



General Assembly

Substitute Bill No. 5325

February Session, 2024



**AN ACT CONCERNING COMPENSATION PAID TO INJURED
EMPLOYEES UNDER THE WORKERS' COMPENSATION ACT.**

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

1 Section 1. Subsection (b) of section 31-308 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*
3 *2024*):

4 (b) With respect to the following injuries, the compensation, in
5 addition to the usual compensation for total incapacity but in lieu of all
6 other payments for compensation, shall be seventy-five per cent of the
7 average weekly earnings of the injured employee, calculated pursuant
8 to section 31-310, after such earnings have been reduced by any
9 deduction for federal or state taxes, or both, and for the federal
10 Insurance Contributions Act made from such employee's total wages
11 received during the period of calculation of the employee's average
12 weekly wage pursuant to said section 31-310, but in no case more than
13 one hundred per cent, raised to the next even dollar, of the average
14 weekly earnings of production and related workers in manufacturing in
15 the state, as determined in accordance with the provisions of section 31-
16 309, or less than fifty dollars weekly. All of the following injuries include
17 the loss of the member or organ and the complete and permanent loss
18 of use of the member or organ referred to:

| T1 | MEMBER | INJURY | WEEKS OF T2 COMPENSATION |
|-----|-------------|--------------------------------|--------------------------------|
| T3 | Arm | | |
| T4 | Master arm | Loss at or above elbow | 208 |
| T5 | Other arm | Loss at or above elbow | 194 |
| T6 | Hand | | |
| T7 | Master hand | Loss at or above wrist | 168 |
| T8 | Other hand | Loss at or above wrist | 155 |
| T9 | One leg | Loss at or above knee | 155 |
| T10 | One foot | Loss at or above ankle | 125 |
| T11 | Hearing | | |
| T12 | | Both ears | 104 |
| T13 | | One ear | 35 |
| T14 | One eye | | |
| T15 | | Complete and permanent | |
| T16 | | loss of sight in, or reduction | |
| T17 | | of sight to one-tenth or less | |
| T18 | | of normal vision | 157 |
| T19 | Thumb* | | |
| T20 | | On master hand | 63 |
| T21 | | On other hand | 54 |
| T22 | Fingers** | | |
| T23 | | First finger | 36 |
| T24 | | Second finger | 29 |
| T25 | | Third finger | 21 |
| T26 | | Fourth finger | 17 |
| T27 | Toes*** | | |
| T28 | | Great toe | 28 |
| T29 | | Other toes | 9 |
| T30 | Back | | Number of weeks |
| T31 | | | which the |
| T32 | | | proportion of |
| T33 | | | incapacity |
| T34 | | | represents to a |

| | | | |
|-----|--------------------------------|-----------------------|--------------------|
| T35 | | | maximum of 374 |
| T36 | | | weeks |
| T37 | Heart | | 520 |
| T38 | Brain | | 520 |
| T39 | Carotid artery | | 520 |
| T40 | Pancreas | | 416 |
| T41 | Liver | | 347 |
| T42 | Stomach | | 260 |
| T43 | Loss of bladder | | 233 |
| T44 | Speech | | 163 |
| T45 | Lung | | 117 |
| T46 | Cervical spine | | [117] <u>208</u> |
| T47 | Kidney | | 117 |
| T48 | Rib cage | Bilateral | 69 |
| T49 | Ovary | | 35 |
| T50 | Testis | | 35 |
| T51 | Mammary | | 35 |
| T52 | Nose | Sense and respiratory | 35 |
| T53 | | function | |
| T54 | Jaw | Mastication | 35 |
| T55 | Uterus | | 35-104 |
| T56 | Vagina | | 35-104 |
| T57 | Penis | | 35-104 |
| T58 | Coccyx | Actual removal | 35 |
| T59 | Sense of smell | | 17 |
| T60 | Sense of taste | | 17 |
| T61 | Spleen | In addition to scar | 13 |
| T62 | Gall bladder | | 13 |
| T63 | Tooth | Minimum | 1 |
| T64 | Loss of drainage duct of eye | | |
| T65 | (If corrected by prosthesis) | | 17 for each |
| T66 | Loss of drainage duct of eye | | |
| T67 | (If uncorrected by prosthesis) | | 33 for each |
| T68 | Pelvis | | percentage of back |

19 *The loss or loss of use of one phalanx of a thumb shall be construed
20 as seventy-five per cent of the loss of the thumb.

21 **The loss or loss of use of one phalanx of a finger shall be construed
22 as fifty per cent of the loss of the finger. The loss of or loss of use of two
23 phalanges of a finger shall be construed as ninety per cent of the loss of
24 the finger.

25 ***The loss or loss of use of one phalanx of a great toe shall be
26 construed as sixty-six and two-thirds per cent of the loss of the great toe.
27 The loss of the greater part of any phalanx shall be construed as the loss
28 of a phalanx and shall be compensated accordingly.

29 If the injury consists of the loss of a substantial part of a member
30 resulting in a permanent partial loss of the use of a member, or if the
31 injury results in a permanent partial loss of function, the administrative
32 law judge may, in the administrative law judge's discretion, in lieu of
33 other compensation, award to the injured employee the proportion of
34 the sum provided in this subsection for the total loss of, or the loss of the
35 use of, the member or for incapacity or both that represents the
36 proportion of total loss or loss of use found to exist, and any voluntary
37 agreement submitted in which the basis of settlement is such
38 proportionate payment may, if otherwise conformable to the provisions
39 of this chapter, be approved by the administrative law judge in the
40 administrative law judge's discretion. Notwithstanding the provisions
41 of this subsection, the complete loss or loss of use of an organ which
42 results in the death of an employee shall be compensable pursuant only
43 to section 31-306.

| | | |
|---|--------------|-----------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | July 1, 2024 | 31-308(b) |

JUD *Joint Favorable Subst.*