



Senate

General Assembly

File No. 681

January Session, 2021

Substitute Senate Bill No. 943

Senate, May 12, 2021

The Committee on Appropriations reported through SEN. OSTEN of the 19th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT REQUIRING EMPLOYERS TO PROVIDE CERTAIN INFORMATION TO DOMESTIC WORKERS AT THE TIME OF HIRE AND ESTABLISHING AN EDUCATION AND TRAINING GRANT PROGRAM FOR DOMESTIC WORKERS.

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

1 Section 1. Section 31-71a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2021*):

3 [Whenever] As used in sections 31-71a to 31-71i, inclusive, and
4 section 3 of this act:

5 (1) "Employer" includes any individual, partnership, association,
6 joint stock company, trust, corporation, the administrator or executor of
7 the estate of a deceased person, the conservator of the estate of an
8 incompetent, or the receiver, trustee, successor or assignee of any of the
9 same, employing any person, including the state and any political
10 subdivision thereof;

11 (2) "Employee" includes any person suffered or permitted to work by

12 an employer;

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

16 (4) "Commissioner" means the Labor Commissioner.

17 Sec. 2. Section 31-71f of the general statutes is repealed and the
18 following is substituted in lieu thereof (*Effective October 1, 2021*):

19 (a) Each employer shall: (1) Advise his employees in writing, at the
20 time of hiring, of the rate of remuneration, hours of employment and
21 wage payment schedules, and (2) make available to his employees,
22 either in writing or through a posted notice maintained in a place
23 accessible to his employees, any employment practices and policies or
24 change therein with regard to wages, vacation pay, sick leave, health
25 and welfare benefits and comparable matters.

26 (b) Each employer employing a domestic worker, as defined in
27 section 3 of this act, shall advise the domestic worker, in writing, at the
28 time of hiring, of: (1) The rate of remuneration, hours of employment
29 and wage payment schedules; (2) the job duties and responsibilities; (3)
30 the availability of sick leave, days of rest, vacation, personal days and
31 holidays, whether such days are paid or unpaid and the rate at which
32 such days accrue; and (4) whether the employer may charge any fees or
33 costs for board and lodging, and, if so, the amount of such fees or costs.

34 Sec. 3. (NEW) (*Effective October 1, 2021*) (a) As used in this section:

35 (1) "Domestic worker" means any employee who is paid or who is
36 told he or she will be paid to perform work of a domestic nature in or
37 about a private dwelling, including, but not limited to, housekeeping,
38 laundering, meal preparation, home companion, home management or
39 child care services or the caretaking of individuals, including sick,
40 convalescing and elderly individuals, or other household services for
41 occupants of the private dwelling or the guests of such occupants.
42 "Domestic worker" does not include (A) any individual providing

43 babysitting services on an irregular or intermittent basis; or (B) a
44 personal care attendant, as defined in section 17b-706 of the general
45 statutes, providing services pursuant to a state-funded program,
46 including, but not limited to, (i) the program for individuals with
47 acquired brain injuries, established pursuant to section 17b-260a of the
48 general statutes, (ii) the personal care assistance program, established
49 pursuant to section 17b-605a of the general statutes, (iii) the Connecticut
50 home-care program for the elderly, established pursuant to section 17b-
51 342 of the general statutes, (iv) the pilot program to provide home care
52 services to disabled persons, established pursuant to section 17b-617 of
53 the general statutes, (v) the individual and family support waiver
54 program administered by the Department of Developmental Services,
55 or (vi) the comprehensive waiver program administered by the
56 Department of Developmental Services;

57 (2) "Nonprofit organization" means any organization that is exempt
58 from taxation under Section 501(c)(3) of the Internal Revenue Code of
59 1986, or any subsequent corresponding internal revenue code of the
60 United States, as amended from time to time; and

61 (3) "Qualified organization" means: (A) Any nonprofit organization
62 that has not less than five years of experience working with domestic
63 workers; or (B) any organization that works with a nonprofit
64 organization that has not less than five years of experience advocating
65 for domestic workers or other low-wage workers.

66 (b) The commissioner shall establish a domestic workers education
67 and training grants program to provide grants to qualified
68 organizations for the following purposes:

69 (1) To provide education and training for domestic workers and
70 employers addressing laws regarding minimum wage, overtime, sick
71 leave, record-keeping, wage adjudication and retaliation and the
72 requirements of subsection (b) of section 31-71f of the general statutes,
73 as amended by this act;

74 (2) To provide one or more online resources for domestic workers and

75 employers on state laws and regulations relating to domestic workers;
76 and

77 (3) To provide technical and legal assistance to domestic workers and
78 employers through legal service providers.

79 (c) The commissioner may enter into an agreement pursuant to
80 chapter 55a of the general statutes, with a person, firm or corporation to
81 administer the grants program established pursuant to subsection (b) of
82 this section.

