



General Assembly

Substitute Bill No. 6877

January Session, 2015



**AN ACT CONCERNING A MINIMUM WORK WEEK FOR PERSONS
PERFORMING JANITORIAL WORK.**

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

1 Section 1. (NEW) (*Effective October 1, 2015*) (a) For purposes of this
2 section:

3 (1) "Covered employee" means any person employed by a covered
4 employer to perform janitorial work in or about a covered location.
5 Covered employee does not include (A) any person providing
6 janitorial work in or about a covered location solely on Saturday or
7 Sunday or both, or (B) any person with a disability, as defined in
8 section 4a-82 of the general statutes;

9 (2) "Covered employer" means any person, firm, business,
10 educational institution, nonprofit agency, corporation, limited liability
11 company or other entity, including the state or any political
12 subdivision thereof, that (A) (i) directly employs at least one individual
13 who performs janitorial work, or (ii) contracts or subcontracts for the
14 services of at least one individual who performs janitorial work, and
15 (B) owns or operates a covered location;

16 (3) "Covered leave" means any paid or unpaid temporary leave
17 voluntarily taken by a covered employee pursuant to (A) any
18 applicable state or federal law, (B) any written employee handbook, or

19 (C) written request initiated by the covered employee;

20 (4) "Covered location" means (A) a covered office location having an
21 area of not less than one hundred thousand square feet, (B) a
22 multifamily dwelling consisting of fifty or more units and containing
23 one or more elevators, (C) a private or public institution of higher
24 education, or (D) a museum, as defined in section 11-80 of the general
25 statutes;

26 (5) "Covered office location" means (A) an office building, (B) a
27 continuous, commonly owned office park, or (C) a group of office
28 buildings that (i) have common ownership or management, and (ii) are
29 contiguous or have consecutive addresses;

30 (6) "Janitorial work" means work performed in connection with the
31 care or maintenance of buildings, including, but not limited to, work
32 customarily performed by cleaners, porters, janitors and
33 handypersons;

34 (7) "Minimum work week" means the minimum number of
35 compensated hours provided to a covered employee in any work
36 week, except for weeks in which the covered employee is taking
37 covered leave; and

38 (8) "Work week" means a fixed, regularly recurring period of one
39 hundred sixty-eight hours or seven consecutive twenty-four-hour
40 periods.

41 (b) On and after January 1, 2016, the minimum work week for a
42 covered employee performing janitorial work for a covered employer
43 in or about a covered location shall be thirty hours per work week.

44 (c) Each covered employer shall provide notice to each covered
45 employee (1) of the entitlement to a minimum work week, and (2) that
46 the covered employee has a right to file a complaint with the Labor
47 Commissioner for any violation of this section. Covered employers
48 may comply with the provisions of this section by displaying a poster

49 in a conspicuous place, accessible to covered employees, at the covered
50 location and the covered employer's place of business that contains the
51 information required by this section in both English and Spanish. The
52 Labor Commissioner may adopt regulations, in accordance with
53 chapter 54 of the general statutes, to establish additional requirements
54 concerning the means by which covered employers shall provide such
55 notice.

56 (d) Any covered employee aggrieved by a violation of the
57 provisions of subsection (b) or (c) of this section may file a complaint
58 with the Labor Commissioner. Upon receipt of any such complaint,
59 said commissioner may hold a hearing. After the hearing, any covered
60 employer who is found by the Labor Commissioner, by a
61 preponderance of the evidence, to have violated the provisions of
62 subsection (b) of this section shall be liable to the Labor Department for
63 a civil penalty of up to five hundred dollars for the first violation and
64 up to one thousand dollars for any subsequent violation. Any covered
65 employer who is found by the Labor Commissioner, by a
66 preponderance of the evidence, to have violated the provisions of
67 subsection (c) of this section shall be liable to the Labor Department for
68 a civil penalty of up to one hundred dollars for each day that such
69 covered employer fails to post notice, provided such penalty shall not
70 exceed five hundred dollars. The Labor Commissioner may award the
71 covered employee all appropriate relief, including payment of back
72 wages. Any party aggrieved by the decision of the commissioner may
73 appeal the decision to the Superior Court in accordance with the
74 provisions of chapter 54 of the general statutes.

75 (e) The Labor Commissioner shall administer this section within
76 available appropriations.

77 (f) Nothing in this section shall be construed to (1) prevent any
78 covered employer from providing any covered employee with weekly
79 work hours in excess of thirty hours per work week, (2) diminish any
80 rights provided to any covered employee under the terms of the
81 covered employee's employment or a collective bargaining agreement,

82 or (3) preempt or override the terms of any collective bargaining
83 agreement effective prior to October 1, 2015.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	New section

LAB *Joint Favorable Subst.*

HED *Joint Favorable*