

# Connecticut Laws: Rights and Benefits for Employees (Formerly Found Only in Union Contracts)

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ATTORNEYS

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## Pay Records

Employee paystubs must show:

- Hours worked
- Gross earnings
  - Straight time separate from overtime
- Itemized deductions
- Net earnings

Sec. 31-13a



## Time Clock

Your system for employee time records must display a clock showing the actual time being recorded.

**Sec. 31-13b**



## Removal of Limitations on Employment of Women

By repealing Section 31-17, Connecticut no longer limits the employment of women in:

- Bowling Alleys
- Shoe Shining Establishments
- Billiard and Pool Rooms

**Sec. 31-17 (repealed)**



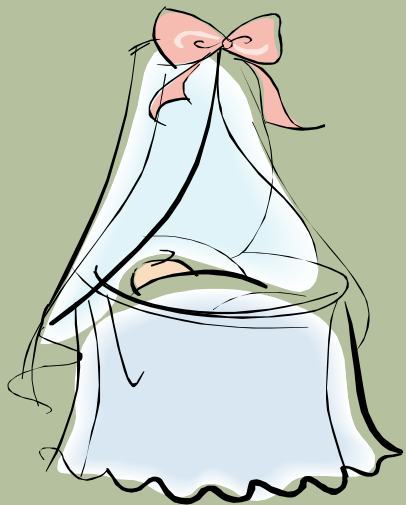
## Hazards to Reproductive Systems

Prospective employees must be informed of any:

- Chemicals
- Toxic Substances
- Radioactive Materials or
- Other substances

which could cause birth defects or be hazardous to the reproductive system

Sec. 31-40g

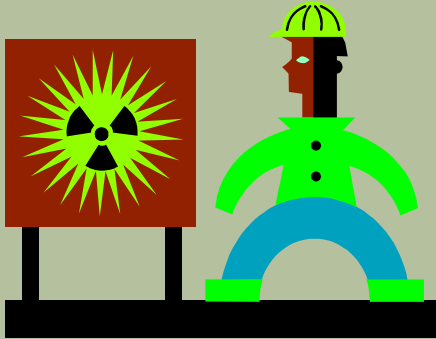


## Sterilization

**Employers may not sterilize employees as a condition of :**

- **Employment**
- **Transfer**
- **Promotion**

**Sec. 31-40h**



## Information Concerning Toxic Substances

Employers must post signs informing employees of toxic substances used or produced in the work place.

Sec. 31-40k

Sec. 31-370

## Toxic Substance Information

**This information must include:**

- **Name of toxic substance**
- **Location**
- **Properties**
- **Effects of exposure**
- **Emergency treatment**
- **Safe handling procedures**
- **Clean up procedures**

**Sec. 31-401**



### Smoking in the Workplace

Businesses are required to provide non-smoking areas if smoking is allowed.

Fewer than five employees, requires non-smoking work areas.

Five or more employees, the facility is non-smoking, but smoking rooms may be designated.

The entire facility may be designated as non-smoking.

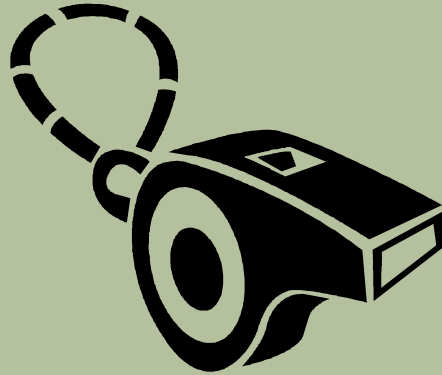
**Sec. 31-40q**



## Right to Smoke

But employers may not discriminate against current or prospective employees for smoking or use of tobacco outside of the course of employment.

**Sec. 31-40s**



## Whistle Blower I

Employers cannot discriminate against employees who:

- inform other employees that they are exposed to a hazardous condition or
- refuse in good faith to expose themselves to a hazardous condition

**Sec. 31-40t**



## Safety Committees

Employers of 25 or more employees must establish a safety and health committee.

