AN ACT CONCERNING EXPANSION OF PAID SICK DAYS AND DOMESTIC WORKER COVERAGE.

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

Section 1. Section 31-57r of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2021):

As used in this section and sections 31-57s to 31-57w, inclusive:

(1) "Child" means a biological, adopted or foster child, stepchild, legal ward, or, in the alternative, a child of a person standing in loco parentis, who is (A) under eighteen years of age; or (B) eighteen years of age or older and incapable of self-care because of a mental or physical disability or an individual to whom the employee stood in loco parentis when the individual was a child;

[(2) "Day or temporary worker" means an individual who performs work for another on (A) a per diem basis, or (B) an occasional or irregular basis for only the time required to complete such work, whether such individual is paid by the person for whom such work is performed or by an employment agency or temporary help service, as
defined in section 31-129;]

[(3)] (2) "Employee" means an individual engaged in service to an employer in the business of the employer;

[(4)] (3) "Employer" means any person, firm, business, educational institution, nonprofit agency, corporation, limited liability company or other entity, [that employs fifty or more individuals in the state, which shall be determined based on such person's, firm's, business', educational institution's, nonprofit agency's, corporation's, limited liability company's or other entity's payroll for the week containing October first, annually. "Employer" does not include: (A) Any business establishment classified in sector 31, 32 or 33 in the North American Industrial Classification System, or (B) any nationally chartered organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, that provides all of the following services: Recreation, child care and education] except, notwithstanding section 17b-706 or any other special or general law to the contrary, the Personal Care Attendant Workforce Council, as defined in section 17b-706a, shall act on behalf of the employers of all personal care attendants, as defined in section 17b-706, for purposes of this section, sections 7 and 8 of this act and sections 31-57s to 31-57x, inclusive;

(4) "Family member" means a spouse, sibling, child, grandparent, grandchild or parent, or an individual related to the employee by blood or affinity whose close association with the employee is the equivalent of those family relationships;

(5) "Family violence" has the same meaning as provided in section 46b-38a;

(6) "Grandchild" means a grandchild related to a person by: (A) Blood, (B) marriage, (C) adoption by a child of the grandparent, or (D) foster care by a child of the grandparent;
(7) "Grandparent" means a grandparent related to a person by: (A) Blood, (B) marriage, (C) adoption of a minor child by a child of the grandparent, or (D) foster care by a child of the grandparent;

(8) "Parent" means a biological parent, foster parent, adoptive parent, stepparent, parent-in-law or legal guardian of an employee or an employee's spouse, an individual standing in loco parentis to an employee, or an individual who stood in loco parentis to the employee when the employee was a child;

(9) "Paid sick leave" means paid time that is provided by an employer to an employee for the purposes described in sections 7 and 8 of this act and sections 31-57t, as amended by this act, and 31-57x, as amended by this act;

[[6] (10) "Retaliatory personnel action" means any termination, suspension, constructive discharge, demotion, unfavorable reassignment, refusal to promote, disciplinary action or other adverse employment action taken by an employer against an employee or a service worker;

