



House of Representatives

General Assembly

File No. 60

February Session, 2012

Substitute House Bill No. 5237

House of Representatives, March 21, 2012

The Committee on Labor and Public Employees reported through REP. ZALASKI of the 81st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING PAYMENT OF WAGES FOR EMPLOYEES OF A PRIVATE SCHOOL IN THE STATE.

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

1 Section 1. Section 31-71b of the 2012 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective from passage*):

4 (a) (1) Except as provided in subdivision (2) of this subsection, each
5 employer, or the agent or representative of an employer, shall pay
6 weekly all moneys due each employee on a regular pay day,
7 designated in advance by the employer, in cash, by negotiable checks
8 or, upon an employee's written request, by credit to such employee's
9 account in any bank that has agreed with the employer to accept such
10 wage deposits.

11 (2) Unless otherwise requested by the recipient, the Comptroller
12 shall, as soon as is practicable, pay all wages due each state employee,

13 as defined in section 5-196, by electronic direct deposit to such
14 employee's account in any bank, Connecticut credit union or federal
15 credit union that has agreed with the Comptroller to accept such wage
16 deposits.

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

21 (c) This section shall not be construed to prohibit a local or regional
22 board of education or the American School for the Deaf and a
23 recognized or certified exclusive bargaining representative of its
24 certified or noncertified employees from including within their
25 collective bargaining agreement a schedule for the payment of wages
26 to certified employees or noncertified employees that differs from the
27 requirements of subsections (a) and (b) of this section.

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	31-71b

LAB *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

This bill, which allows the American School for the Deaf to negotiate with its employee union a wage payment schedule different from a weekly schedule, has no fiscal impact on the state.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5237*****AN ACT CONCERNING PAYMENT OF WAGES FOR EMPLOYEES OF A PRIVATE SCHOOL IN THE STATE.*****SUMMARY:**

This bill permits the American School for the Deaf, a private school, to negotiate with its employee unions for a different wage payment schedule than the weekly payment required under current law. It adds the school to an existing provision that allows boards of education to negotiate different payment schedules. (Many boards of education negotiate under this provision to pay employees based on the calendar year rather than the 10-month school year.)

Under current law, employers must pay employees on a regular pay day that must not be more than eight days after the last day counted in the pay period. In addition to the statutory exception for boards of education, the law allows the labor commissioner to grant other pay schedule exceptions (see BACKGROUND).

EFFECTIVE DATE: Upon passage

BACKGROUND***Commissioner's Authority to Waive Some Pay Requirements***

By law, the labor commissioner may waive the standard requirement to pay weekly wages upon the employer's request provided the employees are paid at least once in each calendar month on a regular schedule (CGS § 31-71i).

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 10 Nay 0 (03/06/2012)