

*Regulations of Connecticut State Agencies*

TITLE 31. Labor

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*Agency*

**Department of Labor**

*Subject*

**Alternate Base Period**

*Inclusive Sections*

**§§ 31-230-1—31-230-4**

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**Alternate Base Period**

**Sec. 31-230-1. Definitions**

As used in sections 31-230-1 to 31-230-4, inclusive, of the Regulations of Connecticut State Agencies:

(1) “Administrator” means the Labor Commissioner of the State of Connecticut, whose mailing address is 200 Folly Brook Boulevard, Wethersfield, Connecticut 06109, or his designated representative.

(2) “Alternate base period” means the four most recently completed calendar quarters prior to the individual’s benefit year, provided such quarters were not previously used to establish a prior valid benefit year, except that for any such individual who is eligible to receive or is receiving workers’ compensation or who is properly absent from work under the terms of an employer’s sick leave or disability leave policy, the base period shall be the four most recently worked calendar quarters prior to such benefit year, provided such quarters were not previously used to establish a prior valid benefit year and, provided further, the last most recently worked calendar quarter is not more than twelve calendar quarters prior to the date such individual makes the initiating claim.

(3) “Benefits” means unemployment compensation payable to an individual with respect to his unemployment under Chapter 567 of the Connecticut General Statutes.

(4) “Benefit year” means the period commencing with the beginning of the week with respect to which an individual has filed a valid initiating claim and continuing through the Saturday of the fifty-first week following the week in which it commenced, provided no benefit year shall end until after the end of the third complete calendar quarter, plus the remainder of any uncompleted calendar week which began in such quarter, following the calendar quarter in which it commenced.

(5) “Regular base period” means the first four of the five most recently completed calendar quarters prior to an individual’s benefit year, provided such quarters were not previously used to establish a prior valid benefit year, except that for any individual who is eligible to receive or is receiving or had received workers’ compensation, or who is or had been properly absent from work under the terms of his employer’s sick leave or disability leave policy, the base period shall be the first four of the five most recently worked quarters prior to such benefit year, provided such quarters were not previously used to establish a prior valid benefit year and, provided further, the last most recently worked calendar quarter is not more than twelve calendar quarters prior to the date such individual makes his initiating claim.

(Adopted effective September 30, 2003)

**Sec. 31-230-2. Alternate base period determinations**

(a) When the Administrator determines that an individual is ineligible for benefits using his regular base period, the Administrator shall determine whether the individual is eligible for benefits using an alternate base period. The Administrator shall not require the individual to initiate a request for a determination of eligibility using an alternate base period in such

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cases.

(b) The Administrator shall ascertain from any individual who is ineligible for benefits using his regular base period whether he was paid wages during the most recent completed calendar quarter in his alternate base period.

(c) Where wages paid to the individual during the most recent completed calendar quarter have already been reported by an employer to the Administrator and can be identified on the Administrator's automated wage files, the Administrator shall promptly issue a written determination of eligibility or ineligibility for benefits using the individual's alternate base period.

(d) Where wages paid to the individual during the most recent completed calendar quarter cannot be identified on the Administrator's automated wage files, the Administrator shall institute an investigation and contact the employer or the employer's agent directly to secure the requested wage information. The Administrator shall exercise such administrative and investigative powers as are authorized under Chapter 567 of the Connecticut General Statutes and are necessary to accurately establish the correct amount of wages paid to the individual during the subject quarter.

(e) Once all wages paid to the individual during the most recent completed calendar quarter have been established pursuant to subsection (d) of this section, the Administrator shall promptly issue a written determination of eligibility or ineligibility for benefits using the individual's alternate base period.

(f) Any determination issued pursuant to this section shall specify:

- (1) the individual's benefit year;
- (2) the individual's alternate base period;
- (3) wages paid to the individual during his alternate base period;
- (4) employers who paid such wages during the individual's alternate base period;
- (5) the individual's total unemployment benefit rate pursuant to section 31-231a of the Connecticut General Statutes;
- (6) the individual's maximum limitation on total benefits pursuant to section 31-231b of the Connecticut General Statutes;
- (7) the individual's dependency allowance, if any, pursuant to section 31-234 of the Connecticut General Statutes; and
- (8) the individual's appeal rights.

(g) Any determination issued pursuant to this section may be appealed to the Employment Security Appeals Division within the time limits and under the conditions prescribed in section 31-241 of the Connecticut General Statutes.

(Adopted effective September 30, 2003)

**Sec. 31-230-3. Notice of alternate base period program**

(a) Any determination issued under section 31-230-2 of the Regulations of Connecticut State Agencies shall clearly inform the individual that eligibility or ineligibility was determined using an alternate base period.

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(b) The Administrator shall inform any individual when his determination of eligibility using an alternate base period is being delayed pending establishment of wages in the most recent calendar quarter.

(c) The Administrator shall provide information, which explains that individuals who are ineligible for benefits using a regular base period may be eligible using an alternate base period, in those publications and other media which the Administrator customarily uses to communicate information about the unemployment compensation program to claimants, employers and the general public.

(Adopted effective September 30, 2003)

**Sec. 31-230-4. Effective dates**

(Adopted effective September 30, 2003)