(7) "Service worker" means an employee primarily engaged in an occupation with one of the following broad or detailed occupation code numbers and titles, as defined by the federal Bureau of Labor Statistics Standard Occupational Classification system or any successor system: (A) 11-9050 Food Service Managers; (B) 11-9110 Medical and Health Services Managers; (C) 21-1020 Social Workers; (D) 21-1093 Social and Human Service Assistants; (E) 21-1094 Community Health Workers; (F) 21-1099 Community and Social Service Specialists, All Other; (G) 25-4020 Librarians; (H) 29-1050 Pharmacists; (I) 29-1070 Physician Assistants; (J) 29-1120 Therapists; (K) 29-1140 Registered Nurses; (L) 29-1150 Nurse Anesthetists; (M) 29-1160 Nurse Midwives; (N) 29-1170 Nurse Practitioners; (O) 29-2020 Dental Hygienists; (P) 29-2040 Emergency Medical Technicians and Paramedics; (Q) 29-2050 Health Practitioner Support Technologists and Technicians; (R) 29-2060 Licensed Practical and Licensed Vocational Nurses; (S) 31-1011 Home
Health Aides; (T) 31-1012 Nursing Aides, Orderlies and Attendants; (U) 31-1013 Psychiatric Aides; (V) 31-9091 Dental Assistants; (W) 31-9092 Medical Assistants; (X) 33-9032 Security Guards; (Y) 33-9091 Crossing Guards; (Z) 35-1010 Supervisors of Food Preparation and Serving Workers; (AA) 35-2010 Cooks; (BB) 35-2020 Food Preparation Workers; (CC) 35-3010 Bartenders; (DD) 35-3020 Fast Food and Counter Workers; (EE) 35-3030 Waiters and Waitresses; (FF) 35-3040 Food Servers, Nonrestaurant; (GG) 35-9010 Dining Room and Cafeteria Attendants and Bartender Helpers; (HH) 35-9020 Dishwashers; (II) 35-9030 Hosts and Hostesses, Restaurant, Lounge and Coffee Shop; (JJ) 35-9090 Miscellaneous Food Preparation and Serving Related Workers; (KK) 37-2011 Janitors and Cleaners, Except Maids and Housekeeping Cleaners; (LL) 37-2019 Building Cleaning Workers, All Other; (MM) 39-3030 Ushers, Lobby Attendants and Ticket Takers; (NN) 39-5010 Barbers, Hairdressers, Hairstylists and Cosmetologists; (OO) 39-6010 Baggage Porters, Bellhops and Concierges; (PP) 39-9010 Child Care Workers; (QQ) 39-9021 Personal Care Aides; (RR) 41-1010 First-Line Supervisors of Sales Workers; (SS) 41-2011 Cashiers; (TT) 41-2021 Counter and Rental Clerks; (UU) 41-2030 Retail Salespersons; (VV) 43-3070 Tellers; (WW) 43-4080 Hotel, Motel and Resort Desk Clerks; (XX) 43-4170 Receptionists and Information Clerks; (YY) 43-5020 Couriers and Messengers; (ZZ) 43-6010 Secretaries and Administrative Assistants; (AAA) 43-9010 Computer Operators; (BBB) 43-9020 Data Entry and Information Processing Workers; (CCC) 43-9030 Desktop Publishers; (DDD) 43-9040 Insurance Claims and Policy Processing Clerks; (EEE) 43-9050 Mail Clerks and Mail Machine Operators, Except Postal Service; (FFF) 43-9060 Office Clerks, General; (GGG) 43-9070 Office Machine Operators, Except Computer; (HHH) 43-9080 Proofreaders and Copy Markers; (III) 43-9110 Statistical Assistants; (JJJ) 43-9190 Miscellaneous Office and Administrative Support Workers; (KKK) 51-3010 Bakers; (LLL) 51-3020 Butchers and Other Meat, Poultry and Fish Processing Workers; (MMM) 51-3090 Miscellaneous Food Processing Workers; (NNN) 53-3010 Ambulance Drivers and Attendants, Except Emergency Medical Technicians; (OOO) 53-3020 Bus Drivers; (PPP) 53-3040 Taxi Drivers and Chauffeurs; or (QQQ) 29-2034 Radiologic Technologists,
and is (i) paid on an hourly basis, or (ii) not exempt from the minimum wage and overtime compensation requirements of the Fair Labor Standards Act of 1938 and the regulations promulgated thereunder, as amended from time to time. "Service worker" does not include day or temporary workers.]

[(8)] (11) "Sexual assault" means any act that constitutes a violation of section 53a-70b of the general statutes, revision of 1958, revised to January 1, 2019, or section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a;

(12) "Sibling" means a brother or sister related to a person by: (A) Blood, (B) marriage, (C) adoption by a parent of the person, or (D) foster care placement;

[(9)] (13) "Spouse" means a husband or wife, as the case may be; and

[(10)] (14) "Year" means any three-hundred-sixty-five-day period used by an employer to calculate employee benefits.

