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During the Connecticut General Assembly's 2019 legislative session, several noteworthy bills were passed in the area of employment law. These bills present a variety of changes to the workplace affecting both employers and employees. A brief overview of certain legislation is provided below.



Increase in the Minimum Wage

Effective October 1, 2019, the minimum wage in Connecticut will increase from \$10.10/hour to \$11.00/hour. The minimum wage will subsequently increase to \$12.00/hour on September 1, 2020; \$13.00/hour on August 1, 2021; \$14.00/hour on July 1, 2022; and \$15.00/hour on June 1, 2023.

With respect to Connecticut's "tip credit" law, effective July 1, 2019, the minimum wage paid to bartenders will remain at \$8.23/hour, but the tip credit will increase to \$2.77/hour. The minimum wage for tipped employees other than bartenders will remain at \$6.38/hour, but the tip credit will increase to \$4.62/hour.

Revisions to Training Wages

Presently, employers can pay employees who are under age 18, and employees who are "in training" and considered beginners to their job, a training wage that can be as low as 85% of the minimum wage for the employees' first 200 hours of employment. After such time, employees receive the full minimum wage. However, effective October 1, 2019, recently passed legislation revises this training wage structure in two ways. First, training wages will be limited to employees under age 18. Second, employees under age 18 will only receive a training wage for the first 90 hours of their employment before receiving a full minimum wage. Therefore, employees who are beginners or in training and are age 18 or above are entitled to the full minimum wage from their first day of employment.



Revisions to Paid Family and Medical Leave Laws

The General Assembly has passed legislation creating a Family and Medical Leave Insurance program to offer wage replacement benefits to certain employees that take leave under Connecticut's version of the [Family and Medical Leave Act](#). The insurance program provides employees taking leave with up to 12 weeks of insurance compensation over a 12-month period. Certain public employees are eligible for these benefits as well. The insurance program is funded by employee contributions, with contribution collections beginning in January 2021. As an alternative, employers can provide family and medical leave benefits through a private insurance plan that offers the same level of benefits as the Family and Medical Leave Insurance program.

Significantly, Connecticut's Family and Medical Leave Act was also revised during the 2019 legislative session. Effective January 1, 2022, this law will now apply to all private employers with at least one employee. Currently, Connecticut's Family and Medical Leave Act only applies to employers with 75 or more employees.

The revisions to Connecticut's Family and Medical Leave Act also include the minimum eligibility requirements for employees. Instead of becoming eligible after working at least 12 months for an employer and for at least 1,000 hours during the previous 12 months, the employee must only be employed for three months prior to the request for leave. The maximum amount of leave time has also been increased to mirror the maximum amount of leave time allowed under the federal Family and Medical Leave Act—i.e., 12 weeks of leave during any 12-month period.



Sexual Harassment & Discrimination

Presently, state law requires employers with three or more employees to post a notice in the workplace stating that sexual harassment is illegal. Effective October 1, 2019, employers will also be required to deliver a copy of their sexual harassment policy to employees by email within three months of hiring, if the employer has provided an email account to the employee or if the employee has provided the employer with an email address. If an employer has not provided email accounts to employees, the employer must post the information on its website, if it maintains one. An employer can also comply with state sexual harassment laws by providing employees with a [website link](#) from the Commission on Human Rights and Opportunities about the illegality of sexual harassment. Employers are subject to a fine of \$1,000 if they do not provide notices to employees regarding sexual harassment.

Additionally, employers with three or more employees must provide sexual harassment training to all employees within one year of October 1, 2019, unless the employer provided training to all of its employees after October 1, 2018. If an employer has less than three employees, the training requirements only apply to supervisory employees. Employers are subject to a fine of \$1,000 if they do not provide training to employees. The Commission on Human Rights and Opportunities is required to provide a free online training video by October 1, 2019, to help employers comply with the sexual harassment training requirements.

With respect to workplace discrimination, on or after October 1, 2019, individuals can file a discriminatory practices complaint with the Commission on Human Rights and Opportunities up to 300 days after the alleged act. Prior to October 1, 2019, state law required that complaints be filed no later than 180 days after the

allegedly discriminatory act. Additionally, the definition of a “discriminatory practice” has been expanded to include an employer’s failure to provide sexual harassment training or post notices about the employer’s sexual harassment policy.

Conclusion

The above-referenced amendments to Connecticut’s employment laws present a variety of issues for employees and employers to consider. Employees should review these amendments to better understand their workplace rights; employers should review these amendments to ensure a successful work environment and reduce their exposure to potential liability.

To determine whether you are aware of, or are complying with, the latest Connecticut employment laws, please consult with an experienced attorney. The Litigation Department at KKC has substantial depth and experience in the field of employment law. For a consultation, please contact [Michael Kopsick \(MKopsick@kkc-law.com; 860-812-1744\)](mailto:MKopsick@kkc-law.com), [Christopher Bowen \(CBowen@kkc-law.com; 860-812-1742\)](mailto:CBowen@kkc-law.com), or myself ([JMortelliti@kkc-law.com; 860-730-2155](mailto:JMortelliti@kkc-law.com)).

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