



General Assembly

## ***Amendment***

***February Session, 2018***

**LCO No. 3859**



Offered by:

REP. PORTER, 94<sup>th</sup> Dist.  
SEN. GOMES, 23<sup>rd</sup> Dist.  
REP. RUTIGLIANO, 123<sup>rd</sup> Dist.  
REP. ARESIMOWICZ, 30<sup>th</sup> Dist.  
REP. RITTER M., 1<sup>st</sup> Dist.  
REP. KLARIDES, 114<sup>th</sup> Dist.  
REP. CANDELORA, 86<sup>th</sup> Dist.  
REP. ABERCROMBIE, 83<sup>rd</sup> Dist.  
REP. SANTIAGO, 84<sup>th</sup> Dist.

REP. SOTO, 39<sup>th</sup> Dist.  
REP. MCGEE, 5<sup>th</sup> Dist.  
REP. MILLER P., 145<sup>th</sup> Dist.  
SEN. FLEXER, 29<sup>th</sup> Dist.  
REP. WALKER, 93<sup>rd</sup> Dist.  
SEN. BYE, 5<sup>th</sup> Dist.  
SEN. WINFIELD, 10<sup>th</sup> Dist.  
REP. O'NEILL, 69<sup>th</sup> Dist.

To: Subst. House Bill No. 5386

File No. 196

Cal. No. 155

### ***"AN ACT CONCERNING VARIOUS PAY EQUITY AND FAIRNESS MATTERS."***

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

3 "Section 1. Section 31-40z of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective January 1, 2019*):

5 (a) As used in this section:

6 (1) "Employer" means any individual, corporation, limited liability  
7 company, firm, partnership, voluntary association, joint stock

8 association, the state and any political subdivision thereof and any  
9 public corporation within the state using the services of one or more  
10 employees for pay;

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

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

16 (b) No employer shall:

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

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

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

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

31 (5) Inquire or direct a third party to inquire about a prospective  
32 employee's wage and salary history unless a prospective employee has  
33 voluntarily disclosed such information, except that this subdivision  
34 shall not apply to any actions taken by an employer, employment  
35 agency or employee or agent thereof pursuant to any federal or state  
36 law that specifically authorizes the disclosure or verification of salary  
37 history for employment purposes. Nothing in this section shall

38 prohibit an employer from inquiring about other elements of a  
39 prospective employee's compensation structure, as long as such  
40 employer does not inquire about the value of the elements of such  
41 compensation structure;

42 [(5)] (6) Discharge, discipline, discriminate against, retaliate against  
43 or otherwise penalize any employee who discloses or discusses the  
44 amount of his or her wages or the wages of another employee of such  
45 employer that have been disclosed voluntarily by such other  
46 employee; or

47 [(6)] (7) Discharge, discipline, discriminate against, retaliate against  
48 or otherwise penalize any employee who inquires about the wages of  
49 another employee of such employer.

50 (c) Nothing in this section shall be construed to require any  
51 employer or employee to disclose the amount of wages paid to any  
52 employee.

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

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2019	31-40z