



General Assembly

February Session, 2014

Raised Bill No. 5069

LCO No. 732



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:
(LAB)

AN ACT CONCERNING LOW WAGE EMPLOYERS.

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

1 Section 1. (NEW) (*Effective October 1, 2014*) (a) As used in this
2 section:

3 (1) "Person" has the same meaning as provided in section 42-133e of
4 the general statutes, except "person" shall not include the state or any
5 department, agency or political subdivision thereof;

6 (2) "Franchise" has the same meaning as provided in section 42-133e
7 of the general statutes;

8 (3) "Franchisor" has the same meaning as provided in section 42-
9 133e of the general statutes;

10 (4) "Franchisee" has the same meaning as provided in section 42-
11 133e of the general statutes; and

12 (5) "Covered employer" means (A) any person who directly employs
13 at least five hundred employees in the state, or (B) any franchisor

14 whose franchisees, collectively, directly employ at least five hundred
15 employees in the state. "Covered employer" shall not include any
16 private nonprofit entity, the state or any instrumentality or political
17 subdivision thereof or any person who directly employs at least five
18 hundred employees within the state pursuant to a contract with the
19 state or any instrumentality or political subdivision thereof.

20 (b) Any covered employer that employs, or whose franchisees
21 employ, any employee (1) who works not less than five hundred hours
22 per calendar year, and (2) whose wages paid by such covered
23 employer are not more than the standard rate of covered wages
24 predetermined by the Labor Commissioner pursuant to subsection (e)
25 of section 31-57f of the general statutes, shall pay a quarterly fee to the
26 Labor Commissioner for each such employee. Each quarterly fee shall
27 be equal to one dollar for each hour such employee worked for such
28 covered employer during the previous quarter. Such fee shall not
29 accrue until the start of the first quarter after the regulations have been
30 adopted pursuant to subsection (d) of this section. The commissioner
31 shall collect such fees from each covered employer not later than sixty
32 days after the completion of the quarter in which such fees were
33 assessed. The commissioner shall deposit such revenue derived
34 therefrom with the State Treasurer who shall deposit such revenue in
35 the General Fund.

36 (c) On or before July 1, 2015, the Labor Commissioner shall adopt
37 regulations, in accordance with chapter 54 of the general statutes, for
38 the determination of and collection of fees pursuant to subsection (b)
39 of this section.

40 (d) Any party aggrieved by the commissioner's determination of
41 fees pursuant to subsection (b) of this section may appeal to the
42 Superior Court in accordance with the provisions of chapter 54 of the
43 general statutes.

44 (e) A covered employer shall not designate, or cause such covered

45 employee's franchisees to designate, an employee as an independent
46 contractor or temporary employee, reduce an employee's hours of
47 work or terminate an employee for the purpose of avoiding such
48 covered employer's obligations under this section.

49 (f) The commissioner may request the Attorney General to
50 investigate any violation of subsection (b) or (e) of this section. Any
51 information obtained pursuant to such investigation shall be exempt
52 from disclosure under section 1-210 of the general statutes. If the
53 Attorney General finds that a covered employer has violated or is
54 violating any provision of subsection (b) or (e) of this section, the
55 Attorney General may bring a civil action in the superior court for the
56 judicial district of Hartford in the name of the state against such
57 covered employer.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2014	New section

Statement of Purpose:

To require certain employers to pay a quarterly fee to the Labor Commissioner for each employee that receives wages below the standard rate of covered wages predetermined pursuant to section 31-57f of the general statutes.

[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.]