



Senate

General Assembly

File No. 15

January Session, 2023

Senate Bill No. 938

Senate, March 6, 2023

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 CONCERNING UNEMPLOYMENT BENEFITS FOR STRIKING WORKERS.

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

1 Section 1. Subdivision (3) of subsection (a) of section 31-236 of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2023*):

4 (3) During any week in which the administrator finds that the
5 individual's total or partial unemployment is due to the existence of a
6 labor dispute other than a lockout at the factory, establishment or other
7 premises at which the individual is or has been employed, [provided]
8 except the provisions of this subsection do not apply if it is shown to the
9 satisfaction of the administrator that: (A) A period of two consecutive
10 weeks has passed since the commencement of such labor dispute; (B) (i)
11 the individual is not participating in or financing or directly interested
12 in the labor dispute that caused the unemployment, and [(B)] (ii) the
13 individual does not belong to a trade, class or organization of workers,
14 members of which, immediately before the commencement of the labor

15 dispute, were employed at the premises at which the labor dispute
 16 occurred, and are participating in or financing or directly interested in
 17 the dispute; or (C) the individual's unemployment is due to the
 18 existence of a lockout. A lockout exists whether or not such action is to
 19 obtain for the employer more advantageous terms when an employer
 20 (i) fails to provide employment to its employees with whom the
 21 employer is engaged in a labor dispute, either by physically closing its
 22 plant or informing its employees that there will be no work until the
 23 labor dispute has terminated, or (ii) makes an announcement that work
 24 will be available after the expiration of the existing contract only under
 25 terms and conditions that are less favorable to the employees than those
 26 current immediately prior to such announcement; provided in either
 27 event the recognized or certified bargaining agent shall have advised
 28 the employer that the employees with whom the employer is engaged
 29 in the labor dispute are ready, able and willing to continue working
 30 pending the negotiation of a new contract under the terms and
 31 conditions current immediately prior to such announcement;

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2023	31-236(a)(3)

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 24 \$	FY 25 \$
Labor Dept.	Unemployment Insurance Trust Fund - Potential Cost	See Below	See Below
Labor Dept.	Unemployment Insurance Trust Fund - Potential Revenue Gain	See Below	See Below

Municipal Impact: None

Explanation

The bill, which generally makes striking workers eligible for unemployment benefits after they have been on strike for two consecutive weeks, results in a potential cost and potential revenue gain to the Unemployment Insurance (UI) Trust Fund.

To the extent any striking workers become eligible for unemployment benefits as a result of the bill, this would result in a cost to the UI Trust Fund. Subsequent increases in experience ratings by employers would result in increased tax revenue to the UI Trust Fund on a lagged basis. The amounts are dependent on striking workers' benefits and affected employers' experience ratings.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of workers and employers affected.

OLR Bill Analysis**SB 938*****AN ACT CONCERNING UNEMPLOYMENT BENEFITS FOR STRIKING WORKERS.*****SUMMARY**

This bill generally makes striking workers eligible for unemployment benefits after they have been on strike for two consecutive weeks. Current law generally disqualifies claimants for benefits during any week in which their unemployment is due to a labor dispute other than a lockout. The bill lifts this disqualification after a period of two consecutive weeks during which the claimant's unemployment is due to the labor dispute.

Under existing law, unchanged by the bill, claimants may also qualify for benefits during a labor dispute, with no waiting period, if (1) the labor dispute is a lockout or (2) the claimant is not participating in the labor dispute and does not belong to a trade, class, or organization of workers that is participating in, financing, or directly interested in the dispute (e.g., non-union employees at a business temporarily closed by a strike).

EFFECTIVE DATE: October 1, 2023

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable

Yea 7 Nay 4 (02/16/2023)