Agency Legislative Proposal

2026 Session

General Information

Agency	**Dept. of Labor**
Proposal Name	An Act Modifying the Shared Work Non-Charge Provision
Legislative Liaison	Marisa Morello and Billy Taylor
Division Requesting Proposal	Unemployment Insurance Legal Division
Drafter	Anne Rugens, Principal Attorney

Overview

Brief Summary of Proposal

CTDOL seeks to enact language regarding the Shared Work Non-Charge provision created by P.A. 21-200 that was repealed in P.A. 25-117: AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LABOR DEPARTMENT (§ 5). Among other things, the act eliminated a provision that permitted a non-charge for employees who were paid benefits through the Shared Work program for claims filed in a week in which the state's average unemployment rate was 6.5% or more. The new legislative proposal would enact a non-charge provision to employers participating in the Shared Work program and during times of high unemployment insurance.

What problem is this proposal looking to solve?

CTDOL sought repeal of the P.A. 21-200 language due to concerns raised by USDOL. CTDOL has worked to address the issue with USDOL and is awaiting authorization to move forward with this new language.

How does the proposal solve the problem?

The Shared Work Program is beneficial to both employers and claimants during times of economic downturns. The Shared Work Program is a voluntary program that allows employers to reduce their employees' work hours in place of layoffs. Their employees keep their jobs at a reduced schedule, keep their benefits, and are able to file for partial unemployment benefits for the lost wages. By remaining employees, they also maintain their fringe benefits (e.g., health insurance). Additionally, employers would benefit

because they are able to retain staff and the employer's and base period employers' experience ratings would not be affected.

Section by section summary:

Section #(s)	Section Summary
1	This is a new legislative proposal with only one section. CTDOL seeks to enact language regarding the Shared Work Non-Charge provision created by P.A. 21-200 that was repealed in P.A. 25-117: AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LABOR DEPARTMENT (§ 5). Among other things, the act eliminated a provision that permitted a non-charge for employees who were paid benefits through CTDOL's Shared Work program for unemployment insurance claims filed in a week in which the state's average unemployment rate was 6.5% or more. The new legislative proposal would enact a non-charge provision to employers participating in the Shared Work program during times of high unemployment insurance.

Statutory Reference (if any):	31-225a

Background

☒ New Proposal ☐ Resubmission

If resubmission, please provide details below. Please also note any changes made since the last submission:

Bill #(s)	Reason bill(s) did not move forward

Have there been any changes in federal laws or regulations that make this legislation necessary?

No

Have there been any changes in state laws or regulations that make this legislation necessary?

No

Has this proposal or a similar proposal been implemented in other states?

No

Have certain constituencies called for this proposal?

No

Interagency Impact

☒ Check here if this proposal does NOT impact other agencies

Agency	N/A
Contact	N/A
Date Contacted	N/A
Status	N/A
Open Issues	N/A

Fiscal Impact

☒ No Fiscal Impact

☐ Budget Option Submitted

Include the section number(s) which have a fiscal impact and the anticipated impact:

State
No
Municipal
No
Federal
No

Other Information

If there is any additional information we should know, please detail below: N/A

Legislative Language

Insert fully drafted bill below. Please use standard legislative drafting considerations, as published by LCO here.

(NEW)

Sec. 1. Subdivision (1) of subsection (c) of section 31-225a of the general statutes is amended to add subparagraph (L) as follows (*Effective October 1, 2026*):

(L) On and after January 1, 2027, no base period employer's account shall be charged with respect to benefits paid to a claimant through the voluntary shared work unemployment compensation program established pursuant to section 31-274 if a claim for benefits is filed in a week in which the state has triggered onto Extended or High Extended Benefits, pursuant to sections 31-232b through 31-232g, inclusive. This noncharge will continue until the state has been notified by the United States Department of Labor that the state has triggered off of Extended or High Extended Benefits.

Agency Legislative Proposal

2026 Session

General Information

Agency	**Dept. of Labor**
Proposal Name	Volunteer Fire Departments
Legislative Liaison	Billy Taylor and Marisa Morello
Division Requesting Proposal	CONN-OSHA
Drafter	Jennifer Devine

Overview

Brief Summary of Proposal

This proposal incorporates the Department's long-standing position and modifies the definition of "employer" in the Department of Labor's Connecticut Occupational Safety and Health Act to specifically include "volunteer fire departments" and "volunteer ambulance companies." This proposal clarifies the Connecticut Department of Labor's jurisdiction over volunteer fire departments and volunteer ambulance companies in the wake of Mayfield v. Goshen Volunteer Fire Company, Inc., 301 Conn. 739 (2011).

