



General Assembly

Amendment

January Session, 2009

LCO No. 8543

HB0618708543HR0

Offered by:

REP. CANDELORA, 86th Dist.

REP. ROWE, 123rd Dist.

To: Subst. House Bill No. 6187

File No. 981

Cal. No. 109

(As Amended by House Amendment Schedule "A")

"AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES."

1 Strike subdivision (3) of section 1 in its entirety and insert the
2 following in lieu thereof:

3 "(3) "Employee" means any person eighteen years of age or older
4 engaged in service to an employer in the business of the employer who
5 has worked a minimum of five hundred twenty hours for an employer
6 within the past twelve months, who can provide proof of United States
7 citizenship and is (A) paid on an hourly basis, or (B) not exempt from
8 the minimum wage and overtime compensation requirements of the
9 Fair Labor Standards Act of 1938 and the regulations promulgated
10 thereunder, as amended from time to time. Employee does not include
11 (i) day or temporary workers, and (ii) employees of any constituent
12 unit of the state system of higher education, as defined in section 10a-1
13 of the general statutes, who are part-time or adjunct faculty members,

14 university assistants working less than twenty hours per week,
15 educational assistants or other part-time professional employees;"

16 Strike subsection (b) of section 4 in its entirety and insert the
17 following in lieu thereof:

18 "(b) Any employer who is found by the Labor Commissioner, by a
19 preponderance of the evidence, to have violated the provisions of
20 sections 2 to 5, inclusive, of this act shall be liable to the Labor
21 Department for a civil penalty of six hundred dollars for each
22 violation. Any employer who knowingly employs a person who
23 cannot possess proof of United States citizenship shall pay a fine of one
24 thousand dollars per illegally hired employee. All funds from such
25 violations shall go towards (1) a program administered by the
26 Department of Social Services to study the reasons why victims of
27 domestic violence do not report the crimes committed against them,
28 and (2) helping victims of domestic violence. The Labor Commissioner
29 may award the employee all appropriate relief, including rehiring or
30 reinstatement to the employee's previous job, payment of back wages
31 and reestablishment of employee benefits to which the employee
32 otherwise would have been eligible if the employee had not been
33 subject to such retaliatory personnel action or discriminated against.
34 Any party aggrieved by the decision of the commissioner may appeal
35 the decision to the Superior Court in accordance with the provisions of
36 chapter 54 of the general statutes."