Connecticut Department of Labor
Legislative Summary 2019 Session

Table of Contents

Economic Opportunity and Fairness ........................................ 4

Workforce Development ....................................................... 8

Additional Public Acts .......................................................... 12
These legislative summaries are meant for informational purposes only and do not contain the exact language of the legislation.

The Department of Labor staff writers wish to acknowledge the Connecticut General Assembly’s Office of Legislative Research for its summaries of 2019 Public Acts used in the preparation of this document.

October 2019
ECONOMIC OPPORTUNITY AND FAIRNESS
Public Act 19-25 (Senate Bill 1): An Act Concerning Paid Family and Medical Leave

and


EFFECTIVE DATE: Various

This Public Act creates a Paid Family and Medical Leave (PFML) Insurance program that provides wage replacement benefits to certain employees taking leave for reasons allowed under the Connecticut’s current Family and Medical Leave Act (FMLA), which this Public Act also amends. It provides eligible employees with up to 12 weeks of PFML benefits over a 12-month period. The program also provides two additional weeks of benefits for a serious health condition that results in incapacitation during pregnancy. The program applies to employers with one or more employees. Additional information contained in the Public Act:

Paid Family and Medical Leave
Individuals eligible for benefits are those who earned at least $2,325 during their highest earning quarter within their base period (the first four of the five most recently completed quarters) and: (1) are private-sector employees or certain “covered public employees,” (2) were employed in the previous 12 weeks; or (3) are sole proprietors or self-employed people who voluntarily enroll in the program.

The program is funded by employee contributions, with collections beginning in January 2021. The Paid Family and Medical Leave Insurance Authority (i.e., “authority”) created by the Public Act must annually determine the employee contribution rate, which cannot exceed 0.5% of wages. The authority is a quasi-public agency, comprised of a board of directors, with a charge to develop and administer the program.

Family and Medical Leave Act
FMLA requires certain private-sector employers and the State of Connecticut as an employer (pursuant to the SEBAC agreement) to provide job-protected unpaid leave to employees for various reasons related to their health or their family members' health. Starting on January 1, 2022, Connecticut’s FMLA law now covers private-sector employers with at least one, rather than 75, employees, and the State of Connecticut as an employer (pursuant to the SEBAC agreement). In addition, it expands the categories of individuals who may be considered family members for whom an employee can take FMLA leave.
**Public Act 19-4 (House Bill 5004): An Act Increasing the Minimum Fair Wage**

**EFFECTIVE DATE:** Various

This Public Act increases the state’s minimum hourly wage from its current $10.10 to: (1) $11.00 on October 1, 2019; (2) $12.00 on September 1, 2020; (3) $13.00 on August 1, 2021; (4) $14.00 on July 1, 2022; and (5) $15.00 on June 1, 2023. Beginning January 1, 2024, it indexes future annual minimum wage changes to the federal Employment Cost Index (ECI).

Current wage law provides a “tip credit” to employers of hotel and restaurant staff and bartenders who customarily receive tips. The credit allows employers to count these employees' tips toward the minimum wage requirement that employers must pay. This reduces the employer’s share of the minimum wage, as long as the tips make up the difference. This Public Act makes a significant change to the “tip credit” by freezing the employer’s share of the “tip credit” at its current level. The result is that hotel and restaurant staff and bartenders will make up the difference between the employer’s share of the “tip credit” as the minimum wage continues to increase.

By October 1, 2019, the Public Act also changes the “training wage” that employers may pay to learners, beginners, and people under age 18 because it: (1) eliminates the training wage exceptions for learners and beginners, and (2) limits the training wage to only people under age 18, except emancipated minors. Essentially, it requires learners and beginners who are at least age 18 to be paid the full minimum wage.

