



House of Representatives

File No. 868

General Assembly

January Session, 2025

(Reprint of File No. 192)

House Bill No. 6907
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 9, 2025

**AN ACT CONCERNING THE USE OF QUOTAS BY WAREHOUSE
DISTRIBUTION CENTERS.**

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

1 Section 1. (NEW) (*Effective October 1, 2025*) As used in this section and
2 sections 2 to 8, inclusive, of this act:

3 (1) "Employee" means an individual who is employed at a warehouse
4 distribution center and who is not exempt from the minimum wage and
5 overtime requirements of the Fair Labor Standards Act of 1938, as
6 amended from time to time. "Employee" does not include a driver or
7 courier traveling to or from a warehouse distribution center;

8 (2) "Employer" means an individual, corporation, partnership,
9 limited partnership, limited liability partnership, limited liability
10 company, business trust, estate, trust, association, joint venture, agency,
11 instrumentality or any other legal or commercial entity, whether
12 domestic or foreign, that directly or indirectly, or through an agent or

13 any other person, including through the services of a third-party
14 employer, temporary services, staffing agency, independent contractor
15 or any similar entity, at any time in the prior twelve months, employs
16 or exercises control over the wages, hours or working conditions of one
17 hundred or more employees at a single warehouse distribution center
18 in the state or one thousand or more employees at one or more
19 warehouse distribution centers in the state;

20 (3) "Quota" means a work performance standard under which an
21 employee is assigned or required to perform at a specified productivity
22 speed or a quantified number of tasks or to handle or produce a
23 quantified amount of material within a defined time period and under
24 which the employee may suffer an adverse employment action if the
25 employee fails to complete or meet such work performance standard;

26 (4) "Work speed data" means information an employer collects,
27 stores, analyzes or interprets relating to an individual employee's
28 performance of a quota, including, but not limited to, quantities of tasks
29 performed, quantities of items or materials handled or produced, rates
30 or speeds of tasks performed, measurements or metrics of employee
31 performance in relation to a quota and time categorized as performing
32 tasks or not performing tasks. "Work speed data" does not include
33 qualitative performance data, personnel records, wage statements or
34 data an employer collects, stores, analyzes or interprets that does not
35 relate to the performance of a quota, except for any content of such
36 records that includes work speed data; and

37 (5) "Warehouse distribution center" means an establishment as
38 defined by any of the following North American Industry Classification
39 System Codes, however such establishment is denominated: (A) 493110
40 for General Warehousing and Storage; (B) 423 for Merchant
41 Wholesalers, Durable Goods; (C) 424 for Merchant Wholesalers,
42 Nondurable Goods; or (D) 454110 for Electronic Shopping and Mail-
43 Order Houses.

44 Sec. 2. (NEW) (*Effective October 1, 2025*) (a) On and after July 1, 2026,

45 an employer shall provide to each employee a written description of
46 each quota to which such employee is subject, including any potential
47 adverse employment action that may result from a failure to satisfy such
48 quota. Such written description shall be provided to an employer's
49 current employees not later than August 1, 2026. For employees hired
50 after August 1, 2026, such written description shall be provided to the
51 employee upon hire.

52 (b) Whenever an employer makes a change to an existing quota for
53 an employee that results in a new quota for such employee, an employer
54 shall:

55 (1) Notify the employee of such change as soon as practicable, either
56 verbally or in writing, and prior to the effective date of such new quota;
57 and

58 (2) Provide the employee with a written description of the new quota
59 to which such employee is subject not later than two business days after
60 the change is made.

61 Sec. 3. (NEW) (*Effective October 1, 2025*) (a) On and after July 1, 2026,
62 no quota shall (1) prevent compliance with the provisions of section 31-
63 51ii of the general statutes concerning meal periods, or (2) interfere with
64 an employee's use of the bathroom facilities, including reasonable travel
65 time to and from the bathroom facilities.

66 (b) Paid and unpaid breaks shall not be considered productive time
67 for the purposes of any quota or an employee productivity monitoring
68 system unless the employee is required to remain on call.

69 Sec. 4. (NEW) (*Effective October 1, 2025*) On and after July 1, 2026, no
70 employer shall take any adverse action against an employee for failing
71 to satisfy a quota that violates the provisions of subsection (a) of section
72 3 of this act or has not previously been provided to the employee
73 pursuant to section 2 of this act.

