# Your Employee Rights Under the **Family and Medical Leave Act**

## What is FMLA leave?

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with job-protected leave for qualifying amily and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

Eligible employees can take up to 12 workweeks of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you. Your serious mental or physical health condition that makes you unable to work,
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain gualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicement

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness <u>may</u> take up to 26 workweeks of FMLA leave in a single 12-month period to care for the servicememb

You have the right to use FMLA leave in one block of time. When it is medically necessary or otherwise permitted, you may take FMLA eave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week. Read Fact Sheet #28M(c) for more information

FMLA leave is not paid leave, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need

# Am I eligible to take FMLA leave?

You are an eligible employee if all of the following apply:

- You work for a covered employer,
- You have worked for your employer at least 12 months, You have at least 1.250 hours of service for your employer during Most federal and certa the 12 months before your leave, and
- by the law but are subject to the jurisdiction of the U.S. Office of Your employer has at least 50 employees within 75 miles of your

## f.: 29 CFR §825.300

# **EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT**

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

PROHIBITIONS	Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising othe rights under the Act.
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EXEMPTIONS	Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities.
	The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice EXAMINEE before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons

ENFORCEMENT The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

**CONNECTICUT LAW** 

prohibits discrimination in:

On the basis of:

(past and present intellectual,

mental, learning, and physical

disabilities, including, but not

limited to, blindness, deafness,

mobility impairments, and use

of a guide dog or guide dog in

alienage

ancestry

disability

training)

familial status

(housing only)

color

Airline flight crew employees have different "hours of service"

You work for a covered employer if one of the following applies · You work for a private employer that had at least 50 employees

during at least 20 workweeks in the current or previous calendar You work for an elementary or public or private secondary school,

 You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel

# How do I request FMLA leave?

Generally, to request FMLA leave you must: Follow your employer's normal policies for requesting leave, Give notice at least 30 days before your need for FMLA leave, or

· If advance notice is not possible, give notice as soon as possible.

You do not have to share a medical diagnosis but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You must also inform your employer if FMLA leave was previously taken or approved for the same reason when requesting additional leave.

Your employer may request certification from a health care provider to verify medical leave and may request certification of a qualifying exigency.

The FMLA does not affe discrimination or supers bargaining agreement

ersonnel Management or Congress



Workplace Discrimination is Illegal

What can You Do if You Believe Discrimination has Occurred?

E-Mail info@eeoc.gov

eeoc.gov.

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity,

Order 11246, as an

Asking About, Disclosing, or Discussing Pay

Executive Order 11246, as amended, protects

National Origin

CHRO

**EMPLOYMENT, HOUSING, PUBLIC** 

ACCOMMODATIONS, AND CREDIT TRANSACTIONS

sexual orientation

status as a veteran

criminal conviction

erased criminal history

retaliation for protected activity

(including filing with CHRO)

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/ work). You can reach the EEOC in any of the

1–800–669–4000 (toll free) 1–800–669–6820 (TTY) 1–844–234–5122 (ASL video phone)

What does my employer need to do?

· Allow you to take job-protected time off work for a qualifying

on the same basis as if you had not taken leave, and

Continue your group health plan coverage while you are on leave

Allow you to return to the same job, or a virtually identical iob with

the same pay, benefits and other working conditions, including

Your employer cannot interfere with your FMLA rights or threaten

your employer cannot retaliate against you for requesting FMLA leave

or punish you for exercising your rights under the law. For example,

After becoming aware that your need for leave is for a reason that

you are eligible or not eligible for FMLA leave. If your employer

Where can I find more information?

If you believe your rights under the FMLA have been violated, you

SCAN ME

WH1420 REV 04/2

Protected Veteran Status

Washington, D.C. 20210 1-800-397-6251 (toll-free)

esk at <u>https</u>

PHOGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Race, Color, National Origin, Sex

· About your FMLA rights and responsibilities, and

Call 1-866-487-9243 or visit dol.gov/fmla to learn more.

may qualify under the FMLA, your employer must confirm whether

determines that you are eligible, your employer must notify you ir

How much of your requested leave, if any, will be FMLA-protected

If you are eligible for FMLA leave, your employer must

shift and location, at the end of your leave,

or cooperating with a WHD investigation





# SEXUAL HARASSMENT IS ILLEGAL

and is prohibited by The Connecticut Discrimination Employment Practices Act, and Title VII of the Civil Rights Act of 1964

Sexual harassment means: "Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

(2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

(3) Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment."

Individuals who engage in acts of sexual harassment may be subject to civil and criminal penalties

Examples of Sexual Harassment	Remedies For Sexual Harassment
Unwelcome sexual advances	Cease and desist orders
<ul> <li>Suggestive or lewd remarks</li> </ul>	• Back pay
<ul> <li>Unwanted hugs, touches, or kisses</li> </ul>	Compensatory damages
<ul> <li>Requests for sexual favors</li> </ul>	Hiring, promotion or reinstatement
<ul> <li>Retaliation for complaining about sexual barassment</li> </ul>	Emotional distress damages

• Derogatory or pornographic posters, cartoons or drawings

Connecticut law requires that a written complaint be filed with the Commission within 300 days of the date the alleged harassment for events occurring on or after October 1, 2019. For harassment occurring before October 1, 2019, complaints must be filed within 180 days of the harassment

*If you feel you have been discriminated against, contact the Connecticut* Commission on Human Rights and Opportunities at 860-541-3400, CT Toll Free 1-800-477-5737, or online at www.ct.gov/CHRO

<b>\$7.25</b> PER HOUR	EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT FEDERAL MINIMUM WAGE		
	The law requires e	BEGINNING JULY 24, 2009	
OVERTIME PAY         At least 1½ times the regular rate of pay for all hours worked over 40 in a workweek.		BEGINNING JULY 24, 2009 mployers to display this poster where employees can readily see it.	

