



Senate

General Assembly

File No. 173

January Session, 2025

Senate Bill No. 1312

Senate, March 20, 2025

The Committee on Labor and Public Employees reported through SEN. KUSHNER of the 24th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LABOR DEPARTMENT.

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

1 Section 1. Subdivision (3) of subsection (h) of section 31-225a of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2025*):

4 (3) The statement of charges provided for in subdivision (2) of this
5 subsection shall constitute notice to the employer that it has been
6 determined that the benefits reported in such statement were properly
7 payable under this chapter to the claimants for the weeks and in the
8 amounts shown in such statements. If the employer contends that
9 benefits have been improperly charged due to fraud or error, a written
10 protest setting forth reasons therefor shall be filed with the
11 administrator [within sixty] not later than forty days of the date the
12 quarterly statement was provided. An eligibility issue shall not be
13 reopened on the basis of such quarterly statement if notification of such
14 eligibility issue had previously been given to the employer under the

15 provisions of section 31-241, and he or she failed to file a timely appeal
16 therefrom or had the issue finally resolved against him or her.

17 Sec. 2. Subsection (c) of section 31-2e of the general statutes is
18 repealed and the following is substituted in lieu thereof (*Effective October*
19 *1, 2025*):

20 (c) Not later than October 1, 2021, the Labor Commissioner shall
21 designate an Unemployed Workers' Advocate, who shall [serve at the
22 pleasure of the commissioner,] be in the classified service and shall
23 devote full-time to manage the daily activities and duties of the Office
24 of the Unemployed Workers' Advocate. The Unemployed Workers'
25 Advocate shall have the necessary qualifications to perform the duties
26 of said office, including, but not limited to, having expertise and
27 experience in the fields of unemployment compensation benefits and
28 advocacy for the rights of unemployed individuals. Within available
29 appropriations, the Unemployed Workers' Advocate shall appoint and
30 employ such assistants, employees and personnel as deemed necessary
31 for the efficient and effective administration of the activities of the office.

32 Sec. 3. (NEW) (*Effective from passage*) (a) Each physician or advanced
33 practice registered nurse having knowledge of any person whom such
34 physician or advanced practice registered nurse suspects is suffering
35 from an illness related to the exposure of lead, phosphorus, arsenic,
36 brass, wood alcohol or mercury or their compounds, anthrax or
37 compressed air, or any other disease contracted as a result of the nature
38 of the occupation of such person, shall, not later than forty-eight hours
39 of discovery of such suspected occupational disease, provide the Labor
40 Department, in a form and manner prescribed by the department, a
41 report stating (1) the name, address and occupation of such person, (2)
42 the name, address and business of such person's employer, (3) the
43 nature of the disease, and (4) any other information required by the
44 department. Any physician or advanced practice registered nurse who
45 fails to provide the report required pursuant to this section or who fails
46 to send such report within the time period prescribed by this section
47 may be assessed a civil penalty of not more than ten dollars by the Labor

48 Commissioner. No report made pursuant to the provisions of this
 49 section shall be admissible as evidence in any civil action or for a
 50 workers' compensation claim under chapter 568 of the general statutes.

51 (b) The Labor Commissioner may investigate and make
 52 recommendations regarding the elimination or prevention of
 53 occupational diseases reported by a physician or advanced practice
 54 registered nurse pursuant to this section, provided no information
 55 obtained by the commissioner upon investigation shall be admissible as
 56 evidence in any civil action or for a workers' compensation claim under
 57 chapter 568 of the general statutes.

58 Sec. 4. Subsection (a) of section 31-53a of the general statutes is
 59 repealed and the following is substituted in lieu thereof (*Effective from*
 60 *passage*):

61 (a) The State Comptroller or the contracting authority acting
 62 pursuant to section 31-53 is hereby authorized and directed to pay to
 63 mechanics, laborers and workers from any accrued payments withheld
 64 under the terms of a contract terminated pursuant to subsection (b) of
 65 section 31-53 any wages found to be due such mechanics, laborers and
 66 workers pursuant to section 31-53. The Labor Commissioner is further
 67 authorized and directed to distribute a list to all departments of the state
 68 and political subdivisions of the state giving the names of persons or
 69 firms whom the Labor Commissioner has found to have (1) disregarded
 70 their obligations under section 31-53 and section 31-76c to employees
 71 and subcontractors on public works projects, (2) been barred from
 72 federal government contracts in accordance with the provisions of the
 73 Davis-Bacon Act, 49 Stat. 1011 (1931), 40 USC 276a-2, or (3) submitted
 74 false, misleading or materially inaccurate information under subsection
 75 (d) of section [21-53d] 31-53d.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2025	31-225a(h)(3)
Sec. 2	October 1, 2025	31-2e(c)

Section 1	October 1, 2025	31-225a(h)(3)
Sec. 2	October 1, 2025	31-2e(c)

Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	31-53a(a)

LAB *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 26 \$	FY 27 \$
Labor Dept.	UITF - See Below	Minimal	Minimal
Labor Dept.	GF - Potential Revenue Gain	Minimal	Minimal

Note: UITF=Unemployment Insurance Trust Fund; GF=General Fund

Municipal Impact: None

Explanation

The bill makes the following changes that result in the fiscal impacts outlined below:

Section 1 shortens the time an employer can protest any unemployment benefits they contend have been improperly charged to them from 60 to 40 days. This results in a minimal net impact to the Unemployment Insurance Trust Fund.

To the extent the bill results in charges that otherwise would have been contested, this would result in an increase in the employer experience rate and therefore result in a minimal revenue gain due to higher taxes paid by employers. Alternatively, the bill could also result in a higher volume of fraudulent claims not being caught via employer's due diligence, which would have a minimal cost to the trust fund.

Section 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. This is a technical change since salary and fringe benefits would not be adjusted. Therefore, this does

not result in a fiscal impact to the state or municipalities.

Section 3 requires physicians or advanced practice registered nurses to report suspected occupational diseases to the Department of Labor and establishes a civil penalty of up to \$10 for noncompliance. This results in a potential General Fund revenue gain, which is dependent on the number of noncompliance cases.

Section 4 makes a technical correction and does not result in a fiscal impact to the state or municipalities.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to employers' protesting unemployment benefits charges, and to the number of noncompliance cases by medical providers.

OLR Bill Analysis**SB 1312*****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 and advanced practice registered nurses 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); and
4. makes a technical change to the labor statutes.

EFFECTIVE DATE: October 1, 2025, for the provisions on an employer's protest of an unemployment statement (§ 1) and the unemployed workers' advocate position (§ 2), and upon passage for the reporting requirement (§ 3) and technical change (§ 4).

REPORT OF SUSPECTED OCCUPATIONAL DISEASE

The bill requires physicians and advanced practice registered nurses 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 occupation of the person.

A physician or advanced practice registered nurse must, within 48 hours of discovering a suspected occupational disease, provide DOL with 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 or advanced practice registered nurse.

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.

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.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable

Yea 11 Nay 2 (03/06/2025)