



General Assembly

Amendment

February Session, 2016

LCO No. 4820



Offered by:
SEN. FASANO, 34th Dist.

To: Subst. Senate Bill No. 393

File No. 331

Cal. No. 245

"AN ACT CONCERNING DOMESTIC WORKERS."

1 Strike section 6 in its entirety and substitute the following in lieu
2 thereof:

3 "Sec. 6. (NEW) (*Effective January 1, 2017*) For the purposes of this
4 section and sections 7 to 11, inclusive, of this act:

5 (1) "Domestic worker" means any individual or employee who is
6 paid or who is told he or she will be paid to perform work of a
7 domestic nature in or about a private dwelling, including, but not
8 limited to, housekeeping, home management, child care, caretaking of
9 individuals, including sick, convalescing and elderly individuals,
10 laundering, meal preparation, home companion services and other
11 household services for occupants of the private dwelling or the guests
12 of such occupants. Domestic worker does not include (A) a babysitter
13 whose employment is irregular and intermittent or of a casual nature,
14 (B) an au pair admitted into the United States on a J-1 visa and whose
15 employment is governed by the provisions of 22 CFR 62.31, or (C) a

16 personal care attendant providing services pursuant to a state-funded
17 program, including, but not limited to, (i) the program for individuals
18 with acquired brain injuries, established pursuant to section 17b-260a
19 of the general statutes, (ii) the personal care assistance program,
20 established pursuant to section 17b-605a of the general statutes, (iii) the
21 Connecticut home care program for the elderly, established pursuant
22 to section 17b-342 of the general statutes, (iv) the pilot program to
23 provide home care services to disabled persons, established pursuant
24 to section 17b-617 of the general statutes, (v) the individual and family
25 support waiver program administered by the Department of
26 Developmental Services, and (vi) the comprehensive waiver program
27 administered by the Department of Developmental Services;

28 (2) "Employer" means any owner or any person, partnership,
29 corporation, limited liability company or association of persons acting
30 directly as, or on behalf of, or in the interest of an employer in relation
31 to a domestic worker and shall include for the purposes of chapter 567
32 of the general statutes a (A) homemaker-companion agency, or (B)
33 homemaker-home health aide agency, as defined in section 19a-490 of
34 the general statutes, that refers a domestic worker to a consumer to
35 provide (i) homemaker services, (ii) companion services, or (iii)
36 homemaker-home health aide services;

37 (3) "Consumer" means an individual receiving homemaker services,
38 companion services or homemaker-home health aide services from a
39 homemaker-companion agency or homemaker-home health aide
40 agency;

41 (4) "Homemaker services" means homemaker services, as defined in
42 section 20-670 of the general statutes;

43 (5) "Companion services" means companion services, as defined in
44 section 20-670 of the general statutes;

45 (6) "Homemaker-home health aide services" means homemaker-
46 home health aide services, as defined in section 19a-490 of the general
47 statutes;

48 (7) "Homemaker-companion agency" means any public or private
49 organization that employs one or more persons and is engaged in the
50 business of providing companion services or homemaker services.
51 "Homemaker-companion agency" does not include a home health care
52 agency, as defined in section 19a-490 of the general statutes, or a
53 homemaker-home health aide agency, as defined in section 19a-490 of
54 the general statutes.

55 (8) "Live-in domestic worker" means a domestic worker who resides
56 in or about an employer's private dwelling for at least four consecutive
57 twenty-four-hour periods during at least two consecutive weeks
58 within one calendar year;

59 (9) "Full-time employment" means an average working period of
60 forty hours or more per week within the previous month; and

61 (10) "Part-time employment" means an average working period of
62 less than forty hours per week within the previous month."