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:

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

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

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

(3) "Necessary expenditures" means all expenditures required of the 
employee by the employer, in the discharge of employment duties that 
inure to the primary benefit of the employer, including, but not limited 
to, the cost of purchasing: (A) Equipment and technology, including, but 
not limited to, items such as computers, printers and cellular phones; (B) 
services, including, but not limited to, services such as internet 
provider services, mobile internet access services and cellular telephone
services; and (C) employment-related supplies such as paper and printer ink and toner. Necessary expenditures do not include (i) expenses agreed to be borne by the employee prior to an assignment to work from home; (ii) expenses or losses due to an employee's own negligence, normal wear, or theft, unless the theft was a result of the employer's negligence; or (iii) expenses indirectly related to the employee's scope of employment, such as costs related to traveling to and from the employee's regular work location.

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

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

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

(e) An employee shall report to the employer any necessary expenditures and provide appropriate supporting documentation not later than thirty calendar days after incurring the expense, except that an employer may provide additional time for submitting requests for reimbursement in a written expense reimbursement policy. Where supporting documentation is nonexistent, missing, or lost, the employee shall submit a signed statement regarding any such receipts. An employer shall reimburse the employee for the necessary expenditure no later than thirty calendar days after receiving such appropriate supporting documentation or signed statement.
(f) An employer who has reimbursed an employee for purchasing a necessary expenditure shall maintain ownership rights to the equipment and technology, services, or employment-related supplies for which the employer provided such reimbursement, provided the provisions of this subsection shall not apply to reimbursements for services made pursuant to subsection (d) of this section.

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

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

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

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

This act shall take effect as follows and shall amend the following sections:
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.]