



General Assembly

**Amendment**

January Session, 2009

LCO No. 8464

\*HB0653408464HRO\*

Offered by:

REP. NOUJAIM, 74<sup>th</sup> Dist.

REP. AMAN, 14<sup>th</sup> Dist.

To: Subst. House Bill No. 6534

File No. 555

Cal. No. 378

**"AN ACT CONCERNING LABOR UNION AUTHORIZATION CARD CHECKS."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective from passage*) (a) As used in this section:

4 (1) "Employee" means a person engaged in service to an employer in  
5 a business of his or her employer;

6 (2) "Employee organization" shall have the same meaning as in  
7 section 5-270 of the general statutes; and

8 (3) "Labor organization" shall have the same meaning as in section  
9 31-101 of the general statutes.

10 (b) On or before January 1, 2010, the Labor Commissioner, or his or  
11 her designee, shall establish, within available appropriations, a state  
12 on-line "Employee Organizing Drive Do Not Contact Registry". Such

13 registry shall allow any employee to enter his or her name and place of  
14 employment, and certify that he or she does not wish to be contacted,  
15 via telephone, mail, electronic mail, facsimile or in person, at his or her  
16 place of residence about any employee organizing efforts occurring at  
17 his or her workplace. Such registry shall allow an employee to submit  
18 a complaint to the Labor Department if the employee is contacted at  
19 the employee's residence in violation of this subsection after  
20 submitting his or her name to the registry.

21 (c) Any employee registered pursuant to subsection (b) of this  
22 section may file a complaint with the Labor Commissioner alleging a  
23 violation of the provisions of subsection (b) of this section. At the  
24 request of either party, the commissioner may hold a hearing, in  
25 accordance with the provision of chapter 54 of the general statutes.  
26 Any labor organization, employee organization or collective  
27 bargaining unit that violates subsection (b) of this section shall be  
28 liable to the Labor Department for a civil penalty pursuant to section  
29 31-69a of the general statutes, as amended by this act. Any party  
30 aggrieved by a decision of the commissioner may appeal the decision  
31 to the Superior Court in accordance with the provisions of chapter 54  
32 of the general statutes.

33 (d) On or before January 1, 2010, the commissioner shall adopt  
34 regulations in accordance with the provisions of chapter 54 of the  
35 general statutes to carry out the purpose of section 501 of this act.

36 Sec. 502. Section 31-69a of the general statutes is repealed and the  
37 following is substituted in lieu thereof (*Effective October 1, 2009*):

38 (a) In addition to the penalties provided in this chapter and chapter  
39 568, any employer, officer, agent or other person who violates any  
40 provision of this chapter, [or] chapter 557, section 501 of this act or  
41 subsection (g) of section 31-288, shall be liable to the Labor Department  
42 for a civil penalty of three hundred dollars for each violation of said  
43 chapters and for each violation of subsection (g) of section 31-288,  
44 except that any person who violates (1) a stop work order issued

45 pursuant to subsection (c) of section 31-76a, shall be liable to the Labor  
46 Department for a civil penalty of one thousand dollars and each day of  
47 such violation shall constitute a separate offense, and (2) any provision  
48 of section 31-12, 31-13 or 31-14, subsection (a) of section 31-15 or  
49 section 31-18, 31-23 or 31-24 shall be liable to the Labor Department for  
50 a civil penalty of six hundred dollars for each violation of said sections.

51 (b) The Attorney General, upon complaint of the Labor  
52 Commissioner, shall institute civil actions to recover the penalties  
53 provided for under subsection (a) of this section. Any amount  
54 recovered shall be deposited in the General Fund and credited to a  
55 separate nonlapsing appropriation to the Labor Department, for other  
56 current expenses, and may be used by the Labor Department to  
57 enforce the provisions of chapter 557, this chapter and subsection (g) of  
58 section 31-288 and to implement the provisions of section 31-4."