



General Assembly

January Session, 2015

Committee Bill No. 428

LCO No. 4515



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:
(LAB)

***AN ACT PROTECTING INTERNS FROM WORKPLACE HARASSMENT
AND DISCRIMINATION.***

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) "Employee" means any individual engaged in service to an
4 employer in a business of such employer and receives compensation
5 for such service;

6 (2) "Employer" means any person engaged in business in the state,
7 who provides a position for an intern;

8 (3) "Intern" means a person who performs work for an employer for
9 the purpose of training, provided (A) the employer is not committed to
10 hire the person performing the work at the conclusion of the training
11 period; (B) the employer and the person performing the work agree
12 that the person performing the work is not entitled to wages for the
13 work performed; and (C) the work performed (i) supplements training
14 given in an educational environment that may enhance the

15 employability of the person, (ii) provides experience for the benefit of
16 the person, (iii) does not displace any employee of the employer, (iv) is
17 performed under the supervision of the employer or an employee of
18 the employer, and (v) provides no immediate advantage to the
19 employer providing the training and may occasionally impede the
20 operations of the employer; and

21 (4) "Sexual harassment" means any unwelcome sexual advances,
22 requests for sexual favors or any other conduct of a sexual nature
23 when (A) submission to such conduct is made either explicitly or
24 implicitly a term or condition of an intern's internship; (B) submission
25 to or rejection of such conduct by an intern or a person seeking an
26 internship is used as the basis for workplace decisions affecting such
27 intern or person; or (C) such conduct has the purpose or effect of
28 substantially interfering with an intern's work performance or creating
29 an intimidating, hostile or offensive working environment.

30 (b) No employer or agent of an employer shall:

31 (1) (A) Refuse to hire any person seeking an internship or allow any
32 intern to work; (B) bar or discharge any intern from providing
33 internship services; or (C) discriminate against such intern in terms,
34 conditions or privileges of service to the employer, because of the
35 intern's race, color, religious creed, age, sex, gender identity or
36 expression, marital status, national origin, ancestry, present or past
37 history of mental disability, intellectual disability, learning disability or
38 physical disability, including, but not limited to, blindness;

39 (2) Advertise any internship opportunity in a manner that would
40 (A) restrict such internship to; or (B) discriminate against, persons of a
41 certain race, color, religious creed, age, sex, gender identity or
42 expression, marital status, national origin, ancestry, present or past
43 history of mental disability, intellectual disability, learning disability or
44 physical disability, including, but not limited to, blindness;

45 (3) Discharge, expel or otherwise discriminate against an intern

46 because such intern has opposed any discriminatory employment
47 practice or because such intern has filed a complaint or testified or
48 assisted in any proceeding under section 46a-82, 46a-83 or 46a-84 of the
49 general statutes; or

50 (4) Engage in any sexual harassment toward any intern or person
51 seeking an internship.

52 (c) The provisions of subdivisions (1) and (2) of subsection (b) of this
53 section shall not apply in the case of a bona fide occupational
54 qualification or need.

55 Sec. 2. Subdivision (8) of section 46a-51 of the general statutes is
56 repealed and the following is substituted in lieu thereof (*Effective*
57 *October 1, 2015*):

58 (8) "Discriminatory practice" means a violation of section 4a-60, 4a-
59 60a, 4a-60g, 46a-58, 46a-59, 46a-60, 46a-64, 46a-64c, 46a-66, 46a-68, 46a-
60 68c to 46a-68f, inclusive, or 46a-70 to 46a-78, inclusive, subsection (a) of
61 section 46a-80 or sections 46a-81b to 46a-81o, inclusive, or section 1 of
62 this act;

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|---|------------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>October 1, 2015</i> | New section |
| Sec. 2 | <i>October 1, 2015</i> | 46a-51(8) |

Statement of Purpose:

To protect unpaid interns from workplace harassment and discrimination.

[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.]

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SEN. FLEXER, 29th Dist.; SEN. LARSON, 3rd Dist.

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