

Legislation From The 2014 Session of The Connecticut General Assembly Affecting The Workplace

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The following is a brief description of pertinent bills passed during the 2014 session of the General Assembly that may impact the workplace. Note that as of the date of the drafting of this article, most of these bills were awaiting action by the Governor. In addition, there may be other bills that tangentially impact employment matters that are not addressed in this article due to space considerations.

MINIMUM WAGE INCREASE

PUBLIC ACT 14-1: AN ACT CONCERNING WORKING FAMILIES' WAGES. This Act, which has already been signed by the Governor, increases the minimum wage from the current \$8.75 per hour to \$9.15 per hour on January 1, 2015, \$9.65 per hour on January 1, 2016 and \$10.10 per hour on January 1, 2017.

PREVAILING WAGE COMPLIANCE

PUBLIC ACT 14-44: AN ACT CONCERNING ELECTRONIC PREVAILING WAGE NOTICES, INFORMATION AND RECORDS. This Act, which takes effect on July 1, 2015, will permit certain "prevailing wage" act notices, information and records (including certified payroll records) to be provided or maintained electronically.

DOMESTIC WORKERS AND WAGE/HOUR COMPLIANCE

PUBLIC ACT 14-159: AN ACT CONCERNING EMPLOYERS AND HOME CARE WORKERS. This Act, which takes effect on January 1, 2015, amends Connecticut's wage standards laws so as to allow employers and individuals employed in domestic service to agree in writing to exclude an employee's regularly-scheduled eight-hour or more sleeping period (when the employee is required to be at a work site for at least 24 consecutive hours) from the calculation for determining overtime pay under certain circumstances.

DOMESTIC WORKERS TASK FORCE

SPECIAL ACT 14-17: AN ACT CONCERNING THE TASK FORCE ON DOMESTIC WORKERS. The Act establishes a domestic workers task force, which will study issues involving domestic workers in the state and make recommendations (via a report to be submitted to the Governor and the General Assembly by

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October 1, 2015) for legislative initiatives to provide outreach and education services to domestic workers and employers of domestic workers.

THE IMPLEMENTER AND A NEW RETIREMENT PLAN

PUBLIC ACT 14-217: AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2015. Among other things, the so-called budget “implementer” creates the Connecticut Retirement Security Board and requires it to (1) conduct a feasibility study on implementing a “public retirement plan” and (2) develop by April 1, 2016, a comprehensive proposal for implementing the plan that must include certain goals and features. This Act allows municipalities to issue bonds to pay for unfunded past pension obligations. If a municipality issues such bonds, it must appropriate money for, and contribute to its pension plan, at least the actuarially-required contribution in each fiscal year that it has outstanding bonds for the plan. This Act makes members of the UConn and UConn Health Center Police Departments “unclassified” (instead of “classified”) state employees.

TEACHER RETIREMENT BENEFITS AND TAXATION

PUBLIC ACT 14-47: AN ACT MAKING ADJUSTMENTS TO STATE EXPENDITURES AND REVENUES FOR THE FISCAL YEAR ENDING JUNE 30, 2015. Among other things, this Act exempts a portion of state teachers’ retirement system [“TRS”] income from the state income tax, specifically by allowing taxpayers to exclude from gross income 10% of TRS income for the 2015 tax year, 25% for the 2016 tax year, and 50% for 2017 and subsequent tax years.

REEMPLOYMENT OF “OLDER” WORKERS

PUBLIC ACT 14-225: AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE ON THE REEMPLOYMENT OF OLDER WORKERS AS THEY RELATE TO THE LABOR DEPARTMENT. This Act requires the Connecticut Employment and Training Commission (commencing October 1, 2014) to coordinate an electronic state hiring campaign to encourage the reemployment of workers 50 years of age or older, to be administered through the Connecticut Department of Labor’s website. Among other things, this Act also requires the Department to develop or approve by January 1, 2015: 1) a one-page quick-reference guide summarizing the public and private resources available for unemployed workers 50 years of age or older within the state, and 2) an informational campaign to distribute to Workforce Investment Boards, CTWorks One Stop Career Centers and similar job centers within the state that will include a description of the program of apprentice training maintained in the Department.

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PAID SICK LEAVE AMENDMENTS

PUBLIC ACT 14-128: AN ACT CREATING PARITY BETWEEN PAID SICK LEAVE BENEFITS AND OTHER EMPLOYER-PROVIDED BENEFITS. This Act, which takes effect on January 1, 2015: 1) adds “radiological technologists” to the coverage under Connecticut’s paid sick leave law, 2) allows employers to calculate benefits under the law based upon a 365-day period, instead of mandating a calendar year period, 3) determines whether an employer meets the 50 employee minimum threshold for coverage under the law based upon the number of employees in the week containing October 1st, and 4) specifically prohibits an employer from terminating or transferring any employee solely in order to avoid meeting the 50 employee threshold for coverage under the law.

WORKERS’ COMPENSATION AND MEDICAL TREATMENT

PUBLIC ACT 14-167: AN ACT CONCERNING WORKERS’ COMPENSATION AND LIABILITY FOR HOSPITAL AND AMBULATORY SURGICAL CENTER SERVICES. This Act makes certain changes regarding employer liability under the Workers’ Compensation Act for hospital services. Specifically, instead of paying for the costs of actual services rendered (or a discount rate that may have been negotiated between the carrier and the provider), this Act requires the Workers Compensation Commission to establish by January 1, 2015 Medicare-based rates for payments for hospital services, along with services rendered at ambulatory surgical centers.

CREDIT CHECKS AND MORTGAGE SERVICERS

PUBLIC ACT 14-109: AN ACT CONCERNING CREDIT CHECKS AND FINANCIAL INSTITUTIONS. This Act, which takes effect on October 1, 2014, adds mortgage servicing companies and licensed mortgage brokers, mortgage correspondent lenders and mortgage lenders to the definition of “financial institution” for the purposes of employer inquiries about employee (and prospective employee) credit ratings.

OCCUPATIONAL LICENSING ENFORCEMENT

PUBLIC ACT 14-210: AN ACT CONCERNING THE ENFORCEMENT OF CERTAIN OCCUPATIONAL LICENSING STATUTES. This Act, which takes effect on October 1, 2014, further specifies the responsibilities of the Commissioner of Consumer Protection and examining boards regarding occupational licensing enforcement, including the dismissal of complaints and reporting to the General Assembly, and allowing a civil penalty to be imposed for **each** specific violation of the licensing statutes.

MISCELLANEOUS DEPARTMENT OF LABOR REVISIONS

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PUBLIC ACT 14-42: AN ACT CONCERNING THE CONNECTICUT EMPLOYMENT AND TRAINING COMMISSION AND AMENDMENTS TO THE DEPARTMENT OF LABOR STATUTES.

This Act, which takes effect upon passage, updates and makes technical changes to Connecticut Department of Labor statutes and repeals outdated reporting requirements (specifically as to the Office of Workforce Competitiveness). However, this Act also expands certain Connecticut Employment and Training Commission job placement program reporting requirements, and mandates procedures for sharing information between the Department of Labor, the Department of Social Services, and the CT Health Insurance Exchange regarding eligibility for certain public assistance programs.

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