

CONNECTICUT **Employment Laws**

POSTER COMPLIANCE DATE 10/2017

Connecticut Wage & Workplace Administrative Regulations

0024-075-01

These Administrative Regulations must be posted and maintained wherever workers covered by this Act are employed.

CONNECTICUT DEPARTMENT OF LABOR

WAGE AND WORKPLACE STANDARDS DIVISION

\$8.70 per hour effective 1-1-14

\$9.15 per hour effective 1-1-15

OVERTIME - ONE AND ONE-HALF TIMES THE EMPLOYEES REGULAR RATE OF PAY AFTER 40 HOURS PER WEEK. FOR

MINORS UNDER 18 YEARS OF AGE EMPLOYED BY THE STATE OR POLITICAL SUBDIVISION THEREOF MAY BE PAID 85% OF THE APPI ICABI F MINIMUM WAGE

MINORS EMPLOYED BY AGRICULTURAL EMPLOYERS WHO DID NOT, DURING THE PRECEDING CALENDAR YEAR, EMPLOY EIGHT OR MORE WORKERS AT THE SAMETIME SHALL BE PAID A MINIMUM WAGE OF NOT LESS THAN 70% OF THE MINIMUM WAGE AS DEFINED IN SECTION 31-58.

Sec. 31-60-1. Piece rates in relation to time rates or incentive pay plans, including commissions and

(a) Definitions. For the purpose of this regulation, "piece rates" means an established rate per unit of work performed without regard to time required for such accomplishment. "Commissions" means any premium or incentive compensation for business transacted whether based on per centum of total valuation or specific rate per unit of accomplishment. "Incentive plan" means any method of compensation, including, without limitation thereto, commissions, piece rate, bonuses, etc., based upon the amount of results produced, where the payment is in accordance with a fixed plan by which the employee becomes entitled to the compensation upon fulfillment of the conditions established as part of the working agreement, but shall be subject to the

services in accordance with an incentive plan in such form as to enable such compensation to be translated readily into terms of average hourly rate on a weekly basis for each work week or part thereof of employment.

(c) Piece rates in relation to time rates: (1) When an employee is compensated solely at piece rates he shall be paid a sufficient amount at piece rates to yield an Sec. 31-60-7. Learners. average rate of at least the minimum wage for each hour worked in any week, and the wage paid to such employee shall

he not less than the minimum wage for each hour worked (2) When an employee is compensated at piece rates for certain hours of work in a week and at an hourly rate for other hours, the employee's hourly rate shall be at least the minimum wage and his earnings from piece rates shall average at least the minimum wage for each hour worked on piece rate for that work week, and the wage paid to such employee

(3) When an employee is employed at a combination of hourly rate and piece rate for the same hours of work (i.e., an incentive pay plan superimposed upon an hourly rate or a piece rate coupled with a minimum hourly guarantee), the employee shall receive an average rate of at least the minimum wage an hour for each hour worked in any week and the wage paid to such employee shall be not less than the minimum wage for each hour worked.

(1) When an employee is compensated solely on a commission basis, he shall be paid weekly an average of at least the minimum wage per hour for each hour worked

(2) When an employee is paid in accordance with a plan providing for a base rate plus commission, the wage paid weekly to the employee from these combined sources shall equal at least an average of the minimum wage an hour for each hour worked in any work week. All commissions shall be settled at least once in each month in full. When earnings are derived in whole or in part on the basis of an incentive plan other than these defined herein, the employee shall receive weekly at least the minimum wage per hour for each hour worked in the work week, and the balance earned shall be settled at least once monthly.

Sec. 31-60-2. Gratuities as part of the minimum fair wage.

For the purposes of this regulation, "gratuity" means a voluntary monetary contribution received by the employee from a guest, patron or customer for service rendered.

basis as a separate item in the wage record, even though payment is made more frequently, and

(2) The amount received in gratuities claimed as credit for part of the minimum fair wage shall be recorded on a weekly

(3) Each employer claiming credit for gratuities as part of the minimum fair wage paid to any employee shall provide substantial evidence that the amount claimed, which shall not exceed the allowance hereinafter provided, was received by the employee. For example, a statement signed by the employee attesting that wages received, including gratuities not to exceed the amount specified herein, together with other authorized allowances, represents a payment of not less than the minimum wage per hour for each hour worked during the pay period, will be accepted by the commissioner as "substantial evidence" for purposes of this section, provided all other requirements of this and other applicable regulations shall be complied with.

(b) Allowances for gratuities as part of the minimum wage shall not exceed 34.6% on January 1, 2014 and 36.8% on January 1, 2015 for employees employed in the hotel and restaurant industry, who customarily receive gratuities, and 15.6% on January 1, 2014 and 18.5% on January 1, 2015 for bartenders who customarily and regularly receive gratuities or not more than 35 cents per hour for employees in any other industry in which it can be established that gratuities have, prior to July 1. 1967, customarily and usually constituted and been recognized as part of the employee's remuneration for hiring purposes for the particular employment. Gratuities received in excess of the amount specified herein as allowable need not be reported or recorded for the purposes of this regulation. The wage paid to each employee shall be at least the minimum wage per hour for each hour worked, which may include gratuities not to exceed the limitation herein set forth, provided all conditions herein set forth shall be met. *(See P.A.13-117 for precise language.)