Sec. 2. Section 31-57s of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2021):

(a) Each employer shall provide paid sick leave annually to each of such employer's [service workers] employees in the state. Such paid sick leave shall accrue (1) beginning [January 1, 2012] July 1, 2021, or for [a service worker] an employee hired after said date, beginning on the [service worker's] employee's date of employment, (2) at a rate of one hour of paid sick leave for each [forty] thirty hours worked by [a service worker] the employee, and (3) in one-hour increments up to a maximum of forty hours per year. [Each service worker] In addition to any unused paid sick leave provided pursuant to sections 7 and 8 of this act and section 31-57x, each employee shall be entitled to carry over up to forty unused accrued hours of paid sick leave from the current year to the following year, but no [service worker] employee shall be entitled to use more in any year than the maximum number of accrued hours, as described in subdivision (3) of this subsection, in any year, and any
additional leave provided pursuant to sections 7 and 8 of this act and section 31-57x. An employer may provide all paid sick leave that an employee is expected to accrue in a year at the beginning of the year.

(b) [A service worker] An employee shall be entitled to the use of [accrued] paid sick leave [upon the completion of the service worker's six-hundred-eightieth hour of employment from January 1, 2012, if the service worker was hired prior to January 1, 2012, or if hired after January 1, 2012, upon the completion of the service worker's six-hundred-eightieth hour of employment from the date of hire, unless the employer agrees to an earlier date. A service worker shall not be entitled to the use of accrued paid sick leave if such service worker did not work an average of ten or more hours per week for the employer in the most recent complete quarter] as it is accrued.

(c) An employer shall be deemed to be in compliance with this section, sections 7 and 8 of this act and section 31-57x if the employer offers any other paid leave, or combination of other paid leave that [(1) may be used for the purposes of section 31-57t, and (2) is accrued in total at a rate equal to or greater than the rate described in subsections (a) and (b) of this section. For the purposes of this subsection, "other paid leave" may include, but not be limited to, paid vacation, personal days or paid time off] (1) is sufficient to meet the accrual requirements of this section and the amount of paid sick leave required by sections 7 and 8 of this act and section 31-57x; and (2) may be used for the same purposes and under the same conditions as paid sick leave.

(d) Each employer shall pay each [service worker] employee for paid sick leave at a pay rate equal to the greater of either (1) the normal hourly wage for that [service worker] employee, or (2) the minimum fair wage rate under section 31-58 in effect for the pay period during which the employee used paid sick leave. For any [service worker] employee whose hourly wage varies depending on the work performed by the [service worker] employee, "normal hourly wage" means the average hourly wage of the [service worker] employee in the pay period prior to the one in which the [service worker] employee used paid sick leave.
[(e) Notwithstanding the provisions of this section and sections 31-57t to 31-57w, inclusive, and upon the mutual consent of the service worker and employer, a service worker who chooses to work additional hours or shifts during the same or following pay period, in lieu of hours or shifts missed, shall not use accrued paid sick leave.]

(e) Employees who are exempt from overtime requirements under subdivision (1) of subsection (a) of 29 USC Section 213 of the Federal Fair Labor Standards Act shall be assumed to work forty hours in each work week for purposes of paid sick leave accrual unless their normal work week is less than forty hours, in which case paid sick leave accrues based upon that normal work week.

(f) If an employee is transferred to a separate division, entity or location, but remains employed by the same employer, the employee is entitled to all paid sick leave accrued or received at the prior division, entity or location and is entitled to use all paid sick leave. When a different employer succeeds or takes the place of an existing employer, all employees of the original employer who remain employed by the successor employer are entitled to all paid sick leave they accrued or received when employed by the original employer, and are entitled to use paid sick leave previously accrued or received.

(g) An employer may not require, as a condition of an employee's taking paid sick leave, that the employee search for or find a replacement worker to cover the hours during which the employee is using paid sick leave.

[(f) (h) No employer shall (1) terminate any employee, (2) dismiss any employee, or (3) transfer any employee from one worksite to another solely in order to not qualify as an employer, as defined in section 31-57r, as amended by this act.

