



General Assembly

February Session, 2018

Governor's Bill No. 15

LCO No. 297



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:

SEN. LOONEY, 11th Dist.

SEN. DUFF, 25th Dist.

REP. ARESIMOWICZ, 30th Dist.

REP. RITTER M., 1st Dist.

AN ACT CONCERNING FAIR AND EQUAL PAY FOR EQUAL WORK.

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

1 Section 1. Section 31-40z of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2018*):

3 (a) As used in this section:

4 (1) "Employer" means any individual, corporation, limited liability
5 company, firm, partnership, voluntary association, joint stock
6 association, the state and any political subdivision thereof and any
7 public corporation within the state using the services of one or more
8 employees for pay;

9 (2) "Employee" means any individual employed or permitted to
10 work by an employer; and

11 (3) "Wages" means compensation for labor or services rendered by
12 an employee, whether the amount is determined on a time, task, piece,
13 commission or other basis of calculation.

14 (b) No employer shall:

15 (1) Prohibit an employee from disclosing or discussing the amount
16 of his or her wages or the wages of another employee of such
17 employer that have been disclosed voluntarily by such other
18 employee;

19 (2) Prohibit an employee from inquiring about the wages of another
20 employee of such employer;

21 (3) Require an employee to sign a waiver or other document that
22 denies the employee his or her right to disclose or discuss the amount
23 of his or her wages or the wages of another employee of such
24 employer that have been disclosed voluntarily by such other
25 employee;

26 (4) Require an employee to sign a waiver or other document that
27 denies the employee his or her right to inquire about the wages of
28 another employee of such employer;

29 (5) Inquire about a prospective employee's wage and salary history
30 before an offer of employment that includes wages has been accepted
31 by the prospective employee unless a prospective employee has
32 voluntarily disclosed such information, except that this subdivision
33 shall not apply to any actions taken by an employer, employment
34 agency or employee or agent thereof pursuant to any federal or state
35 law that specifically authorizes the disclosure or verification of salary
36 history for employment purposes. An employee's prior wage and
37 salary history shall not be considered a bona fide factor defense to such
38 claim under this subdivision;

39 [(5)] (6) Discharge, discipline, discriminate against, retaliate against

40 or otherwise penalize any employee who discloses or discusses the
41 amount of his or her wages or the wages of another employee of such
42 employer that have been disclosed voluntarily by such other
43 employee; or

44 [(6)] (7) Discharge, discipline, discriminate against, retaliate against
45 or otherwise penalize any employee who inquires about the wages of
46 another employee of such employer.

47 (c) Nothing in this section shall be construed to require any
48 employer or employee to disclose the amount of wages paid to any
49 employee.

50 (d) An action to redress a violation of subsection (b) of this section
51 may be maintained in any court of competent jurisdiction by any one
52 or more employees. An employer who violates subsection (b) of this
53 section may be found liable for compensatory damages, attorney's fees
54 and costs, punitive damages and such legal and equitable relief as the
55 court deems just and proper.

56 (e) No action shall be brought for any violation of subsection (b) of
57 this section except within two years after such violation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2018	31-40z

Statement of Purpose:

To implement the Governor's budget recommendations.

[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.]