Sec. 31-60-3. Deductions and allowances for reasonable value of board and lodging was repealed. Sec. 31-60-4. Physically or mentally handicapped employees.

[This regulation defines a "physically or mentally handicapped person" as a person whose earning capacity is impaired by age or physical or mental deficiency or injury and provides quidelines for a modification of the minimum wage.]

Sec. 31-60-6. Minors under the age of 18.

(a) For the purposes of this regulation, "minor" means a person at least 16 years of age but not over 18 years of age. To prevent curtailment of employment opportunities for minors, and to provide a reasonable period during which training for adjustment to employment conditions may be accomplished, a minor may be employed at a modification of the minimum fair wage established by subsection (j) of section 31-58 of the general statutes, but at not less than 85% of the minimum wage, for the first 200 hours of employment. When a minor has had an aggregate of two hundred hours of employment, he may not be employed by the same or any other employer at less than the minimum fair wage.

(b) In addition to the records required by section 31-66 of the 1969 supplement to the general statutes, each employer shall obtain from each minor to be employed at a modification of the minimum fair wage rate as herein provided, a statement of his employment prior to his date of accession with his present employer. Such statement of prior employment, supplemented by the present employer's record of hours worked by the minor while in his employ, will be deemed satisfactory evidence of good faith on the part of the employer with respect to his adherence to the provisions of this regulation, provided such record shall be in complete compliance with the requirements of section 31-66 of the general statutes and section 31-60-12. (c) Deviation from the provisions of this regulation will cancel the modification of the minimum fair wage herein provided for

all hours during which the violation prevailed and for such time the minimum wage shall be paid.

[This regulation contains the requirements to apply to the Labor Commissioner for a subminimum rate in an occupation which

Sec. 31-60-8. Apprentices.

[Under this regulation, apprentices duly registered by the Connecticut State Apprenticeship Council of the Labor Department may not be employed at less than the minimum wage unless permission has been received from the Labor Commissioner through an application process.]

Sec. 31-60-9. Apparel.

For the purpose of this regulation, "apparel" means uniforms or other clothing supplied by the employer for use in the course of employment but does not include articles of clothing purchased by the employee or clothing usually required for health, comfort or convenience of the employee. An allowance (deduction) not to exceed \$1.50 per week or the actual cost, whichever is lower, may be permitted to apply as part of the minimum fair wage for the maintenance of wearing apparel or for the laundering and cleaning of such apparel when the service has been performed. When protective garments such as gloves, boots or aprons are necessary to safeguard the worker or prevent injury to an employee or are required in the interest of sanitation, such garments shall be provided and paid for and maintained by the employer without charge upon the employee.

guide dog/training a guide dog, Veteran status

In: loans, mortgages, any credit transactions

860-886-5703

860-541-3400

CREDIT TRANSACTIONS

In: services rendered the public, rentals and sales of public and private housing

to you. It is illegal for anyone to retaliate against you for filing a complaint.

860-886-5707

860-541-3459

(a) For the purpose of this regulation, "travel time" means that time during which a worker is required or permitted to travel for purposes incidental to "a performance of his employment but does not include time spent traveling from home to his usual place of employment or return to home, except as hereinafter provided in this regulation.

(b) When an employee, in the course of his employment, is required or permitted to travel for purposes which inure to the benefit of the employer, such travel time shall be considered to be working time and shall be paid for as such. Expenses directly incidental to and resulting from such travel shall be paid for by the employer when payment made by the employee would bring the employee's earnings below the minimum fair wage.

(c) When an employee is required to report to other than his usual place of employment at the beginning of his work day, if such an assignment involves travel time on the part of the employee in excess of that ordinarily required to travel from his home to his usual place of employment, such additional travel time shall be considered to be working time and shall be paid

(d) When at the end of a work day a work assignment at other than his usual place of employment involves, on the part of the employee, travel time in excess of that ordinarily required to travel from his usual

race, religious creed, sex, transgender status, gender identity or expression, sexual orientation or civil union status, use of a

If you believe you have experienced illegal discrimination, the CT Commission on Human Rights will investigate without cost

Continued...

Connecticut Wage & Workplace Administrative Regulations Continued.

place of employment to his home, such additional travel time shall be considered to be working time and shall be

Sec. 31-60-11. Hours worked.

(a) For the purpose of this regulation, "hours worked" include all time during which an employee is required by the employei to be on the employer's premises or to be on duty, or to be at the prescribed work place, and all time during which an employee is employed or permitted to work. whether or not required to do so, provided time allowed for meals shall be excluded unless the employee is required or permitted to work. Such time includes, but shall not be limited to, the time when an employee is required to wait on the premises while no work is provided by the employer. Working time in every instance shall be computed to the nearest unit of 15 minutes.

