

# Labor and Public Employees Committee

## JOINT FAVORABLE REPORT

**Bill No.:** HB-6536

AN ACT REQUIRING ADEQUATE EQUIPMENT AND REIMBURSEMENT FOR  
**Title:** EMPLOYEES WORKING FROM HOME.

**Vote Date:** 3/23/2021

**Vote Action:** Joint Favorable

**PH Date:** 3/4/2021

**File No.:**

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### SPONSORS OF BILL:

Labor and Public Employees Committee

### REASONS FOR BILL:

Employees being forced to work from home due to the pandemic incur expenses that must be paid out of their own pockets. This bill attempts to set up a method for reimbursement that is fair for both employers and employees.

### RESPONSE FROM ADMINISTRATION/AGENCY:

#### [KUIRT WESTBY, COMMISSIONER, DEPARTMENT OF LABOR](#)

CTDOL has concerns regarding the impact of this bill. It requires CTDOL to investigate all complaints from employers and employees that are filed with the agency. There would likely be a significant fiscal impact to the DOL. It is possible that certain required reimbursements may be subject to collective bargaining agreements which further complicate the ability of CTDOL to enforce the provisions of the bill when investigations involve employees represented by public and private unions.

### NATURE AND SOURCES OF SUPPORT:

#### [NOREEN BENNETT, FRONTIER COMMUNICATIONS, CWA, LOCAL 1298](#)

They support this bill because it addresses concerns requiring employers to reimburse employees working from home for personal internet services in order to perform their jobs. This was previously supplied by their employers before the pandemic and some workers had to have service installed that was needed to increase internet speed to adequately perform their jobs at home.

### **SAL LUCIANO, PRESIDENT, CT AFL-CIO**

Before the Trump Tax Cuts and Jobs Act, employees who worked from home could get a federal tax deduction. Employees working from home because the pandemic do not get this. Workers forced to do their jobs remotely have incurred additional expenses related to internet usage, phone service and increased utility costs. Some had to make investments in computer hardware or essential furniture in order to do their jobs. Most employees must pay for work-related expenses with their own money before they can request a reimbursement. There is no legal requirement that employers provide these reimbursements.

### **CARLOS MORENO, STATE DIRECTOR, CT. WORKING FAMILIES ORGANIZATION**

The COVID-19 pandemic has forced unnecessary expenses for thousands of people who have been working from home. Usage rates have gone up for heating and electricity as faster internet connections and increases in bandwidth have become necessary to keep up with the demands for employee productivity in a remote working environment. Nearly one in three workers had to purchase equipment to help with remote work. Working families need help for people who are paying unnecessary expenses that constrain their limited income.

## **NATURE AND SOURCES OF OPPOSITION:**

### **ELIZABETH GARA, CT. WATER WORKS ASSOCIATION**

From the outset of the pandemic, water utilities have worked tirelessly to ensure safe water supplies in order to maintain operations for businesses, hospitals, health care facilities and other institutions. This has required essential employees to stagger shifts, isolate field staff and certified water operators, restrict travel and require non-essential employees to work remotely. As drafted, this bill requires employers to reimburse employees for a broad range of expenses or face civil penalties, but it fails to adequately define what expenses may be required for reimbursement. It is difficult to accurately appropriate costs incurred for cell phones, computers, printers, paper products, etc. that may be used by the employee and their family/friends for personal use. Like most employers, they have incurred substantial COVID-19 related costs associated with retrofitting offices with plexiglass shields, sanitizing stations, providing personal protective equipment and other safety measures, accommodating remote meetings, hiring additional staff and other remote necessities. Imposing open-ended costs and potential civil penalties will exacerbate these costs negatively, which would impact water utilities and their customers.

### **ERIC GJEDE, VICE PRESIDENT OF GOVERNMENT AFFAIRS, CBIA**

The business community is open to finding an equitable method of reimbursing employees for additional expenses related to exceeding internet and data plan caps due to working at home, but the requirement for employers to reimburse all expenditures is both impractical and excessive. There is a lack of clarity over who determines what is a 'necessary expenditure'. Also, it is unclear as to exactly what is required. Often, top-of-the-line equipment is not necessary and exceeds what is required. Failure to provide limitations over what are deemed necessary expenditures results in conflicts between employers and employees seeking to be reimbursed. Most work-based internet activity requires relatively small amounts of data compared to the average household usage. The \$1,000 civil penalty is likely to result in some irrational outcomes and an employers' only recourse against an

unreasonable expenditure is court action, resulting in legal fees. They would be happy to work with the committee to craft a bill that is more reasonable.

**JOANN RYAN, PRESIDENT & CEO, NORTHWEST CT CHAMBER OF COMMERCE**

The expenditures that employers are required to reimburse are broadly defined, including office materials, supplies, furniture, technology, and telecommunication services. If not reimbursed, an employer may be subject to civil penalties from the State Labor Department. The main concern: exactly what constitutes a 'necessity'. Most Chamber members are hard-working and honest, but the NWCC is concerned that certain expenditures may far exceed what is necessary to perform duties from home. All households are different and data use may approach data limits. How would an employer differentiate data used for streaming TV or movies, online gaming, or the needs of school age children required to learn from home? Also, the non-compliance fines are excessive. They would like to work with the committee to craft a bill that would appropriately solve these concerns.

**Reported by:** Marie Knudsen, Assistant Clerk

**Date:** March 29, 2021