

Labor and Public Employees Committee

JOINT FAVORABLE REPORT

Bill No.: SB-1254

AN ACT ESTABLISHING ADDITIONAL PROTECTIONS FOR WAREHOUSE
Title: WORKERS.

Vote Date: 3/6/2025

Vote Action: Joint Favorable

PH Date: 3/4/2025

File No.:

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SPONSORS OF BILL:

Governor Lamont

REASONS FOR BILL:

The reason for this bill is to ensure that warehouse workers in the state are protected from unreasonable and disproportionate quotas, similar to HB 6907, but with several changes, specifically only applying to warehouses of 250 employees or more, and different quota metrics counted under the bill's provisions. The bill would thus require that workers at these warehouses are informed of their expectations.

RESPONSE FROM ADMINISTRATION/AGENCY:

Governor Ned Lamont, Governor of Connecticut: Supports the bill. As the economy changes, so must state regulation of working conditions. Advancements in technology over the years have drastically altered what a day at work looks like to an individual. New advances mean that worker productivity can be measured down to the second. While this change may increase consumer convenience, the experience for workers under strict time-based quotas can be very different. Bad actors can use quotas to make the workplace a dystopia, where every second away from productivity can cost workers pay or lead to adverse employment action. SB 1254 is the Governor's proposal to institute a basic set of rules around workplace quotas for warehouse distribution center employees. These guidelines will ensure that workers know how they're measured and can use the bathroom or take scheduled meal breaks without fear of retaliation. The proposal applies to any nonexempt employee working at a warehouse distribution center with 250 employees on site or with 1,000 or more employees statewide. Employers operating such a facility will need to provide information on quotas for employees and on employees' performance under those quotas. Employers must not take action against a worker for failing to satisfy a quota that

does not meet the requirements of the bill or retaliate against an employee for exercising their rights under the bill. Thank you for the opportunity to submit testimony today on this proposal.

NATURE AND SOURCES OF SUPPORT:

Senator Martin M. Looney, President Pro Tempore, CT State Senate: Supports the bill, states that large corporations, such as Amazon, have routinely put workers' safety at risk, by setting unrealistic quotas forcing workers to work at unsafe speeds, discouraging bathroom breaks. They also don't hire enough workers forcing workers to not comply with safety guidelines or to reasonably recover after work periods. Bill would provide protections against the exploitation in the absence of collectively bargained protections.

Irene Tung PhD, Senior Researcher and Policy Analyst National Employment Law

Project: Conditionally supports the bill. States they have been studying the warehouse worker injury crisis around the country for 5 years and has been working with lawmakers across the country to address this issue. States warehouses are the fastest growing industry in Connecticut and that the jobs are amongst the most dangerous in the state. "warehousing and storage" and "couriers and messengers" are 1st and 3rd in rates of injury that require missed work or job transfer with injuries much more common than in construction, manufacturing, and transportation. Following OSHA data Amazon and FedEx warehouses have the highest rate of injury, with Amazon being 43% of the industry in the state and having the lion's share of injuries. Amazon is a pioneer in the high-tech workplace surveillance practices and recent research from the University of Illinois has shown that the high rates of injury at Amazon are directly attributable to the way that the company manages its workforce. In 2024, a U.S. Senate investigation uncovered evidence that the company knows that its quotas and management practices are the reason workers are so frequently injured. Amazon even developed internal proposals to lower its injury rates. But the company ultimately chose not to implement them, which is why it is so important for lawmakers to establish external safeguards like the ones proposed in these bills. They would like highlight one urgent amendment needed to the bill. The language on attorney fees is out of line with how Connecticut law currently treats low-paid workers and could jeopardize any enforcement if this bill becomes law. NELP would suggest changing the language to align with Connecticut's minimum wage law, which allow workers to recover attorney's fees if they prevail in a case, but don't require them to pay their employer's attorney fees if they don't. The point of allowing prevailing plaintiffs to recover attorney fees is so they can find competent counsel to take their case when it's not likely to be a big money maker for the attorney.