**Sec. 31-40v**



## Breast Feeding in the Workplace

Employees must be allowed to express milk or breast feed during a meal or break Period.

The employer must provide a room for this purpose, not a bathroom stall.

**Sec. 31-40w**



## Surveillance Devices

Employers may not operate electronic surveillance devices or systems, whether audio or video, to record or monitor areas designed for health or personal comfort of employees or for safeguarding of their possessions, such as:

Restrooms

Locker rooms

Lounges

**Sec. 31-48b**

## Prior Notice of Monitoring

Employers using electronic monitoring shall give prior written notice to affected employees by posting a notice.

There is an exception to notice if:

- Reasonable grounds exist to believe that employees are engaged in conduct which is illegal or creates a hostile environment and
- The monitoring may produce evidence of misconduct

**Sec. 31-48d**



## MASTER AND SERVANT

“It shall be the duty of the master to exercise reasonable care to provide for his servant a reasonably safe place in which to work, reasonably safe appliances and instrumentalities for his work and fit and competent persons as his co-laborers.”

Sec. 31-49

Sec. 31-370

## **Black Listing**

Employers may not “black list” any employee with the intent and for the purpose of preventing the employee from being hired by another employer.

But employers may give truthful statements of any facts concerning a present or former employee.

**Sec. 31-51**



## Use of Polygraph Prohibited

Employers may not require a polygraph examination as a condition of obtaining employment and may not discipline an employee for refusing to take a polygraph examination. (Also applies to employment agencies)

There are exceptions for police departments and Department of Correction.

**Sec. 31-51g**

## Erased Criminal Records

Employers may not require employees or prospective employees to disclose the existence of any arrest, or criminal charge or conviction if records have been erased pursuant to statutes for youthful offender or erasures for acquittals, pardons and the like.

Employers may not refuse to hire prospective employees, and may not discharge or discriminate against current employees, solely on the basis of erased criminal records.

**Sec. 31-51i**



### Leave of Absence for Public Office

Employers of more than 25 persons shall grant a personal leave of absence from employment for a person accepting a full-time municipal or state elective office, for not more than two consecutive terms.

Employees must be reinstated unless circumstances have so changed as to make it impossible or unreasonable to do so.

**Sec. 31-511**



## Whistleblower II

No employee may be discharged or disciplined because the employee, or person acting on behalf of the employee, reports a violation or suspected violation of any state or federal law or regulation to a public body...

...Or because the employee is requested by a public body to participate in an investigation or hearing.

**Sec. 31-51m**



## Employee Free Speech Rights

Employees are protected in the exercise of rights guaranteed by the First Amendment of the United States Constitution...

...Provided that employee activity does not substantially or materially interfere with the employer's bona fide job performance or the working relationship between the employee or the employer.

**Sec. 31-51q**



## Employment Promissory Note

An employment promissory note is defined as an agreement for the employee to pay the employer money if the employee leaves his employment before the passage of a stated period of time.

Employee promissory notes are prohibited as a condition of employment and any such note will be void.

This statute does not apply to promissory notes where the employee has actually received an advance of money or has leased or purchased property.

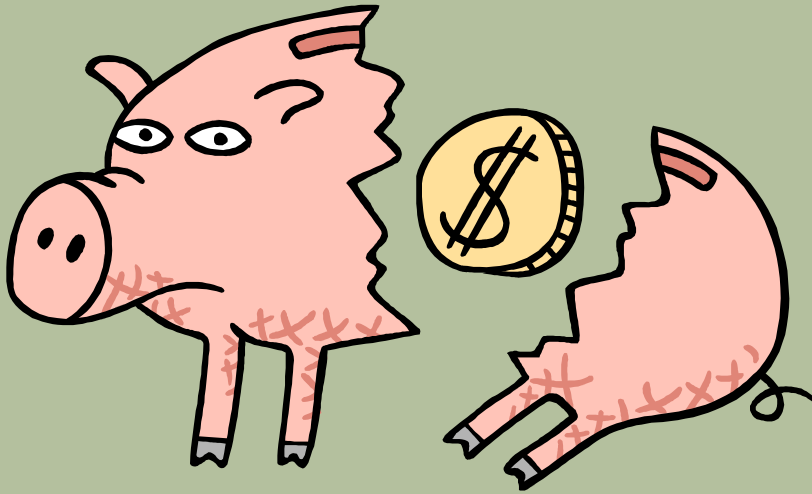


## Employee Drug Testing

This statute provides:

