



General Assembly

February Session, 2010

Raised Bill No. 94

LCO No. 701

00701_____LAB

Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

AN ACT CONCERNING THE USE OF PAYROLL CARDS FOR WAGE PAYMENTS TO EMPLOYEES.

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

1 Section 1. Section 31-71b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2010*):

3 (a) Each employer, by himself, his agent or representative, shall pay
4 weekly all moneys due each employee on a regular pay day,
5 designated in advance by the employer: [,] (1) in cash, (2) by negotiable
6 checks, (3) [or,] upon an employee's written request, by credit to such
7 employee's account in any bank which has agreed with the employer
8 to accept such wage deposits, or (4) by causing all moneys due to such
9 employee to be deposited in a payroll debit card account pursuant to
10 subsection (e) of this section.

11 (b) The end of the pay period for which payment is made on a
12 regular pay day shall be not more than eight days before such regular
13 pay day, provided, if such regular pay day falls on a nonwork day,
14 payment shall be made on the preceding work day.

15 (c) This section shall not be construed to prohibit a local or regional
16 board of education and a recognized or certified exclusive bargaining
17 representative of its certified or noncertified employees from including
18 within their collective bargaining agreement a schedule for the
19 payment of wages to certified employees or noncertified employees
20 that differs from the requirements of subsections (a) and (b) of this
21 section.

22 (d) Nothing in this section shall be construed to apply to employees
23 swapping workdays or shifts as permitted under a collective
24 bargaining agreement.

25 (e) (1) No employer, by himself, his agent or representative, shall
26 pay an employee by deposit on a payroll debit card account unless:

27 (A) The employee consents in writing to the deposit of his or her
28 wages in a payroll debit card account; and

29 (B) The features of the payroll debit card account (i) permit the
30 employee to withdraw or otherwise dispose of the employee's wages
31 deposited in such account to the same extent and in the same manner
32 as if such deposit had been made directly by the employee into an
33 account maintained in a financial institution in the name of the
34 employee; (ii) permit the employee, on at least one occasion per pay
35 period, using the payroll debit card, to withdraw his or her wages in
36 full, in lawful money of the United States, without any fee to the
37 employee; (iii) require that the employee be furnished with a statement
38 of deductions made from his or her wages for each pay period such
39 deductions were made.

40 (2) An employee's consent given under subparagraph (A) of
41 subdivision (1) of this subsection shall not be valid if such consent was
42 obtained by use of intimidation, coercion, fear of discharge or reprisal
43 for refusal to accept the payroll debit card account deposit
44 arrangement, or as a condition of hire or continued employment. Prior
45 to obtaining the consent from the employee, the employer shall

46 disclose to the employee, in writing, the features of the payroll debit
47 card, including any fee or fees associated with such features.

48 (3) The employee may, on timely notice to the employer, elect not to
49 have his or her wages deposited in the manner prescribed under
50 subdivision (4) of subsection (a) of this section and to be paid his or her
51 wages directly in an alternative manner provided in subsection (a) of
52 this section.

53 (f) For the purposes of this section, "payroll debit card account"
54 means an account maintained by an employer or the employer's
55 payroll service provider to which an employee's wages are credited at
56 the close of a pay period and for which a payroll debit card is issued to
57 the employee.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2010	31-71b

Statement of Purpose:

To allow employees to elect to have their wages deposited on a payroll debit card account rather than receiving such wages in cash, check or direct deposit.

[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.]