Sec. 3. Section 31-57t of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2021):

(a) An employer shall permit [a service worker] an employee to use
the paid sick leave accrued pursuant to section 31-57s, as amended by this act:

(1) For (A) [a service worker's] an employee's illness, injury or health condition, (B) the medical diagnosis, care or treatment of [a service worker's] an employee's mental illness or physical illness, injury or health condition, or (C) preventative medical care for [a service worker] an employee;

(2) For (A) [a service worker's child's or spouse's] an employee's family member's illness, injury or health condition, (B) the medical diagnosis, care or treatment of [a service worker's child's or spouse's] an employee's family member's mental or physical illness, injury or health condition, or (C) preventative medical care for a [child or spouse of a service worker] family member of an employee; [and]

(3) Closure of the employee's place of business by order of a public official due to a public health emergency or an employee's need to care for a family member whose school or place of care has been closed by order of a public official due to a public health emergency, or care for oneself or a family member when it has been determined by the health authorities having jurisdiction, an employer of the employee or employee's family member, or by a health care provider that the employee's or family member's presence in the community may jeopardize the health of others because of his or her exposure to a communicable illness, whether or not the employee or family member has actually contracted the communicable illness; and

[(3)] (4) Where [a service worker] an employee or an employee's family member is a victim of family violence or sexual assault (A) for medical care or psychological or other counseling for physical or psychological injury or disability, (B) to obtain services from a victim services organization, (C) to relocate due to such family violence or sexual assault, or (D) to participate in any civil or criminal proceedings related to or resulting from such family violence or sexual assault.

(b) If [a service worker's] an employee's need to use paid sick leave is
foreseeable, an employer may require advance notice, not to exceed seven days prior to the date such leave is to begin, of the intention to use such leave. If [a service worker’s] an employee’s need for such leave is not foreseeable, an employer may require [a service worker] an employee to give notice of such intention as soon as practicable. For paid sick leave of three or more consecutive days, an employer may require reasonable documentation that such leave is being taken for one of the purposes permitted under subsection (a) of this section. If such leave is permitted under subdivision (1) or (2) of subsection (a) of this section, documentation signed by a health care provider who is treating the [service worker] employee or the [service worker's] employee’s child or spouse indicating the need for the number of days of such leave shall be considered reasonable documentation. If such leave is permitted under subdivision (3) of subsection (a) of this section, a court record or documentation signed by [a service worker] an employee or volunteer working for a victim services organization, an attorney, a police officer or other counselor involved with the [service worker] employee shall be considered reasonable documentation. An employer may not require that the documentation explain the nature of the illness or the details of the domestic violence, sexual assault, harassment or stalking. If an employer chooses to require documentation for paid sick leave under this section and the employer does not offer health insurance to the employee, then the employer is responsible for paying all out-of-pocket expenses the employee incurs in obtaining the documentation. If the employee does have health insurance, the employer is responsible for paying any costs charged to the employee by the health care provider for providing the specific documentation required by the employer. The employer is responsible for paying any costs charged to the employee for documentation of domestic violence, sexual assault, harassment or stalking required by the employer.

(c) Nothing in sections 7 and 8 of this act and sections 31-57s to [31-57w] 31-57x, inclusive, as amended by this act, shall be deemed to require any employer to provide paid sick leave for [a service worker’s] an employee's leave for any purpose other than those described in this
section.

(d) Unless an employee policy or collective bargaining agreement provides for the payment of accrued fringe benefits upon termination, no [service worker] employee shall be entitled to payment of unused paid accrued sick leave under this section upon termination of employment.

(e) Nothing in sections 7 and 8 of this act and sections 31-57s to [31-57w] 31-57x, inclusive, as amended by this act, shall be construed to prohibit an employer from taking disciplinary action against [a service worker] an employee who uses paid sick leave provided under said sections [31-57s to 31-57w, inclusive] for purposes other than those described in this section.