(b) All time during which an employee is required to be on call for emergency service at a location designated by the employer shall be considered to be working time and shall be paid for as such, whether or not the employee is actually called

(c) When an employee is subject to call for emergency service but is not required to be at a location designated by the employer but is simply required to keep the employer informed as to the location at which he may be contacted, or when an employee is not specifically required by his employer to be subject to call but is contacted by his employer or on the employer's authorization directly or indirectly and assigned to duty, working time shall begin when the employee is notified of his assignment and shall end when the employee has completed his assignment.

Sec. 31-60-12. Records

(a) For the purpose of this regulation, "true and accurate records" means accurate legible records for each employee showing:

(2) his home address

(3) the occupation in which he is employed: (4) the total daily and total weekly hours worked, showing the beginning and ending time of each work period,

computed to the nearest unit of 15 minutes (5) his total hourly, daily or weekly basic wage;

(6) his overtime wage as a separate item from his basic wage

(7) additions to or deductions from his wages each pay period; (8) his total wages paid each pay period:

(9) such other records as are stipulated in accordance with sections 31-60-1 through 31-60-16;

(10) working certificates for minor employees (sixteen to eighteen years). True and accurate records shall be maintained and retained at the place of employment for a period of 3 years for each employee. (b) The labor commissioner may authorize the maintenance of wage records and the retention of both wage and hour records as outlined either in whole or in part at a place other than the place of employment when it is demonstrated that the

retention of such records at the place of employment either (1) works an undue hardship on the employer without materially benefiting the inspection procedures of the labor

(2) is not practical for enforcement purposes. Where permission is granted to maintain wage records at other than the place of employment, a record of total daily and weekly hours worked by each employee shall also be available for inspection in connection with such wage records.

(c) In the case of an employee who spends 75% or more of his working time away from his employer's place of business and the maintaining of time records showing the beginning and ending time of each work period for such employee either imposes an undue hardship upon the employer or exposes him to jeopardy because of his inability to control the accuracy of such entries, a record of total daily and total weekly hours will be approved as fulfilling the record keeping requirements of his section. However, in such cases, the original time entries shall be made by the employee in his own behalf and the time entries made by the employee shall be used as the basis for payroll records.

(d) The employer shall maintain and retain for a period of 3 years the following information and data on each individual employed in a bona fide executive, administrative or professional capacity.

(2) his home address;

(3) the occupation in which he is employed; (4) his total wages paid each work period;

(5) the date of payment and the pay period covered by payment.

Sec. 31-60-14. Employee in a bona fide Executive capacity. (a) For the purposes of section 31-58 (f) of the general statutes, as amended, "employee employed in a bona fide executive capacity" means any employee (1) whose primary duty consists of the management of the enterprise in which he is employed or of a customarily recognized department or subdivision thereof; and (2) who customarily and regularly directs the work of two or more other employees therein; and (3) who has the authority to hire or fire other employees or whose suggestions and ecommendations as to the hiring or firing and as to the advancement and promotion or any other change of status of other employees will be given particular weight; and (4) who customarily and regularly exercise discretionary powers; and (5) who does not devote more than twenty percent, or, in the case of an employee of a retail or service establishment who does not devote as much as forty percent, of his hours of work in the workweek to activities which are not directly and closely related to the performance of the work described in subdivisions (1) to (4), inclusive, of this section; provided this subdivision shall not apply in the case of an employee who owns at least twenty percent interest in the enterprise in which he is employed: and (6) who is compensated for his services on a salary basis at a rate of not less than **four hundred dollars per week** exclusive of board, lodging, or other facilities, except that this subdivision shall not apply in the case of an employee in training for a bona fide executive position as defined in this section if (A) the training period does not exceed six months; and (B) the employee is compensated for his services on a salary basis at a rate not less than three hundred seventy-five dollars per week exclusive of board, lodging, or other facilities during the training period; (C) a tentative outline of the training program has been approved by the labor commissioner; and (D) the employer shall pay tuition costs, and fees, if any, for such instruction and reimburse the employee for travel expenses to and from each destination other than local, where such instruction or training is provided. Any trainee program so approved may be terminated at any time by the labor commissioner upon proper notice, if he finds that the intent of the program as approved has not been carried out. An employee who is compensated on a salary basis at a rate of not less than **four hundred seventy-five dollars per week**, exclusive of board, lodging, or other facilities, and whose primary duty consists of the management of the enterprise in which he is employed or of a customarily recognized department or subdivision thereof, and includes the customary and regular direction of the work of two or more

of the work performed, and which amount has been the subject of an employer advisement as required by section 31-71f of again. Payment on a fee basis shall amount to a rate of not less than the rate set forth in subsection (a) of this section. (1) Although the employee need not be paid for any workweek in which he performed no work, deductions may only be