74 Sec. 5. (NEW) (*Effective October 1, 2025*) On and after July 1, 2026, each

75 employer shall establish, maintain and preserve contemporaneous, true
76 and accurate records of (1) each individual employee's work speed data;
77 (2) the aggregated work speed data for similar employees at the same
78 warehouse distribution center; and (3) the written description provided
79 to each employee pursuant to section 2 of this act. Such records shall be
80 maintained for a period of three years. Nothing in this section shall
81 require an employer to establish, maintain and preserve the records
82 required pursuant to this section if such employer does not assign or
83 require quotas or collect, store, analyze or interpret work speed data.

84 Sec. 6. (NEW) (*Effective October 1, 2025*) (a) On and after July 1, 2026,
85 if an employee believes satisfying a quota caused or will cause a
86 violation of section 3 of this act, such employee may request from such
87 employee's employer: (1) A written description of each quota the
88 employee is subject to; (2) a copy of the employee's personal work speed
89 data for the prior ninety days; and (3) a copy of aggregated work speed
90 data for similar employees at the same warehouse distribution center
91 for the prior ninety days.

92 (b) On and after July 1, 2026, a former employee may request from a
93 former employer: (1) A written description of each quota the employee
94 was subject to for the ninety days prior to the employee's separation
95 from employment with such employer; (2) a copy of the employee's
96 personal work speed data for the ninety days prior to such employee's
97 separation from employment with such employer; and (3) a copy of
98 aggregated work speed data for similar employees at the same
99 warehouse distribution center for the ninety days prior to such
100 employee's separation from employment with such employer. A former
101 employee may only make one request under this section.

102 (c) An employer shall provide a written copy of any records
103 requested pursuant to this section as soon as practicable, but not later
104 than fifteen calendar days after receipt of such request. Such written
105 copy shall be provided (1) in both English and the primary language of
106 the employee requesting such records, and (2) for a former employee,
107 via a mutually convenient delivery method.

108 Sec. 7. (NEW) (*Effective October 1, 2025*) (a) On and after July 1, 2026,
109 no employer shall discharge or in any way retaliate, discriminate or take
110 any adverse action against any employee or former employee for (1)
111 making a request pursuant to section 6 of this act, or (2) filing a civil
112 action pursuant to section 8 of this act.

113 (b) (1) On and after July 1, 2026, if an employer discharges or in any
114 way retaliates, discriminates or takes any adverse action against any
115 employee or former employee within ninety days after such employee
116 engages in or attempts to engage in the activities described in subsection
117 (a) of this section, there shall be a rebuttable presumption that such
118 adverse action is in violation of this section.

119 (2) For an adverse action taken within ninety days of an employee or
120 former employee engaging or attempting to engage in the activity
121 described in subdivision (1) of subsection (a) of this section, such
122 presumption shall only apply if such adverse action was taken within
123 ninety days of an employee or former employee's first request made in
124 a calendar year.

125 (3) Such presumption may be rebutted by clear and convincing
126 evidence that (A) the adverse action was taken for other permissible
127 reasons, and (B) the employee engaging or attempting to engage in the
128 activities described in subsection (a) of this section was not a motivating
129 factor in the employer taking such adverse action.

130 Sec. 8. (NEW) (*Effective October 1, 2025*) (a) On and after July 1, 2026,
131 an employee or former employee aggrieved by a violation of sections 2
132 to 7, inclusive, of this act, or the Attorney General on behalf of a group
133 of employees or former employees aggrieved by a violation of sections
134 2 to 7, inclusive, of this act, may bring a civil action in the Superior Court
135 to recover damages, civil penalties and such injunctive relief as the court
136 deems appropriate. Any party who prevails in such civil action may be
137 awarded reasonable attorney's fees and costs to be taxed by the court.

138 (b) An employer who violates a provision of sections 2 to 7, inclusive,
139 of this act may be assessed a civil penalty by the court of (1) one

140 thousand dollars for a first violation, (2) two thousand dollars for a
141 second violation, or (3) three thousand dollars for a third or subsequent
142 violations.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2025</i>	New section
Sec. 2	<i>October 1, 2025</i>	New section
Sec. 3	<i>October 1, 2025</i>	New section
Sec. 4	<i>October 1, 2025</i>	New section
Sec. 5	<i>October 1, 2025</i>	New section
Sec. 6	<i>October 1, 2025</i>	New section
Sec. 7	<i>October 1, 2025</i>	New section
Sec. 8	<i>October 1, 2025</i>	New section

Section 1	<i>October 1, 2025</i>	New section
Sec. 2	<i>October 1, 2025</i>	New section
Sec. 3	<i>October 1, 2025</i>	New section
Sec. 4	<i>October 1, 2025</i>	New section
Sec. 5	<i>October 1, 2025</i>	New section
Sec. 6	<i>October 1, 2025</i>	New section
Sec. 7	<i>October 1, 2025</i>	New section
Sec. 8	<i>October 1, 2025</i>	New section

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 26 \$	FY 27 \$
Resources of the General Fund	GF - Potential Revenue Gain	None	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill establishes protections for employees of certain warehouse distribution centers, resulting in the following fiscal impacts beginning in FY 27.