TIP CREDIT Employers of "tipped employees" who meet certain conditions may claim a partial wage credi based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference

paid less than the minimum wage under special certificates issued by the Department of Lab

# **NOTICE TO EMPLOYEES**

State of Connecticut Workers' Compensation Commission



The Workers' Compensation Act (Connecticut General Statutes Chapter 568) requires your employer,

### to provide benefits to you in case of injury or occupational disease in the course of employment

Section 31-294b of the Workers' Compensation Act states "Any employee who has sustained an injury in the course of his employment shall immediately report the injury to his employer, or some person representing his employer. If the employee fails to report the injury immediately, the administrative law judge may reduce the award of compensation proportionately to any prejudice that he finds the employer has sustained by reason of the failure, provided the burden of proof with respect to such prejudice shall rest upon the employer."

An injury report by the employee is NOT an official written notice of claim for workers' compensation benefits; the Workers' Compensation Commission's Form 30C is necessary to satisfy this requirement.

NOTE: You must comply with P. A. 17-141 (see next box, below) when filing a compensation claim.

The INSURANCE COMPANY or SELF-INSURANCE ADMINISTRATOR is:

Name		
Address		
City/Town	State	Zip Code
Approved Medical Care Plan		
The State of Connecticut Workers' Compensation Commission office for	this workplace is located at:	
Address	Telephone	
City/Town	State	Zip Code
When filing your claim, you are also requi If blank below, ask your empl	oyer where to file your claim.	
Employer Name		
Address	Telephone	
City/Town	State	Zip Code

DOL-75 (Rev. 12/24)

0024-075-01

These Administrative Regulations must be posted and maintained wherever workers covered by this Act are employed.

# **CONNECTICUT DEPARTMENT OF LABOR**

WAGE AND WORKPLACE STANDARDS DIVISION

# MINIMUM WAGE

exigency.	may file a complaint with WHD or file a p	
The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective	employer in court. Scan the QR code to complaint process.	elearn about our WHD
bargaining agreement that provides greater family or medical leave rights.	STATISTICS AND	SCAN M
State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain concressional employees are also covered		

Know Your Rights: Worknlace Discrimi

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal law

brotect you from discrimination in employm if you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

Who is Protected?

Unions Staffing agencies

What Types of Employment Discrimination are Illegal?

What Employment Practices can be

Discharge, firing, or lay-off

ailure to provide reasonable or a disability; pregnancy, ch medical condition; or a since



status as a victim of domestic violence

**COMMISSION ON** 

& OPPORTUNITIES

**HUMAN RIGHTS** 

Minimum wage is annually indexed each year, effective Jan. 1.

# \$16.35 per hour effective 1-1-2025 through 12-31-2025

ents of section 31-66 of the general statutes and section 31-60-12

minimum wage shall be paid

rate in an occupation which is not apprenticeable.]

Sec. 31-60-7. Learners

Sec. 31-60-8. Apprentice:

(c) Deviation from the provisions of this regulation will cancel the modification of the minimum

fair wage herein provided for all hours during which the violation prevailed and for such time the

(P.A. 19-4)

OVERTIME - ONE AND ONE-HALF TIMES THE EMPLOYEES REGULAR RATE OF PAY AFTER 40 HOURS PER WEEK, FOR EXCEPTIONS - SEE SECTION 31-76i OF THE MINORS LINDER 18 YEARS OF AGE EMPLOYED BY THE STATE OR POLITICAL I THEREOF MAY BE PAID 85% OF THE APPLICABLE MINIMUM WAGE. MINORS UNDER 18 YEARS OF AGE EMPLOYED IN AGRICULTURE MAY BE

PAID 85% OF THE APPLICABLE MINIMUM WAGE. MINORS EMPLOYED BY AGRICULTURAL EMPLOYERS WHO DID NOT, DURING THE PRECEDING CALENDAR YEAR. EMPLOY EIGHT OR MORE WORKERS AT THE SAME TIME SHALL BE PAID A MINIMUM WAGE OF NOT LESS THAN 70% OF THE MINIMUM WAGE AS DEFINED IN SECTION 31-58. MINORS IN OTHER EMPLOYMENT - SEE

Under this regulation, apprentices duly registered by the Connecticut State Apprenticeship Counci Sec. 31-60-1. Piece rates in relation to time rates or incentive pay plans, including of the Labor Department may not be employed at less than the minimum wage unless permission has been received from the Labor Commissioner through an application process.

) Definitions. For the purpose of this regulation, "piece rates" means an established rate per unit Sec. 31-60-9. Apparel work performed without regard to time required for such accomplishment. "Commis means any premium or incentive compensation for business transacted whether based on per entum of total valuation or specific rate per unit of accomplishment. "Incentive plan" means any ethod of compensation, including, without limitation thereto, commissions, piece rate, bonuses, etc., based upon the amount of results produced, where the payment is in accordance with a fixed plan by which the employee becomes entitled to the compensation upon fulfillment of the nditions established as part of the working agreement, but shall be subject to the limitation hereinafter set forth.

(b) Record of wages. Each employer shall maintain records of wages paid to each employee who is ompensated for his services in accordance with an incentive plan in such form as to enable such charge upon the employee sation to be translated readily into terms of average hourly rate on a weekly basis for each ork week or part thereof of employment Sec. 31-60-10. Travel time.

