



Substitute Senate Bill No. 428

Public Act No. 15-56

AN ACT PROTECTING INTERNS FROM WORKPLACE HARASSMENT AND DISCRIMINATION.

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

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

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

(2) "Employer" means any person engaged in business in the state, including the state and any political subdivision thereof, that provides a position for an intern;

(3) "Intern" means an individual who performs work for an employer for the purpose of training, provided (A) the employer is not committed to hire the individual performing the work at the conclusion of the training period; (B) the employer and the individual performing the work agree that the individual performing the work is not entitled to wages for the work performed; and (C) the work performed (i) supplements training given in an educational environment that may enhance the employability of the individual, (ii) provides experience for the benefit of the individual, (iii) does not

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displace any employee of the employer, (iv) is performed under the supervision of the employer or an employee of the employer, and (v) provides no immediate advantage to the employer providing the training and may occasionally impede the operations of the employer;

(4) "Person" means one or more individuals, partnerships, associations, corporations, limited liability companies, business trusts, legal representatives or any organized group of persons; and

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

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

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

(2) Advertise any internship opportunity in a manner that would (A) restrict such internship to; or (B) discriminate against, individuals of a certain race, color, religious creed, age, sex, gender identity or

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expression, sexual orientation, marital status, national origin, ancestry, present or past history of mental disability, intellectual disability, learning disability or physical disability, including, but not limited to, blindness;

(3) Discharge, expel or otherwise discriminate against an intern because such intern has opposed any discriminatory employment practice or because such intern has filed a complaint or testified or assisted in any proceeding under section 46a-82, 46a-83 or 46a-84 of the general statutes; or

(4) Engage in any sexual harassment toward any intern or individual seeking an internship.

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

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

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

Approved June 19, 2015