The bill allows covered employees or the Attorney General to bring a civil action in Superior Court for violations of the bill's provisions, resulting in a potential revenue gain to the state. Violations may be subject to civil penalties of up to \$3,000.¹ These cases are not expected to result in a cost to the Attorney General or the courts.²

House "A" strikes the underlying bill, removing a section that resulted in a potential cost to the Workers' Compensation Commission and making various clarifying changes to the remaining sections which result in the fiscal impact described above.

The Out Years

¹ \$1,000 for the first violation, \$2,000 for the second violation, and \$3,000 for the third and subsequent violations.

² The court system disposes of over 250,000 cases annually and the number of cases is not anticipated to be great enough to need additional resources.

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of civil actions brought under this bill.

OLR Bill Analysis**HB 6907 (as amended by House "A")******AN ACT CONCERNING THE USE OF QUOTAS BY WAREHOUSE DISTRIBUTION CENTERS.*****SUMMARY**

Starting July 1, 2026, this bill limits the extent to which employers at certain warehouse distribution centers can require their employees to meet production quotas. It generally applies to employers that employ at least (1) 100 employees at a single warehouse distribution center in the state or (2) 1,000 employees at multiple warehouse distribution centers in the state. All of the bill's provisions described below apply starting July 1, 2026.

Among other things, the bill:

1. requires the covered employers to give their employees a written description of the quotas they must meet and any possible adverse employment actions they may face for failing to do so,
2. prohibits the employers from using quotas that (a) prevent compliance with the state law on meal periods or (b) interfere with the employee using bathroom facilities, and
3. sets recordkeeping requirements for employers and requires them to give copies of their quota records to current or former employees who believe that meeting a quota caused a violation of certain provisions in the bill.

The bill allows an employee aggrieved by a violation of the bill's provisions to bring a civil action in Superior Court, which may assess civil penalties for violations. It also prohibits employers from

discharging or retaliating against employees solely because they requested their quota records or filed a civil action, and creates a rebuttable presumption that a violation occurred if this happens within 90 days after the request or filing.

*House Amendment "A" replaces the underlying bill and, among other things, (1) limits the "employees" covered by the bill to those who are not exempt from the federal Fair Labor Standards Act's (FLSA) minimum wage and overtime requirements, (2) removes certain types of quotas from coverage under the bill, (3) specifies certain types of records that are not "work speed data" under the bill, (4) limits the bill's rebuttable presumption to adverse actions following an employee's first records request in a calendar year, and (5) removes a provision that would have required the Workers' Compensation Commission to monitor warehouse injury rates.

EFFECTIVE DATE: October 1, 2025

COVERED EMPLOYERS AND EMPLOYEES

The employers covered by the bill are any domestic or foreign legal or commercial entities that over the previous 12 months employed or exercised control over the wages, hours, or working conditions of at least (1) 100 employees at a single warehouse distribution center in the state or (2) 1,000 employees, in total, at multiple warehouse distribution centers in the state. The employer's exercise of control over the employees may be direct or indirect, or through an agent or another entity, including through the services of a third-party employer, temporary services or staffing agency, independent contractor, or any similar entity.

Under the bill, a warehouse distribution center is an establishment as defined by the following North American Industry Classification System (NAICS) codes, however the establishment is numbered: (1) 493110 for General Warehousing and Storage; (2) 423 for Merchant Wholesalers, Durable Goods; (3) 424 for Merchant Wholesalers, Nondurable Goods; or (4) 454110 for Electronic Shopping and Mail-

Order Houses (it appears that this code was removed in the 2022 revision to the NAICS).

“Employees” under the bill are anyone employed at a warehouse distribution center who is not exempt from FLSA minimum wage and overtime requirements, except drivers or couriers traveling to or from a warehouse distribution center.

QUOTAS

Under the bill, a “quota” is a work performance standard where an employee:

1. is assigned or required to (a) perform at a specified productivity speed, (b) perform a certain number of tasks, or (c) handle or produce a certain amount of material within a defined period and
2. may suffer an adverse employment action for failing to complete or meet that work performance standard.