(c) Piece rates in relation to time rates. (1) When an employee is compensated solely at piece rates he shall be paid a sufficient amount at piece rates to yield an average rate of at least the minimum fair wage established by subsection (i) of section 31-58 of the Connecticut General Statutes for ach hour worked in any week, and the wage paid to such employee shall be not less than the minimum fair wage established by subsection (j) of section 31-58 of the Connecticut General home, except as hereinafter provided in this regulation Statutes for each hour worked. (2) When an employee is compensated at piece rates for certain hours of work in a week and at an hourly rate for other hours, the employee's hourly rate shall be at least the minimum fair wage established by subsection (j) of section 31-58 of the Connecticut General Statutes and his earnings from piece rates shall average at least the minimum fair wage employee's earnings below the minimum fair wage. stabilished by subsection (j) of section 31-58 of the Connecticut General Statutes for each hour orked on piece rate for that work week, and the wage paid to such employee shall be not less than (c) When an employee is required to report to other than his usual place of employment at the the minimum fair wage established by subsection (i) of section 31-58 of the Connecticut General Statutes for each hour worked. (3) When an employee is employed at a combination of hourly rate and piece rate for the same hours of work (i.e., an incentive pay plan superimposed upon an hourly rate or a piece rate coupled with a minimum hourly guarantee), the employee shall receive an average rate of at least the minimum fair wage established by subsection (i) of section 31-58 of the Connecticut General Statutes an hour for each hour worked in any week and the wage paid (d) When at the end of a work day a work assignment at other than his usual place of employment to such employee shall be not less than the minimum fair wage established by subsection (j) of section 31-58 of the Connecticut General Statutes for each hour worked. working time and shall be paid for as such

(d) Commission. (1) When an employee is compensated solely on a commission basis, he shall be (e) Repealed aid weekly an average of at least the minimum fair wage established by subsection (i) of section 1-58 of the Connecticut General Statutes per hour for each hour worked. (2) When an employee Sec. 31-60-11. Hours worked is paid in accordance with a finding for a base rate plus commission, the wage paid weekly to the project from these combined sources shall equal at least an average of the minimum fair wage stablished by subsection (j) of section 31-58 of the Connecticut General Statutes an hour for each hour worked in any work week. All commissions shall be settled at least once in each month in full. When earnings are derived in whole or in part on the basis of an incentive plan other than those defined herein, the employee shall receive weekly at least the minimum fair wage established by subsection (j) of section 31-58 of the Connecticut General Statutes per hour for each hour worked in the work week, and the balance earned shall be settled at least once monthly

### Sec. 31-60-2. Gratuities as part of the minimum fair wage.

the employee from a guest, patron or customer for service rendered.

Unless otherwise prohibited by statutory provision or by a wage order gratuities may be recognized constituting a part of the minimum fair wage when all of the following provisions are complied

o be subject to call but is contacted by his employer or on the employer's authoriz or indirectly and assigned to duty, working time shall begin when the employee is notified of his ssignment and shall end when the employee has completed his assignment (1) The employee shall be engaged in an employment in which gratuities have customarily and

Sec. 31-60-12. Records (2) the amount received in gratuities claimed as credit for part of the minimum fair wage shall be

(a) For the purpose of this regulation, "true and accurate records" means accurate legible records ecorded on a daily, weekly, or bi-weekly basis in a wage record, even though payment is made or each employee showing: ore frequently, and

 his home address;
 the occupation in which he is employed. exceed the allowance hereinafter provided, was received by the employee.

received by the service employee, including gratuities, together with other authorized allowances epresents a payment of not less than the minimum fair wage established by subsection (i) of tion 31-58 of the **Connecticut** General Statutes per hour for each hour worked during the pay period, will be accepted by the commissioner as substantial evidence for purposes of this section, provided all other requirements of this and other applicable regulations shall be complied with. Such attestation, statement, or substantial evidence shall satisfy the requirements of subdivisions (2) and (3) of this section.

Sec. 31-60(b) The Labor Commissioner shall adopt such regulations, in accordance with the rovisions of chapter 54, as may be appropriate to carry out the purposes of this part. Such equilations may include, but are not limited to, regulations defining and governing an executive, employment eithe dministrative or professional employee and outside salesperson; learners and apprentices, their umber, proportion and length of service; and piece rates in relation to time rates; and shall recognize, as part of the minimum fair wage, gratuities in an amount (1) equal to twenty-nine and procedures of the labor department, or three-tenths per cent, and effective January 1, 2009, equal to thirty-one per cent of the minimum fair wage per hour, and effective January 1, 2014, equal to thirty-four and six-tenths per cent of the um fair wage per hour, and effective January 1, 2015, and ending on June 30, 2019, equal enders, who are employed in the hotel and restaurant industry, including a hotel restaurant, who customarily and regularly receive gratuities, (2) equal to eight and two-tenths per cent, and effective January 1, 2009, equal to eleven per cent of the minimum fair wage per hour, and effective January 1, 2014, equal to fifteen and six-tenths per cent of the minimum fair wage per hour, and effective January 1, 2015, and ending on June 30, 2019, equal to eighteen and one-half per cent of the minimum fair wage per hour for persons employed as bartenders who customarily and regularly receive gratuities, and (3) not to exceed thirty-five cents per hour in any other industry. and shall also recognize deductions and allowances for the value of board, in the amount of ighty-five cents for a full meal and forty-five cents for a light meal, lodging, apparel or other ns or services supplied by the employer; and other special conditions or circum may be usual in a particular employer-employee relationship. The commissioner may provide, in such regulations, modifications of the minimum fair wage herein established for learners and tices; persons under the age of eighteen years; and for such special cases or classes of cases as the commissioner finds appropriate to prevent curtailment of employment opportunities his home addres avoid undue hardship and safeguard the minimum fair wage herein established. Begulations in effect on July 1, 1973, providing for a board deduction and allowance in an amount differing from that provided in this section shall be construed to be amended consistent with this section. 5) the date of payment and the pay period covered by payment. Sec. 31-60-3. Deductions and allowances for reasonable value of board and lodging was

