

**Administrative Regulations**

DOL-75  
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**

**Minimum Wage:**

**\$11.00 per hour effective 1-1-19**

**\$12.00 per hour effective 9-1-20**

**\$13.00 per hour effective 8-1-21**

**\$14.00 per hour effective 7-1-22**

**\$15.00 per hour effective 6-1-23**

(P.A. 19-4)

**OVERTIME - ONE AND ONE HALF TIMES THE EMPLOYER'S REGULAR RATE OF PAY AFTER 40 HOURS PER WEEK, FOR EXCEPTIONS - SEE SECTION 31-76(I) OF THE CONNECTICUT GENERAL STATUTES.**

**MINORS UNDER 18 YEARS OF AGE EMPLOYED BY THE STATE OR POLITICAL SUBDIVISION THEREOF MAY BE PAID 85% OF THE APPLICABLE MINIMUM WAGE.**

**MINORS UNDER 18 YEARS OF AGE EMPLOYED IN AGRICULTURE MAY BE PAID 85% OF THE APPLICABLE MINIMUM WAGE. MINORS EMPLOYED BY AGRICULTURAL EMPLOYERS WHO DID NOT, DURING THE PRECEDING CALENDAR YEAR, EMPLOY EIGHT OR MORE WORKERS AT THE SAME TIME SHALL BE PAID A MINIMUM WAGE OF NOT LESS THAN 70% OF THE MINIMUM WAGE AS DEFINED IN SECTION 31-58.**

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

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

- (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 percent of total valuation or specific rate per unit of accomplishment. "Incentive plan" means any method of compensation, including, without limitation, bonuses, commissions, piece rate, bonuses, etc., based upon the amount of results produced, where the payment is in accordance with a fixed plan 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 limitation hereinafter set forth.
- (b) Record of wages. Each employer shall maintain records of wages paid to each employee who is compensated for his 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 average rate of at least the minimum wage 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.
- (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 shall not be less than the minimum wage for each hour worked.
- (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 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.

- (d) Commission.
- (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 purpose of this regulation, "gratuity" means a voluntary monetary contribution received by the employee from a guest, patron or customer for service rendered.
- (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
- (2) The amount received in gratuities claimed as credit for part of the minimum fair wage shall be recorded on a weekly basis as a separate item in the wage record, even though payment is made more frequently, and
- (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, may 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.

Continued...

**Discrimination**

**Discrimination is Illegal**

**Connecticut law prohibits discrimination in:**

- EMPLOYMENT**  
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
- Its:** recruiting, hiring, referring, classifying, promoting, advertising, discharging, training, laying off, compensating, terms and conditions
- 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 source of income, learning disability, marital status, mental disability, intellectual disability, national origin, physical disability, race, religious creed, sex, transgender status, gender identity or expression, sexual orientation or civil union status, use of a guide dog/training a guide dog, Veteran status
- Its:** services rendered the public, rentals and sales of public and private housing

- CREDIT TRANSACTIONS**  
On the basis of: age, ancestry, blindness, color, learning disability, marital status, intellectual disability, national origin, physical disability, race, religious creed, sex, transgender status, gender identity or expression, sexual orientation or civil union status, Veteran status
- Its:** loans, mortgages, any credit transactions

**Health Insurance**

**pulling all-nighers with health insurance questions?**

Nothing is more important than your health. Under Connecticut law you have rights in health insurance - it's important to know what they are. The Office of the Healthcare Advocate can help you understand your rights and assist with appeals. Learn more by contacting us: 866.HMO.4446 or [ct.gov/oha](http://ct.gov/oha).

**There's help. Call 1.866.HMO.4446**

**O H A**

**Office of the Healthcare Advocate**

**STATE OF CONNECTICUT**

**[ct.gov/oha](http://ct.gov/oha)**

A free service of the State of Connecticut.

**Connecticut Wage & Workplace Administrative Regulations Continued...**

(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 employer, the employee's regular salary during the week of such absence.

**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 employer 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 the employee is required 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 upon to work.
- (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 the employer's authorization directly or indirectly and assigned to work, working time shall begin when the employee is notified of his assignment and shall end when the employer 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:
  - (1) His name;
  - (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 work 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 (between 18 and 19 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 benefitting the inspection procedures of the labor department, or
- (2) is not practical for a record-keeping purpose. 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 shall be approved as fulfilling the record-keeping requirements of this 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.

- (1) His name;
- (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 purpose of this section 31-58 (I) 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; and (3) who has the authority to hire or fire other employees or whose suggestions and recommendations 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 exercises 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 to the enterprise in which he is employed, or to any other business or profession, or 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, 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 (A) the training period does not exceed six months; (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 training program so approved may be terminated at any time by the labor commissioner upon proper notice, if he finds that the intent of this 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 other employees therein, shall be deemed to meet all of the requirements of this section.

"**Salary basis**" means a predetermined amount paid for each pay period on a weekly or less frequent basis, regardless of the number of days or hours worked, which amount is not subject to reduction because of variations in the quality or quantity of the work performed, and which amount has been the subject of an employer's advancement as required in section 31-71F of the Connecticut General Statutes.

- (1) Although the employer need not be paid for any workweek in which he performed no work, deductions may only be 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 or accident;
  - (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 employer's salary after sickness or disability leave has been exhausted which has been disclosed to the employee in accordance with section 31-71F of the Connecticut General Statutes;

**Sec. 31-60-10. Travel time.**

- (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 the 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 will be 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 employer would bring the employee's earnings below the minimum fair wage.
- (c) When an employee is required to travel 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 for as such.