Sec. 4. Section 31-57u of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2021):

(a) Nothing in sections 7 and 8 of this act and sections 31-57s to [31-57w] 31-57x, inclusive, as amended by this act, shall be construed to (1) prevent employers from providing more paid sick leave than is required under said sections [31-57s to 31-57w, inclusive] (2) diminish any rights provided to any employee [or service worker] under a collective bargaining agreement, or (3) preempt or override the terms of any collective bargaining agreement effective prior to January 1, 2012.

(b) Nothing in sections 7 and 8 of this act and sections 31-57s to [31-57w] 31-57x, inclusive, as amended by this act, shall be construed to prohibit an employer (1) from establishing a policy whereby [a service worker] an employee may donate unused accrued paid sick leave to another [service worker] employee, and (2) who provides more paid sick leave than is required under sections 7 and 8 of this act and sections 31-57s to [31-57w] 31-57x, inclusive, as amended by this act, for the purposes described in subdivision (1) of subsection (a) of section 31-57t, as amended by this act, from limiting the amount of such leave [a service worker] an employee may use for other purposes.
(c) Any termination of [a service worker's] an employee's employment by an employer, whether voluntary or involuntary, shall be construed as a break in service. Should any [service worker] employee subsequently be rehired by the employer following a break in service, the [service worker] employee shall (1) begin to accrue sick leave [in accordance with section 31-57s] immediately upon rehire, and (2) shall [not] be entitled to any unused hours of paid sick leave that had been accrued prior to the [service worker's] employee's break in service, [unless agreed to by the employer.]

Sec. 5. Section 31-57v of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2021):

(a) No employer shall take retaliatory personnel action or discriminate against an employee because the employee (1) requests or uses paid sick leave either in accordance with sections 7 and 8 of this act and sections 31-57s, as amended by this act, and [31-57t] 31-57x or in accordance with the employer's own paid sick leave policy, as the case may be, or (2) files a complaint with the Labor Commissioner alleging the employer's violation of sections 7 and 8 of this act and sections 31-57s to [31-57w] 31-57x, inclusive, as amended by this act.

(b) The Labor Commissioner shall advise any employee who (1) is covered by a collective bargaining agreement that provides for paid sick days, and (2) files a complaint pursuant to subsection (a) of this section of his or her right to pursue a grievance with his or her collective bargaining agent.

(c) Any employee aggrieved by a violation of the provisions of sections 7 and 8 of this act and sections 31-57s to [31-57w] 31-57x, inclusive, as amended by this act, may file a complaint with the Labor Commissioner. Upon receipt of any such complaint, said commissioner may hold a hearing. After the hearing, any employer who is found by the Labor Commissioner, by a preponderance of the evidence, to have violated the provisions of subsection (a) of this section shall be liable to the Labor Department for a civil penalty of five hundred dollars for each
sion. Any employer who is found by the Labor Commissioner, by
a preponderance of the evidence, to have violated the provisions of
sections 7 and 8 of this act and sections 31-57s to [31-57u, inclusive, or
section 31-57w] 31-57x, inclusive, as amended by this act, shall be liable
to the Labor Department for a civil penalty of up to one hundred dollars
for each violation. The Labor Commissioner may award the employee
all appropriate relief, including the payment for used paid sick leave,
rehiring or reinstatement to the employee's previous job, payment of
back wages and reestablishment of employee benefits to which the
employee otherwise would have been eligible if the employee had not
been subject to such retaliatory personnel action or discriminated
against. 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.

(d) The Labor Commissioner shall administer this section within
available appropriations.

(e) The Labor Commissioner, the Attorney General or any person
aggrieved by any violation of sections 7 and 8 of this act and sections 31-
57s to 31-57x, inclusive, as amended by this act, or any entity a member
of which is aggrieved by a violation of said sections, may bring a civil
action in a court of competent jurisdiction against an employer violating
any of said sections. Such action may be brought by a person aggrieved
by violation of this section without first filing an administrative
complaint.

