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## OLR Bill Analysis

sSB 943 (File 681, as amended by Senate "A")\*

### ***AN ACT REQUIRING EMPLOYERS TO PROVIDE CERTAIN INFORMATION TO DOMESTIC WORKERS AT THE TIME OF HIRE AND ESTABLISHING AN EDUCATION AND TRAINING GRANT PROGRAM FOR DOMESTIC WORKERS.***

#### **SUMMARY**

This bill broadens the categories of written information that employers must provide to certain domestic workers when they are hired to include things such as their job duties and whether the employer will charge fees for room and board.

It also requires certain organizations that provide services to domestic workers to collectively establish a program to inform domestic workers and their employers about the laws and regulations related to domestic workers. The organizations must consult with the labor commissioner about the program and the materials produced for it must be reviewed and approved by the commissioner before they can be distributed or published online.

“Domestic workers” under the bill are employees who are paid or told they will be paid to perform work of a domestic nature in or about a private dwelling. This includes housekeeping; home management; child care; laundering; meal preparation; home companion services; caretaking of sick, convalescing, or elderly individuals; and other household services for the dwelling’s occupants or their guests. They do not include irregular or intermittent babysitters or personal care attendants providing personal care assistance to consumers in state-funded programs, including the:

1. acquired brain injury Medicaid waiver program,
2. personal care assistance Medicaid waiver program,

3. Connecticut Home Care Program for the Elderly,
4. pilot program to provide home care services to disabled persons, and
5. Department of Developmental Services' individual and family support waiver program and comprehensive waiver program.

\*Senate Amendment "A" requires (1) employers to include information about how to file complaints with the other information they must provide to domestic workers and (2) qualified organizations to establish the information program, rather than requiring the labor commissioner to establish a program to provide grants to qualified organizations, as in the underlying bill.

EFFECTIVE DATE: October 1, 2021

#### **EMPLOYER NOTICE REQUIREMENT**

Existing law requires employers to advise their employees, when they are hired and in writing, about their pay rate, hours of employment, and pay schedule (CGS § 31-71f). The bill requires employers to additionally provide domestic workers, when they are hired, with written information about (1) their job duties and responsibilities; (2) the availability of sick leave, rest days, vacation, personal days, and holidays, whether paid or unpaid, and the rate at which those days accrue; (3) whether the employer may charge any fees or costs for board and lodging and, if so, their amount; and (4) how to file a complaint for a violation of the domestic worker's rights.

Existing law also requires employers to make available to all employees, either in writing or through a posted notice, any employment practices and policies, or related changes, on the following topics: wages, vacation pay, sick leave, health and welfare benefits, and comparable matters.

#### **DOMESTIC WORKER INFORMATION PROGRAM**

The bill requires "qualified organizations" to collectively establish a program to inform domestic workers and their employers about laws

and regulations related to domestic workers. Under the bill, “qualified organizations” include (1) each nonprofit organization (i.e., 501(c)(3) tax-exempt organization) that, as of October 1, 2021, has at least five years of experience providing education, advocacy, or other related services to domestic workers and (2) each organization that, as of October 1, 2021, provides education, education advocacy, or other related services to domestic workers on behalf of such a nonprofit organization.

Under the bill, the program established by the qualified organizations must at least include:

1. education and training for domestic workers and their employers about the laws on minimum wage, overtime, sick leave, record-keeping, wage adjudication, retaliation, and the bill’s notice requirement;
2. an online resource to provide domestic workers and their employers with information on state laws and regulations related to domestic workers; and
3. providing technical and legal assistance to domestic workers and their employers through legal service providers.

The bill requires the qualified organizations to consult with the labor commissioner, or his designee, about implementing and executing the program, including (1) educating domestic workers about employee rights and obligations and (2) distributing information to them and their employers. Under the bill, any materials the organizations produce for the program about matters under the commissioner’s jurisdiction must be reviewed and approved by the commissioner or his designee. This must occur before a qualified organization (1) distributes the materials to domestic workers or their employers or (2) publishes them in an online resource.

## **BACKGROUND**

### ***Legislative History***

The Senate referred the bill (File 403) to the Appropriations

Committee, which reported a substitute that removed a provision that would have appropriated \$210,000 to the Department of Labor for the grant program for FY 22.

**COMMITTEE ACTION**

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 9 Nay 4 (03/23/2021)

Appropriations Committee

Joint Favorable Substitute

Yea 31 Nay 16 (05/03/2021)