calendar 123, Senate Bill 290 marked go, Calendar page 31, Calendar 186, Senate Bill 288 marked go.

And returning to favorable reports on the Committee on Public Safety and Security, Calendar page 19, Calendar 390, Senate Bill 80 is marked go. We will have additional items to mark go subsequently, Madam President.

Also, Madam President, we would ask members to stay close to the chamber because there will be a panoramic group photo taken here in the Senate chamber after the first bill is taken up, trying to get all the members present in the chamber at that time.

Thank you, Madam President.

THE CHAIR:

Thank you, sir.

At this time, Mr. Clerk.

THE CLERK:

On page 33, Calendar 235, substitute for Senate Bill Number 64, AN ACT CONCERNING THE CONNECTICUT EMPLOYMENT AND TRAINING COMMISSION AND AMENDMENTS TO THE DEPARTMENT OF LABOR STATUTES, favorable report from the Committee on Labor and Public Employees.

THE CHAIR:

Good afternoon, Senator Holder-Winfield. How are you today, sir?

SENATOR HOLDER-WINFIELD:

I am well. Good afternoon, Madam President.

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Good afternoon.

SENATOR HOLDER-WINFIELD:

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

THE CHAIR:

Motion is on acceptance and passage. Will you remark, sir?

SENATOR HOLDER-WINFIELD:

Yes, thank you, Madam President.

This is a bill that comes to us through the Labor Committee. It comes to us on a unanimous vote of all members present. It's a bill that deals with the labor statutes and Connecticut Employment and Training Commission.

What it does is it re-establishes what was recently repealed in the Office of Competitiveness, which is a requirement to coordinate and produce annual legislative report card.

It also requires the Connecticut Employment and Training Commission to develop a plan to coordinate all employment and training programs. It shifts the date of the report from January to July to comport with other reporting requirements, reducing duplication, saving money.

It also has a section -- in section 7 it replaces a biweekly report with a memorandum of understanding, which effects the same thing that the biweekly report did for new employee information and repeals the law requiring the Office of Workforce Competitiveness to establish a film industry training program.

I move acceptance.

THE CHAIR:

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Motion is on acceptance and passage. Will you remark further? Will you remark further?

Seeing --

SENATOR HOLDER-WINFIELD:

Well, Madam President.

THE CHAIR:

Senator Holder-Winfield.

SENATOR HOLDER-WINFIELD:

I would ask for a roll call vote as well.

THE CHAIR:

A roll call vote will be taken.

Mr. Clerk, please call for roll call vote and the bill will be -- the machine will be open.

THE CLERK:

Immediate roll call is ordered in the Senate.

Immediate roll call has been ordered in the Senate.

I'm going to ask that all senators stay in the chamber after you vote, please. Will all senators please stay in the chamber after you vote? I ask that all senators please stay in the chamber after you vote. Asking all members to stay in the chamber after they vote. Can all members please stay in the chamber after you vote?

Senator Bartolomeo, do you want to vote, please?  
Senator Bartolomeo, would you like to vote? Thank you.

I want you to be noted that you're staying in the chamber, please.

All right, Senator Boucher, please stay in the chamber after you vote. Will all members please stay in the

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chamber. Senator, okay, go get your jacket fast please. Thank you.

Senator Musto, would you like to vote please? Thank you, sir.

Okay. We are now going to stay -- right now I'm asking you to stay where you are. The machine is going to be closed. The Clerk is going to call the tally, and then were going to wait for Senator Fonfara.

THE CLERK:

On Senate Bill Number 64.

Total Number Voting	36
Necessary for Adoption	19
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

The bill passes.

Everybody stand at ease but staying right here. Thank you. I'm leaving.

SENATOR FONFARA:

I'm going to be taking two sets of shots. The first one you'll all stay seated, and I'm going to take three pictures per set, so I'll do that twice. Then I'll ask you to stand up and we'll repeat the same thing.

So for the senators on the end in Districts 1, 2, and 3, and 34, 35 and 36, for the seated shot and for the standing shot, if you could -- don't push back too far but just enough so that you can see that the camera is not obscuring, you know, having you obscure your next-door neighbor. Exactly.

THE CHAIR:

**JOINT  
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HEARINGS**

**LABOR AND  
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CHAIRMAN: Senator Osten  
MEMBERS PRESENT:  
SENATORS: Gerratana, Markley  
REPRESENTATIVES: Kiner, Miner, Santiago,  
Smith, Tercyak

SENATOR OSTEN: And we'll start with our own  
Commissioner of the Department of Labor,  
Commissioner Palmer.

COMMISSIONER PALMER: Good afternoon. I think this  
a hearing for brave New Englanders. You have a  
whole lot of bills before you today. So I'm  
just going to mention some items from a few of  
them, and then feel free to ask me any  
questions you might like.

So, as usual, thank you for the hearing,  
Senator Osten, Representative Tercyak, and  
members of the committee.

So I'll start out with Senate Bill 32, which is  
essentially minimum wage, and I'd like to tell  
you that the Department of Labor strongly  
supports that increase for 2015, 2016, and 2017  
up to 10.10 an hour.

We feel that it will be good for Connecticut  
economy, contrary to some other opinions, but  
it will give workers a way that would allow  
them to better support themselves and their  
families.

We, in Senate Bill 58, would like to increase  
the penalties for false or misleading  
declaration statements or representations  
regarding unemployment compensation, raising it  
from 10 to 15 percent on all the weeks that

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about some other bills, but --

COMMISSIONER PALMER: Yeah. I'm going to have her stay here just in case.

REP. SMITH: Sure. It's nice to have a companion.