of two or more other employees therein, shall be deemed to meet all of the requirements of this atisfactory evidence of good faith on the part of the employer with respect to his adherence to the provisions of this regulation, provided such record shall be in complete compliance with the

> (h) "Salary basis" means a prede mined amount naid for each nay period on a weekly or less frequent basis, regardless of the number of days or hours worked, which amount is not subject to reduction because of variations in the quality or quantity of the work performed, and which amount has been the subject of an employer advisement as required by section 31-71f of the Connecticut General Statutes

(1) Although the employee need not be paid for any workweek in which he performed no work. [This regulation contains the requirements to apply to the Labor Commissioner for a subminimum deductions may only be made in the following five (5) instance

> (A) During the initial and terminal weeks of employment, an employer may pay a proportionate part of an employee's salary for the time actually worked

(B) Deductions may be made for one or more full days if the employee is absent for personal reasons other than sickness or accident (C) Deductions may be made for one or more full days of sickness or disability provided th

deduction is made pursuant to a bona fide plan, policy or practice of making deductions from an

employee's salary after sickness or disability leave has been exhausted which has been disclosed to

(D) Deductions may be made for absences of less than one full day taken pursuant to the federal

mily medical leave act, 29 USC 2601 et seq., or the Connecticut family and medical leave act

the employee in accordance with section 31-71f of the Connecticut General Statute

by section 31-51qq-17 of the regulations of Connecticut state agencies; or

For the purpose of this regulation, "apparel" means uniforms or other clothing supplied by the employer for use in the course of employment but does not include articles of clothing urchased by the employee or clothing usually required for health, comfort or c the employee. An allowance (deduction) not to exceed one dollar and fifty cents per week or the actual cost, whichever is lower, may be permitted to apply as part of the minimum fair wage section 31-51kk et seq., of the Connecticut General Statutes, as permitted by 29 CFR 825.206 or for the maintenance of wearing apparel or for the laundering and cleaning of such apparel when the service has been performed. When protective garments such as gloves, boots or aprons an (E) Deductions may be made for one or more full days if the employee is absent as a result of ecessary to safequard the worker or prevent injury to an employee or are required in the interest

of sanitation, such garments shall be provided and paid for and maintained by the employer without a disciplinary suspension for violating a safety rule of major significance. Safety rules of major significance include only those relating to the prevention of serious danger to the employer's premises, or to other employees

(2)(A) No deduction of any kind shall be made for any part of a workweek absence that is (a) For the purpose of this regulation, "travel time" means that time during which a worker is attributable to required or permitted to travel for purposes incidental to a performance of his employment but does not include time spent traveling from home to his usual place of employment or return to

lack of work occasioned by the operating requirements of the employed jury duty, or attendance at a judicial proceeding in the capacity of a witness; or temporary military leave

(b) When an employee, in the course of his employment, is required or permitted to travel for by increase which inverte to the benefit of the employment, as the relation by interest of bound of the more start of the second of the employment. The shall be considered to be working time and shall be paid for as such. Expenses directly incidental to and resulting from such (B) An employer is permitted to offset payments an employee receives for any of the service described in this subdivision against the employee's regular salary during the week of such travel shall be paid for by the employer when payment made by the employee would bring the

(3) No deduction shall be made for an absence of less than one full day from work unless.

(A) The absence is taken pursuant to the federal family and medical leave act, 29 USC 2601 e beginning of his work day, if such an assignment involves travel time on the part of the employee in excess of that ordinarily required to travel from his home to his usual place of employment, seg., or the Connecticut family and medical leave act, section 31-51kk et seg., of the Connecticut eneral Statutes, as permitted by 29 CFR 825.206 or by section 31-51qq-17 of the regulations of such additional travel time shall be considered to be working time and shall be paid for as such. onnecticut state agencies; o

> (B) The absence is taken pursuant to a bona fide paid time off benefits plan that specifically authorizes the substitution or reduction from accrued benefits for the time that an employee is absent from work, provided the employee receives payment in an amount equal to his guaranteed

a disciplinary suspension for violating ordinary rules of employee conduct

is required by the employer to be on the employer's premises or to be on duty, or to be at the prescribed work place, and all time during which an employee is employed or permitted to work whether or not required to do so, provided time allowed for meals shall be excluded unless the employee is required or permitted to work. Such time includes, but shall not be limited to, the time when an employee is required to wait on the premises while no work is provided by the employer Working time in every instance shall be computed to the nearest unit of 15 minutes (b) All time during which an employee is required to be on call for emergency service at a location designated by the employer shall be considered to be working time and shall be paid for as such, whether or not the employee is actually called upon to work.

salary for teachers in the school system or educational establishment or institution by which he is employed; provided an employee who is compensated on a salary or fee basis at a rate of not less than four hundred seventy-five dollars per week, exclusive of board, lodging, or other facilities and whose primary duty consists of the performance of work described in subdivision (1) of this section, which includes work requiring the exercise of discretion and independent judgment, shall

### (b) "Salary basis" [refer to Section 31-60-14.]

be deemed to meet all of the requirements of this section.

