



State of Connecticut

HOUSE OF REPRESENTATIVES STATE CAPITOL

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January 29, 2015

Good Afternoon Co Chairs, Senator Winfield and Representative Tercyak
Ranking members, Senator Hwang, Representative Rutigliano
Honorable members of the Labor Committee,

HR-5267 An Act Concerning an Employer Bills of Rights:

I've submitted many small business bills over the last four years. This is the first time I've testified before the Labor committee.

My husband and I own and operate a small heating & cooling company for over 25 years. We started out like most small business owners, with a desire to build something of our own and work hard to make it a success.

My husband was an employee in the trade for many years and took it upon himself to go through all the licensing requirements working his way to holding the highest level of license in the trade.

He also would do something different than most journeymen in the field, he constantly took extra technical classes on new systems and innovations as they came into the field, always learning and keeping up to date.

He was a highly valued employee and once he reached the ceiling for salary, his employer told him he couldn't pay him what he was really worth and he should try to go out on his own.

We took a chance and it was a big risk. Like most small business owners, putting up every dollar you've saved for start-up costs, taking business loans, working 24/7 to work through the kinks, finding office space, hiring employees, generating work and the costs associated with employees, insurance, tools, uniforms, trucks, fuel etc.

The first five years were very hard, there were times we barely made our payroll and our own bills, but we did it. Over the years, we had some employees that were great, hardworking and valued, and some that were not. We learned to be cautious when hiring.

In our field, tradespeople generally move on to start their own business, or to work for larger oil or gas companies once they were fully trained and at the top pay in their field. That's part of the process. My husband has trained many young people just out of trade school and older people who wanted a career change due to job loss, on through to all their licensing. The vast majority are very appreciative for the opportunity to learn and earn a decent living and the opportunity to propel themselves to go on their own or to go on to a larger company. Time and time again, our former employees report back about their experiences with their new companies being impressed by their knowledge and work ethic. Several, have visited us to share comments of their co-workers telling them to work slower. Apparently they were making them look bad because they worked so efficiently and quickly. On the flip side, we've also had a small percentage who were not looking to learn and work hard, but rather to just collect a paycheck. Poor employees hurt their co-workers and the business.

When I was elected in 2011. I sent out surveys to 1200 business owners in town and the answers were illuminating. At the same time, I started a small business advisory made up of a cross section of different business owners, from Liquor stores, restaurants, dentists, tech company, printing, small grocer to a convenience/gas station owners. We meet every eight to twelve weeks to talk about the challenges they face. Many have shared their frustration with poor employees and how the law protects them, while no one seems to be watching out for them, the employer. Many of the members have talked about the Dept. of Labor's employee bills of rights and asked why their wasn't an employer's bill of rights. Many of the ideas I receive come from my Business Council.

While I've read some data on the internet on employer bills of rights which seems to cause contention, this bill looks to have our Dept of Labor develop a similar bill of rights based on their experience with businesses across the state.

This idea isn't about trying to take away employees' rights, but rather to acknowledge that business owners are people too, provide jobs and should receive the same consideration.

For example:

Employers should have:

1. The Right to Hire on Qualifications
2. The Right to Fire on Performance
3. The Right to Control Operations
4. The Right to Set Appropriate Work Rules
5. The Right to Be Told When There Is a Problem
6. The Right to Receive an Honest Day's Work
7. The Right to Reasonable Notice for Special Requests
8. The Right to Confidentiality
9. The Right to be Treated with Respect

HR 5265 Regarding an Act Concerning Longevity Requirements for Unemployment

My smaller business owners have asked for this every year.

I feel it's reasonable to require a minimum of 30 days of employment before being eligible to file for unemployment benefits. Many small businesses hire people in good faith and find themselves with employees who refuse to perform the work they were hired to do, or are excessively tardy or absent and then terminated who apply for unemployment which requires an owner to spend a considerable amount of time defending against a claim, for 30 days of less of work at such business.

This can help protect businesses from unfair claims.

Most businesses and companies hire with a probationary period before signing a long term agreement. To me this is a common sense proposal.

