

# WORKING DRAFT

## ***Proposed Substitute Bill No. 12***

*February Session, 2024*

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LCO No. 3336

### ***AN ACT MODERNIZING THE PAID SICK DAYS STATUTES.***

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

1 Section 1. Section 31-57r of the 2024 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2024*):

4 As used in this section and sections 31-57s to 31-57w, inclusive, as  
5 amended by this act:

6 (1) "Child" means (A) a biological, adopted or foster child, stepchild,  
7 legal ward of [a service worker, or] an employee, (B) a child of [a service  
8 worker] an employee standing in loco parentis, [who is (A) under  
9 eighteen years of age; or (B) eighteen years of age or older and incapable  
10 of self-care because of a mental or physical disability] or (C) an  
11 individual to whom the employee stood in loco parentis when the  
12 individual was a child;

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

19 [(3)] (2) "Employee" means an individual engaged in service to an

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20 employer in the business of the employer. "Employee" does not include  
21 an individual who is a member of a construction-related trade person  
22 employee organization that is a party to a multiemployer health plan in  
23 which more than one employer is required to contribute to such plan  
24 and such plan is maintained pursuant to one or more collective  
25 bargaining agreements between a construction-related trade person  
26 employee organization or organizations and employers;

27 [(4)] (3) "Employer" means any person, firm, business, educational  
28 institution, nonprofit agency, corporation, limited liability company or  
29 other entity that employs [fifty or more individuals in the state, which  
30 shall be determined based on such person's, firm's, business',  
31 educational institution's, nonprofit agency's, corporation's, limited  
32 liability company's or other entity's payroll for the week containing  
33 October first, annually. "Employer" does not include: (A) Any business  
34 establishment classified in sector 31, 32 or 33 in the North American  
35 Industrial Classification System, or (B) any nationally chartered  
36 organization exempt from taxation under Section 501(c)(3) of the  
37 Internal Revenue Code of 1986, or any subsequent corresponding  
38 internal revenue code of the United States, as from time to time  
39 amended, that provides all of the following services: Recreation, child  
40 care and education;] individuals in the state. "Employer" does not  
41 include an employer that participates in a multiemployer health plan in  
42 which more than one employer is required to contribute to such plan  
43 and such plan is maintained pursuant to one or more collective  
44 bargaining agreements between a construction-related trade person  
45 employee organization or organizations and employers;

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

50 (5) "Family violence" has the same meaning as provided in section  
51 46b-38a;

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52 (6) "Grandchild" means a grandchild related to a person by blood,  
53 marriage, adoption by a child of the grandparent or foster care by a child  
54 of the grandparent;

55 (7) "Parent" means (A) a biological, foster or adoptive parent,  
56 stepparent, parent-in-law, legal guardian of an employee or an  
57 employee's spouse, (B) an individual standing in loco parentis to an  
58 employee, or (C) an individual who stood in loco parentis to the  
59 employee when the employee was a child;

60 (8) "Paid sick leave" means paid time that is provided by an employer  
61 to an employee for the purposes described in section 31-57t, as amended  
62 by this act;

63 ~~[(6)]~~ (9) "Mental health wellness day" means a day during which [a  
64 service worker] an employee attends to such [service worker's]  
65 employee's emotional and psychological well-being in lieu of attending  
66 a regularly scheduled shift;

67 ~~[(7)]~~ (10) "Retaliatory personnel action" means any termination,  
68 suspension, constructive discharge, demotion, unfavorable  
69 reassignment, refusal to promote, disciplinary action or other adverse  
70 employment action taken by an employer against an employee; [or a  
71 service worker;]

72 [(8) "Service worker" means an employee primarily engaged in an  
73 occupation with one of the following broad or detailed occupation code  
74 numbers and titles, as defined by the federal Bureau of Labor Statistics  
75 Standard Occupational Classification system or any successor system:  
76 (A) 11-9050 Food Service Managers; (B) 11-9110 Medical and Health  
77 Services Managers; (C) 21-1020 Social Workers; (D) 21-1093 Social and  
78 Human Service Assistants; (E) 21-1094 Community Health Workers; (F)  
79 21-1099 Community and Social Service Specialists, All Other; (G) 25-  
80 4020 Librarians; (H) 29-1050 Pharmacists; (I) 29-1070 Physician  
81 Assistants; (J) 29-1120 Therapists; (K) 29-1140 Registered Nurses; (L) 29-  
82 1150 Nurse Anesthetists; (M) 29-1160 Nurse Midwives; (N) 29-1170