(c) "Fee basis" means the payment of an agreed sum for the accomplishment of a single tas egardless of the time required for its completion. A fee basis payment shall be permitted only for iobs which are unique in nature rather than for a series of iobs which are repeated an indefinite number of times and for which payment on an identical basis is made over and over again. Payment on a fee basis shall amount to a rate of not less than the rate set forth in subsection (a) of this

(3) whose work is predominantly intellectual and varied in character, as opposed to routine mental,

(4) who does not devote more than twenty percent of his hours worked in the workweek to activities

which are not an essential part of and necessarily incident to the work described in subdivision ( to (3), inclusive, of this section; and

result accomplished cannot be standardized in relation to a given period of time; and

ant to the practice of medicine or any of its branches, or in the case of an err

manual, mechanical or physical work, and is of such character that the output produced or the

### Sec. 31-60-16. Employee in bona fide Professional Capacity.

(a) For the purposes of said section 31-58 (f) "employee employed in a bona fide professiona capacity" means any employee (1) whose primary duty consists of the performance of

1) works an undue hardship on the employer without materially benefiting the inspectio (A) work requiring knowledge of an advanced type in a field of science or learning customarily (2) is not practical for enforcement purposes. Where permission is granted to maintain wage acquired by a prolonged course of specialized intellectual instruction and study, as distinguished

ecords at other than the place of employment, a record of total daily and weekly hours worked from a general academic education and from an apprenticeship, and from training in the by each employee shall also be available for inspection in connection with such wage records. performance of routine mental, manual, or physical processes, or the case of an employee who spends 75% or more of his working time away from hi B) work that is original and creative in character in a recognized field of artistic en employer's place of business and the maintaining of time records showing the beginning and opposed to work which can be produced by a person endowed with general manual or intellectual ending time of each work period for such employee either imposes an undue hardship upon the ability and training, and the result of which depends primarily on the invention, imagination or mployer or exposes him to jeopardy because of his inability to control the accuracy of such talent of the employee or entries, a record of total daily and total weekly hours will be approved as fulfilling the record (C) teaching, tutoring, instructing or lecturing in the activity of imparting knowledge while keeping requirements of this section. However, in such cases, the original time entries shall be employed and engaged in this activity as a teacher certified or recognized as such in the school made by the employee in his own behalf and the time entries made by the employee shall be used system or educational establishment or institution by which he is employed; and as the basis for payroll records. (2) whose work requires the consistent exercise of discretion and judgment in its performance; and

conditions, accommodations QUI for pregnancy, breastfeeding, TRANSTUI and sexual harassment) Do you believe you have been discriminated against? Call us at (860) 541-3400, scan the QR Code or visit https://portal.ct.gov/chro to contact CHRO today.

# **Attention:** Connecticut Employers

gender identity or expression

genetic information

marital status

national origin

religious creed

race

sex

(employment only)

(housing and public

(including pregnancy,

childbirth and related

accommodations only)

lawful source of income

**Re:** Unemployment Compensation

## DISPLAY OF POSTERS

All liable employers must display a poster furnished by the CT Department of Labor, UI Division to inform workers that their employer is covered by the Connecticut Unemployment Compensation Law (Form Connecticut UC-8). Posters may be obtained from the Employer Status Unit, telephone number 860-263-6550. There may also be additional UI employer reporting requirements which can be determined by speaking with a representative at 860-263-6550

# Health Insurance is Complicated.

LABOR LAW

**Don't Worry Alone** 

FEDERAL

For the purposes of this section, "gratuity" means a voluntary monetary contribution received by

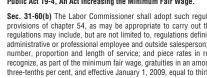
sually constituted and have been recognized as part of his remuneration for hiring purposes and

(3) each employer claiming credit for gratuities as part of the minimum fair wage paid to any

4) the total daily and total weekly hours worked, showing the beginning and ending time of each For example, an attestation or statement in electronic or written format demonstrating that wages ork period, computed to the nearest unit of 15 minutes

his total hourly, daily or weekly basic wage; ) his overtime wage as a separate item from his basic wag additions to or deductions from his wages each pay period his total wages paid each pay period; ) such other records as are stipulated in accordance with sections 31-60-1 through 31-60-16 10) working certificates for minor employees (sixteen to eighteen years). True and accurate cords shall be maintained and retained at the place of employment for a period of 3 years for each employee

His name

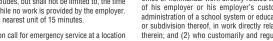


Public Act 19-4, An Act Increasing the Minimum Fair Wage

b) The labor commissioner may authorize the maintenance of wage records and the retention of both wage and hour records as outlined either in whole or in part at a place other than the place of employment when it is demonstrated that the retention of such records at the place of

(c) When an employee is subject to call for emergency service but is not required to be at a location esignated by the employer but is simply required to keep the employer informed as to the location

t which he may be contacted, or when an employee is not specifically required by his employe



(4) No deduction of any kind shall be made for an absence of less than one week which results fro (a) For the purpose of this regulation, "hours worked" include all time during which an employee Sec. 31-60-15. Employee in bona fide Administrative Capacity

involves, on the part of the employee, travel time in excess of that ordinarily required to travel from his usual place of employment to his home, such additional travel time shall be considered to be

