

---

---

## **OLR Bill Analysis**

**SB 765 (File 519, as amended by Senate "A")\***

### ***AN ACT ENSURING FAIR AND EQUAL PAY FOR EQUAL WORK.***

#### **SUMMARY**

This bill prohibits employers from counting certain types of leave against an employee's seniority if the employer uses a seniority system to defend its wage differentials in a gender wage discrimination lawsuit.

By law, employees (or the labor commissioner) alleging gender wage discrimination may sue employers for lost wages and other damages and costs. Employers may defend themselves by showing that their differences in pay are based on seniority or certain other factors (e.g., job-related education or experience). Under the bill, an employer may use a seniority system to defend its pay differences only if an employee's time spent on leave due to a pregnancy-related condition or protected family and medical leave does not reduce the employee's seniority.

\*Senate Amendment "A" removes provisions from the underlying bill (File 519) that would have allowed employers to reduce certain damages in gender wage discrimination lawsuits by completing an equal pay analysis and meeting certain other requirements.

EFFECTIVE DATE: October 1, 2019

#### **COMMITTEE ACTION**

Labor and Public Employees Committee

Joint Favorable

Yea 11    Nay 1    (03/21/2019)

Judiciary Committee

Joint Favorable

Yea 26 Nay 9 (05/13/2019)