) "Salary basis" means a predetermined amount paid for each pay period on a weekly or less frequent basis, regardless of

made in the following five (5) instances: (A) During the initial and terminal weeks of employment, an employer may pay a proportionate part of an employee's

salary for the time actually worked: (B) Deductions may be made for one or more full days if the employee is absent for personal reasons other than sickness

(C) Deductions may be made for one or more full days of sickness or disability provided the deduction is made pursuant to a bona fide plan, policy or practice of making deductions from an employee's salary after sickness or disability leave

General Statutes

(D) Deductions may be made for absences of less than one full day taken pursuant to the federal family medical leave act, 29 USC 2601 et seq., or the Connecticut family and medical leave act, section 31-51kk et seq., of the Connecticut General Statutes, as permitted by 29 CFR 825,206 or by section 31-51gg-17 of the regulations of Connecticut state

(2)(A) No deduction of any kind shall be made for any part of a workweek absence that is attributable to: (i) lack of work occasioned by the operating requirements of the employer;

subdivision against the employee's regular salary during the week of such absence.

(A) The absence is taken pursuant to the federal family and medical leave act, 29 USC 2601 et seq., or the Connecticut family and medical leave act, section 31-51kk et seq., of the Connecticut General Statutes, as permitted by 29 CFR 825.206 or by section 31-51qq-17 of the regulations of Connecticut state agencies; or

or reduction from accrued benefits for the time that an employee is absent from work, provided the employee receives payment in an amount equal to his guaranteed salary.

(4) No deduction of any kind shall be made for an absence of less than one week which results from a disciplinary suspension for violating ordinary rules of employee conduct.

employee (1) whose primary duty consists of either: (A) the performance of office or nonmanual work directly related to management policies or general business operations of his employer or his employer's customers, or (B) the performance of functions in the administration of a school system or educational establishment or institution, or of a department or subdivision thereof, in work directly related to the academic instruction or training carried on therein; and (2) who customarily and regularly exercises discretion and independent judgement; and (3) (A) who regularly and directly assists a proprietor, or an employee employed in a bona fide executive or administrative capacity, as such terms are defined in section 31-60-14 and 31-60-15, or (B) who performs under only general supervision work along specialized or technical lines requiring special training, experience or knowledge, or (C) who executes under only general supervision special assignments and tasks; and (4) who does not devote more than twenty percent, or, in the case of an employee of a retail or service establishment who does not devote as much as forty percent, of his hours worked in the workweek to activities which are not directly and closely related to the performance of the work described in subdivisions (1) to (3), inclusive, of this section; and (5)(A) who is compensated for his services on a salary or fee basis at a rate of not less than **four hundred dollars per week** exclusive of board, lodging, or other facilities, or (B) who, in the case of academic administrative personnel. is compensated for his services as required by subparagraph (A) of this subdivision or on a salary basis which is at least equal to the entrance salary for teachers in the school system or educational establishment or institution by which he is employed; provided an employee who is compensated on a salary or fee basis at a rate of not less than four hundred seventy-five dollars per week, exclusive of board, lodging, or other facilities, and whose primary duty consists of the performance of work described in subdivision (1) of this section, which includes work requiring the exercise of discretion and independent judgement, shall

(b) "Salary basis" [refer to Section 31-60-14.]

(c) "Fee basis" means the payment of an agreed sum for the accomplishment of a single task regardless of the time required for its completion. A fee basis payment shall be permitted only for jobs which are unique in nature rather than for a series of jobs which are repeated an indefinite number of times and for which payment on an identical basis is made over and over again. Payment on a fee basis shall amount to a rate of not less than the rate set forth in subsection (a) of this section.

(b) "Salary basis" [refer to Section 31-60-14.]

for its completion. A fee basis payment shall be permitted only for jobs which are unique in nature rather than for a series of the number of days or hours worked, which amount is not subject to reduction because of variations in the quality or quantity jobs which are repeated an indefinite number of times and for which payment on an identical basis is made over and over

Wage and Workplace Standards

DFPARTMENT OF LABOR Partner of the American Job Center Network

CONNECTICUT

REV. 5/2014

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. epartment of Labor dictates that the employee is entitled to the higher minimum wage rate

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

NOTICE

Paid Sick Leave

Connecticut General Statutes §§ 31-57r - 31-57w – Paid Sick Leave

preventative medical care

Reasonable Documentation

Each employer with 50 or more employees based on the number of employees on its payroll for the week containing October 1, shall provide paid sick leave annually to each of its service workers in the state. The paid sick leave shall accrue beginning January 1, 2012 for current employees, or for a service worker hired after January 1, 2012, beginning on the service worker's date of employment.

The accrual is at a rate of one hour of paid sick leave for each 40 hours worked by a service worker up to a On the basis of: age, ancestry, blindness, color, learning disability, marital status, intellectual disability, national origin, maximum of 40 hours per year (the employer shall choose any 365 day period used to calculate employee physical disability, race, religious creed, sex, transgender status, gender identity or expression, sexual orientation or civil union benefits in order to administer paid sick leave).