What problem is this proposal looking to solve?

Due to the ruling in Mayfield v. Goshen Volunteer Fire Company, Inc., 301 Conn. 739 (2011) that volunteer fire and ambulance companies do not fall under the definition of "employer" in the Department of Labor's Connecticut Occupational Safety and Health Act.

How does the proposal solve the problem?

This proposal amends CGS 31-367(d) and 31-369 to clarify that the Connecticut Department of Labor has jurisdiction over volunteer fire departments and volunteer ambulance companies.

Section by section summary: *press tab after last field to add rows*

Section #(s)	Section Summary
1	31-367(d) – Amend definition of "employer" to include any volunteer fire department and volunteer ambulance company such that CONN-OSHA would have jurisdiction over those employers.
2	31-369 – Amend statute to include that the CONN-OSHA would not have jurisdiction over any volunteer fire department or volunteer ambulance company that can demonstrate that it is covered by federal OSHA.

Statutory Reference (if any):	**CGS 31-367(d) and 31-369**

Background

☐ New Proposal ☒ Resubmission

If resubmission, please provide details below. Please also note any changes made since the last submission:

Bill #(s)	Reason bill(s) did not move forward
2023- HB 6553	HB 6553 (File 749): AN ACT CONCERNING VOLUNTEER FIRE DEPARTMENTS AND AMBULANCE COMPANIES AND THE DEFINITION OF EMPLOYER UNDER THE STATE OCCUPATIONAL SAFETY AND HEALTH ACT o removes the provision that a volunteer fire department or volunteer ambulance company would only receive a written warning for the first offense from 2022 proposal o Feb 16 - JF'd Labor Committee 9-2 o HB 6553 as passed by the House moved effective date to October 1st from "Effective upon Passage" as JF'd by Labor to give volunteer fire departments and volunteer ambulance companies more time to become educated that they would now fall under CONN-OSHA's jurisdiction o April 12 - House Labor Chair/House Labor Ranking Joint Amendment filed (LCO 6675) (CTDOL supported the amendment) o May 4 - House Adopted JA voice vote o May 4 - Bill passed 140-1

	o Rep Ben McGorty, Rep Jay Case and other legislators who previously opposed legislation spoke in support that led to near unanimous vote -off-session research/conversations o Obstacles remain in Senate o Six (6) Rep Amendments filed, CTDOL opposed all amendments o Died on Senate Calendar
2022- HB 5247	HB 5247 (File 76): AAC Volunteer Fire Departments and Ambulance Companies and the Definition of Employer Under the State Occupational Safety and Health Act represents compromise language negotiated by Senator Craig Miner that 1) a volunteer fire department or volunteer ambulance company would only receive a written warning for the first offense and 2) Requires a volunteer fire department or volunteer ambulance company to comply with Conn-OSHA unless it can demonstrate that it falls under fed-OSHA. Despite initially stating support, the Goshen delegation and other small towns representing volunteer fire departments continued their opposition. 2) HB 5247 died on the House Calendar

Have there been any changes in federal laws or regulations that make this legislation necessary?

No

Have there been any changes in state laws or regulations that make this legislation necessary?

No

Has this proposal or a similar proposal been implemented in other states?

Yes

Minnesota - Typically, they receive retirement benefits and our citations describe how they use the equipment while they are getting paid. They are considered employees.

Kentucky - They are covered if there is an employer-employee relationship. Often there is at least one individual that receives compensation. And in cases where no one receives compensation, experience establishes that it is rarely (if ever) truly "volunteer". The degree of control and chain of command generally establishes an employer-employee relationship.

New York - They are covered. There was a court case in Saratoga County many years ago that affirmed coverage.

Maine - They usually see who is paying for their workers' compensation, which is usually always the town. Also, they are providing a benefit to the town, so they are ours by our rules.

Have certain constituencies called for this proposal?

No

Interagency Impact

☒ Check here if this proposal does NOT impact other agencies

Agency	N/A
Contact	N/A
Date Contacted	N/A
Status	N/A
Open Issues	N/A

Fiscal Impact

☒ No Fiscal Impact

☐ Budget Option Submitted

Include the section number(s) which have a fiscal impact and the anticipated impact:

State No	
Municipal Yes	No impact if OSHA statutes and regulations are followed. If there are violations, the penalties do not often exceed more than $1000.
Federal No	

Other Information

If there is any additional information we should know, please detail below: N/A

Legislative Language

Insert fully drafted bill below. Please use standard legislative drafting considerations, as published by LCO here.

