



February 3, 2014

The Honorable Dannel P. Malloy
Governor
State Capitol
210 Capitol Avenue
Hartford, CT 06106

Re: Template of Outdated and Obsolete Regulations – Executive Order No. 37

Dear Governor Malloy:

In accordance with Executive Order No. 37, attached please find the Connecticut Department of Labor’s Template pertaining to the repeal and modification of certain outdated and obsolete CTDOL regulations. This list is based upon the internal review by Agency personnel.

While the Connecticut Department of Labor did receive some comments pertaining in a general sense to the Unemployment Compensation (UC) program and the prevailing wage procedures at the Department, only one comment raised specific regulations.

The National Federal of Independent Business, Connecticut Leadership Council (NFIB), addressed the UC regulations in a universal sense, and also, more specifically in certain categories. NFIB broadly raises §§31-222-1 through 17, inclusive, §§ 31-235-1 through 27, inclusive, and §§ 31-236-1 through 58, inclusive, of the Regulations of Connecticut State Agencies. The Department of Labor has incorporated certain provisions of these categories in the template based upon its own independent evaluation regarding outdated and obsolete regulations. In regards to the specifics raised by NFIB, NFIB challenges the special assessment processes associated with the outstanding federal loan from the United States Department of Labor (USDOL). This is a statutory reference (CGS § 31-225a) and not a regulatory one. NFIB also indicates that individuals should receive 26 weeks of unemployment and not 99 weeks of unemployment. NFIB submits that limiting the weeks to 26 weeks will encourage claimants to return to work faster. It is relevant to note that Connecticut law only provides for a special assessment based upon the regular benefits paid by the Connecticut Department of Labor for which the Department sought a federal loan – and these benefits are already limited to 26 weeks. See CGS §§ 31-231a and 31-231b. The remaining weeks under the federal Emergency Unemployment Compensation (EUC) Program, which expired on December 31, 2013, were paid by the federal government, were not part of the federal loan, and are not covered by the special assessment processes. Finally, NFIB indicates that §§ 31-222-6 and 21-222-7 of the Regulations of Connecticut State Agencies were rendered obsolete by Public Act 31-288. While the Department concurs that certain portions of the two regulations are outdated (the

Department had already arrived at this conclusion during its independent evaluation of Department regulations), the Department does not concur that the regulations have been rendered moot in total by the Public Act, and will only modify but not repeal the regulations.

If you have any questions on this matter, please do not hesitate to contact Attorney Anne Rugens of this Agency's Office of Program Policy at (860) 263-6760.

Sincerely,

A handwritten signature in black ink that reads "Sharon M. Palmer". The signature is written in a cursive style with a large initial "S" and "P".

Sharon M. Palmer
Commissioner

Attachment