

# Labor and Public Employees Committee

## JOINT FAVORABLE REPORT

**Bill No.:** SB-943

AN ACT CONCERNING WAGE EDUCATION AND ENFORCEMENT RELATING

**Title:** TO DOMESTIC WORKERS.

**Vote Date:** 3/23/2021

**Vote Action:** Joint Favorable Substitute

**PH Date:** 3/4/2021

**File No.:**

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### **SPONSORS OF BILL:**

Labor and Public Employees Committee  
Sen. Martin Looney, 11<sup>th</sup> District

### **REASONS FOR BILL:**

This legislation would create an education and outreach initiative under the Department of Labor to help enforce existing labor protections for domestic workers. Despite these protections being in place, violations such as wage theft still commonly occur, in many cases because employers and employees may be unaware of such statute. An educational program would work to address this lack of awareness and would in theory lead to more enforcement.

### **RESPONSE FROM ADMINISTRATION/AGENCY:**

#### **Kurt Westby, Commissioner, Connecticut Department of Labor:**

The CT DOL is fully supportive of increased wage education and worker protections for domestic workers. CTDOL is appreciative that the Labor Committee Co-Chairs and the proponents of this proposal are willing to work with this agency to eliminate any fiscal impact to the Agency by SB 943 as currently drafted.

By way of background, there are a myriad of federal and state laws which apply to domestic employees depending on their exact work classification, i.e., companions, Personal Care Assistants ("PCA"), Certified Nursing Assistants ("CNA"), live-ins, etc. With revisions to SB 943, these domestic workers would be afforded the employee rights that they deserve. The intent is that a qualified organization establish an educational program with the guidance of my staff to properly educate domestic workers and Connecticut's employers about their responsibilities under the law.

## **NATURE AND SOURCES OF SUPPORT:**

**Rob Baril, President, New England Healthcare Workers Union, District 1199:** Believes this legislation is an important first step to educating domestic workers about workplace rights and responsibilities, which would better help to enforce existing statute.

**James Bhandary Alexander, Legal Director of the Medical-Legal Partnership Program at the Solomon Center for Health Law and Policy, Yale Law School:** Gives account about the challenges domestic workers face and how education surrounding their labor would positively benefit them.

**Black and Brown United in Action:** Testified in support of this legislation on the basis that it would provide basic labor protections, protect workers from wage theft, and provide an educational program to ensure proper enforcement of these regulations.

**Lynn Campbell, Executive Director, Connecticut Domestic Worker Justice Campaign:** Advocates for more enforcement of current labor law statute regarding domestic workers and believes that this would lead to more educated workforce members and employers.

**Father John Cooney, Naugatuck Valley Project:** Believes that domestic workers are a vital piece of Connecticut's labor force and that any labor protection given to other members of the labor force should also apply to domestic workers.

**Nicole Sanclemente, Policy and Program Associate, Connecticut Women's Education and Legal Fund:** Testified on the importance of education to avoid wage theft for domestic workers, and they note how women are disproportionately affected since they represent an outsized portion of the domestic labor force.

**Deacon David Reynolds, Associate Director for Public Policy, Connecticut Catholic Public Affairs Conference:** Testified that while there are labor protections for domestic workers, a lack of education and awareness prevents many of those workers from accessing these protections.

**Wendy de la Cruz, Domestic Worker, New Haven:** Gives account of their time as a domestic worker, notes how a lack of labor protections has caused hardship. Asks that protections given to other members of the labor force are extended to domestic workers as well.

**Carla Esquivel, Member, Building One Community:** Testifies that while domestic workers have been afforded the same protections as other members of the labor force that a lack of education has prevented these protections from being enforced.

**Guadalupe Garcia, Domestic Worker, New Haven:** Gives account of being a domestic worker during the pandemic, notes the benefits she would have gained if she was afforded certain labor protections. Asks that those protections be extended and accessible to her.

**Margaret Henderson, Member, Connecticut Domestic Workers' Justice Coalition:**

Testified that while these workers are protected under labor laws, "hundreds" of workers are taken advantage of and underpaid because they don't know their rights.

**Nelli Jara, Coordinator, Connecticut Workers Center:** Supports how this legislation would make the Department of Labor more accessible to domestic workers, especially since they may not feel as comfortable now. This, in turn, would allow them to further access their labor rights.

**Jean Knapp, Member, Unitarian Universalist Society: East in Manchester:** Supports how this legislation would help to enforce laws that work to stop wage theft via outreach and education.

**Carmen Lanche, Executive Director, Comunidades Sin Fronteras – CSF:** Notes that members of the domestic worker labor force are predominantly Black, non-Black Latina, Asian and immigrant women, and are disproportionately impacted by the issues associated with domestic work. They testify that allocating funds for the education of these workers would lead to greater access of the rights afforded to them.

**Sen. Martin Looney, Senate President Pro Tempore:** Supports language that would require an employer to inform their employee of certain wage protections and benefits, as well as language that would launch educational programs for workers to better understand their rights.

**David Luchetti, Unitarian Universalist Society: East in Manchester:** Testifies that this legislation is necessary so that workers are informed of their rights to fair wages and other basic necessities.

**Sal Luciano, President, Connecticut AFL-CIO:** Supports legislation as it begins the process of transparency and distribution of information, and state that "workers must know their rights to know if they are being violated".

**John Murphy, United Auto Workers Region 9A:** Testifies that this legislation addresses some of the inequities that domestic workers face and that domestic workers deserve to know their rights and protections.

**Rev. Josh Pawelek, Minister, Unitarian Universalist Society: East in Manchester:** Supports language that would establish a DOL program to educate domestic workers regarding their rights and protections and believes this would address issues such as wage theft in domestic workplaces.

**Karime Pimentel, Naugatuck Valley Project:** Gave account of a domestic worker who went unpaid for 6 weeks of work. Despite this clear violation of statute, the worker was nervous about bringing a case to the Department of Labor because of her immigration status. Karime testified that an increased awareness of rights as well as more accessibility to the DOL would help prevent future cases such as this.

**Elianny Ramirez, Center for Youth Leadership, Brien McMahon High School in**

**Norwalk**: Testifies that this legislation will open up protections to domestic workers that other members of the workforce have long benefitted from.

**Abigahi Tepale, Domestic Worker, New Haven**: Testifies on their experience as a domestic worker and notes how despite the protections in place, she and others have trouble accessing them due to a lack of education and enforcement.

**Anarilis Tochiman, Member, Connecticut Worker Center**: Gives account of being a domestic worker and speaks about her experience as a worker when she could not speak English, and how she felt taken advantage of. Asks that this legislation be passed so domestic workers can be treated with dignity and with a fair salary.

**Dr. Natalia Tracy, Executive Director, Brazilian Worker Center**: Supports legislation and how it gives the CT DOL and communities leaders the resources to work together to educate domestic employees and their employers.

**NATURE AND SOURCES OF OPPOSITION:**

**Mark McGoldrick, Chairman, Home Care Association of America Connecticut**:

Concerned about unforeseen circumstances and how some of the provisions of the bill will impair home care employers and employees.

**Reported by: Justin Kaiser**

**Date: 4/6/2021**