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

Section 1. Subsection (d) of section 31-367 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2026):

(d) "Employer" means the state and any political subdivision thereof, **and, except as provided in section 31-369, any volunteer fire department and any volunteer ambulance company;**

Sec. 2. Section 31-369 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2026):

(a) This chapter applies to all employers, employees and places of employment in the state except the following: (1) Employees of the United States government; [and] (2) working conditions of employees over which federal agencies other than the United States Department of Labor exercise statutory authority to prescribe or enforce standards or regulations affecting occupational safety and health; **and (3) any volunteer fire department or volunteer ambulance company that can demonstrate such department or company is regulated by the Occupational Safety and Health Act of 1970 (15 USC 651 et seq.).**

(b) Nothing in this chapter shall be construed to supersede or in any manner affect any workers' compensation law or to enlarge, diminish or affect in any manner common law or statutory rights, duties or liabilities of employers or employees, under any law with respect to injuries, diseases or death of employees arising out of and in the course of employment."

Agency Legislative Proposal

2026 Session

General Information

Agency	**Dept. of Labor**
Proposal Name	DOL Recommendations
Legislative Liaison	Billy Taylor and Marisa Morello
Division Requesting Proposal	Executive Administration, Communications, Legal, Unemployment Insurance Tax, Unemployment Insurance Field Services and Adjudications, Wage and Workplace Standards
Drafter	Jennifer Devine

Overview

Brief Summary of Proposal

This is CTDOL's 2026 "Recommendations" bill that contains minor and technical changes. Section 1 of this proposal would make a technical change to 31-235(c) and CGS 31-236(a)(16) to ensure uniformity in the Unemployment Insurance statutes. Sections 2 and 3 of this proposal would amend CGS 31-266c to permit compromises for reimbursable employers (non-profits, municipalities, and state government employers). Section 4 of this proposal would amend CGS 53-303e to move enforcement authority from the State Board of Mediation and Arbitration to CTDOL's Wage and Workplace Standards Division. Section 5 of this proposal would repeal CGS 31-77, which requires CTDOL to receive union financial reports., and CGS 31-250a which established the Employment Security Advisory Board.

What problem is this proposal looking to solve?

Section 1 –Currently, in the unemployment insurance statutes, there are multiple definitions for health care providers, which can hamper the adjudication of cases and slow down the time it takes claimants to obtain medical forms.

Sections 2 and 3 – CGS 31-266c permits a taxable employer to make an offer of compromise for any contributions due under the UI law, if there is doubt as to the employer's liability for the amount in controversy or doubt as to the collectability of such amount. This has enabled the Tax Division to settle cases which is beneficial to both CTDOL and the employer. However, the statute does not refer to an offer of compromise for those employers who do not pay contributions but make payments in lieu of contributions. Those are the reimbursable employers, such as municipalities and those non-profits who opt to be reimbursable employers. Instead of paying contributions to the UI Trust Fund, those reimbursable employers pay dollar for dollar for any UI claim filed against it. Those employers should also be permitted to offer a compromise to settle cases with our Tax Division under the same situations as the taxable employer.

Section 4 - CGS 53-303e prohibits employers from compelling any employee engaged in any commercial occupation or in the work of any industrial process to work more than six days in any calendar week. While the statute currently requires the State Board of Mediation and Arbitration to enforce this requirement, it would be more logical to transfer this responsibility to CTDOL's Wage and Workplace Standards Division, as it is the unit where workers already file complaints regarding working conditions violations and would allow for investigation by the agency.

Section 5 – CGS 31-77 requires CTDOL to receive union financial reports—information that is already publicly available in the IRS form 990. Complying with this statute requires CTDOL to spend staff time receiving the reports and archiving them for two years, and then filing papers to have them destroyed in accordance with the statute and state records retention laws. Additionally, the fine for unions who don't submit a report is $25; it costs more in CTDOL staff time to go after unions who fail to report than the fine covers. Finally, the reports are not disclosable to the general public, whereas the IRS 990 forms are.

CGS 31-250a established the Employment Security Advisory Board (ESAB) and requires that actions of the ESAB have six affirmative votes at the time of the meeting. Due to existing members not regularly attending the meetings and, despite the efforts of CTDOL, long-standing vacancies not being filled, the ESAB has barely convened a quorum in years. Additionally, despite the commitment and attention by the Board Chair, the ESAB's impact and oversight of the Unemployment Insurance Program has waned.