I'd be interested in hearing the ideas the Department of Labor would come up with.
I appreciate the committee taking the time listen.

Sincerely,



Rep. Brenda Kupchick
132nd district
Fairfield & Southport
Sent from my iPad

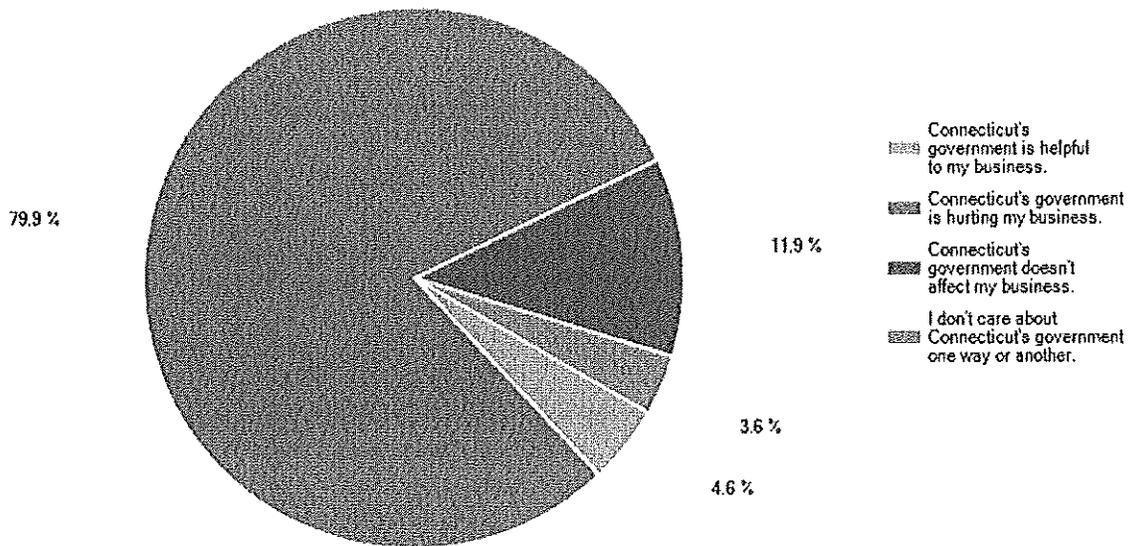
Connecticut Business Climate Survey

226 Business Owners Responded

43 Fairfield Respondents

When small business owners were asked how confident they are in the future of their business here in Connecticut only 9% of Connecticut residents said they were very confident and 17% of Fairfield residents said they were very confident.

Respondents were asked to select which statement they felt was most accurate:



(Connecticut and Fairfield answered similarly)

When asked if business owners felt Connecticut is on the right track or wrong track:

Connecticut:

- 71% said the wrong track
- 7% said the right track
- 22% said they don't know

Fairfield:

- 71% said the wrong track
- 10% said the right track
- 19% said they don't know

Business owners rated the impact of recently-enacted and proposed legislation on their business. Some highlights are:

Connecticut:

- 44% said the retroactive tax increase and income tax had a huge impact
- 34% said the proposal to raise minimum wage will have no impact, whereas 22.5% said it will have a huge impact.

Fairfield:

- 41% said the retroactive tax increase and income tax had a huge impact
- 45% said the proposal to raise minimum wage will have no impact, whereas 19% said it will have a huge impact.

Business owners were asked to rate the impact of the following issues on their business. Some highlights are:

Connecticut:

- State Taxes: 46% said it has a huge impact
- Health Care Mandates: 28% said it has a huge impact
- Government Regulations: 33% said it has a huge impact
- Lack of access to working capital/loans: 13% said it has a huge impact
- General Government Unpredictability: 36% said it has a huge impact

Fairfield:

- State Taxes: 45% said it has a huge impact
- Health Care Mandates: 32% said it has a huge impact
- Government Regulations: 33% said it has a huge impact
- Lack of access to working capital/loans: 14% said it has a huge impact
- General Government Unpredictability: 36% said it has a huge impact