The Public Act also requires the CT Department of Labor Commissioner to: (1) make recommendations to the Governor on whether any scheduled minimum wage increases should be suspended after two consecutive quarters of negative growth in the state’s real gross domestic product, and (2) study how best to obtain demographic and wage information of workers who receive tips and make recommendations to the Labor and Public Employees Committee by January 17, 2020.

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**Public Act 19-142 (House Bill 6921): An Act Establishing a Council on the Collateral Consequences of a Criminal Record**

**EFFECTIVE DATE:** July 1, 2019

This Public Act establishes, within the legislative department, a 20-member Council on the Collateral Consequences of a Criminal Record. The council must: (1) study discrimination faced by people in the state living with a criminal record, and (2) develop legislative recommendations to reduce or eliminate discrimination based on a person’s criminal history. At least three public forums will be held in Connecticut communities to allow the public to provide input on the council’s focus. The council must submit a report on its legislative recommendations to the Labor and Public Employees Committee by February 1, 2020. The Labor Commissioner or his designee serves as a member of the council.
Special Act No. 19-12 (House Bill 7093): An Act Establishing a Task Force to Increase Employment Opportunities for Persons with Disabilities

EFFECTIVE DATE: Upon Passage

The charge of this task force is to study how to increase employment opportunities for persons with disabilities. The task force must study and make recommendations concerning matters including, but not limited to: (1) expanding existing employment assistance programs for persons with disabilities, and (2) establishing financial incentives for businesses to employ more persons with disabilities. The task force must submit a report on its legislative recommendations to the Finance, Revenue and Bonding, Human Services, Public Health and Labor and Public Employees Committees by February 1, 2020. The Labor Commissioner or his designee serves as a member of the task force.

Public Act No. 19-71 (House Bill 7156): An Act Concerning the Procurement of Energy Derived From Offshore Wind

Effective Date: Upon Passage

This Public Act, among other things, establishes a process for the Department of Energy and Environmental Protection (DEEP) to: (1) solicit proposals from developers of offshore wind power facilities, and (2) direct the electric distribution companies (such as Eversource and United Illuminating) to enter into long-term contracts under proposals from responding bidders. DEEP must require payment of not less than the prevailing wage for laborers, workers and mechanics performing those construction activities on the project. In addition, all selected bidders must engage in a good faith negotiation of a project labor agreement.
**Special Act 19-6 (Senate Bill 5): An Act Establishing a Workforce Pipeline and Job Creation Task Force**

EFFECTIVE DATE: Upon Passage

The charge of the Workforce Pipeline and Job Creation Task Force is to determine how to best prepare the state's future workforce for well-paying manufacturing and technical jobs and to study the availability and location of apprenticeships located in Connecticut. Not later than February 1, 2020, the task force must submit a report on its findings and recommendations to the Labor and Public Employees Committee. The Labor Commissioner or his designee serves as a member of the task force.

**Special Act 19-13 (Senate Bill 607): An Act Concerning Apprenticeship Pathways to Earning a Bachelor’s Degree**

EFFECTIVE DATE: July 1, 2019

This Special Act requires the CT Department of Labor (DOL) and the Board of Regents for Higher Education (BOR) to jointly create a plan for the establishment of nontraditional pathways to earning a bachelor’s degree at the state universities and Charter Oak State College using the inclusion of credits earned through apprenticeships. Among other things, this joint plan must include items such as: (1) the development of subject areas in which a student may earn a bachelor’s degree through a nontraditional pathway, and (2) the form and manner in which apprenticeships may be registered with DOL and the BOR for inclusion in a non-traditional pathway to earning a bachelor’s degree. Not later than January 1, 2020, DOL and BOR must jointly report on the plan and the timeline in which it may be implemented to the Higher Education and Employment Advancement, and Labor and Public Employees Committees.

