



Senate

General Assembly

February Session, 2002

File No. 286

Senate Bill No. 416

Senate, April 3, 2002

The Committee on Public Health reported through SEN. HARP of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING WORKING HOURS OF CERTAIN HOSPITAL EMPLOYEES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2002*) (a) As used in this
2 section:

3 (1) "Employee" means an individual employed by a hospital who is
4 involved in direct patient care services and who receives an hourly
5 wage; and

6 (2) "Hospital" shall have the same meaning as set forth in section
7 19a-490 of the general statutes.

8 (b) No hospital may require an employee to work in excess of a
9 predetermined scheduled work shift agreed to by the employee,
10 provided such scheduled work shift is determined and promulgated
11 not less than forty-eight hours prior to the commencement of such
12 scheduled work shift. Any employee may volunteer or agree to work

13 hours in addition to such scheduled work shift but the refusal by an
14 employee to accept such additional hours shall not be grounds for
15 discrimination, dismissal, discharge or any other penalty or
16 employment decision adverse to the employee.

17 (c) The provisions of this section shall not apply: (1) To any
18 employee participating in a surgical procedure until such procedure is
19 completed; (2) to any employee working in a critical care unit until
20 such employee is relieved by another employee who is commencing a
21 scheduled work shift; and (3) in the case of an institutional emergency,
22 including, but not limited to, adverse weather conditions, catastrophe
23 or widespread illness, that in the opinion of the hospital administrator
24 will significantly reduce the number of employees available for a
25 scheduled work shift, provided the hospital administrator has made a
26 good faith effort to mitigate the impact of such institutional emergency
27 on the availability of employees.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>

PH *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Fund-Type	Agency Affected	FY 03 \$	FY 04 \$	FY 05 \$
GF - Cost	UConn Health Ctr.	Potential	Potential	Potential
GF - Cost	Vet. Affairs, Dept.	Potential	Potential	Potential

Note: GF=General Fund

Municipal Impact: None

Explanation

To the extent that the University of Connecticut Health Center and the State Veterans Hospital would be required to hire additional staff to comply with the provisions of the bill, additional costs may be incurred that exceed current overtime expenditures. It should be noted that due to the shortage of skilled and trained nurses and other healthcare professionals in the state, maintaining current service levels with new hires might be difficult.

OLR Bill Analysis

SB 416

AN ACT CONCERNING WORKING HOURS OF CERTAIN HOSPITAL EMPLOYEES**SUMMARY:**

This bill prohibits certain hospital employees from being required to work additional hours beyond what is scheduled, except under certain conditions. Under the bill, hospitals cannot require an employee to work beyond a predetermined work shift schedule, if that schedule was set at least 48 hours before the start of the work shift. An employee can volunteer or agree to work additional hours, but refusal to do so cannot be grounds for dismissal, discrimination, discharge, or any other penalty or adverse employment decision.

The bill applies to hospital employees involved in direct patient care services who receive an hourly wage.

Under the bill, the prohibition on additional work hours does not apply to an employee (1) participating in surgery until the surgery is completed and (2) working in a critical care unit until another employee beginning a scheduled shift relieves him. The prohibition also does not apply in the case of an institutional emergency, such as adverse weather, catastrophe, or widespread illness, that the hospital administrator believes will significantly reduce the number of available employees for a shift. The administrator must make a good faith effort to mitigate the impact of this emergency situation on the availability of employees.

EFFECTIVE DATE: October 1, 2002

COMMITTEE ACTION

Public Health Committee

Joint Favorable Report
Yea 23 Nay 1