Ed Hawthorne, President Connecticut AFL-CIO: Supports the bill. States the union represents 250,000 workers across Connecticut. Mentions the 20 workers on strike at i-Health, that unionized in March of 2024. The company refused to bargain in good faith for months and committed unfair labor practices, the workers voted to strike and two days later some were fired without just cause. These events are a reminder of how laws are stacked against the workers in our state. By addressing health and safety concerns and of warehouse workers and allowing strikers to access UI the committee demonstrates this it is in touch with the needs of workers in the state. States the Executive pay has risen much faster than worker pay, and workers face economic hardship to advocate for themselves. Voting to strike is the hardest experiences workers can go through, facing the loss of their job and benefits, but sometimes there is no other option. This bill will not have a serious negative effect on the UI Trust fund. States that there are almost 2 million workers in warehouses today and that their

injury rate is twice that of other private sector jobs. States Amazon and other employers use algorithms to track workers and force a quota based on unsafe working conditions that push speed and do not permit workers to comply with safety guidelines. This bill will work to make warehouses safer.

Stacey Zimmerman, Member UFCW Local 371: Supports the bill. SEIU represents 75,000 members across the state. States that with the rise of oligarchy and consolidation of wealth working people's backs are up against the wall. Multinational corporations don't care about the local community, productivity has risen but wages and benefits have fallen behind. Workers who go on strike have generally taken every step during negotiations, and this is the last resort. In 30 years in the labor movement, she has never met a worker that advocated for a strike as a first step. This bill will give workers the opportunity to exercise their right to strike with less fear. UI is a fraction of wages and only for 26 weeks. Since 2021 there have been 21 strikes with only 5 lasting longer than 2 weeks, if those workers received UI it would have been one-tenth of one percent of total UI claims. Some employers use a "starve them out" approach to strikes, this bill is a meager attempt at helping our residents stand up for justice in the workplace.

Ronerick Medina, Member Teamsters local 671: Supports the bill. States is part of the I-Health strike that started in December. Decision to strike was easy because the company was delaying negotiations and forcing 72-hour work weeks. States he has been in the cold every day and that he is not going anywhere. States he is lucky to have access to the strike fund but knows that not every union has one. States bill would help workers stand up for better working conditions.

Lawrence Sanchez, Member Teamsters local 671: Supports the bill. States going on strike is not an easy choice. They voted to strike because I-Health stalled negotiations for 9 months, changed working conditions, imposed harsh mandatory overtime, and took away a holiday as retaliation. The strike has been going since December 2nd and has been very hard. Luckily they have the Teamsters strike fund to help make ends meet. Hopes that this bill will help all workers in Connecticut stand-up for themselves. States the bill will not encourage strikes but be a much-needed safety net, and will encourage companies to bargain in good faith.

NATURE AND SOURCES OF OPPOSITION:

Paul Amarone, Public Policy Associate & Advocacy Manager of CBIA: Opposes the Bill. States that Bill would place undue burdens onto businesses in the state. States that many of the proposals from the bill are already implemented by businesses so it is unnecessary, and that having to report to the state would put undue burdens on businesses. States that warehouses are a fast paced consistently changing environment and that a one size fits all approach of this bill is not realistic. Also states that allowing private right of action against employers will add undue burdens and risk to employers. Also states that the "any adverse action" wording is too vague. States that existing federal and state laws already provide decent workplace protections and adding more reduces employers' competition in the marketplace and encourages litigation. Also states that striking workers do not qualify for unemployment and changing the law would further burden the states' UI trust fund.

Tim Phelan, President Connecticut Retail Network: Opposes the bill. States the CRN represents 42,000 retail establishments with roughly 470,000 employees, and account for

roughly 14% of the state's GDP and that more than 98% of all retail companies are small businesses. States that bill goes too far and would not achieve what it intends. Stating it would create a private right of action based on vague standards, create a never-ending presumption of retaliation, and is based on fundamental misunderstanding of performance standards, and would be counterproductive for everyone involved. States that performance metrics are not inherently unsafe, and workplace protections are already law, and that employees can already report issues and have protections from retaliation. Employers have no incentive to set unreachable standards that would lead to large employee turnover as that is bad for business. Bill do not do what it proports to do, it will not help workers and with harm employers with unreasonable oversight.

Reported by: Ian Graves

Date: 3/24/2025