



General Assembly

**Governor's Bill No. 15**

February Session, 2018

LCO No. 297



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:

SEN. LOONEY, 11<sup>th</sup> Dist.

SEN. DUFF, 25<sup>th</sup> Dist.

REP. ARESIMOWICZ, 30<sup>th</sup> Dist.

REP. RITTER M., 1<sup>st</sup> Dist.

***AN ACT CONCERNING FAIR AND EQUAL PAY FOR EQUAL WORK.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 31-40z of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2018*):

3 (a) As used in this section:

4 (1) "Employer" means any individual, corporation, limited liability  
5 company, firm, partnership, voluntary association, joint stock  
6 association, the state and any political subdivision thereof and any  
7 public corporation within the state using the services of one or more  
8 employees for pay;

9 (2) "Employee" means any individual employed or permitted to  
10 work by an employer; and

11 (3) "Wages" means compensation for labor or services rendered by  
12 an employee, whether the amount is determined on a time, task, piece,  
13 commission or other basis of calculation.

14 (b) No employer shall:

15 (1) Prohibit an employee from disclosing or discussing the amount  
16 of his or her wages or the wages of another employee of such  
17 employer that have been disclosed voluntarily by such other  
18 employee;

19 (2) Prohibit an employee from inquiring about the wages of another  
20 employee of such employer;

21 (3) Require an employee to sign a waiver or other document that  
22 denies the employee his or her right to disclose or discuss the amount  
23 of his or her wages or the wages of another employee of such  
24 employer that have been disclosed voluntarily by such other  
25 employee;

26 (4) Require an employee to sign a waiver or other document that  
27 denies the employee his or her right to inquire about the wages of  
28 another employee of such employer;

29 (5) Inquire about a prospective employee's wage and salary history  
30 before an offer of employment that includes wages has been accepted  
31 by the prospective employee unless a prospective employee has  
32 voluntarily disclosed such information, except that this subdivision  
33 shall not apply to any actions taken by an employer, employment  
34 agency or employee or agent thereof pursuant to any federal or state  
35 law that specifically authorizes the disclosure or verification of salary  
36 history for employment purposes. An employee's prior wage and  
37 salary history shall not be considered a bona fide factor defense to such  
38 claim under this subdivision;

39 [(5)] (6) Discharge, discipline, discriminate against, retaliate against

40 or otherwise penalize any employee who discloses or discusses the  
41 amount of his or her wages or the wages of another employee of such  
42 employer that have been disclosed voluntarily by such other  
43 employee; or

44 [(6)] (7) Discharge, discipline, discriminate against, retaliate against  
45 or otherwise penalize any employee who inquires about the wages of  
46 another employee of such employer.

47 (c) Nothing in this section shall be construed to require any  
48 employer or employee to disclose the amount of wages paid to any  
49 employee.

50 (d) An action to redress a violation of subsection (b) of this section  
51 may be maintained in any court of competent jurisdiction by any one  
52 or more employees. An employer who violates subsection (b) of this  
53 section may be found liable for compensatory damages, attorney's fees  
54 and costs, punitive damages and such legal and equitable relief as the  
55 court deems just and proper.

56 (e) No action shall be brought for any violation of subsection (b) of  
57 this section except within two years after such violation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2018	31-40z

**Statement of Purpose:**

To implement the Governor's budget recommendations.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*