No service worker shall be entitled to use more than the maximum number of accrued hours.

Each service worker shall be entitled to carry over up to 40 unused accrued hours of paid sick leave from the current year period to the following year period

A service worker shall be entitled to the use of accrued paid sick leave upon the completion of the service worker's 680th hour of employment

from January 1, 2012, for current service workers, or

the normal hourly wage for that service worker, or

A service worker may use paid sick leave for his or her own:

if hired after January 1, 2012, upon the completion of the service worker's 680th hour of employment from the date of hire, unless the employer agrees to an earlier date. A service worker shall not be entitled to the use of accrued paid sick leave if such service worker did not work an

the minimum fair wage rate under section 31-58 of the general statutes in effect for the pay period

Each employer shall pay each service worker for paid sick leave at a pay rate equal to the greater of either

overage of 10 or more hours a week for the employer in the most recent complete calendar quarter.

during which the employee used paid sick leave. Reasons for Use of Leave

> illness, injury or health condition; the medical diagnosis, care or treatment of his or her mental illness or physical illness, injury or health

preventative medical care.

Effective 1/1/15

A service worker may use paid sick leave for a child's or spouse's: illness, injury or health condition; the medical diagnosis,

care or treatment of a mental or physical illness, injury or health condition; or

This is not the complete Paid Sick Leave law. Please contact your Human Resources office for additional information

January 1, 2012.

NOTICE: Employers must contact their local unemployment office or the state agency responsible for unemployment compensation to receive the official Unemployment Insurance posting. Employees should contact their local unemployment office for information on how to THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT FULFILL THIS STATE'S UNEMPLOYMENT INSURANCE POSTING REQUIREMENT.

Department of Labor Electronic Monitoring

TO THE EMPLOYEES OF radio, camera, electromagnetic, photoelectronic or photo-optical systems, but not including the collection of information n accordance with §31-48d of the Connecticut General Statutes, this will serve as notice that this employer may engage in the (A) for security purposes in common areas of the employer's premises which are held out for use by the public, or (B) which is ollowing types of **Electronic Monitoring** of employees' activities or communications; _____ CAMERA (INCLUDING HIDDEN CAMERAS)

PHOTOELECTRONI PHOTO-OPTICAL IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, CONTACT

Sec. 31-48d. Employers engaged in electronic monitoring required to give prior notice to employees.Exceptions. Civil penalty. (a) As used in this section: (1) "Employer" means any person, firm or corporation, including the state and any political subdivision of the state

(2) "Employee" means any person who performs services for an employer in a business of the employer, if the employer has the right to control and direct the person as to (A) the result to be accomplished by the services, and (B) the details and means by which such result is accomplished; and

prohibited under state or federal law

dollars for the third and each subsequent offense.

Workers' Compensation Commission Notice to Employees

The Workers' Compensation Act (Connecticut General Statutes Chapter 568) requires your

Section 31-294b of the Workers' Compensation Act states "Any employee who has sustained an injury in the course of his employment shall immediately report the injury to his employer, or some person representing his employer. If the employee fails to report the injury immediately, the commissioner may reduce the award of compensation proportionately to any prejudice that he finds the employer has sustained by reason of the failure, provided the burden of proof

An injury report by the employee is NOT an official written notice of claim for workers' compensation benefits; the Workers' Compensation Commission's Form 30C is necessary to satisfy this requirement

to provide benefits to you in case of injury or occupational disease in the course of

NOTE: You must comply with P. A. 17-141 (see box) when filing a compensation claim. The INSURANCE COMPANY or SELF-INSURANCE ADMINISTRATOR is:

with respect to such prejudice shall rest upon the employer.

The State of Connecticut Workers' Compensation Commission office for this workplace is CITY/Town _____ STATE ____ ZIP CODE ____

Public Act 17-141 allows an employer the option to designate and post — "in the workplace location where other labor law posters required by the Labor Department are prominently displayed" and on the Workers' Compensation Commission's website [wcc.state.ct.us] – a location where employees must file claims for compensation. If your employer has listed a location below, you *MUST* file your compensation claim there.

When filing your claim, you are also required – by law – to send it by certified mail. If blank below, ask your employer where to file your claim.

THIS NOTICE MUST BE IN TYPE OF NOT LESS THAN TEN POINT BOLD-FACE AND POSTED IN A CONSPICUOUS PLACE IN EACH PLACE OF EMPLOYMENT. FAILURE TO POST THIS NOTICE WILL SUBJECT THE EMLOYER TO STATUTORY PENALTY (Section 31-279 C.G.S.).

Any questions as to your rights under the law or the obligations of the employer or insurance company should be addressed to the employer, the insurance company, or the Workers' Compensation Commission (1-800-223-9675).