(a) For the purposes of said section 31-58 (f), "employee employed in a bona fide administrati

apacity" means any employee (1) whose primary duty consists of either: (A) the performance office or nonmanual work directly related to management policies or general business operation of his employer or his employer's customers, or (B) the performance of functions in the dministration of a school system or educational establishment or institution, or of a department or subdivision thereof, in work directly related to the academic instruction or training carried on therein: and (2) who customarily and regularly exercises discretion and independent judgment and (3) (A) who regularly and directly assists a proprietor, or an employee employed in a bor fide executive or administrative capacity, as such terms are defined in section 31-60-14 and 3 60-15, or (B) who performs under only general supervision work along specialized or technical lines requiring special training, experience or knowledge, or (C) who executes under only general supervison special assignments and tasks; and (4) who does not devote more than twenty percent, or, in the case of an employee of a retail or service establishment who does not devote as much as

related to the performance of the work described in subdivisions (1) to (3), inclusive, of this section; and (5) (A) who is compensated for his services on a salary or fee basis at a rate of not section, and (a) (a) who is compensated to in a services on a starty on the basis at a table of hold less than four hundred dollars per week exclusive of board, lodging, or other facilities, or (B) who in the case of academic administrative personnel, is compensated for his services as required by subparagraph (A) of this subdivision or on a salary basis which is at least equal to the entrance



# Job Safety and Health IT'S THE LAW!

## All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a workrelated injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative) participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available free from OSHA.

# Contact OSHA. We can help.

83707

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## **Employers must**:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.



# Free, Expert Assistance & Representation

**Insurance Denials & Appeals,** Billing Errors, and Access to Care

Any type of health coverage - Commercial, Medicare, HUSKY & others

There's help.	OHA
Call: 1.866.466.4446	Office of the
Visit: ct.gov/oha	Healthcare
Email: Healthcare.Advocate@ct.gov	Advocate state of connecticut
	A free service of the State of Connecticut.

[This regulation defines a "physically or mentally handicapped person" as a person whose earning apacity is impaired by age or physical or mental deficiency or injury and provides guidelines for lification of the minimum was

\*This subsection is amended by P.A. 19-4, An Act Increasing the Minimum Fair Wage. CGS Sec. 31-58(i)(5). The rates for all persons under the age of eighteen years, except emancipated minors, shall be not less than eighty-five per cent of the minimum fair wage for the first ninety days of such employment, or ten dollars and ten cents per hour, whichever is greater, and shall be equal to the minimum fair wage thereafter, except in institutional training programs specifically

Ref.: Connecticut Statutes, Sec. 31-66

(e) The employer shall maintain and retain for a period of 3 years the following information and data on each individual employed in a bona fide executive, administrative or professional capacity.

This is not the complete Paid Sick Leave law. Please contact

your Human Resources office for additional information

- the occupation in which he is employed s total wages paid each work period;

Sec. 31-60-4. Physically or mentally handicapped employees

### Sec. 31-60-6. Minors under the age of 18.

(a) For the purposes of this regulation, "minor" means a person at least 16 years of age but not er 18 years of age. To prevent curtailment of employment opportunities for minors, and to provide a reasonable period during which training for adjustment to employment conditions may be accomplished, a minor may be employed at a modification of the minimum fair wage established v subsection (i) of section 31-58 of the general statutes, but at not less than 85% of the minimum wage, for the first 200 hours of employment. When a minor has had an aggregate of two hundred hours of employment, he may not be employed by the same or any other employer at less than the minimum fair wade.

(b) In addition to the records required by section 31-66 of the 1969 supplement to the general statutes, each employer shall obtain from each minor to be employed at a modification of the minimum fair wage rate as herein provided, a statement of his employment prior to his date of accession with his present employer. Such statement of prior employment, supplemented by the present employer's record of hours worked by the minor while in his employ, will be deemed

NOTICE

(5) who is compensated for his services on a salary or fee basis at a rate of not less than four indred dollars per week exclusive of board, lodging, or other facilities; provided this Sec. 31-60-14. Employee in a bona fide Executive capacity shall not apply in the case of an employee who is the holder of a valid license or certificate permitting the practice of law or medicine or any of their branches and who is actually engaged in the practice thereof, or in the case of an employee who is the holder of the requisite academic (a) For the purposes of section 31-58 (f) of the general statutes, as amended, "employee em in a bona fide executive capacity" means any employee (1) whose primary duty consists of the anagement of the enterprise in which he is employed or of a customarily recognized department degree for the general practice of medicine and is engaged in an internship or resident program or subdivision thereof; and (2) who customarily and regularly directs the work of two or more other employees therein; and (3) who has the authority to hire or fire other employees or whose and engaged as a teacher as provided in subdivision (1) (C) of this section, and provided an suggestions and recommendations as to the hiring or firing and as to the advancement and employee who is compensated on a salary or fee basis at a rate of not less than four hundred (4) who customarily and regularly exercise discretionary powers; and (5) who does not devote seventy-five dollars per week exclusive of bard, lodging or other facilities, and whose primary duty consists of the performance either of work described in subdivision (1) (A) or (C) of this more than twenty percent, or, in the case of an employee of a retail or service establishment who section which includes work requiring the consistent exercise of discretion and judgment, or of does not devote as much as forty percent, of his hours of work in the workweek to activities which are not directly and closely related to the performance of the work described in subdivisions (1) to work requiring invention, imagination or talent in a recognized field of artistic endeavor, shall be deemed to meet all of the requirements of this section. (4), inclusive, of this section; provided this subdivision shall not apply in the case of an employed (b) "Salary basis" [refer to Section 31-60-14.] who owns at least twenty percent interest in the enterprise in which he is employed; and (6) who is compensated for his services on a salary basis at a rate of not less than four hundred dollars (c) "Fee basis" means the payment of an agreed sum for the accomplishment of a single task per week exclusive of board, lodging, or other facilities, except that this subdivision shall not apply

