



General Assembly

**Substitute Bill No. 6501**

January Session, 2013



**AN ACT CONCERNING PARENTAL ENGAGEMENT.**

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

1 Section 1. (NEW) (*Effective January 1, 2014*) (a) For the purposes of  
2 this section and section 2 of this act:

3 (1) "Employer" means any person who directly or indirectly owns,  
4 operates or has a controlling interest in an activity, enterprise or  
5 business employing ten or more employees as determined on July first  
6 annually;

7 (2) "Employee" means any individual engaged in service to an  
8 employer in the business of the employer;

9 (3) "Eligible employee" means an employee who is a parent,  
10 guardian or grandparent having custody of one or more children in  
11 kindergarten to grade twelve, inclusive, or one or more children  
12 attending a facility providing child day care services, as defined in  
13 section 19a-77 of the general statutes;

14 (4) "Parental leave" means an employer-approved absence from  
15 work for the purpose of attending a qualified school-related activity;

16 (5) "Spouse" means a husband or wife, as the case may be;

17 (6) "School" means a public or private school providing instruction  
18 to students in kindergarten to grade twelve, inclusive, or a facility  
19 providing child day care services, as defined in section 19a-77 of the  
20 general statutes;

21 (7) "School year" means the twelve months ending on June thirtieth  
22 of each year; and

23 (8) "Qualified school-related activity" means a school-related  
24 activity or event organized to include parental involvement, including,  
25 but not limited to: (A) A parent-teacher conference, a back-to-school  
26 night or a curriculum night involving an eligible employee's child; (B)  
27 a meeting of a school governance council organized pursuant to  
28 section 10-223j of the general statutes, a turnaround committee  
29 organized pursuant to section 10-223h of the general statutes or any  
30 other school or district sanctioned advisory body that serves the  
31 educational interests of an eligible employee's child; (C) a planning  
32 and placement team meeting; and (D) a school visit to attend to the  
33 immediate needs or well-being of an eligible employee's child, a  
34 meeting with teaching staff or pupil personnel staff or a school-  
35 sponsored meeting that involves the educational interests of an eligible  
36 employee's child. "Qualified school-related activity" does not include  
37 any extracurricular activity, including, but not limited to, a sporting  
38 event, musical or dramatic performance or field trip.

39 (b) (1) Subject to the provisions of this section and section 2 of this  
40 act, beginning July 1, 2014, and each July first thereafter, an employer  
41 shall grant an eligible employee eight hours of parental leave during a  
42 school year to participate in qualified school-related activities.

43 (2) Nothing in this section shall be construed to preclude an  
44 employer from granting more than eight hours of parental leave at  
45 such employer's discretion or subject to the employee's collective  
46 bargaining agreements.

47 (3) An eligible employee shall utilize existing vacation, personal

48 leave, compensatory time off or unpaid leave for purposes of the  
49 parental leave authorized by this section, unless otherwise provided  
50 by a collective bargaining agreement entered into before the effective  
51 date of this section. The entitlement of any eligible employee under  
52 this section shall not be diminished by any collective bargaining  
53 agreement term or condition that is agreed to on or after the effective  
54 date of this section.

55 (4) Notwithstanding subdivision (3) of this subsection, in the event  
56 that all permanent, full-time employees of an employer are accorded  
57 vacation during the same period of time in a calendar year, an eligible  
58 employee of that employer may not utilize that accrued vacation  
59 benefit at any other time for purposes of the parental leave authorized  
60 by this section.

61 (5) If requested by an employer, an eligible employee shall provide  
62 documentation that he or she used or plans to use parental leave to  
63 participate in a qualified school-related activity on a specific date and  
64 at a particular time. For purposes of this subdivision, "documentation"  
65 means whatever written verification of parental participation the  
66 school deems appropriate and reasonable.

67 (6) If an individual and his or her spouse are employed by the same  
68 employer and both are eligible employees, such employer may grant  
69 parental leave to only one of such eligible employees and may limit the  
70 total leave for both such eligible employees to eight hours.

71 (7) An employer may require an eligible employee to take a  
72 minimum of two hours of parental leave per qualified school-related  
73 activity.

74 (c) The Labor Department shall enforce compliance with the  
75 provisions of this section.

76 Sec. 2. (NEW) (*Effective January 1, 2014*) (a) (1) No employer shall  
77 interfere with, restrain or deny the exercise of, or the attempt to  
78 exercise, any right provided under section 1 of this act.

79 (2) No employer shall discharge or cause to be discharged, or in any  
80 other manner discriminate against, any employee for opposing any  
81 practice made unlawful by subdivision (1) of this subsection or  
82 because such employee has exercised the rights afforded to such  
83 employee under section 1 of this act.

84 (b) No person shall discharge or discipline or cause to be discharged  
85 or disciplined, or in any other manner discriminate, intimidate or  
86 make threats against any individual because such individual: (1) Has  
87 filed any charge, or has instituted or caused to be instituted any  
88 proceeding, under or related to section 1 of this act; (2) has given, or is  
89 about to give, any information in connection with any inquiry or  
90 proceeding relating to any right provided under section 1 of this act; or  
91 (3) has testified, or is about to testify, in any inquiry or proceeding  
92 relating to any right provided under section 1 of this act.

93 (c) (1) No employer shall deny a qualified employee his or her right  
94 to use up to eight hours of parental leave or, if such employee and his  
95 or her spouse are employed by the same employer as described in  
96 subdivision (6) of subsection (b) of section 1 of this act, up to eight  
97 hours total of parental leave, for qualified school-related activities or to  
98 discharge, threaten to discharge, demote, suspend or in any manner  
99 discriminate against an employee for using or attempting to use such  
100 parental leave to attend to a qualified school-related activity.

101 (2) Any employee aggrieved by a violation of this subsection may  
102 file a complaint with the Labor Commissioner alleging violation of the  
103 provisions of subdivision (1) of this subsection. Upon receipt of any  
104 such complaint, the commissioner shall hold a hearing. After the  
105 hearing, the commissioner shall send each party a written copy of the  
106 commissioner's decision. The commissioner may award the employee  
107 all appropriate relief, including rehiring or reinstatement to the  
108 employee's previous job, payment of back wages and reestablishment  
109 of employee benefits to which the employee otherwise would have  
110 been eligible if a violation of subdivision (1) of this subsection had not  
111 occurred. Any party aggrieved by the decision of the commissioner

112 may appeal the decision to the Superior Court in accordance with the  
113 provisions of chapter 54 of the general statutes.

114 (3) The rights and remedies specified in this subsection are  
115 cumulative and nonexclusive and are in addition to any other rights or  
116 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	January 1, 2014	New section
Sec. 2	January 1, 2014	New section

**Statement of Legislative Commissioners:**

In section 1(a)(6), "child care services" was changed to "child day care services" for accuracy and consistency; in section 1(b)(6), "both" was added and "total" was removed for clarity; in section 2(a)(2), "individual" was changed to "employee" for clarity and consistency; in section 2(c)(1), "or, if such employee and his or her spouse are employed by the same employer as described in subdivision (6) of subsection (b) of section 1 of this act, up to eight hours total of parental leave," was added for clarity and accuracy; and technical revisions were made for clarity and consistency.

**KID**      *Joint Favorable Subst.*