Sexual Harassment is Illegal

SEXUAL HARASSMENT IS ILLEGAL AND IS PROHIBITED BY THE CONNECTICUT DISCRIMINATION EMPLOYMENT PRACTICES ACT (Section 46a-60(a)(8) of the Connecticut General Statutes'

> TITLE VII OF THE CIVIL RIGHTS ACT OF 1964 (Title 42 United States Code Section 2000e et seq.)

INDIVIDUAL'S EMPLOYMENT

SEXUAL HARASSMENT MEANS "ANY UNWELCOME SEXUAL ADVANCES OR REQUESTS FOR SEXUAL FAVORS OR ANY CONDUCT OF A SEXUAL NATURE WHEN: (1) SUBMISSION TO SUCH CONDUCT IS MADE EITHER EXPLICITLY OR IMPLICITLY A TERM OR CONDITION OF AN

(2) SUBMISSION TO OR REJECTION OF SUCH CONDUCT BY ANY INDIVIDUAL IS USED AS THE BASIS FOR EMPLOYMENT DECISIONS AFFECTING SUCH INDIVIDUAL: OR (3) SUCH CONDUCT HAS THE PURPOSE OR EFFECT OF SUBSTANTIALLY INTERFERING WITH AN INDIVIDUAL'S WORK

PERFORMANCE OR CREATING AN INTIMIDATING, HOSTILE OR OFFENSIVE WORKING ENVIRONMENT."

Examples of SEXUAL HARASSMENT include UNWELCOME SEXUAL ADVANCES SUGGESTIVE OR LEWD REMARKS UNWANTED HUGS, TOUCHES, KISSES REQUESTS FOR SEXUAL FAVORS, RETALIATION FOR COMPLAINING ABOUT SEXUAL HARASSMENT DEROGATORY OR PORNOGRAPHIC POSTER, CARTOONS OR DRAWINGS Remedies for SEXUAL HARASSMENT include CEASE AND DESIST ORDERS

INDIVIDUALS WHO ENGAGE IN ACTS OF SEXUAL HARASSMENT MAY ALSO BE SUBJECT TO CIVIL AND CRIMINAL PENALTIES. IF YOU FEEL THAT YOU HAVE BEEN DISCRIMINATED AGAINST, CONTACT THE CONNECTICUT COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES, 450 Columbus Blvd Suite 2, Hartford CT 06103 (TELEPHONE NUMBER (860) 541-3400; TDD NUMBER (860) 541-3459, and Connecticut Toll Free 1(800) 477-5737, Connecticut law

Pregnancy Discrimination and Accommodation in the Workplace

NOTICE

Connecticut General Statutes §§ 46a-60(a), (b)(7), (d)(1) Pregnancy Discrimination and Accommodation in the Workplace

ach employer with more than 3 employees must comply with these anti-discrimination and reasonable accommodation laws . elated to an employee or job applicant's pregnancy, childbirth or related conditions, including lactation lo employer may discriminate against an employee or job applicant because of her pregnancy, childbirth or other related

onditions (e.g., breastfeeding or expressing milk at work).

Terminating employment because of pregnancy, childbirth or related condition Denying reasonable leave of absence for disability due to pregnancy (e.g., doctor prescribed bed rest during 6-8 weel recovery period after birth)* Denying disability or leave benefits accrued under plans maintained by the employer

Limiting, segregating or classifying the employee in a way that would deprive her of employment opportunities

Discriminating against her in the terms or conditions of employment **Note:** There is no requirement that the employee be employed for a certain length of time prior to being granted job rotected leave of absence under this law.

Failing to reinstate employee to original job or equivalent position after leave

n employer must provide a reasonable accommodation to an employee or job applicant due to her pregnancy, childbirth or needing to breastfeed or express milk at work.

leasonable accommodations include, but are not limited to

Being permitted to sit while working More frequent or longer breaks

Assistance with manual labor

Covered Employers

Light duty assignments Modified work schedules

Temporary transfers to less strenuous or less hazardous work Time off to recover from childbirth (prescribed by a Doctor, typically 6-8 weeks Break time and appropriate facilities (not a bathroom) for expressing milk

lo employer may discriminate against employee or job applicant by denying a reasonable accommodation due to pregnancy

BACK PAY COMPENSATORY DAMAGES HIRING, PROMOTION OR REINSTATEMENT

requires that a formal written complaint be filed with the Commission within 180 days of the date when the alleged harassment occurred.

Failing to make reasonable accommodation (and is not an undue hardship)** Denying job opportunities to employee or job applicant because of request for reasonable accommodation Forcing employee or job applicant to accept a reasonable accommodation when she has no known limitation related

to pregnancy or the accommodation is not required to perform the essential duties of job Requiring employee to take a leave of absence where a reasonable accommodation could have been made instead ** Note: To demonstrate an undue hardship, the employer must show that the accommodation would require a significant

Prohibited discriminatory conduct includes:

difficulty or expense in light of its circumstances.