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83 Nurse Practitioners; (O) 29-2020 Dental Hygienists; (P) 29-2040  
84 Emergency Medical Technicians and Paramedics; (Q) 29-2050 Health  
85 Practitioner Support Technologists and Technicians; (R) 29-2060  
86 Licensed Practical and Licensed Vocational Nurses; (S) 31-1011 Home  
87 Health Aides; (T) 31-1012 Nursing Aides, Orderlies and Attendants; (U)  
88 31-1013 Psychiatric Aides; (V) 31-9091 Dental Assistants; (W) 31-9092  
89 Medical Assistants; (X) 33-9032 Security Guards; (Y) 33-9091 Crossing  
90 Guards; (Z) 35-1010 Supervisors of Food Preparation and Serving  
91 Workers; (AA) 35-2010 Cooks; (BB) 35-2020 Food Preparation Workers;  
92 (CC) 35-3010 Bartenders; (DD) 35-3020 Fast Food and Counter Workers;  
93 (EE) 35-3030 Waiters and Waitresses; (FF) 35-3040 Food Servers,  
94 Nonrestaurant; (GG) 35-9010 Dining Room and Cafeteria Attendants  
95 and Bartender Helpers; (HH) 35-9020 Dishwashers; (II) 35-9030 Hosts  
96 and Hostesses, Restaurant, Lounge and Coffee Shop; (JJ) 35-9090  
97 Miscellaneous Food Preparation and Serving Related Workers; (KK) 37-  
98 2011 Janitors and Cleaners, Except Maids and Housekeeping Cleaners;  
99 (LL) 37-2019 Building Cleaning Workers, All Other; (MM) 39-3030  
100 Ushers, Lobby Attendants and Ticket Takers; (NN) 39-5010 Barbers,  
101 Hairdressers, Hairstylists and Cosmetologists; (OO) 39-6010 Baggage  
102 Porters, Bellhops and Concierges; (PP) 39-9010 Child Care Workers;  
103 (QQ) 39-9021 Personal Care Aides; (RR) 41-1010 First-Line Supervisors  
104 of Sales Workers; (SS) 41-2011 Cashiers; (TT) 41-2021 Counter and  
105 Rental Clerks; (UU) 41-2030 Retail Salespersons; (VV) 43-3070 Tellers;  
106 (WW) 43-4080 Hotel, Motel and Resort Desk Clerks; (XX) 43-4170  
107 Receptionists and Information Clerks; (YY) 43-5020 Couriers and  
108 Messengers; (ZZ) 43-6010 Secretaries and Administrative Assistants;  
109 (AAA) 43-9010 Computer Operators; (BBB) 43-9020 Data Entry and  
110 Information Processing Workers; (CCC) 43-9030 Desktop Publishers;  
111 (DDD) 43-9040 Insurance Claims and Policy Processing Clerks; (EEE)  
112 43-9050 Mail Clerks and Mail Machine Operators, Except Postal Service;  
113 (FFF) 43-9060 Office Clerks, General; (GGG) 43-9070 Office Machine  
114 Operators, Except Computer; (HHH) 43-9080 Proofreaders and Copy  
115 Markers; (III) 43-9110 Statistical Assistants; (JJJ) 43-9190 Miscellaneous  
116 Office and Administrative Support Workers; (KKK) 51-3010 Bakers;

