



General Assembly

January Session, 2009

**Raised Bill No. 714**

LCO No. 2353

\*02353\_\_\_\_\_LAB\*

Referred to Committee on Labor and Public Employees

Introduced by:  
(LAB)

**AN ACT CONCERNING RETALIATION FOR USE OF PAID SICK LEAVE.**

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

1 Section 1. (NEW) (*Effective October 1, 2009*) (a) No employer  
2 providing paid sick leave to employees shall discharge, threaten to  
3 discharge, demote, retaliate, suspend or in any manner discriminate  
4 against an employee for using, or attempting to exercise the right to  
5 use, up to two weeks of accumulated sick leave in accordance with the  
6 employer's bona fide written paid sick leave policy. For purposes of  
7 this subsection, (1) "employer" means a person engaged in business  
8 who has one or more employees, including the state and any political  
9 subdivision of the state; (2) "employee" means any person engaged in  
10 service to an employer in the business of the employer; and (3) "sick  
11 leave" means an absence from work for which compensation is  
12 provided through an employer's bona fide written policy providing  
13 compensation for loss of wages occasioned by illness, but does not  
14 include absences from work for which compensation is provided  
15 through an employer's plan, including, but not limited to, a short or  
16 long-term disability plan, whether or not such plan is self-insured.

17 (b) Any employee aggrieved by a violation of this subsection may  
18 file a complaint with the Labor Commissioner alleging violation of the  
19 provisions of this section. Upon receipt of any such complaint, the  
20 commissioner shall hold a hearing. After the hearing, the  
21 commissioner shall send each party a written copy of the  
22 commissioner's decision. The commissioner may award the employee  
23 all appropriate relief, including rehiring or reinstatement to the  
24 employee's previous job, payment of back wages and reestablishment  
25 of employee benefits to which the employee otherwise would have  
26 been eligible if a violation of this section had not occurred. Any party  
27 aggrieved by the decision of the commissioner may appeal the  
28 decision to the Superior Court in accordance with the provisions of  
29 chapter 54 of the general statutes.

30 (c) The rights and remedies specified in this subsection are  
31 cumulative and nonexclusive and are in addition to any other rights or  
32 remedies afforded by contract or under other provisions of law.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2009	New section

**Statement of Purpose:**

To prevent retaliation from employers for an employee's use of their accumulated paid sick leave.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*