SENATOR OSTEN: Excuse me one minute, Representative Smith. Is there anybody here by the name of Don Philips from the Connecticut Office of State Ethics? I have your badge. Ron Smith, I'm sorry. Thank you.

REP. SMITH: So looking at Senate Bill No. 64, the technical amendments bill, I read through your testimony. Initially, I was concerned about the deletion of Connecticut General Statutes 3177. I just want to be clear for the record that, that is not being proposed to be deleted.

COMMISSIONER PALMER: Right, right.

JENNIFER KLINE: We didn't intend to write it.

COMMISSIONER PALMER: Right, right.

REP. SMITH: So that was an error than in the draft?

COMMISSIONER PALMER: Yes, it was.

REP. SMITH: Okay.

COMMISSIONER PALMER: Yes, absolutely.

REP. SMITH: And that statute has been in existence a while from -- just looking back at the dates when it was created. Do you have any recordkeeping as to if that's being enforced or not being enforced?

COMMISSIONER PALMER: I believe it is. We had that

exercise of going through. As you -- as you may recall, the Governor asked every department go through all of its regulations and statutes relevant to each department and look for things that were obsolete or could be deleted or removed, and that was not one of them. So that was part of our review, I believe.

REP. SMITH: Because one thing I did notice, that the fine has remained nominal, so to speak, since the -- well, I don't know whether it's over 50 years, but it's been a long time.

COMMISSIONER PALMER: Yeah.

REP. SMITH: I'm wondering, just in light of, you know -- as you know, I've only been on this committee a short period of time, although it seems longer to me.

COMMISSIONER PALMER: I know that feeling. I've only been at this job a year and a half, and it feels like 10.

REP. SMITH: Yes. But I do know there's been an effort on our behalf and your behalf to bring compliance with our statutes from the private sector, and I would hope we would do the same for the public sector as well because we want to be consistent in our approach, I would assume.

COMMISSIONER PALMER: Absolutely.

REP. SMITH: Okay.

COMMISSIONER PALMER: Yeah. There may be some valid suggestions that we certainly would think about.

REP. SMITH: Perhaps you could have your office at

least get back to me with some feedback in terms of whether or not the statute is being complied with. And to the extent that it is, I'm very happy. To the extent that it's not, then why not?

COMMISSIONER PALMER: Certainly.

REP. SMITH: Going down the line -- it's good to be first because then you'll be done, right.

COMMISSIONER PALMER: That's right.

REP. SMITH: So in terms of -- in terms of House Bill 5054, when I first read the proposed new language, I was wondering why this is even on the list because I was astonished to me that we'd be creating some type of legislation making it a fine or a civil penalty to not hire somebody -- I guess that's not what the bill says -- to not even advertise -- or to put an advertisement out there that we will not hire unemployed people --

COMMISSIONER PALMER: Right.

REP. SMITH: -- which I wondered to myself why do we even need this. So why do we need this?

COMMISSIONER PALMER: Well, I think -- well, let me just say that the work of the Department of Labor is to put people back to work, and one of the significant segments of that group of folks is people who have been unemployed for a long time; and many of those are older workers.

The percentage is small of older workers who are unemployed, but they're out of work for a much longer time. And, in general, those are folks who have worked and currently don't have a job.

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STANDING  
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HEARINGS**

**LABOR AND  
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**2014**

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Public Hearing Testimony of  
Sharon M. Palmer, Commissioner  
Department of Labor  
Labor and Public Employees Committee  
February 18, 2014

Good Afternoon Senator Osten, Representative Tercyak, Senator Markley, Representative Smith and members of the Labor and Public Employees Committee. Thank you for the opportunity to provide you with testimony regarding House Bill No. 64, AAC Technical and Other Changes to the Labor Department Statutes. My name is Sharon Palmer and I am the Labor Commissioner.

I am here to speak in support of this bill which makes technical changes to DOL statutes and repeals obsolete statutes and reports. A summary of the changes follows:

- Section 1 seeks to re-establish the recently repealed Office of Workforce Competitiveness requirement to coordinate the production of the annual legislative report card. The report card process documents a linkage between workforce training and higher educational outcomes and workforce outcomes, and the information provided is a vital part of the data collection effort underway in education and labor.
- Sections 2 and 3 repeals CGS 4-66e(d), which is the self-sufficiency measurement report developed by the Office of Workforce Competitiveness, as it is obsolete and has no funding to support it.
- Sections 4, 5, 6 and 11 repeal CGS 31-3h(b)(3), which requires CETC to continue to develop a plan for the coordination of all employment and training programs in the state to avoid duplication and to promote the delivery of comprehensive, individualized employment and training services. This report is due annually on July 1st and we are requesting that it be due on January 31, 2015 instead to correlate with the CETC annual report requirement listed in 31-3h(8)(c). This will result in less duplication of effort.

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- Section 7 adds the definition of "labor organization" due to the repeal of CGS 31-77, which requires labor organizations to submit an annual report to the Department of Labor. It was not the Department's intent to repeal CGS 31-77. Therefore, Section 7 should be removed from this proposed bill.
- Section 8 is an administrative correction to coordinate language within the statute.
- Section 9 is an administrative clarification of subdivisions and subsections within CGS 31-223.
- Section 10 is a technical change to CGS 31-254 to provide AccessHealthCT, the State Health Insurance Exchange, and its agents direct access to confidential unemployment compensation wage and benefit data through a memorandum of understanding (MOU). Confidentiality safeguards are required to be included in the MOU as part of the disclosure process.
- Section 12 repeals CGS 4-124uu, which is the report of the trained workforce in the film industry. This report is obsolete. In addition, the reference to CGS 31-77 should be removed from section 12 since it was not our intent to repeal this statute in this proposed bill.