Quota Disclosure

The bill requires covered employers to give employees a written description of each quota they are subject to, including any potential adverse employment action that could result from failing to meet it. The employers must do so for their existing employees by August 1, 2026, and upon hiring for employees hired after that date.

Whenever an employer makes a change to an employee’s existing quota that results in a new quota for the employee, the bill requires the employer to (1) notify the employee about the change verbally or in writing as soon as practicable, but before the quota becomes effective, and (2) give the employee a written description of the new quota within two business days after the quota changes.

Prohibited Quotas

The bill prohibits quotas from (1) preventing compliance with the state law on required meal periods (which generally require employees who must work for at least 7.5 consecutive hours to have a 30-minute

meal period) or (2) interfering with an employee's use of bathroom facilities, including reasonable time to travel to and from them.

Under the bill, paid and unpaid breaks cannot be considered productive time for any quota or employee productivity monitoring system unless the employee is required to remain on call.

Adverse Action Ban

The bill also prohibits employers from taking any adverse action against an employee for failing to satisfy a quota that (1) violates the bill's provision on prohibited quotas or (2) has not been disclosed as the bill requires.

EMPLOYER RECORDS

The bill requires employers to establish, maintain, and preserve contemporaneous, true, and accurate records for (1) each employee's personal work speed data, (2) the aggregate work speed data for similar employees at the same warehouse distribution center, and (3) the written quota descriptions given to each employee as required by the bill. The employer must maintain and preserve these records for three years. However, the bill specifies that these requirements do not apply if the employer does not assign or require quotas, or collect, store, analyze, or interpret work speed data.

Under the bill, "work speed data" is information an employer collects, stores, analyzes, or interprets about an employee's quota performance, including quantities of tasks performed, quantities of items or materials handled or produced, rates or speeds of tasks performed, employee performance measurements or metrics in relation to a quota, or time categorized as performing tasks or not performing tasks. It does not include qualitative performance data, personnel records, wage statements, or data an employer collects, stores, analyzes, or interprets that does not relate to performing a quota, except for any content that includes work speed data.

EMPLOYEE ACCESS TO WORK SPEED DATA

If employees believe that satisfying a quota caused or will cause a violation of the bill's provisions on prohibited quotas, the bill allows them to request (1) a written description of each quota they were subject to, (2) copies of their personal work speed data records for the past 90 days, and (3) copies of the aggregate work speed data for similar employees at the same warehouse distribution center for the past 90 days. The bill similarly allows former employees to request this same information for the 90 days before they separated from employment with the employer. However, the bill limits a former employee to one of these requests.

The bill requires employers, as a soon as practicable, but no later than 15 calendar days after receiving the request, to provide a written copy of the requested records in English and the language the employee identifies as his or her primary language. If a former employee requested the records, they must be provided through a mutually convenient delivery method.

Anti-retaliation

The bill prohibits employers from discharging or retaliating, discriminating, or taking any adverse action against an employee or former employee for requesting their quotas and work speed data or filing a civil action as allowed by the bill (see below).

The bill creates a rebuttable presumption that the employer's adverse action violates this prohibition if it occurred within 90 days after the employee or former employee (1) requested their quotas and work speed data for the first time in the calendar year or (2) filed the civil action. The presumption may be rebutted by clear and convincing evidence that the (1) adverse action was taken for other permissible reasons and (2) employee's request or filing was not a motivating factor for the employer's action.

CIVIL ACTIONS

The bill allows any employee or former employee aggrieved by a

violation of the bill's provisions, or the attorney general on behalf of a group of employees or former employees, to bring a civil action in Superior Court to recover damages, civil penalties, and injunctive relief. The party that prevails in the case may be awarded attorney's fees and costs. The court may also assess civil penalties against an employer of \$1,000 for its first violation, \$2,000 for its second, and \$3,000 for a third or subsequent violation.

BACKGROUND

Related Bills

SB 8 (File 177), §§ 1-9, reported favorably by the Labor and Public Employees and Appropriations committees, and SB 1254 (File 180), reported favorably by the Labor and Public Employees Committee, include largely similar provisions to this bill. However, SB 8 differs by, among other things, (1) also covering employees exempt under the FLSA's minimum wage and overtime requirements and (2) explicitly covering quotas that count an employee's actions between time performing and not performing tasks, count time increments when an employee is or is not doing a particular activity, or rank employees against each other. SB 1254 differs by, among other things, requiring single warehouses to have at least 250 employees to be covered. Both bills also require the Workers' Compensation Commission to monitor warehouse injury rates.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable

Yea 9 Nay 4 (03/06/2025)

Appropriations Committee

Joint Favorable

Yea 38 Nay 12 (05/05/2025)