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117 (LLL) 51-3020 Butchers and Other Meat, Poultry and Fish Processing  
118 Workers; (MMM) 51-3090 Miscellaneous Food Processing Workers;  
119 (NNN) 53-3010 Ambulance Drivers and Attendants, Except Emergency  
120 Medical Technicians; (OOO) 53-3020 Bus Drivers; (PPP) 53-3040 Taxi  
121 Drivers and Chauffeurs; or (QQQ) 29-2034 Radiologic Technologists,  
122 and is (i) paid on an hourly basis, or (ii) not exempt from the minimum  
123 wage and overtime compensation requirements of the Fair Labor  
124 Standards Act of 1938 and the regulations promulgated thereunder, as  
125 amended from time to time. "Service worker" does not include day or  
126 temporary workers;]

127 [(9)] (11) "Sexual assault" means any act that constitutes a violation of  
128 section 53a-70b of the general statutes, revision of 1958, revised to  
129 January 1, 2019, or section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or  
130 53a-73a;

131 (12) "Sibling" means a brother or sister related to an employee by  
132 blood, marriage or adoption by a parent of the employee or by foster  
133 care placement;

134 [(10)] (13) "Spouse" means a [husband or wife, as the case may be]  
135 person who is (A) legally married to an employee under the laws of any  
136 state, or (B) a domestic partner of an employee registered under the laws  
137 of any state or political subdivision; and

138 [(11)] (14) "Year" means any three-hundred-sixty-five-day period  
139 used by an employer to calculate employee benefits.

140 Sec. 2. Section 31-57s of the general statutes is repealed and the  
141 following is substituted in lieu thereof (*Effective October 1, 2024*):

142 (a) Each employer shall provide paid sick leave annually to each of  
143 such employer's [service workers] employees in the state. Such paid sick  
144 leave shall accrue (1) beginning [January 1, 2012] October 1, 2024, or for  
145 [a service worker] an employee hired after said date, beginning on the  
146 [service worker's] employee's first date of employment, (2) at a rate of

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147 one hour of paid sick leave for each [forty] thirty hours worked by [a  
148 service worker] an employee, and (3) in one-hour increments up to a  
149 maximum of forty hours per year. [Each service worker] An employer  
150 may provide its employees with a greater amount of paid sick leave or  
151 provide paid sick leave at a faster rate than required by this subsection.  
152 Each employee shall be entitled to carry over up to forty unused accrued  
153 hours of paid sick leave from the current year to the following year, but  
154 no [service worker] employee shall be entitled to use more than the  
155 maximum number of accrued hours, as described in subdivision (3) of  
156 this subsection, in any year. In lieu of any carry-over of unused paid sick  
157 leave from the current year to the following year, an employer may  
158 provide an employee with an amount of paid sick leave that meets or  
159 exceeds the requirements of this subsection and is available for the  
160 employee's immediate use at the beginning of the following year.

161 (b) [A service worker] An employee shall be entitled to the use of any  
162 accrued paid sick leave [upon the completion of the service worker's six-  
163 hundred-eightieth hour of employment from January 1, 2012, if the  
164 service worker was hired prior to January 1, 2012, or if hired after  
165 January 1, 2012, upon the completion of the service worker's six-  
166 hundred-eightieth hour of employment from the date of hire, unless the  
167 employer agrees to an earlier date. A service worker shall not be entitled  
168 to the use of accrued paid sick leave if such service worker did not work  
169 an average of ten or more hours per week for the employer in the most  
170 recent complete quarter] on and after the one hundredth day of such  
171 employee's employment.

172 (c) An employer shall be deemed to be in compliance with this section  
173 if the employer offers any other paid leave, or combination of other paid  
174 leave that (1) may be used for the purposes of, and under the same  
175 conditions as provided in, section 31-57t, as amended by this act, and (2)  
176 is accrued in total at a rate equal to or greater than the rate described in  
177 [subsections] subsection (a) [and (b)] of this section. For the purposes of  
178 this subsection, "other paid leave" may include, but need not be limited  
179 to, paid vacation, personal days or paid time off.

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180 (d) Each employer shall pay each [service worker] employee for paid  
181 sick leave at a pay rate equal to [the greater of either] (1) the normal  
182 hourly wage for that [service worker] employee, or (2) the minimum fair  
183 wage rate under section 31-58 in effect for the pay period during which  
184 the employee [used] uses paid sick leave, whichever is greater. For any  
185 [service worker] employee whose hourly wage varies depending on the  
186 work performed by the [service worker] employee, "normal hourly  
187 wage" means the average hourly wage of the [service worker] employee  
188 in the pay period prior to the one in which the [service worker used]  
189 employee uses paid sick leave.

