
OLR Bill Analysis

HB 5267 (as amended by House "A")*

AN ACT MAKING CHANGES TO AND REPEALING OBSOLETE PROVISIONS OF STATUTES RELEVANT TO THE LABOR DEPARTMENT.

SUMMARY

This bill makes various unrelated changes in the labor statutes.

Current law broadly allows the Department of Labor (DOL) to impose a \$300 civil penalty for violations of the state's wage and employment regulation laws, in addition to any penalties specified in those laws. The bill exempts violations of the state's paid sick leave law from this additional \$300 civil penalty, leaving them subject only to the penalties set in the paid sick leave law (i.e., generally, up to \$100 per violation but \$500 for certain prohibited retaliatory personnel actions, in addition to specified other relief that DOL may order).

It also imposes a \$600 civil penalty for violations of the laws requiring employers to (1) give employees written or electronic "pay stubs" with their earnings and deductions (CGS § 31-13a) and (2) have an easily visible, synchronized clock if they use a time card system, recording clock, or other device to record the work time of employees (CGS § 31-13b) (§ 8).

The bill explicitly authorizes the labor commissioner to enter contracts as needed for all programs, activities, services, and grants under DOL's jurisdiction. These must include contracts for (1) employment and training programs and (2) applying for and using, administering, or repaying any federal funds made available or allotted under federal law. The bill also specifies that the commissioner's statutorily defined powers and duties are in addition to, and do not limit, any other powers and duties conferred to the commissioner in other statutes (§ 1).

Existing law generally requires employers to file quarterly employee wage reports with DOL for unemployment tax purposes, and starting in the third calendar quarter in 2026, employers may also include in these reports an employee's occupation, hours worked, and a zip code. The bill requires this zip code to be for the employee's primary worksite, rather than the employer's mailing address (§ 2).

The bill repeals a requirement for the Occupational Health Clinics Advisory Committee to annually report to the governor and legislature on ways to coordinate activities among occupational health clinics and disclose research and data collection results, among other things (§ 3).

The bill also repeals requirements for the labor commissioner to adopt regulations on:

1. investigations into complaints about nonpayment of wages or prevailing wages and related stop work orders (§ 4);
2. employers who acquire the assets, organization, trade, or business of another employer solely or primarily to lower their unemployment taxes (§ 5); and
3. exceptions to the state's overtime pay requirement (§ 7).

Lastly, the bill repeals a law that generally requires certain businesses to maintain their employees' health insurance if the business relocates or closes (the requirement is preempted by the federal Employee Retirement Income Security Act (ERISA)) (§§ 6 & 7).

*House Amendment "A" adds the provision on the paid sick leave, pay stub, and time card laws.

EFFECTIVE DATE: Upon passage, except that the provision on the paid sick leave, pay stub, and time card laws is effective January 1, 2025.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable

Yea 9 Nay 3 (03/07/2024)