Labor and Public Employees Committee  

MEETING MINUTES  

Tuesday, March 19, 2019  

9:00 AM in Room 2E of the LOB  

The meeting was called to order at 9:10 AM by Chairman, Rep. Porter R. 094.  

The following committee members were present:  

Senators: Kushner J. S24; Lesser M. S09; Miner C. S30; Osten C. S19  

Representatives: Fishbein C. 090; Hall J. 007; Luxenberg G. 012; Polletta J. 068; Porter R. 094; Rutigliano D. 123; Smith R. 108; Vargas E. 006; Wilson Pheanious P. 053; Winkler M. 056  

Absent were:  

Senators:  

Representatives:  

Chairman Porter called a Recess at 9:10 AM for members to caucus. She stated the meeting would reconvene in 45 minutes at 9:55 AM.  

Chairman Porter reconvened the meeting at 10:08 AM and asked the Committee to stand at ease. The meeting was called to order at 10:32 AM.  

There were no comments from the Chairs.  


Chairman Porter called for a Consent Agenda. Rep. Smith suggested the Committee first approve creation of a Consent Agenda, then proceed with a list of bills to be included. Rep. Polletta moved and Rep. Fishbein seconded. The motion carried by
voice vote. The following bills were added to the Consent Agenda as read by Chairman Porter:

S.B. 5 (COMM) AN ACT ESTABLISHING A WORKFORCE PIPELINE AND JOB CREATION TASK FORCE (LAB)

S.B. 358 (COMM) AN ACT CONCERNING THE PROCESSING OF WORK OPPORTUNITY TAX CREDIT APPLICATIONS (LAB)

S.B. 698 (COMM) AN ACT CONCERNING COMPLAINTS OF WORKPLACE VIOLENCE OR ABUSIVE CONDUCT INVOLVING STATE EMPLOYEES (LAB)

H.B. 7043 (COMM) AN ACT CONCERNING BREASTFEEDING IN THE WORKPLACE (LAB)

H.B. 7317 (RAISED) AN ACT CONCERNING URBAN AND RURAL WORKFORCE DEVELOPMENT (LAB)

Sen. Miner recommended H.B. 6929 (COMM) AN ACT ALLOWING CERTAIN STATE AND MUNICIPAL WORKERS AND FIRST RESPONDERS TO FILE WORKERS’ COMPENSATION CLAIMS FOR INJURIES SUSTAINED WHILE TRAVELING TO AND FROM WORK. (LAB) be added to the Consent Agenda and suggested a Friendly Amendment. On a voice vote, Rep. Polletta moved its inclusion on Consent and it was approved.

A motion to approve the Consent Agenda was made by Rep. Smith, seconded by Rep. Polletta. The motion passed. Chairman Porter said votes would be held open until 4:00 PM.

Sen. Kushner moved to JF S.B. 358 (COMM) AN ACT CONCERNING EMPLOYEE VOTING OPPORTUNITIES (LAB) and Rep. Hall seconded the motion. Rep. Porter recognized Rep. Fishbein. Rep. Fishbein remarked he had no quarrel with giving employees reasonable time to vote but questioned the bill’s allowance of 4 hours. He felt 4 hours was excessive. Rep. Smith asked if the employer was paying for time away. Chairman Porter replied the bill doesn’t address the issue. Rep. Smith asked if the employers can withhold pay for the hours away from the workplace. He stated that most employers would work out an arrangement with their employees, and considers this bill “overreach.” Rep. Fishbein asked if the bill was applicable to municipal or state workers. Chairman Porter replied they are not excluded from coverage. Rep. Fishbein said he was familiar with contract negotiations and typically, this matter would be reserved as part of bargaining. He too deemed the measure “overreach.”

Sen. Kushner stated in a democracy, every opportunity should be made to encourage everyone to vote, and given long lines that emerge at polls on those election days of interest, it should be easy to vote and people need to have adequate time to vote. In her opinion, Sen. Kushner said it was a good bill with good intentions. Chairman Porter concurred.

Rep. Smith mentioned that his district abuts New York State, as does Sen. Kushner’s district. He wondered if, for example, a home office was in New York State, but the
satellite workplace was in Connecticut, how the bill would affect two or more work locations. LCO responded that the bill does not cover New York State, but he noted that New York recently adopted similar legislation. Sen. Kushner expressed appreciation for the concerns raised and noted that bill language “from such work” is clearly meant to cover a single work site where an employee physically works. Sen. Miner offered that consideration must be given to whether the time is with notice or without notice, and what results in a shop with a single employee. A roll call motion passed 9 - 5.