190 [(e) Notwithstanding the provisions of this section and sections 31-  
191 57t to 31-57w, inclusive, and upon the mutual consent of the service  
192 worker and employer, a service worker who chooses to work additional  
193 hours or shifts during the same or following pay period, in lieu of hours  
194 or shifts missed, shall not use accrued paid sick leave.]

195 (e) An employee who is exempt from overtime requirements under  
196 the provisions of 29 USC 213(a)(1), as amended from time to time, shall  
197 be presumed to work forty hours each work week for purposes of paid  
198 sick leave accrual, except each such employee, whose normal work  
199 week is less than forty hours, shall accrue paid sick leave based upon  
200 the hours worked in such normal work week.

201 (f) (1) If an employee is transferred by an employer to another  
202 division, entity or worksite but remains employed by the same  
203 employer, such employee shall retain and may use all paid sick leave  
204 accrued or received by the employee while working at such prior  
205 division, entity or worksite.

206 (2) If another employer succeeds or takes the place of an existing  
207 employer, each employee of the original employer who remains  
208 employed by such other successor employer shall retain and may use  
209 all paid sick leave accrued or received while employed by the original  
210 employer.

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211 (g) No employer shall require an employee to search for or identify a  
212 replacement to work the hours for which such employee is using paid  
213 sick leave.

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

218 Sec. 3. Section 31-57t of the 2024 supplement to the general statutes is  
219 repealed and the following is substituted in lieu thereof (*Effective October*  
220 *1, 2024*):

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

224 (1) For (A) [a service worker's] an employee's illness, injury or health  
225 condition, (B) the medical diagnosis, care or treatment of [a service  
226 worker's] an employee's mental [illness] or physical illness, injury or  
227 health condition, (C) preventative medical care for [a service worker] an  
228 employee for mental or physical health, or (D) a mental health wellness  
229 day;

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

237 (3) For closure by order of a public official, due to a public health  
238 emergency, of (A) an employer's place of business, or (B) an employee's  
239 family member's school or place of care;

240 (4) For a determination by a health authority having jurisdiction,

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241 employer of the employee, employer of an employee's family member,  
242 or health care provider that such employee or employee's family  
243 member poses a risk to the health of others due to such employee or  
244 family member's exposure to a communicable illness, whether or not the  
245 employee or employee's family member contracted the communicable  
246 illness; and

247       [(3)] (5) Where [a service worker] an employee or an employee's  
248 family member is [(A)] a victim of family violence or sexual assault, [or  
249 (B) the parent or guardian of a child who is a victim of family violence  
250 or sexual assault,] provided such [service worker] employee is not the  
251 perpetrator or alleged perpetrator of such family violence or sexual  
252 assault, for [(i)] (A) medical care or psychological or other counseling  
253 for physical or psychological injury or disability, [(ii)] (B) obtaining  
254 services from a victim services organization, [(iii)] (C) relocating due to  
255 such family violence or sexual assault, or [(iv)] (D) participating in any  
256 civil or criminal proceedings related to or resulting from such family  
257 violence or sexual assault.

258       (b) (1) If [a service worker's] an employee's need to use paid sick leave  
259 is foreseeable, an employer may require advance notice, not to exceed  
260 seven days prior to the date such leave is to begin, of the intention to use  
261 such leave. If [a service worker's] an employee's need for such leave is  
262 not foreseeable, an employer may require [a service worker] an  
263 employee to give notice of such intention as soon as practicable.

