



General Assembly

January Session, 2021

Raised Bill No. 6536

LCO No. 3794



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:
(LAB)

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

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

1 Section 1. (NEW) (*Effective from passage*) (a) For purposes of this
2 section:

3 (1) "Employer" means any person engaged in business who has one
4 or more employees, including the state and any political subdivision of
5 the state;

6 (2) "Employee" means any person engaged in service to an employer
7 in the business of the employer;

8 (3) "Necessary expenditures" means all expenditures required of the
9 employee by the employer, in the discharge of employment duties that
10 inure to the primary benefit of the employer, including, but not limited
11 to, the cost of purchasing: (A) Equipment and technology, including, but
12 not limited to, items such as computers, printers and cellular phones;
13 (B) services, including, but not limited to, services such as internet
14 provider services, mobile internet access services and cellular telephone

15 services; and (C) employment-related supplies such as paper and
16 printer ink and toner. Necessary expenditures do not include (i)
17 expenses agreed to be borne by the employee prior to an assignment to
18 work from home; (ii) expenses or losses due to an employee's own
19 negligence, normal wear, or theft, unless the theft was a result of the
20 employer's negligence; or (iii) expenses indirectly related to the
21 employee's scope of employment, such as costs related to traveling to
22 and from the employee's regular work location.

23 (b) An employer shall reimburse an employee for all necessary
24 expenditures incurred by the employee within the employee's scope of
25 employment and directly related to services performed for the
26 employer.

27 (c) The provisions of subsection (b) of this section shall not apply to
28 an employer who provides an employee with all equipment and
29 technology, services and employment-related supplies necessary for the
30 employee's scope of employment and directly related to services
31 performed for the employer.

32 (d) An employer shall not be required to fully reimburse an employee
33 for necessary expenditures that are services that the employee
34 concurrently receives for his or her own personal use, provided an
35 employer shall reimburse an employee for not less than fifty per cent of
36 the cost of such services.

37 (e) An employee shall report to the employer any necessary
38 expenditures and provide appropriate supporting documentation not
39 later than thirty calendar days after incurring the expense, except that
40 an employer may provide additional time for submitting requests for
41 reimbursement in a written expense reimbursement policy. Where
42 supporting documentation is nonexistent, missing, or lost, the employee
43 shall submit a signed statement regarding any such receipts. An
44 employer shall reimburse the employee for the necessary expenditure
45 no later than thirty calendar days after receiving such appropriate
46 supporting documentation or signed statement.

47 (f) An employer who has reimbursed an employee for purchasing a
48 necessary expenditure shall maintain ownership rights to the
49 equipment and technology, services, or employment-related supplies
50 for which the employer provided such reimbursement, provided the
51 provisions of this subsection shall not apply to reimbursements for
52 services made pursuant to subsection (d) of this section.

53 (g) An employee shall not be entitled to reimbursement under this
54 section if (1) the employer has an established written expense
55 reimbursement policy which the employee has reviewed and agreed to
56 and, (2) the employee failed to comply with the written expense
57 reimbursement policy.

58 (h) An employer is not liable under this section unless the employer
59 authorized or required the employee to incur the necessary expenditure
60 or the employer failed to comply with its own written expense
61 reimbursement policy.

62 (i) An employee or employer may file a complaint with the Labor
63 Commissioner alleging violations of this section. Upon receipt of the
64 complaint, the commissioner shall investigate such complaint and may
65 hold a hearing. The commissioner shall send each party a written copy
66 of his or her decision and may award all appropriate relief. If the
67 commissioner finds that a party wilfully violated this section, he or she
68 may levy a civil penalty of up to one thousand dollars per violation. Any
69 party aggrieved by the decision of the commissioner may appeal the
70 decision to the Superior Court in accordance with the provisions of
71 chapter 54 of the general statutes.

72 (j) The Labor Commissioner may adopt regulations, in accordance
73 with the provisions of chapter 54 of the general statutes, to establish
74 procedures and guidelines necessary to implement the provisions of this
75 section.

<p>This act shall take effect as follows and shall amend the following sections:</p>
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Section 1	<i>from passage</i>	New section
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Statement of Purpose:

To require employers to provide adequate equipment and reimbursement to certain employees who work from home.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]