Sec. 6. Section 31-57w of the general statutes is repealed and the
following is substituted in lieu thereof (Effective July 1, 2021):

(a) Each employer subject to the provisions of [section] sections 7 and
8 of this act and sections 31-57s, as amended by this act, and 31-57x, as
amended by this act, shall, at the time of hiring, provide notice to each
[service worker] employee (1) of the entitlement to sick leave for [service
workers] employees, the amount of sick leave provided to [service
workers] employees and the terms under which sick leave may be used,
(2) that retaliation by the employer against the [service worker] employee for requesting or using sick leave for which the [service worker] employee is eligible is prohibited, and (3) that the service worker has a right to file a complaint with the Labor Commissioner for any violation of this section and of sections 7 and 8 of this act and sections 31-57s to [31-57v] 31-57x, inclusive, as amended by this act. Employers [may] shall comply with the provisions of this section by (A) providing written individual notice to each employee not later than six months after the effective date of this section or at the time of hire, whichever is later, and (B) displaying a poster in a conspicuous place, accessible to [service workers] employees at the employer's place of business that contains the information required by this section in both English and Spanish; provided, however, that in cases where the employer does not maintain a physical workplace, or an employee teleworks or performs work through a web-based or app-based platform, notification shall be sent via electronic communication or a conspicuous posting in a web-based or app-based platform. The Labor Commissioner [may adopt regulations, in accordance with chapter 54, to establish additional requirements concerning the means by which employers shall provide such notice. The Labor Commissioner shall administer this section within available appropriations] shall provide such posters and model written notices to all employers. Employers shall include in the record of hours worked, wages earned and deductions required by section 31-13a the number of hours, if any, of paid sick leave accrued or received by each employee, as well as any use of paid sick leave in the calendar year.

(b) Employers shall retain records documenting hours worked by employees and paid sick leave taken by employees for a period of three years and shall allow the Labor Commissioner access to such records, with appropriate notice and at a mutually agreeable time, to monitor compliance with the requirements of this section. When an issue arises as to an employee's entitlement to paid sick leave under this section, if the employer does not maintain or retain adequate records documenting hours worked by the employee and paid sick leave taken
by the employee, or does not allow reasonable access to such records, it
shall be presumed that the employer has violated this section, absent
clear and convincing evidence otherwise.

(c) The Labor Commissioner may coordinate implementation and
enforcement of sections 7 and 8 of this act and sections 31-57s to 31-57x,
inclusive, as amended by this act, and shall adopt regulations in
accordance with the provisions of chapter 54 to implement the
provisions of said sections.

(d) The Labor Commissioner may develop and implement a
multilingual outreach program to inform employees, parents and
persons who are under the care of a health care provider about the
availability of paid sick leave. Such program shall include the
distribution of notices and other written materials in English and
Spanish and any language that is the first language spoken by not less
than five per cent of the state's population to all child care and elder care
providers, domestic violence shelters, schools, hospitals, community
health centers and other health care providers.

(e) The Labor Commissioner shall administer this section within
available appropriations.

Sec. 7. (NEW) (Effective July 1, 2021) An employer may not require
disclosure of details relating to domestic violence, sexual assault,
harassment or stalking or the details of an employee's or an employee's
family member's health information as a condition of providing paid
sick leave under section 8 of this act or sections 31-57s to 31-57x,
inclusive, of the general statutes, as amended by this act. If an employer
possesses health information or information pertaining to domestic
violence, sexual assault, harassment or stalking about an employee or
employee's family member, such information shall be treated as
confidential and not disclosed except to the affected employee or with
the permission of the affected employee.

Sec. 8. (NEW) (Effective July 1, 2021) (a) An employer shall provide
each employee of an employer with additional paid sick leave for
COVID-19 purposes, in addition to paid sick leave under sections 31-57s of the general statutes, as amended by this act, and 31-57t of the general statutes, as amended by this act, in the following amounts: (1) Employees who normally work forty or more hours in a week shall be provided not less than eighty hours of additional paid sick leave; or (2) employees who work less than forty hours in a week shall be provided an amount of additional paid sick leave equal to the amount of time the employee is otherwise scheduled to work or works on average in a two-week period, whichever is greater.