83 (d) The commissioner, in consultation with such person, firm or
84 corporation, if applicable, shall create guidelines necessary for the
85 administration of the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2021	31-71a
Sec. 2	October 1, 2021	31-71f
Sec. 3	October 1, 2021	New section

APP Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
Labor Dept.	GF - Cost	53,883	59,599
State Comptroller - Fringe Benefits ¹	GF - Cost	20,023	22,178

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill requires the labor commissioner to establish a domestic workers education and training grant program to provide grants to qualified organizations.

Administration of the grant program results in an estimated cost of \$73,906 in FY 22 and \$81,777 in FY 23 including salary and fringe benefit costs and associated overhead costs (computers, office supplies, etc.).

sHB 6439, the FY 22 and FY 23 budget bill, as favorably reported by the Appropriations Committee, appropriated \$253,883 in FY 22 and \$59,599 in FY 23 to the Department of Labor to establish a domestic workers education and training grant program, including \$53,883 in FY 22 and \$59,599 in FY 23 for administrative support. Funding of \$200,000 was appropriated in FY 22 for the grant itself.

The Out Years

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 41.3% of payroll in FY 22 and FY 23.

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 943*****AN ACT REQUIRING EMPLOYERS TO PROVIDE CERTAIN INFORMATION TO DOMESTIC WORKERS AT THE TIME OF HIRE AND ESTABLISHING AN EDUCATION AND TRAINING GRANT PROGRAM FOR DOMESTIC WORKERS.*****SUMMARY**

This bill broadens the categories of written information that employers must provide to certain domestic workers when they are hired to include things such as their job duties and whether the employer will charge fees for room and board.

It also requires the labor commissioner to establish a domestic workers education and training grant program to provide grants to qualified organizations to, among other things, educate domestic workers about various labor laws.

“Domestic workers” under the bill are employees who are paid or told they will be paid to perform work of a domestic nature in or about a private dwelling. This includes housekeeping; home management; child care; laundering; meal preparation; home companion services; caretaking of sick, convalescing, or elderly individuals; and other household services for the dwelling’s occupants or their guests. They do not include irregular or intermittent babysitters or personal care attendants providing personal care assistance to consumers in state-funded programs, including the:

1. acquired brain injury Medicaid waiver program,
2. personal care assistance Medicaid waiver program,
3. Connecticut Home Care Program for the Elderly,

4. pilot program to provide home care services to disabled persons, and
5. Department of Developmental Services' individual and family support waiver program and comprehensive waiver program.

EFFECTIVE DATE: October 1, 2021

EMPLOYER NOTICE REQUIREMENT

Existing law requires employers to advise their employees, when they are hired and in writing, about their pay rate, hours of employment, and pay schedule (CGS § 31-71f). The bill requires employers to additionally provide domestic workers, when they are hired, with written information about (1) their job duties and responsibilities; (2) the availability of sick leave, rest days, vacation, personal days, and holidays, whether paid or unpaid, and the rate at which those days accrue; and (3) whether the employer may charge any fees or costs for board and lodging and, if so, their amount.

Existing law also requires employers to make available to all employees, either in writing or through a posted notice, any employment practices and policies, or changes to them, on the following topics: wages, vacation pay, sick leave, health and welfare benefits, and comparable matters.

GRANT PROGRAM

The bill requires the labor commissioner to establish a domestic workers education and training grant program to provide grants to qualified organizations to provide:

1. education and training for domestic workers and employers about the laws on minimum wage, overtime, sick leave, record-keeping, wage adjudication, retaliation, and the bill's notice requirement;
2. online resources for domestic workers and their employers on state laws and regulations related to domestic workers; and

- 3. technical and legal assistance to domestic workers and employers through legal service providers.

Under the bill, a “qualified organization” eligible for the grants must be either (1) a nonprofit organization that has at least five years of experience working with domestic workers or (2) an organization that works with a nonprofit organization that has at least five years of experience advocating for domestic workers or other low-wage workers. A nonprofit organization is a 501(c)(3) tax-exempt organization.

The bill allows the commissioner to enter into an agreement, under the state’s laws for state consultants and personal service agreements, with a third-party person, firm, or corporation to administer the grant program. It also requires the commissioner to create guidelines needed to administer the grants, in consultation with the third-party it contracts with, if applicable.

BACKGROUND

Legislative History

The Senate referred the bill (File 403) to the Appropriations Committee, which reported a substitute that removes a provision that would have appropriated \$210,000 to the Department of Labor for the grant program for FY 22.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute
 Yea 9 Nay 4 (03/23/2021)

Appropriations Committee

Joint Favorable Substitute
 Yea 31 Nay 16 (05/03/2021)