- Protocols for drug testing
- Testing of prospective employees
- Prohibition on observation of the process
- Drug testing of current employees only upon reasonable suspicion
- Prohibition of random drug tests

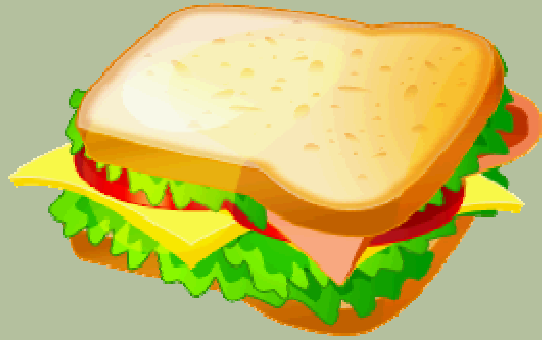
Sec. 31-51t



### Breakage by Customers

An employee may not be required to reimburse the employer for any loss or shortage incurred in the employer's business as a result of wrong-doing on the part of a customer.

**Sec. 31-51hh**



## Meal Periods

Employees must be given an unpaid meal break of at least 30 minutes if they work for more than 7- 1/2 consecutive hours.

The meal break must occur between the first two and last two hours of work.

**Sec. 31-51ii**



## Emergency Telephone Calls

Employers must notify employees of incoming emergency telephone calls if the caller states that the emergency involves a member of the employee's family or a person designated in advance by the employee.

**Sec. 31-51jj**



## Family and Medical Leave

Employers of 75 or more employees must provide 16 weeks of family and medical leave in a two-year period for eligible employees...

...And many other rules and regulations.

**Sec. 31-51kk, et seq.**



## New Law Providing Leave for Victims of Family Violence

An employee who is a family violence victim or who participates in a court proceeding may take up to 12 unpaid leave days per year for medical care, services, relocation or court proceedings.

- Employee can take paid time if available
- Does not count against FMLA
- Must be verified

**Sec. 54-85b**



## Minimum Wage

The Connecticut minimum wage became \$8.25 per hour as of January 1, 2010.

**Sec. 31-60**



## Withholding Wages I

Employers may not withhold wages based upon an employees' failure to give required notice before leaving employment.

**Sec. 31-70**



## Weekly Payment of Wages

This statute requires a weekly payment of wages unless the Department of Labor approves a request for a different pay schedule.

The Department routinely approves by-weekly pay days (26 per year) but not twice monthly (24 per year).

**Sec. 31-71b**

**Sec. 31-71i**



## **Payment of Wages on Termination of Employment**

Employees who quit may be paid on the next regular pay day.

Employees who are discharged are supposed to be paid on the next business day after the discharge.

**Sec. 31-71c**



## Payment Where Wages Disputed

If there is a wage dispute, employers must pay all wages that are not disputed.

Acceptance by an employee of a partial payment does not waive his claim to the balance and any release required by the employer as a condition of partial payment is void.

**Sec. 31-71d**

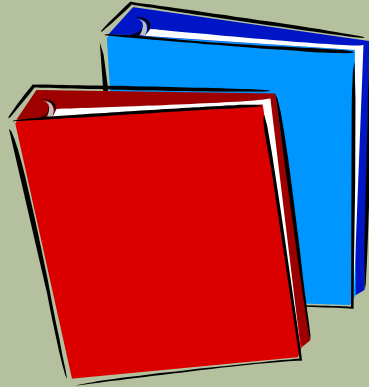


## Withholding Wages II

The only deductions from wages allowed are:

- State or federal law withholding
- Written authorization from employee on a form approved by the Commissioner of Labor
- Written authorization by employee for medical, surgical or hospital care or service
- 401k or similar retirement plan of deductions

**Sec. 31-71e**



## Employee Manual

An employer must advise employees in writing of the rate of pay, hours of employment, wage payment schedules and employment practices and policies with regard to wages, vacation, sick leave, health and welfare benefits and comparable matters.

