
OLR Bill Analysis

SB 1312 (File 173, as amended by Senate "A")*

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LABOR DEPARTMENT.

SUMMARY

This bill:

1. decreases, from 60 to 40 days after a quarterly statement is provided, the amount of time an employer has to file a written protest with the Department of Labor (DOL) on the payment of unemployment insurance benefits due to fraud or error;
2. changes the unemployed workers' advocate from a position that serves at the labor commissioner's pleasure to a full-time position in the state employee classified service;
3. requires physicians, physician assistants (PAs), and advanced practice registered nurses (APRNs) to report suspected occupational diseases to DOL (the provision is similar to one previously codified at CGS § 31-40a and repealed by PA 22-67);
4. eliminates a provision on how employees paid through the Shared Work Program affect their employer's experience rate for purposes of unemployment insurance (UI) taxes; and
5. makes a technical change to the labor statutes.

*Senate Amendment "A" adds (1) PAs to the list of healthcare providers that must report suspected occupational diseases to DOL, (2) the provision permitting DOL to share information from these reports with the Department of Public Health (DPH), and (3) the provision on UI benefits and the Shared Work Program.

EFFECTIVE DATE: October 1, 2025, except the provisions on the reporting requirement (§ 3) and a technical change (§ 4) are effective

upon passage.

REPORT OF SUSPECTED OCCUPATIONAL DISEASE

The bill requires physicians, PAs, and APRNs to report certain types of occupational illnesses to DOL. This includes illnesses from exposure to (1) lead, phosphorus, arsenic, brass, wood alcohol, mercury, or their compounds; (2) anthrax; (3) compressed air; or (4) any other disease contracted because of the nature of the person's occupation.

Under the bill, a physician, PA, or APRN must, within 48 hours after discovering a suspected occupational disease, give DOL a report stating (1) the person's name, address, and occupation; (2) the employer's name, address, and business; (3) the nature of the disease; and (4) any other information required by DOL. The report is not admissible in court as evidence for a civil action or a workers' compensation claim. If the report is not made within the required timeframe, the labor commissioner may impose a civil penalty of up to \$10 on a physician, PA, or APRN.

The labor commissioner may investigate and make recommendations on eliminating or preventing reported occupational diseases; and the information gathered by the commissioner is not admissible in court as evidence for a civil action or a workers' compensation claim.

The bill permits DOL to share information in these reports with DPH disease surveillance, prevention, and control.

Shared Work Program Non-Charge

In general, a portion of an employer's UI taxes are based on the employer's "experience rate," which reflects the amount of unemployment benefits paid to the employer's former employees over a certain period. The law, however, allows several non-charging separations in which an employee can collect benefits without affecting a former employer's experience rate. (The benefits paid to the former employee are "pooled" and paid by all employers who pay unemployment taxes.)

The bill eliminates a provision that permits a non-charge for

employees who are paid benefits through the Shared Work program for claims filed in a week in which the state’s average unemployment rate is 6.5% or more based on the most recent three months of DOL-published data. For more drastic spikes in the unemployment rate, it also authorizes the DOL commissioner to allow a non-charge for these employees for claims filed in a week in which the state’s average unemployment rate is 8% or more in the most recent month of DOL-published data.

BACKGROUND

Employer Quarterly Unemployment Statements

By law, DOL gives employers quarterly statements that generally show their charges for unemployment benefits paid to their former employees. An eligibility issue cannot be reopened based on these quarterly statements if the employer previously received a notification about the former employee’s eligibility for benefits and failed to timely appeal it or the eligibility issue was resolved against the employer.

Shared Work Program

The Shared Work Program is a voluntary program that allows employers to reduce their employees’ work hours in place of layoffs. The affected employees receive a proportionally reduced unemployment benefit, which still gives them a greater total income than if they had been laid off with a full unemployment benefit. By remaining employees, they also maintain their fringe benefits (such as health insurance).

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable
Yea 11 Nay 2 (03/06/2025)