Employers are prohibited from retaliating against an employee because of a request for reasonable accommodation. Employers must post or provide this notice to all existing employees by January 28, 2018; to an existing employee within 10 days after she notifies the employer of her pregnancy or related conditions; and to new employees upon commencing

time that you reasonably became aware of the discrimination, in which to file a complaint. It is illegal for anyone to retaliate

Complaint Process Any employee aggrieved by a violation of these statutes may file a complaint with the Connecticut Commission on Human Rights and Opportunities (CHRO). Complainants have 180 days from the date of the alleged act of discrimination, or from the

against you for filing a complaint. CHRO main number: 860-541-3400 CHRO website: www.ct.gov/chro/site/default.asp CHRO link "How to File a Discrimination Complaint

http://www.ct.gov/chro/taxonomy/v4_taxonomy.asp? DLN=45570&chroNav=|45570|

Additionally, women who are denied the right to breastfeed or express milk at work, or are discriminated or retaliated against for doing so, may also file a complaint with the Connecticut Department of Labor (DOL).

DOL complaint form: $\underline{\text{http://www.ctdol.state.ct.us/wgwkstnd/forms/DOL-80\%20fillable.doc}}$

http://www.ctdol.state.ct.us/wgwkstnd/forms/DOL-80S%20fillable-Spa.doc

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STATE OF CONNECTICUT

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Minimum Wage:

\$9.60 per hour effective 1-1-16 \$10.10 per hour effective 1-1-17

EXCEPTIONS - SEE SECTION 31-76i OF THE CONNECTICUT GENERAL STATUTES.

MINORS UNDER 18 YEARS OF AGE EMPLOYED IN AGRICULTURE MAY BE PAID 85% OF THE APPLICABLE MINIMUM WAGE.

MINORS IN OTHER EMPLOYMENT - SEE SECTION 31-60-6.

imitation hereinafter set forth. (b) Record of wages. Each employer shall maintain records of wages paid to each employee who is compensated for his

shall not be less than the minimum wage for each hour worked.

a) Unless otherwise prohibited by statutory provision or by a wage order, gratuities may be recognized as constituting a part of the minimum fair wage when all of the following provisions are complied with: (1) The employee shall be engaged in an employment in which gratuities have customarily and usually constituted and have been recognized as part of his remuneration for hiring purposes and

> **Commission on Human Rights and Opportunities Discrimination is Illegal**

Discrimination is Illegal Connecticut law prohibits discrimination in:

On the basis of: age, ancestry, color, genetic information, learning disability, marital status, past or present history of mental

disability, intellectual disability, national origin, physical disability, race, religious creed, sex, including pregnancy, sexual

harassment, transgender status, gender identity or expression, sexual orientation or civil union status, workplace hazards to reproductive systems, criminal record (in state employment and licensing), Veteran status *In:* recruiting, hiring, referring, classifying, promoting, advertising, discharging, training, laying off, compensating, terms and

By: employers, employment agencies, labor organization HOUSING & PUBLIC ACCOMMODATIONS On the basis of: age, ancestry, breastfeeding in a place of public accommodation, color, familial status (in housing), lawful

Eastern Region

Administrative Office

source of income, learning disability, marital status, mental disability, intellectual disability, national origin, physical disability,

Connecticut Commission on Human Rights & Opportunities 203-579-6246 203-579-6950 Southwest Region 350 Fairfield Avenue, Bridgeport, CT 06604 203-579-6246 West Capitol Region 55 West Main Street, Suite 210, Waterbury, CT 06702 203-805-6579 203-805-6579 **Capitol Region** 450 Columbus Blvd Suite 2, Hartford, CT 06103 860-566-7710

For assistance contact:

website: www.state.ct.us/chro This notice provides general information about Connecticut law and is not to be considered an equivalent of the complete text.

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has been exhausted which has been disclosed to the employee in accordance with section 31-71f of the Connecticut

(E) Deductions may be made for one or more full days if the employee is absent as a result of a disciplinary suspension for violating a safety rule of major significance. Safety rules of major significance include only those relating to the

prevention of serious danger to the employer's premises, or to other employees.

(ii) jury duty, or attendance at a judicial proceeding in the capacity of a witness; or

(iii) temporary military leave.

(B) An employer is permitted to offset payments an employee receives for any of the services described in this

(3) No deduction shall be made for an absence of less than one full day from work unless:

(B) The absence is taken pursuant to a bona fide paid time off benefits plan that specifically authorizes the substitution

Sec. 31-60-15. Employee in bona fide Administrative Capacity. (a) For the purposes of said section 31-58 (f), "employee employed in a bona fide administrative capacity" means any

be deemed to meet all of the requirements of this section.

