



Connecticut Passes Several Employment-related Bills in 2019

Hinckley Allen Labor & Employment

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The 2019 Regular Session of the Connecticut General Assembly included more legislation affecting employment than has any session of that body in recent memory. There were bills pertaining to minimum wage hikes, paid family leave, changes to non-compete agreements, increased damages for sexual harassment claims, and recreational marijuana. Many of these sweeping bills have become law. Here's what employers need to know about them.

An Act Increasing the Minimum Fair Wage

The law entitled "An Act Increasing the Minimum Fair Wage" (hereafter referred to as "Minimum Wage Act") incrementally increases the minimum wage to \$15 per hour over the next four years. Effective October 1, 2019, the minimum wage will increase to \$11 per hour, then to \$12 per hour effective September 1, 2020. Effective June 1, 2023, the minimum wage will increase to \$15 per hour. The Minimum Wage Act also establishes the following:

- A mechanism for the state Labor Commissioner to annually adjust the minimum wage beginning in 2024 based on the percentage change in the U. S. Department of Labor Employment Cost Index.
- A mechanism by which the Labor Commissioner and Governor can recommend the suspension of a scheduled minimum wage increase in the event of two consecutive quarters of negative growth in the state's real GDP.

An Act Concerning Paid Family and Medical Leave

The “Connecticut Paid Family and Medical Leave Act” (hereafter referred to as “Medical Leave Act”) is the most sweeping in the nation:

- The Medical Leave Act applies to all employers in the state.
- The Medical Leave Act provides covered employees with up to 12 weeks of compensation during a 12-month period for family and medical leave. An additional two weeks is available for covered employees with a serious health condition that occurs during a pregnancy that results in incapacitation.
- Covered employees will be eligible to receive 100% of their weekly earnings, up to a maximum of \$1,000. That maximum will be adjusted annually beginning in 2022 based on the Consumer Price Index.
- The Medical Leave Act establishes the Family and Medical Leave Insurance Trust Fund, to which employers must begin contributing no later than July 1, 2020. Compensation will be available to covered employees beginning July 1, 2021.

This Act will affect every employer in the State of Connecticut. Notably, the Act does not include any exception to the provision of twelve weeks of leave for the undue hardship of the employer. Accordingly, while the mandatory contributions will not begin until mid-next year, employers should start thinking now about the impact of the law and planning for its implementation.

An Act Combating Sexual Assault and Sexual Harassment

The law entitled “An Act Combating Sexual Assault and Sexual Harassment” expands the existing requirements for training on sexual harassment laws.

- Employers with three or more employees must provide two hours of training and education on sexual harassment to all employees by October 1, 2020, or within six months of hire if hired after October 1, 2019. The previous law required only that employers having 50 or more employees provide two hours of training and education to all supervisory employees.
- Employers with fewer than three employees must provide two hours of training and education on sexual harassment to supervisory employees by October 1, 2020, or within six months of hire if hired after October 1, 2019.
- Employers must update these trainings every 10 years. Failure to provide all mandatory trainings can result in fines of up to \$1,000.
- Employers must email a copy of their Sexual Harassment Policy to each employee within three months of his or her start date with the employer.
- Employers may not modify the conditions of employment of an employee raising a claim

of sexual harassment unless the employee agrees to the modifications in writing.

- The time frame for filing discrimination and harassment claims with the state Commission on Human Rights and Opportunities (CHRO) is extended from 180 days to 300 days. Also, the awards that the CHRO may grant to complainants are expanded from reinstatement and back pay, to actual costs and reasonable attorney's fees and costs.

Please contact [Lisa A. Zaccardelli](#) or the Hinckley Allen attorney with whom you regularly work, for any questions about the above topic.

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