

Law of the Workplace

CLIENT ALERT

Connecticut's 2011 Legislative Session Ends with Three Employment-Related Bills Awaiting Governor's Expected Signature

The "Paid Sick Leave" Bill (Senate Bill 913) passed its final hurdle on June 3, 2011 by a vote of 76 to 65 in the House. The bill passed with no Republican votes in the House and one in the Senate. The Governor is expected to sign this bill which would then become effective January 1, 2012. The final bill requires covered employers to provide one hour of sick time for every 40 hours of work (including overtime), up to five paid sick leave days a year, for an employee's sickness, an employee's child's, parent's or spouse's sickness, or to deal with sexual assault or family violence issues. The bill covers certain employers of 50 or more people in Connecticut in any one quarter of the prior year and affects only "service worked" paid on an hourly basis and "non-exempt" from overtime regulations. The final version does not cover manufacturers or YMCAs/YWCAs, but applies to "service workers" which the bill broadly defines.

While the bill includes part-time employees, it does not include day or temporary workers and permits the sick leave days to be carried over for one year. Covered employees become eligible to use the accrued leave after working 680 hours (approximately 4 months, less if overtime is included). Employers already offering at least 5 days of "other paid leave," such as paid vacation, personal days or paid time off, will be deemed to comply with the rule. Finally, the bill includes a notice requirement. Specifically, at the time of hire, employers must notify eligible employees that they have a right to sick leave and must specify the amount of sick leave provided and the terms under which sick leave may be used. Employers must also inform workers that retaliation for using sick leave is prohibited and worker may file a complaint with the Department of Labor for any alleged violations.

An Act Concerning Discrimination (House Bill 6599) passed on June 3, 2011 by a vote of 20 to 16 in the Senate. The bill includes "gender identity of expression" as a protected characteristic along with race, national origin and sex, and would bar discrimination based on "gender identity or expression" in employment, housing and public accommodations (including use of public restrooms). The Governor is expected to sign this bill, which would then become effective on October 1, 2011 and affect all employers in Connecticut with three or more employees.

An Act Concerning The Use Of Credit Reports In Employment Decisions (Senate Bill 361), which prohibits employers from using credit scores in certain hiring decisions, passed on June 9, 2011 in the Senate. The bill includes several exceptions and now goes to the Governor who is likely to sign. If signed, the measure would become effective October 1, 2011.

This material is intended to provide you with information regarding a noteworthy legal development. It should not be regarded as a substitute for legal advice concerning specific situations in your operation. If you have any questions or would like additional information on this topic, please contact our Firm at (860) 727-8900 or www.siegelconnor.com.



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