**Public Act 19-68 (Senate Bill 356): An Act Establishing the Connecticut Apprenticeship and Education Committee**

EFFECTIVE DATE: Upon Passage

Among other things, this Public Act modifies the existing State Department of Education (SDE) committee that had been established to coordinate education for public school students in manufacturing careers. Specifically, this Public Act renames the committee to the “Connecticut Apprenticeship and Education Committee”; broadens the committee’s scope to include additional fields, including insurance, health care, financial technology, biotechnology, STEM (science, technology, engineering, and math), construction trades, hospitality industries, and other appropriate industries; modifies the committee’s membership; and modifies the information included in the committee’s required annual report to the Commerce, Higher Education and Employment Advancement and Labor and Public Employees Committees; and extends the first reporting date to July 1, 2020.
Public Act 19-129 (Senate Bill 968): An Act Establishing the Military to Machinists and Veterans Platform to Employment Pilot Programs and Providing Other Employment Assistance to Veterans

EFFECTIVE DATE: Various

This Public Act requires The WorkPlace, Inc., by October 1, 2019, to develop and operate two pilot programs within its southwest region: 1) Military to Machinists pilot program for veterans, and 2) Veterans Platform to Employment pilot program.

The Military to Machinists pilot program must help veterans in the region earn an advanced manufacturing certificate from a qualifying program and secure employment with any eligible business in the advanced manufacturing field. Under the Veterans Platform to Employment Pilot Program, the Public Act requires The WorkPlace, Inc. to provide training and subsidized employment for veterans who have experienced long-term unemployment. Among other things, this pilot program will include skills assessments, career readiness workshops, employee assistance programs, and provide subsidies to employers that hire veterans on a trial basis which may lead to full-time employment.

Also required under this Public Act, the Connecticut Department of Labor (DOL) must provide any veteran who contacts the agency that is in need of employment or workforce development services with information about The Workplace, Inc. and the Military to Machinists pilot program.

Public Act 19-21 (Senate Bill 1026): An Act Concerning a Marketing Plan to Promote the Bioscience Industry in the State

EFFECTIVE DATE: July 1, 2019

This Public Act requires Connecticut Innovations (CI), in consultation with a bioscience trade group, to contract with an advertising agency to create a marketing plan, social media campaign, and dedicated website to promote Connecticut as a bioscience hub by February 1, 2020. CI must report on the results of the marketing plan, campaign, and website to the Commerce Committee by January 1, 2021.

Public Act 19-35 (House Bill 5002): An Act Concerning a Green Economy and Environmental Protection

EFFECTIVE DATE: July 1, 2019

This Public Act requires the Office of Workforce Competitiveness (OWC), in consultation with the Office of Higher Education (OHE), the Department of Education (SDE), the Department of Labor (DOL), Department of Energy and Environmental Protection (DEEP), regional workforce
development boards, and employers, to establish a career ladder for jobs in the green technology industry. A career ladder typically describes the progression from entry level positions to higher levels of pay, skill and responsibility. This Public Act requires the DOL and OHE to publish the career ladder for jobs in the green technology industry on their websites by January 1, 2020. OHE and DOL must also each publish an inventory of green jobs related equipment used by certain educational institutions on their respective websites by July 1, 2020. The green jobs career ladder must list: (1) careers at each level of the green technology industry and the education and salary offered for each career, (2) all course, certificate, and degree programs in green jobs offered by technical education and career schools in Connecticut; and (3) green technology industry jobs available in Connecticut.

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**EFFECTIVE DATE: July 1, 2019**

Starting in January 1, 2020, this Public Act requires the Board of Regents for Higher Education (BOR) to create a program that establishes an advanced manufacturing certificate program at one Connecticut public high school per year. BOR may collaborate with an independent institution of higher education to operate the program. The BOR must develop an application process and selection criteria for interested high schools and explore possible funding mechanisms for the program. Beginning in the fall of 2020, public high school juniors and seniors must be enrolled in the program to simultaneously earn high school credits, college credits, and an advanced manufacturing certificate. Adults must also be enrolled in the program to take classes at the high school location during evening and weekend hours to earn an advanced manufacturing certificate.
ADDITIONAL PUBLIC ACTS
Special Act No. 19-11 (Senate Bill 6927): An Act Establishing a Task Force to Study Debarment and Limitations on the Awarding of State Contracts