264       (2) For paid sick leave of three or more consecutive days, an employer  
265 may require reasonable documentation that such leave is being taken  
266 for one of the purposes permitted under subsection (a) of this section. If  
267 such leave is permitted under subdivision (1) or (2) of subsection (a) of  
268 this section, documentation signed by a health care provider who is  
269 treating the [service worker] employee or the [service worker's child or  
270 spouse] employee's family member indicating the need for the number  
271 of days of such leave shall be considered reasonable documentation. If  
272 such sick leave is permitted under subdivision (3) or (4) of subsection

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273 (a) of this section, a written statement from an employee affirming that  
274 such employee is using or has used paid sick leave for the purpose of  
275 said subdivision shall be considered reasonable documentation. Such  
276 written statement may be written in the employee's primary language.  
277 No employer shall require such written statement to be notarized or in  
278 any particular format. If such leave is permitted under subdivision [(3)]  
279 (5) of subsection (a) of this section, a court record or documentation  
280 signed by [a service worker] an employee or a volunteer working for a  
281 victim services organization, an attorney, a police officer or other  
282 counselor involved with the [service worker] employee shall be  
283 considered reasonable documentation. No employer shall require an  
284 employee to provide any documentation to explain the nature of the  
285 illness or the details of the family violence or sexual assault.

286 (3) If an employer requires an employee to provide documentation  
287 for paid sick leave under this section and such employer does not offer  
288 health insurance to the employee, the employer shall pay all out-of-  
289 pocket expenses the employee incurs in obtaining the documentation. If  
290 an employee has health insurance, the employer shall pay any costs  
291 charged to such employee by the employee's health care provider for  
292 providing the specific documentation required by the employer. An  
293 employer shall pay any costs charged to an employee for documentation  
294 of family violence or sexual assault required by the employer.

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

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

304 (e) Nothing in sections 31-57s to 31-57w, inclusive, as amended by

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305 this act, shall be construed to prohibit an employer from taking  
306 disciplinary action against [a service worker] an employee who uses  
307 paid sick leave provided under sections 31-57s to 31-57w, inclusive, as  
308 amended by this act, for purposes other than those described in this  
309 section.

310 Sec. 4. Section 31-57u of the general statutes is repealed and the  
311 following is substituted in lieu thereof (*Effective October 1, 2024*):

312 (a) Nothing in sections 31-57s to 31-57w, inclusive, as amended by  
313 this act, shall be construed to (1) prevent employers from providing  
314 more paid sick leave than is required under said sections, [31-57s to 31-  
315 57w, inclusive,] (2) diminish any rights provided to any employee [or  
316 service worker] under a collective bargaining agreement, or (3) preempt  
317 or override the terms of (A) any collective bargaining agreement  
318 effective prior to January 1, 2012, or (B) any collective bargaining  
319 agreement entered into on or after July 1, 2012, pursuant to chapter  
320 319pp.

321 (b) Nothing in sections 31-57s to 31-57w, inclusive, as amended by  
322 this act, shall be construed to prohibit an employer (1) from establishing  
323 a policy whereby [a service worker] an employee may donate unused  
324 accrued paid sick leave to another [service worker] employee, and (2)  
325 who provides more paid sick leave than is required under sections 31-  
326 57s to 31-57w, inclusive, as amended by this act, for the purposes  
327 described in subdivision (1) of subsection (a) of section 31-57t, as  
328 amended by this act, from limiting the amount of such leave [a service  
329 worker] an employee may use for other purposes.

330 (c) Any termination of [a service worker's] an employee's  
331 employment by an employer, whether voluntary or involuntary, shall  
332 be construed as a break in service. Should any [service worker]  
333 employee subsequently be rehired by the employer following a break in  
334 service, the [service worker] employee (1) shall [(1)] begin to accrue sick  
335 leave in accordance with section 31-57s, as amended by this act, and (2)  
336 shall not be entitled to any unused hours of paid sick leave that had been

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337 accrued prior to the [service worker's] employee's break in service  
338 unless agreed to by the employer.