In short, create some form of employee manual.

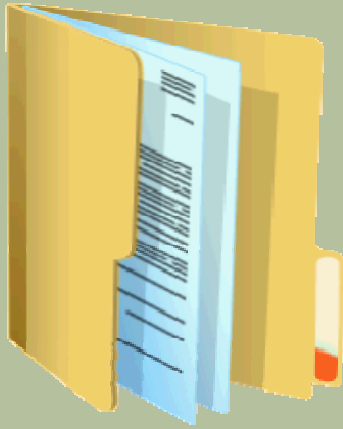
**Sec. 31-71f**



## Vacation Pay

If an employee is to receive vacation pay on the same pay day as regular wages, the employer must compute withholding from the wage payment and the vacation pay separately.

**Sec. 31-74a**



## Personnel Files

Employees have the right to:

- Access to personnel files
- Rebuttal of any information that employee disagrees with
- Copy of personnel file
- Inspection limited to twice annually
- Confidentiality in the absence of consent, except as required by law

**Sec. 31-128a, et seq.**



## Notice of Pregnancy Rights

Employers must inform pregnant employees that they may appeal to the Commission on Human Rights and Opportunities if the employer fails to make a reasonable effort to transfer a pregnant employee to a suitable temporary position if the employee reasonably believes that continued employment in her position may be a health risk.

Employers must also give employees notice that the employee must give written notice of pregnancy in order to be eligible for a transfer to a temporary position.

**Sec. 46a-60**

## Discrimination in Unemployment Compensation

Employees are protected from discharge or discrimination because they file a claim for unemployment benefits or participate in unemployment hearings on behalf of themselves or others.

**Sec. 31-226a**

## Discrimination in Workers Compensation

Employees are protected from discharge or discrimination because they file a claim for workers compensation benefits.

**Sec. 31-290a**



## Seven Days of Work Prohibited

Employees engaged in commercial occupation or industrial process may not be compelled to work more than six days in any calendar week, and may not be discharged for refusing to work.

**Sec. 53-303e(a)**



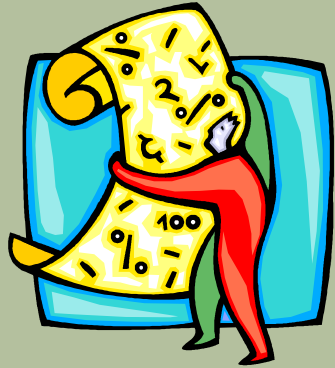
## Proposed Act Mandating Paid Sick Leave



A bill was introduced in the state legislature which would mandate that employers of 50 or more employees give annual paid sick leave to employees who work more than 520 hours (10 hours or more per week).

Employees would accrue one hour of sick pay for every 40 hours of work up to an annual maximum of 40 hours (five days for full-time employees) to be available after 520 hours of work starting January 1, 2011.

No payment of accrued but unused leave upon termination (unless the employer has a policy which allows payment).



## Proposed Act Prohibiting Credit Reports As Basis for Employment Decisions

A bill was introduced in the state legislature which would prohibit employers from requiring credit reports as a condition of employment unless for:

- Managerial promotions
- Employees with access to customers or other employees personal information
- Employees with fiduciary responsibilities
- Employees with expense accounts



**Proposed Act Requiring Employers  
to Cite a Reason for Termination  
of Employees**

A bill was introduced in the state legislature which would require an employer to provide a written notice of the reasons for termination of an employee, and be subject to a \$300 fine for not doing so...

...unless the employee waived notice by a signed agreement prior to termination.

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