How does the proposal solve the problem?

Section 1 –This section would make technical changes to CGS 31-235(c) and amend CGS 31-236(a)(16) to include "physician's assistant" in the definition of health care provider, which would help to ensure uniformity in the UI eligibility statutes

Sections 2 and 3 – By including reimbursable employers, this section would extend the opportunity to settle matters with CTDOL to a broader range of employers who are subject to the UI laws.

Section 4 – This section would move enforcement of CGS 53-303e from the State Board of Mediation and Arbitration to CTDOL's Wage and Workplace Standards Division.

Section 5 – Repealing CGS 31-77 would remove the mandate that the agency shall receive union financial reports. Repealing CGS 31-250a would eliminate the Employment Security Advisory Committee.

Section by section summary: *press tab after last field to add rows*

Section #(s)	Section Summary
1	Makes technical changes to CGS 31-235(c) and 31-236(a)(16) to ensure uniformity in UI statutes.
2 and 3	Amends CGS 31-266c to include reimbursable employers.
4	Amends CGS 53-303e to move enforcement from the State Board of Mediation and Arbitration to CTDOL's Wage and Workplace Standards Division.
5	Repeals both CGS 31-77, which would remove the mandate that the agency shall receive union financial reports; and CGS 31-250a, which would eliminate the Employment Security Advisory Board.

Statutory Reference (if any):	31-235(c), 31-236(a)(16), 31-266c, 53-303e, 31-77, 31-250a

Background

☒ New Proposal ☐ Resubmission

If resubmission, please provide details below. Please also note any changes made since the last submission:

Bill #(s)	Reason bill(s) did not move forward

Have there been any changes in federal laws or regulations that make this legislation necessary?

No

Have there been any changes in state laws or regulations that make this legislation necessary?

No

Has this proposal or a similar proposal been implemented in other states?

No

Have certain constituencies called for this proposal?

No

Interagency Impact

☒ Check here if this proposal does NOT impact other agencies

Agency	N/A
Contact	N/A
Date Contacted	N/A
Status	N/A
Open Issues	N/A

Fiscal Impact

☒ No Fiscal Impact

☐ Budget Option Submitted

Include the section number(s) which have a fiscal impact and the anticipated impact:

State
No
Municipal
No
Federal
No

Other Information

If there is any additional information we should know, please detail below: N/A

Legislative Language

Insert fully drafted bill below. Please use standard legislative drafting considerations, as published by LCO here.

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

Sec. 1. Section 31-235 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

(a) An unemployed individual shall be eligible to receive benefits with respect to any week only if it has been found that (1) such individual has made claim for benefits in accordance with the provisions of section 31-240 and has registered for work at the public employment bureau or other agency designated by the administrator within such time limits, with such frequency and in such manner as the administrator may prescribe, provided failure to comply with this condition may be excused by the administrator upon a showing of good cause therefor; (2) except as provided in subsection (b) of this section, such individual is physically and mentally able to work and is available for work and has been and is making reasonable efforts to obtain work, provided the individual shall not be considered to be unavailable for work solely because the individual is attending a school, college or university as a regularly enrolled student during the separation from employment, within the limitations of subdivision (6) of subsection (a) of section 31-236, and provided further, the individual shall not be considered to be lacking in efforts to obtain work if, as a student, such efforts are restricted to employment which does not conflict with the individual's regular class hours as a student, and provided the administrator shall not use prior "patterns of unemployment" of the individual to determine whether the individual is available for work; (3) such individual has been paid wages by an employer who was subject to the provisions of this chapter during the base period of the current benefit year in an amount at least equal to forty times the individual's benefit rate for total unemployment, provided an unemployed individual who is sixty-two years of age or older and is involuntarily retired under a compulsory retirement policy or contract provision shall be eligible for benefits with respect to any week, notwithstanding subdivisions (1) and (2) of this subsection, if it is found by the administrator that the individual has made claim for benefits in accordance with the provisions of section 31-240, has registered for work at the public employment bureau, is physically and mentally able to work, is available for work, meets the requirements of this subdivision and has not refused suitable work to which the individual has been referred by the administrator; (4) such individual participates in

reemployment services, such as job search assistance services, if the individual has been determined to be likely to exhaust regular benefits and need reemployment services pursuant to a profiling system or Reemployment Services and Eligibility Assessment program established by the administrator unless the administrator determines that (A) for purposes of the profiling system only, the individual has completed such services, or (B) there is justifiable cause for the individual's failure to participate in such services. The administrator shall adopt regulations, in accordance with the provisions of chapter 54, for the administration of the profiling system and the Reemployment Services and Eligibility Assessment program. For purposes of subdivision (2) of this subsection, "patterns of unemployment" means regularly recurring periods of unemployment of the claimant in the years prior to filing the claim in question.