339 Sec. 5. Section 31-57v of the general statutes is repealed and the  
340 following is substituted in lieu thereof (*Effective October 1, 2024*):

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

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

354 (c) Any employee aggrieved by a violation of the provisions of  
355 sections 31-57s to 31-57w, inclusive, as amended by this act, may file a  
356 complaint with the Labor Commissioner. Upon receipt of any such  
357 complaint, [said] the commissioner may hold a hearing. After the  
358 hearing, any employer who is found by the Labor Commissioner, by a  
359 preponderance of the evidence, to have violated the provisions of  
360 subsection (a) of this section shall be liable to the Labor Department for  
361 a civil penalty of five hundred dollars for each violation. Any employer  
362 who is found by the Labor Commissioner, by a preponderance of the  
363 evidence, to have violated the provisions of sections 31-57s to 31-57u,  
364 inclusive, as amended by this act, or section 31-57w, as amended by this  
365 act, shall be liable to the Labor Department for a civil penalty of up to  
366 one hundred dollars for each violation. The Labor Commissioner may  
367 award the employee all appropriate relief, including the payment for  
368 used paid sick leave, rehiring or reinstatement to the employee's

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369 previous job, payment of back wages and reestablishment of employee  
370 benefits to which the employee otherwise would have been eligible if  
371 the employee had not been subject to such retaliatory personnel action  
372 or discriminated against. Any party aggrieved by the decision of the  
373 commissioner may appeal the decision to the Superior Court in  
374 accordance with the provisions of chapter 54.

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

377 Sec. 6. Section 31-57w of the general statutes is repealed and the  
378 following is substituted in lieu thereof (*Effective October 1, 2024*):

379 (a) Each employer subject to the provisions of section 31-57s, as  
380 amended by this act, shall, at the time of hiring, provide notice to each  
381 [service worker] employee (1) of the entitlement to sick leave for [service  
382 workers] employees, the amount of sick leave provided to [service  
383 workers] employees and the terms under which sick leave may be used,  
384 (2) that retaliation by the employer against the [service worker]  
385 employee for requesting or using sick leave for which the [service  
386 worker] employee is eligible is prohibited, and (3) that the [service  
387 worker] employee has a right to file a complaint with the Labor  
388 Commissioner for any violation of this section and of sections 31-57s to  
389 31-57v, inclusive, as amended by this act. [Employers may] Each  
390 employer shall comply with the provisions of this section by (A)  
391 displaying a poster in a conspicuous place, accessible to [service  
392 workers] employees, at the employer's place of business that contains  
393 the information required by this section in both English and Spanish, [.]  
394 The Labor Commissioner may adopt regulations, in accordance with  
395 chapter 54, to establish additional requirements concerning the means  
396 by which employers shall provide such notice. The Labor Commissioner  
397 shall administer this section within available appropriations.] and (B)  
398 providing written notice to each employee not later than January 1, 2025,  
399 or at the time of hire, whichever is later. The Labor Commissioner shall  
400 create a model of such poster and written notice and make such models

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401 available to all employers on the Labor Department's Internet web site.  
402 For employers that do not maintain a physical workplace or for  
403 employees that telework or perform work through a web-based or  
404 application-based platform, employers shall comply with the provisions  
405 of this section by sending such information via electronic  
406 communication or by a conspicuous posting of such information on a  
407 web-based or application-based platform.

408 (b) Each employer shall include in the record required under section  
409 31-13a (1) the number of hours, if any, of paid sick leave accrued by or  
410 provided to the employee, and (2) the number of hours, if any, of paid  
411 sick leave used by the employee during the calendar year. Each  
412 employer shall retain such records for a period of three years and shall  
413 allow the Labor Commissioner, with appropriate notice and at a  
414 mutually agreeable time, access to such record in order to monitor  
415 compliance with the requirements of this section. Failure by an  
416 employer to retain adequate records documenting hours worked by an  
417 employee and paid sick leave used by such employee or to allow  
418 reasonable access to such records shall be a violation of this subsection.

419 (c) The Labor Commissioner may adopt regulations, in accordance  
420 with the provisions of chapter 54, to implement the provisions of this  
421 section and sections 31-57s to 31-57v, inclusive, as amended by this act.

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

Section 1	<i>October 1, 2024</i>	31-57r
Sec. 2	<i>October 1, 2024</i>	31-57s
Sec. 3	<i>October 1, 2024</i>	31-57t
Sec. 4	<i>October 1, 2024</i>	31-57u
Sec. 5	<i>October 1, 2024</i>	31-57v
Sec. 6	<i>October 1, 2024</i>	31-57w