in the case of an employee in training for a bona fide executive position as defined in this section if (A) the training period does not exceed six months; and (B) the employee is compensated for his services on a salary basis at a rate not less than three hundred seventy-five dollars per week exclusive of bard, lodging, or other facilities during the training period; (C) a tentative outline of the training program has been approved by the labor commissioner; and (D) the employer shall pay tuition costs, and fees, if any, for such instruction and reimburse the employee for travel expense to and from each destination other than local, where such instruction or training is provided. Any trainee program so approved may be terminated at any time by the labor commissioner upon proper notice, if he finds that the intent of the program as approved has not been carried out. Any employee who is compensated on a salary basis at a rate of not less than four hundred seventy-five lollars per week, exclusive of board, lodging, or other facilities, and whose primary duty consists of the management of the enterprise in which he is employed or of a customarily recognized department or subdivision thereof, and includes the customary and regular direction of the worl

egardless of the time required for its completion. A fee basis payment shall be permitted only for jobs which are unique in nature rather than for a series of jobs which are repeated an indefinite umber of times and for which payment on an identical basis is made over and over again. Payment on a fee basis shall amount to a rate of not less than the rate set forth in subsection (a) of this

> ACTING DIRECTOR

NOTICE Connecticut General Statutes §§ 46a-60(a), (b)(7), (d)(1) Pregnancy Discrimination and Accommodation in the Workplace		
vered Employers th employer with one or more employees must comply with se anti-discrimination and reasonable accommodation laws ated to an employee or job applicant's pregnancy, childbirth related conditions, including lactation. phibition of Discrimination employer may discriminate against an employee or job discant because of her pregnancy, childbirth or other related	Forcing employee or job applicant to accept a reasonable accommodation when she has no known limitation related to pregnancy or the accommodation is not required to perform the essential duties of job     Requiring employee to take a leave of absence where a reasonable accommodation could have been made instead     ** Note: To demonstrate an undue hardship, the employer must show	
nditions (e.g., breastfeeding or expressing milk at work).	that the accommodation would require a significant difficulty or expense in light of its circumstances.	
<ul> <li>hibited discriminatory conduct includes:</li> <li>Terminating employment because of pregnancy, childbirth or related condition</li> <li>Denying reasonable leave of absence for disability due to pregnancy (e.g., doctor prescribed bed rest during 6-8 week recovery period after birth)*</li> <li>Denying disability or leave benefits accrued under plans maintained by the employer</li> <li>Failing to reinstate employee to original job or equivalent position after leave</li> </ul>	<ul> <li>Prohibition of Retaliation Employers are prohibited from retaliating against an employee because of a request for reasonable accommodation.</li> <li>Notice Requirements Employers must post or provide this notice to all existing employees by January 28, 2018; to an existing employee within 10 days after she notifies the employer of her pregnancy or related conditions; and to new employees upon commencing employment.</li> </ul>	
<ul> <li>Limiting, segregating or classifying the employee in a way that would deprive her of employment opportunities</li> <li>Discriminating against her in the terms or conditions of employment</li> <li>There is no requirement that the employee be employed a certain length of time prior to being granted job protected ve of absence under this law.</li> </ul>	Complaint Process <u>CHRO</u> Any employee aggrieved by a violation of these statutes may file a complaint with the Connecticut Commission on Human Rights and Opportunities (CHRO). Complainants have 300 days from the date of the alleged act of discrimination, or from the time that you reasonably became aware of the discrimination, in which to file a complaint. It is illegal for anyone to retaliate against you for filing a complaint.	
asonable Accommodation employer must provide a reasonable accommodation to an ployee or job applicant due to her pregnancy, childbirth needing to breastfeed or express milk at work.	CHRO main number: 860-541-3400 CHRO website: <u>https://portal.t.gov/CHRO</u> CHRO link "How to File a Discrimination Complaint": https://portal.ct.gov/CHRO/Complaint-Process/Complaint-Process/How-to- File-a-Discrimination-Complaint	
assonable accommodations include, but are not limited to: Being permitted to sit while working More frequent or longer breaks Periodic rest Assistance with manual labor Job restructuring Light duty assignments Modified work schedules	DOL         Additionally, women who are denied the right to breastfeed or express milk at work, or are discriminated or retaliated against for doing so, may also file a complaint with the Connecticut Department of Labor (DOL).         DOL phone number:       860-263-6791         DOL complaint form:       https://www.ctdol.state.ct.us/wgwkstnd/forms-wwsInstruct.htm	

