



General Assembly

Amendment

January Session, 2017

LCO No. 7868



Offered by:

SEN. KENNEDY, 12th Dist.

SEN. GOMES, 23rd Dist.

REP. PORTER, 94th Dist.

To: Subst. Senate Bill No. 747

File No. 271

Cal. No. 162

"AN ACT PROHIBITING "ON-CALL" SHIFT SCHEDULING FOR EMPLOYEES."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2017*) (a) For the purposes of
4 this section:

5 (1) "Employee" means any person employed or permitted to work in
6 any occupation in the mercantile trade or restaurant occupations, as
7 defined in sections 31-62-D1 and 31-62-E2 of the regulations of
8 Connecticut state agencies;

9 (2) "Employer" means any employer, as defined in section 31-58 of
10 the general statutes, who employs not less than twenty-five employees
11 in the state and not less than one hundred employees nationwide, or
12 any franchisee who employs not less than twenty-five employees in

13 the state and whose franchisor has franchisees that collectively employ
14 not less than one hundred employees nationwide; and

15 (3) "Shift" means the consecutive hours an employer requires an
16 employee to work or to be on call to work, provided a break of one
17 hour or less shall not be considered an interruption of consecutive
18 hours.

19 (b) Any employer who subtracts hours from or cancels an
20 employee's shift with less than twenty-four-hours' notice to an
21 employee of such employee's shift, by any means, shall be subject to
22 the minimum daily earnings guaranteed to such employee, as
23 established in sections 31-62-D2 and 31-62-E1 of the regulations of
24 Connecticut state agencies, as applicable provided:

25 (1) No such employer shall be prohibited from adopting policies
26 related to scheduling that are more beneficial to an employee than
27 those required pursuant to this subsection;

28 (2) Nothing in this subsection shall be construed to diminish the
29 obligation of an employer to comply with any contract, collective
30 bargaining agreement, employment benefit plan or other agreement
31 providing policies that are more beneficial to an employee than those
32 required herein; and

33 (3) Nothing in this subsection shall prohibit any employee from
34 working a shift that such employee received less than twenty-four-
35 hours' notice from the employer, provided such shift is mutually
36 agreed upon by the employee and employer."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2017	New section