Sen. Kushner moved to JF S.B. 697 (COMM) AN ACT CONCERNING NONDISCLOSURE AGREEMENTS IN THE WORKPLACE (LAB) and Rep. Hall seconded the motion. Rep. Smith raised concerns based on his professional knowledge of nondisclosure agreements. Chairman Porter thanked him for his concerns and stated that people have options determined by their own choice. Employers cannot make it mandatory. She stated there are many facets to the issue which influence how people can choose to act. The choice should be that of the victim. Sen. Miner questioned whether the language covers all nondisclosure agreements beyond those in Line 7. OLR stated that the language covers only what’s explicitly addressed. Sen. Miner stated it could be interpreted otherwise, and he wished the language was clearer. Sen. Kushner raised the issue of sexual assault in the workplace. A roll call motion passed 11 – 3.

Sen. Kushner moved to JF S.B. 989 (RAISED) AN ACT CONCERNING BASIC LABOR STANDARDS FOR TRANSPORTATION NETWORK COMPANY DRIVERS (LAB) and Rep. Hall seconded the motion. Rep. Polletta stated he had many questions about this bill. He asked if members knew how many drivers work for Lyft/Uber in Connecticut. Rep. Porter answered she did not. Rep. Polletta said there were many inaccuracies in information provided by drivers. For example, he found out drivers don’t need to stay in their cars as long as the app is on. Having drivers receive 75% of the fees would lead to less work, less drivers, and higher fees. He’d like to think that users could enjoy the benefits without penalizing the companies. Chairman Porter mentioned that there had been attempts to bring together drivers and company representatives to have an honest dialogue and work out an equitable, fair solution. Rep. Polletta stated there are full-time drivers, but perhaps 80% of the drivers were part-time looking to make extra money. He shared his concern that the wait time may go up drastically, along with the price. Chairman Porter reiterated that the bill should be good for everyone as attempts are being made to have a fair and equitable dialogue.

Sen. Kushner said as a new industry, there are similarities to an old industry—taxi cabs. She stated this is a good first attempt to find an equitable solution. Sen. Miner said when a driver puts the key in their door, there is no guarantee at week’s end they’ll have made money. Rep. Vargas asked how the Transportation Committee regarding Uber and Lyft has dealt with competing interests. Rep. Smith asked for clarification of subsection c (1) and (2) and why there are two sections. LCO stated this was the intent expressed by the chairs. Rep. Smith suggested consistent language.

Sen. Miner raised concerns about screening. Chairman Porter spoke about bipartisanship, and how the Committee agreed to Consent Agendas on many occasions. After further discussion, Rep. Polletta suggested the bill be held until
Thursday’s meeting which did not find favor with the Committee. A roll call motion Passed 9 – 5.


Chairman Porter said the Committee will hold until a later time H.B. 6630 (COMM) AN ACT REQUIRING INDIVIDUALS WHO INSTALL SOLAR ENERGY SYSTEMS TO COMPLETE AN ELECTRICIAN APPRENTICESHIP. (ET,LAB).

Sen. Kushner moved to JF H.B. 6928 (COMM) AN ACT CONCERNING TEMPORARY EMPLOYMENT AGENCIES AND PAID SICK LEAVE (LAB) and Rep. Hall seconded the motion. Rep. Smith stated that in light of the FMLA bill and minimum wage bill, he wondered how current sick leave hours would be affected. OLR reported that existing sick leave policy is different from FMLA. Rep. Smith asked if the bill applies to employers with 50 or more employees. Chair Porter said yes. A roll call motion passed 9 – 5.

Sen. Kushner moved to JF H.B. 6931 (COMM) AN ACT CONCERNING DOMESTIC WORKERS (LAB) and Rep. Hall seconded the motion. Rep. Smith mentioned the bill has come up for consideration every year. Domestic workers are subjected to disclosures by certain employers. He mentioned older workers, specifically “grandmothers”. He believes that arrangements between the parties are best with duties, wages, responsibilities, and hours spelled out. Rep. Smith said that consideration needs to be given to the potential for an employee to become an employer. Rep. Porter responded that Line 19 excludes that category of worker. Se. Miner asked about Line 19 pertaining to babysitting. He mentioned the testimony was believable and compelling, but the bill may place people in jeopardy such as immigrants. Rep. Porter said the problem persists and while legislators could be sympathetic to witnesses, there is a larger responsibility. People are entitled to privacy, and living in a house with other individuals does not permit them privacy. Rep. Wilson Pheanious spoke about how domestic workers have traditionally been marginalized and it is more than an immigration issue. People are working 2-3 jobs and it is time there not be two classes of workers. Sen. Kushner concurred. There was additional discussion by Chair Porter, Rep. Smith, Sen. Kushner, and Rep. Wilson Pheanious. A roll call motion passed 9 – 5.

Chairman Porter announced there would be a committee meeting on Thursday, March 21, 2019 at 9:00 AM in Room 2B of the LOB.
A motion was duly made and seconded to adjourn the meeting.

The meeting was adjourned at 4:00 PM.

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  Danielle Palladino                                  Bryan Anderson
  Committee Clerk                                    Asst. Committee Clerk