- (D) Deductions may be made for absence 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 31-51k et seq., of the Connecticut General Statutes, as permitted by 29 CFR 825.206 or section 31-51q-17 of the regulations of Connecticut state agencies; or
- (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.
- (2)(A) No deduction of any kind shall be made for any other work absence that is attributable:
  - (i) back of work occasioned by the operating requirements of the employer;
  - (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 subdivision against the employer's regular salary during the week of such absence.
- (3) No deduction shall be made for an absence of less than one full day from work unless:
  - (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 31-51k et seq., of the Connecticut General Statutes, as permitted by 29 CFR 825.206 or section 31-51q-17 of the regulations of Connecticut state agencies; or
  - (B) The absence is taken pursuant to a bona fide paid time off benefits plan that specifically authorizes the substitution 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.

**Sec. 31-60-15. Employee in bona fide Administrative Capacity.**

(a) For the purpose of said section 31-58 (I), "employee employed in a bona fide administrative capacity" means any 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 the 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 judgment; 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 technical work involving special training, experience or knowledge; or (C) who exercises 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 judgment, shall be deemed to meet all of the requirements of this section.

"**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.

**Sec. 31-60-16. Employee in bona fide Professional Capacity.**

(a) For the purpose of said section 31-58 (I) "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 which 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 judgment in its performance; (3) whose work is predominantly intellectual and varied in character, as opposed to routine mental, manual, mechanical or physical work; and (4) 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 subdivisions (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 his 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 in the 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) 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 of the work described in subdivision (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 during the training period.

"**Salary basis**" [refer to Section 31-60-14.]

"**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.

Thomas Wydra, Director  
Wage and Workplace Standards Division

REV. 2/2020

**Electronic Monitoring**

TO THE EMPLOYEES OF

In accordance with §31-48d of the Connecticut General Statutes, this will serve to notice that this employer may engage in the following types of **Electronic Monitoring** of employees' activities or communications:

- \_\_\_\_\_ TELEPHONE
- \_\_\_\_\_ CAMERA (INCLUDING INDOOR CAMERAS)
- \_\_\_\_\_ COMPUTER
- \_\_\_\_\_ RADIO
- \_\_\_\_\_ WIRE
- \_\_\_\_\_ ELECTROMAGNETIC
- \_\_\_\_\_ PHOTOELECTRONIC
- \_\_\_\_\_ PHOTO-OPTICAL
- \_\_\_\_\_ OTHER \_\_\_\_\_

If you have any questions regarding this notice, CONTACT \_\_\_\_\_ (EMPLOYEE REPRESENTATIVE)

FOR ADDITIONAL INFORMATION, CONTACT \_\_\_\_\_ (COMPANY REPRESENTATIVE)

**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) "Employee" means any person, firm or corporation, including the state and any political subdivision of the state which has employees;
- (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

**Workers' Comp.**

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

to provide benefits to you in case of injury or occupational disease in the course of employment. 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 his person representing his employer. If the employee fails to report the injury immediately, the administrative law judge 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 with respect to such prejudice shall rest upon the employer."

An injury report by the employer 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.

NOTE: You must comply with P.A. 17-141 (see next box, below) when filing a compensation claim.

**The INSURANCE COMPANY or SELF-INSURANCE ADMINISTRATOR is:**

NAME \_\_\_\_\_ TELEPHONE \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY/TOWN \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

APPROVED MEDICAL CARE PLAN  YES  NO

**The State of Connecticut Workers' Compensation Commission office for this workplace is located at:**

ADDRESS \_\_\_\_\_ TELEPHONE \_\_\_\_\_

CITY/TOWN \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

**Sexual Harassment**

**SEXUAL HARASSMENT IS ILLEGAL**  
*and is prohibited by*  
**The Connecticut Discrimination Employment Practices Act, and Title VII of the Civil Rights Act of 1964**

- Sexual harassment means: "Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature where:
1. Submission to such conduct by a male is either explicitly or implicitly a term or condition of an individual's employment;
  2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
  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."

Individuals who engage in acts of sexual harassment may be subject to civil and criminal penalties.

**Pregnancy Rights**

**Covered Employers**

Each employer with more than 3 employees must comply with these anti-discrimination and reasonable accommodation laws related to an employee or job applicant's pregnancy, childbirth or related conditions, including lactation.

**Prohibition of Discrimination**

No employer may discriminate against an employee or job applicant because of her pregnancy, childbirth or other related conditions (e.g., breastfeeding or expressing milk at work).

**Prohibited discriminatory conduct includes:**

- 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 week recovery period after birth)
- To relocate due to such family violence or sexual assault;
- to participate in any civil or criminal proceedings related to or resulting from such family violence or sexual assault.

**Notice**

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

**Reasonable Documentation**

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

- documentation signed by a health care provider who is treating the service worker or the service 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 worker for a victim services organization, an attorney, a police officer or other counselor involved with the service worker shall be considered reasonable documentation for a victim of family violence or sexual assault.

**Prohibition of Retaliation or Discrimination**

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

- requests or uses paid sick leave in accordance with the act; or
- 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 January 1, 2012.

**Complaint Process**

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

REV. 01/01/2015

**TWO ways to verify poster compliance!**

QR CODE Scan with phone camera:

OR

ONLINE Go to: [JKeller.com/LLPverify](http://JKeller.com/LLPverify)  
Enter this code: 62722-092020

**NOTICE**

(3) "Electronic monitoring" means the collection of information on an employer's premises concerning employees' activities or communications by any means other than direct observation, including the use of a computer, telephone, wire, radio, camera, electronic magnetic, photoelectronic or photo-optical systems, but not including the collection of information (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 prohibited under state federal law.

(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 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 working environment, and (B) electronic monitoring may produce evidence of this misconduct, the employer may conduct monitoring without giving prior written notice.

(3) The Labor Commissioner may file 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 dollars for the third and each subsequent offense.

(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.

**Workers' Compensation Commission Notice to Employees**