Sec. 31-60-1 6. Employee in bona fide Professional Capacity. (a) For the purposes of said section 31-58 (f) "employee employed in a bona fide professional capacity" means any employee (1) whose primary duty consists of the performance of: (A) work requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study, as distinguished from a general academic education and from an apprenticeship, and from training in the performance of routine mental, manual, or physical processes, or (B) work that is original and creative in character in a recognized field of artistic endeavor, as opposed to work which can be produced by a person endowed with general manual or intellectual ability and training, and the result of which depends primarily on the invention, imagination or talent of the employee or (C) teaching, tutoring, instructing or lecturing in the activity of imparting knowledge while employed and engaged in this activity as a teacher certified or recognized as such in the school system or educational establishment or institution by which he is employed; and (2) whose work requires the consistent exercise of discretion and judgement in its performance; and (3) whose work is predominantly intellectual and varied in character, as opposed to routine mental, manual, mechanical or physical work, and is of such character that the output produced or the result accomplished cannot be standardized in relation to a given period of time; and (4) who does not devote more than twenty percent of his hours worked in the workweek to activities which are not an essential part of and necessarily incident to the work described in subdivision (1) to (3), inclusive, of this section; and (5) who is compensated for his services on a salary or fee basis at a rate of not less than **four hundred dollars per week** exclusive of board, lodging, or other facilities; provided this subdivision shall not apply in the case of an employee who is the holder of a valid license or certificate permitting the practice of law or medicine or any of their branches and who is actually engaged in the practice thereof, or in the case of an employee who is the holder of the requisite academic degree for the general practice of medicine and is engaged in an internship or resident program pursuant to the practice of medicine or any of its branches, or in the case of an employee employed and engaged as a teacher as provided in subdivision (1) (C) of this section, and provided an employee who is compensated on a salary or fee basis at a rate of not less than **four hundred seventy-five dollars per week** exclusive of board, lodging or other facilities, and whose primary duty consists of the performance either of work described in subdivision (1) (A) or (C) of this section which includes work requiring the consistent exercise of discretion and judgement, or of work requiring invention, imagination or talent in a recognized field of artistic endeavor, shall be deemed to meet all of the requirements of this section.

Gary K. Pechie, Director

A service worker may use paid sick leave if the service worker is a victim of family violence or sexual assault: for medical care or psychological or other counseling for physical or psychological injury or disability; to obtain services from a victim services organization;

to participate in any civil or criminal proceedings related to or resulting from such family violence or sexual assault. If leave is foreseeable, the employer may require advance notice.

If leave is unforeseeable, the employer may require notice as soon as practicable.

to relocate due to such family violence or sexual assault;

worker's child or spouse indicating the need for the number of days of such leave shall be considered reasonable documentation a court record or documentation signed by a service worker or volunteer working for a victim services organization, an attorney, a police officer or other counselor involved with the service worker shall be

requests or uses paid sick leave either in accordance with the act; or

Documentation for paid sick leave of 3 or more consecutive work days may be required

in accordance with the employer's own paid sick leave policy, as the case may be; or files a complaint with the Labor Commissioner alleging the employer's violation of the act **Collective Bargaining** Nothing in the act shall diminish any rights provided to any employee or service worker under a collective bargaining agreement, or preempt or override the terms of any collective bargaining agreement effective prior to

Any employee aggrieved by a violation of the provisions of the act may file a complaint with the Labor

No employer shall take retaliatory personnel action or discriminate against an employee because the employee:

documentation signed by a health care provider who is treating the service worker or the service

considered reasonable documentation for a victim of family violence or sexual assault.

Commissioner. Upon receipt of any such complaint, said Commissioner may hold a hearing. After a hearing, the Commissioner may assess a civil penalty or award other relief.

Prohibition of Retaliation or Discrimination

REV. 01/01/2015

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which may occur. Each employer shall post, in a conspicuous place which is readily available for viewing by its employees, a notice concerning the types of electronic monitoring which the employer may engage in. Such posting shall constitute such prior written notice. (2) When (A) an employer has reasonable grounds to believe that employees are engaged in conduct which (i) violates the law,(ii) violates the legal rights of the employer or the employer's employees, or (iii) creates a hostile workplace environment, and (B) electronic monitoring may produce evidence of this misconduct, the employer may conduct monitoring

(3) "Electronic monitoring" means the collection of information on an employer's premises concerning employees'

(b) (1) Except as provided in subdivision (2) of this subsection, each employer who engages in any type of electronic

monitoring shall give prior written notice to all employees who may be affected, informing them of the types of monitoring

activities or communications by any means other than direct observation, including the use of a computer, telephone, wire,

without giving prior written notice. (c) The Labor Commissioner may levy a civil penalty against any person that the commissioner finds to be in violation of subsection (b) of this section, after a hearing conducted in accordance with sections 4-176e to 4-184, inclusive. The maximum civil penalty shall be five hundred dollars for the first offense, one thousand dollars for the second offense and three thousand

(d) The provisions of this section shall not apply to a criminal investigation. Any information obtained in the course of a

criminal investigation through the use of electronic monitoring may be used in a disciplinary proceeding against an employee.

The Connecticut Department of Labor, Wage & Workplace Standards Division

200 Folly Brook Boulevard • Wethersfield, CT 06109-1114

DOL phone number: 860-263-6791



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