(b) If an employee described in subdivision (2) of subsection (a) of this section has a schedule that varies from week to week, the employer shall use the following to determine the amount of time worked on average in a two-week period: (1) Subject to subdivision (2) of this subsection, a number equal to the average number of hours that the employee was scheduled per week over the six-month period ending on the date on which the employee takes paid sick leave under this section, including hours for which the employee took leave of any type; (2) if the employee did not work over such period, the reasonable expectation of the employee at the time of hiring of the average number of hours per week that the employee would normally be scheduled to work.

(c) The paid sick leave required pursuant to subsection (a) of this section shall be provided to employees immediately for use for any of the purposes described in subsection (d) of this section beginning on the effective date of this section, regardless of how long they have been employed. An employee shall be entitled to use paid sick leave under this section until four weeks following the official termination or suspension of a COVID-19 emergency as declared or proclaimed by the Governor. Paid sick leave under this section shall be made available retroactively to employees employed on the effective date of this section.

(d) The paid sick leave required in subsection (a) of this section shall be provided to an employee by an employer when the employee is unable to perform the functions of the position of such employee,
including through telework, due to a need for leave for any of the following purposes related to COVID-19: (1) An employee's need to: (A) Self-isolate and care for oneself because the individual is diagnosed with COVID-19; (B) self-isolate and care for oneself because the individual is experiencing symptoms of COVID-19; (C) seek preventive care concerning COVID-19; or (D) seek or obtain medical diagnosis, care, or treatment if experiencing symptoms of COVID-19; (2) an employee's need to comply with an order or determination to self-isolate, on the basis that the employee's physical presence on the job or in the community would jeopardize the employee's health, the health of other employees, or the health of an individual in the employee's household because of: (A) Possible exposure to COVID-19; or (B) exhibiting symptoms of COVID-19, regardless of whether the employee has been diagnosed with COVID-19; (3) an employee's need to take care of a family member who is: (A) Self-isolating, seeking preventive care, or seeking or obtaining medical diagnosis, care, or treatment for the purposes described in this section; or (B) self-isolating due to an order or determination as described in this section; (4) an employee's inability to work or telework because the employee is: (A) Prohibited from working by the employer due to health concerns related to the potential transmission of COVID-19; or (B) subject to an individual or general local, state, or federal quarantine or isolation order, including a shelter-in-place or stay-at-home order, related to COVID-19; (5) an employee's need to take care of a child or other family member when the care provider of such individual is unavailable due to COVID-19, or if the child's or family member's school or place of care has been closed by a local, state or federal public official or at the discretion of the school or place of care due to COVID-19, including if a school or place of care: (A) Is physically closed but providing virtual learning instruction; (B) requires or makes optional virtual learning instruction; or (C) requires or makes available a hybrid of in-person and virtual learning instruction models; or (6) an employee's inability to work because the employee has a health condition that may increase susceptibility to or risk of COVID-19, including, but not limited to, age, heart disease, asthma, lung disease, diabetes, kidney disease, or a weakened immune system.
(e) An order or determination pursuant to subdivision (2) or (3) of subdivision (d) of this section shall be made by a local, state, or federal public official, a health authority having jurisdiction, a health care provider, or the employer of the employee or employee's family member. Such order or determination need not be specific to such employee or family member.

(f) An employee may first use the paid sick leave under this section prior to using paid sick leave for purposes under section 31-57t of the general statutes, as amended by this act. An employer may not require an employee to use other paid leave provided by the employer to the employee before the employee uses the paid sick leave under this section.

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

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<td>July 1, 2021</td>
<td>31-57v</td>
</tr>
<tr>
<td>6</td>
<td>July 1, 2021</td>
<td>31-57w</td>
</tr>
<tr>
<td>7</td>
<td>July 1, 2021</td>
<td>New section</td>
</tr>
<tr>
<td>8</td>
<td>July 1, 2021</td>
<td>New section</td>
</tr>
</tbody>
</table>

Statement of Purpose:
To expand paid sick days and domestic worker coverage.

[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.]