(b) The provisions of subdivision (2) of subsection (a) of this section relating to the eligibility of students for benefits shall not be applicable to any claimant who attended a school, college or university as a regularly enrolled full-time student at any time during the two years prior to such claimant's date of separation from employment, unless such claimant was employed on a full-time basis, as determined by the administrator, for the two years prior to such date.

(c) (1) Notwithstanding the provisions of subsection (a) or (b) of this section, an unemployed individual may limit such individual's availability for work to part-time employment, provided the individual (A) provides documentation from a **[**licensed physician, physician assistant or advanced practice registered nurse**]** **health care provider** that (i) the individual has a physical or mental impairment that is chronic or is expected to be long-term or permanent in nature, and (ii) the individual is unable to work full-time because of such impairment, and (B) establishes, to the satisfaction of the administrator, that such limitation does not effectively remove such individual from the labor force.

(2) In determining whether the individual has satisfied the requirements of subparagraph (B) of subdivision (1) of this subsection, the administrator shall consider the individual's work history, efforts to find work, the hours such individual is medically permitted to work and the individual's availability during such hours for work that is suitable in light of the individual's impairment.

Sec. 2. Section 31-236(a)(16)(A) of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

(16) (A) For purposes of subparagraph (A)(ii) of subdivision (2) of this subsection, "illness or disability" means an illness or disability diagnosed by a health care provider that necessitates care for the ill or disabled person for a period of time longer than the employer is willing to grant leave, paid or otherwise, and "health care provider" means (i) a doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state in which the doctor practices; (ii) a podiatrist, dentist, psychologist, optometrist or chiropractor authorized to practice by the state in which such person practices and performs within the scope of the authorized practice; (iii) an advanced practice registered nurse, nurse practitioner, nurse midwife, [or] clinical social worker, **or physician's assistant** authorized to practice by the state in which such person practices and performs within the scope of the authorized practice; (iv) Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts; (v) any medical practitioner from whom an employer or a group health plan's benefits manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits; (vi) a medical practitioner, in a practice enumerated in clauses (i) to (v), inclusive, of this subparagraph, who practices in a country other than the United States, who is licensed to practice in accordance with the laws and regulations of that country; or (vii) such other health care provider as the Labor Commissioner approves, performing within the scope of the authorized practice.

Sec. 3. Section 31-266c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

(a) The administrator, upon the advice of the Attorney General, may abate any contributions **or payments in lieu of contributions** due under this chapter which have been found by the administrator to be uncollectible.

(b) The administrator or the administrator's duly authorized agent may make or entertain an offer of compromise for any contributions **or payments in lieu of contributions** due under this chapter if such offer is based upon doubt as to the employer's liability for the amount in controversy or doubt as to the collectability of such amount. For purposes of this section, doubt as to the employer's liability for the amount in controversy exists if there is a

genuine dispute as to the existence or amount of the employer's liability under this chapter, and doubt as to the collectability of such amount exists if the employer's assets and income are less than the full amount of the employer's debts, obligations and liabilities under state or federal law.

Sec. 4. Section 53-303e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

(a) No employer shall compel any employee engaged in any commercial occupation or in the work of any industrial process to work more than six days in any calendar week. An employee's refusal to work more than six days in any calendar week shall not constitute grounds for his dismissal.

(b) Any employee, who believes that his discharge was in violation of subsection (a) of this section may **[**appeal such discharge to the State Board of Mediation and Arbitration**]** **file a complaint with the Labor Commissioner**. If **[**said board**]****the Labor Commissioner or designee** finds that the employee was discharged in violation of said subsection (a), it may order whatever remedy will make the employee whole, including but not limited to reinstatement to **[**his**]****the employee's** former **position** or a comparable position. **Any party aggrieved by the decision of the commissioner may appeal the decision to the Superior Court in accordance with the provisions of chapter 54.**

[(c) Any person who violates any provision of this section shall be fined not more than two hundred dollars.**]**

Sec. 5. Sections 31-77 and 31-250(a) of the general statutes are repealed. (*Effective October 1, 2026)*