Each employer with 25 or more employees, based on the number of employees on its payroll for the week containing Jam annually, shall provide paid sick leave annually to each of its employees in the state. The paid sick leave shall accrue be January 1, 2025, for current employees, or for employees hired after January 1, 2025, beginning on the employee's employment.		
<ul> <li>Accrual The accrual is at a rate of 1 hour of paid sick leave for each 30 hours worked by an employee up to a maximum of 40 hours per year (the employer shall choose any 365-day period used to calculate employee benefits in order to administer paid sick leave). <ul> <li>No employee shall be entitled to use more than the maximum number of accrued hours.</li> </ul> </li> <li>Carry Over Each employee shall be entitled to carry over up to 40 unused accrued hours of paid sick leave from the current year period to the following year period.</li> <li>Use of Paid Sick Leave An employee shall be entitled to the use of accrued paid sick leave 120 calendar days after their date of hire.</li> <li>Employees may use accrued paid sick leave in one-hour increments.</li> <li>Recordkeeping Employer shall pay each employee for paid sick leave at a pay rate equal to the greater of either: <ul> <li>the normal hourly wage for that employee; or</li> <li>the minimum fair wage rate under section 31-58 of the general statutes in effect for the pay period during which the employee used paid sick leave.</li> </ul> </li> </ul>	An employee may use paid sick leave if the employee or the employee's family member is a victim of family violence or se assault: • for medical care or psychological or other counseling f physical or psychological injury or disability; • to obtain services from a victim services organization; • to relocate due to such family violence or sexual assau • to participate in any civil or criminal proceedings relair resulting from such family violence or sexual assault. "Family member" means a spouse, sibling, child, grandparent, grandchild, or parent of an employee, or an individual who is r to the employee by blood or by an affinity whose close associc employee shows to be equivalent to those family relationship: <b>Documentation</b> No employer shall require an employee to provide any docum that paid sick leave is being taken for a reason covered by the leave law. <b>Prohibition of Retaliation or Discrimination</b> No employer shall take retaliatory personnel action or discrim against an employee because the employee: • requests or uses paid sick leave either in accordance act; or • in accordance with the employer's own paid sick leava as the case may be; or • files a complaint with the Labor Commissioner alle employer's violation of the act.	
Reasons for Use of Leave         An employee may use paid sick leave for his or her own:         • illness, injury or health condition;         • the medical diagnosis, care or treatment of his or her mental illness or physical illness, injury or health condition;         • preventative medical care; or         • mental health wellness day.         An employee may use paid sick leave for a family member's:         • illness, injury or health condition;         • the medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; or         • preventative medical care.	Collective Bargaining Nothing in the act shall diminish any rights provided to any em under a collective bargaining agreement, preempt or override of any collective bargaining agreement effective prior to Ja 2012, or July 1, 2012, pursuant to chapter 319pp. Complaint Process Any employee aggrieved by a violation of the provisions of the file a complaint with the Labor Commissioner. Upon receipt or complaint, said Commissioner may hold a hearing. After a hea Commissioner may assess a civil penalty or award other relief. Employees may file a complaint on the Department of Labor https://portal.ct.gov/dol/divisions/wage-and-workplace- standards/wage-complaint?language=en US	

the employer's place of business; or

a family member's school or place of care

closes by order of a public official due to a public health

## DOMESTIC VIOLENCE **RESOURCES IN CONNECTICUT**

Domestic violence is a pattern of coercive, controlling behavior that can include emotional abuse, psychological abuse, physical abuse, sexual abuse, and/or financial abuse. It is the result of a person's feeling of entitlement to have power and control over their partner or family member and their choice to use abusive behaviors to gain and maintain that power and control. The pattern of abusive behavior is designed to make the victim dependent upon the abuser, leaving the victim feeling scared, confused, and insecure about their ability to survive on their own, financially or otherwise

If you or someone you know is experiencing an abusive relationship, help is available. Whether you need information, help, or just someone to talk to, we're here to listen.

Connecticut's domestic violence information and resource hub CTSafeConnect.org | 888.774.2900 CALL • TEXT • CHAT • EMAIL • 24/7 TSafeConnect All services are safe, free, confidential & voluntary

Safe Connect advocates can help you think through options and get you connected with one of CCADV's 18 local domestic violence organizations for services such as counseling, support groups, advocacy for accessing basic needs, court-based advocacy, age-appropriate child advocacy, and support in finding shelter and other housing options.

## IT IS ILLEGAL TO DISCRIMINATE AGAINST SOMEONE BASED **ON THEIR STATUS AS A VICTIM OF DOMESTIC VIOLENCE**

Your employer cannot treat you differently or take actions against you based on your status as a victim of domestic violence, nor can they deny you reasonable leave of absence for certain issues related to the abuse you or your dependent children have experienced, including:

(i) Seeking attention for injuries caused by domestic violence, including for a child;

(ii) Obtaining services including safety planning from a domestic violence or rape crisis center;

(iii) Obtaining psychological counseling related to domestic violence, including for a child;

(iv) Taking other actions to increase safety from future incidents of domestic violence, including temporary or permanent relocation; or

(v) Obtaining legal services, assisting in the prosecution of the offense, or otherwise participating in legal proceedings in relation to domestic violence.

If you feel you have been discriminated against due to your status as a n of domestic violence or if you have been de

TICUT

Covered Employ

these anti-discriminati

elated to an employe

or related conditions, ir

Prohibition of Discrir

o employer may disci

applicant because of he

Temporary transfers to less strenuous or less hazardous work • Time off to recover from childbirth (prescribed by a Doctor, typically 6-8 weeks)

 Break time and appropriate facilities (not a bathroom or expressing milk Denial of Reasonable Accommodation

to employer may discriminate against employee or job applicar by denying a reasonable accommodation due to pregnancy.

### hibited discriminatory conduct includes of absence to deal with issues related to abuse, contact the Connecticut CHRO n employee may use paid sick leave when a health authority, the Effective 1/1/25 · Failing to make reasonable accommodation (and is not mployer of the employee or the employee's family member, or a Commission on Human Rights and Opportunities at an undue hardship)\*\* Denying job opportunities to employee or job applicant health care provider determines that the employee or the 1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov 860-541-3400, CT Toll Free 1-800-477-5737, because of request for reasonable accommodation employee's family member poses a risk to the health of others or online at www.ct.gov/CHRO ause of exposure to a communicable disease.