EFFECTIVE DATE: Upon Passage

The charge of this task force is to study Connecticut's debarment procedures, particularly as they relate to debarment procedures of other states and all Connecticut Labor laws. Not later than February 1, 2020, the task force must submit a report on its findings and recommendations, to the Labor and Public Employees Committee. The Labor Commissioner or his designee serves as a member of the task force.

Public Act 19-107 (House Bill 6346): An Act Concerning the Review of Municipal Arbitration Awards

EFFECTIVE DATE: October 1, 2019

This Public Act extends the deadline for a municipality to reject an arbitration award, by a two-thirds vote of the members of its legislative body, to the next business day if the deadline falls on a weekend or holiday.

Public Act 19-10 (Senate Bill 682): An Act Establishing a Reward Program for State Employee Reporting of Wasteful Practices

EFFECTIVE DATE: October 1, 2019

This Public Act establishes a reward program for state employees who make a suggestion regarding an alleged gross waste of funds in their state agency. The state employee becomes eligible for the award if the state agency implements that suggestion and it results in agency cost savings exceeding $10,000.
Budget Implementation Provisions


§§ 97 & 98 — Working Papers Exemption

EFFECTIVE DATE: July 1, 2019

These sections of the Public Act exempt employers from the requirement to obtain a minor’s “working papers” when employed through a regional workforce development board’s youth development program.

§§ 103-104 — Personal Service Agreement (PSA) Waivers

EFFECTIVE DATE: October 1, 2019

These sections of the Public Act require executive branch agencies to submit a procurement plan every three years to OPM for approval; requires OPM to: (1) annually report on waiver requests received and their outcomes, and (2) post approved waivers on the State contracting portal.

§ 149-151 — Unemployment Insurance Modernization

EFFECTIVE DATE: Upon Passage

These sections of the Public Act make necessary changes to Connecticut’s Unemployment Insurance Statutes so that the CT Department of Labor’s Unemployment Insurance Modernization consortium for technology development can move forward for an estimated May 2021 implementation date. Specifically, the changes require the quarters in an unemployment claimant’s special base period to be consecutive quarters; limits the benefit eligibility penalty imposed on fraudulent claimants before October 1, 2013, to claims deemed payable before October 1, 2019 and explicitly allows the Labor Commissioner to enter into a consortium with other states.
§§ 212-227 — Municipal Redevelopment Authority (MRDA)

EFFECTIVE DATE: October 1, 2019

These sections of the Public Act create the Municipal Redevelopment Authority (MRDA) as a quasi-public agency to stimulate economic and transit-oriented development. Among other things, the Public Act authorizes MRDA to expand property and manage facilities in development districts encompassing the areas around transit stations and downtowns. The Labor Commissioner or his designee is a member of the MRDA.

§ 305 — Prohibition on Non-Compete Agreements

EFFECTIVE DATE: Upon Passage

This section of the Public Act makes non-compete agreements in home health care, companion, or homemaker service contracts void and unenforceable. The “covenant not to compete” means any contract or agreement that restricts the right of an individual to provide homemaker, companion or home health services (1) in any geographic area of the state for any period of time, or (2) to a specific individual.

§ 385 — Payroll Tax Information Return and Analysis (DRS may ask for data from DOL)

EFFECTIVE DATE: October 1, 2019

This section of the Public Act requires the Department of Revenue Services (DRS) to collect data necessary to evaluate the implementation of an employer payroll tax. It also establishes a payroll commission to: (1) hold informational forums on the tax (2) analyze the data DRS collects; and (3) report its findings, recommendations, and estimates to the legislative Finance, Revenue and Bonding Committee.