



General Assembly

January Session, 2025

Committee Bill No. 831

LCO No. 5495



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:
(LAB)

***AN ACT CONCERNING ADVANCED NOTICE OF AN EMPLOYEE'S
WORK SCHEDULE TO CERTAIN EMPLOYEES.***

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 and 9, inclusive, of this act:

3 (1) "Employee" means an individual who is employed (A) in a retail
4 establishment, food services establishment or hospitality establishment,
5 or (B) as a nursing assistant or orderly at a long-term health care services
6 establishment. "Employee" does not include an individual who is
7 exempt from the minimum wage and overtime compensation
8 requirements of the Fair Labor Standards Act of 1938 and regulations
9 promulgated thereunder, as amended from time to time;

10 (2) "Employer" means any person that is (A) a retail establishment,
11 hospitality establishment or long-term health care services
12 establishment that employs five hundred or more employees within the
13 United States or globally, or (B) a food services establishment that
14 employs five hundred or more employees within the United States or
15 globally and has thirty or more locations within the United States or

16 globally. "Employer" includes a franchisee that is part of a network of
17 franchises within the United States and globally that employs five
18 hundred or more employees in the aggregate;

19 (3) "Franchisee" has the same meaning as provided in section 42-133e
20 of the general statutes;

21 (4) "Food services establishment" means food services and drinking
22 places, as defined under code 722 of the 2022 North American Industry
23 Classification System;

24 (5) "Hospitality establishment" means hotels and motels, as defined
25 under code 721110 of the 2022 North American Industry Classification
26 System and casino hotels, as defined under code 721120 of the North
27 American Industry Classification System;

28 (6) "Long-term health care establishment" means nursing care
29 facilities, as defined under code 623110 of the 2022 North American
30 Industry Classification System;

31 (7) "Nursing assistant" means nursing assistant, as defined in Section
32 31-1131 of the federal Bureau of Labor Statistics Standard Occupational
33 Classification system or any successor system;

34 (8) "On-call shift" means the specific and consecutive hours an
35 employer requires an employee to be available to work and for which
36 the employer requires the employee to either contact the employer or
37 wait to be contacted by the employer to determine whether the
38 employee must report to work;

39 (9) "Orderly" means orderly, as defined in Section 31-1132 of the
40 federal Bureau of Labor Statistics Standard Occupational Classification
41 system or any successor system;

42 (10) "Person" means any individual, partnership, association, joint
43 stock company, trust, firm, business, nonprofit agency, corporation,
44 limited liability company or any other entity employing any person;

45 (11) "Regular rate" has the same meaning as provided in section 31-
46 76b of the general statutes;

47 (12) "Regular shift" means the specific and consecutive hours an
48 employer schedules an employee to work;

49 (13) "Retail establishment" means the fixed point of sale location for
50 an establishment defined under sectors 44 to 45 of the 2022 North
51 American Industry Classification System; and

52 (14) "Work schedule" means the regular shifts and on-call shifts an
53 employer assigns to an employee, including the dates, times and
54 location of such regular and on-call shifts.

55 Sec. 2. (NEW) (*Effective October 1, 2025*) (a) Prior to the start of
56 employment, an employer shall obtain a written statement from a new
57 employee that includes the days and times the employee is available to
58 work and the employee's desired number of weekly scheduled work
59 hours. An employee may request to modify such written statement at
60 any time during employment and an employer may grant or deny any
61 such request for any bona fide business reason.

62 (b) Prior to the start of employment, an employer shall provide a new
63 employee with a good faith written estimate of the employee's
64 anticipated work schedule that includes the average number of hours
65 the employee can expect to work in an average week and the days and
66 times of regular and on-call shifts the employee can expect to work each
67 week. An employer shall revise such estimate when there is a significant
68 change in the employee's availability or to the employer's business
69 needs. An employer shall not be in violation of this section if an
70 employee's scheduled hours for any given week exceed the average
71 number of hours provided in the written estimate, provided such
72 employer has made every effort to schedule the employee for such
73 employee's desired number of weekly scheduled work hours.

74 Sec. 3. (NEW) (*Effective October 1, 2025*) (a) An employer shall provide

75 an employee with notice of the employee's work schedule not later than
76 fourteen days prior to the first date of any work schedule. Such notice
77 may be provided by (1) posting the work schedule in a conspicuous
78 place, accessible to employees, at such employer's place of business, or
79 (2) transmitting the work schedule by electronic means. For a new
80 employee, an employer shall provide such employee with the
81 employee's initial work schedule not later than the date of the
82 employee's first scheduled shift for the period commencing on the date
83 of the employee's first scheduled shift and ending on the last day of the
84 seven-day period covered by the latest posted or transmitted work
85 schedule. If an employer makes changes to an employee's work
86 schedule after such work schedule is posted or transmitted, such
87 changes shall be subject to the notice requirements set forth in
88 subsection (b) of this section and the compensation requirements set
89 forth in subsection (d) of this section.

90 (b) An employer shall provide an employee with notice of any
91 employer requested change to such employee's work schedule made
92 after the advanced notice required pursuant to subsection (a) of this
93 section. Such notice shall be provided in writing, as soon as possible and
94 prior to the start of any amended or added regular or on-call shift. An
95 employer shall revise the posted or transmitted work schedule to reflect
96 such change not later than twenty-four hours after making such change
97 to the work schedule. An employee may decline to work any regular or
98 on-call shifts not included in the posted or transmitted work schedule.
99 If an employee consents to working any such shifts, such consent shall
100 be in writing.

101 (c) At any time after the advanced notice required pursuant to
102 subsection (a) of this section, an employee may request, in writing, that
103 the employer add one or more regular or on-call shifts to such
104 employee's schedule or to swap shifts with another employee. Any
105 changes made to the employee's work schedule resulting from such
106 employee-requested schedule change shall not be subject to the notice
107 requirements of subsection (b) of this section.

108 (d) An employer shall provide the following compensation to an
109 employee for each employer requested change that occurs to the
110 employee's work schedule without adherence to the notice
111 requirements in subsection (b) of this section:

112 (1) One hour of pay at such employee's regular rate of pay, in addition
113 to wages earned, when the employer:

114 (A) Adds one or more hours to an employee's regular or on-call shift;

115 (B) Changes the date, start or end time or location of an employee's
116 regular or on-call shift without a reduction of hours; or

117 (C) Schedules the employee for an additional regular or on-call shift.

118 (2) One-half of such employee's regular rate of pay per hour for each
119 schedule hour the employee does not work when the employer:

120 (A) Subtracts hours from the employee's work shift before or after
121 such employee reports to work;

122 (B) Cancels the employee's regular shift; or

123 (C) Changes the date, start or end time or location of an employee's
124 regular or on-call shift, resulting in a loss of hours.

125 (e) The compensation requirements of subsection (d) of this section
126 shall not apply when:

127 (1) An employee mutually agrees with another employee to an
128 employee-initiated shift swap or coverage. Such employee-initiated
129 shift swap or coverage shall be subject to any existing employer policy
130 regarding shift swapping or shift coverage;

131 (2) An employer makes changes to an employee's work schedule at
132 the employee's request pursuant to subsection (c) of this section;

133 (3) An employee's request to use sick leave, vacation leave or other

134 leave, subject to an employer policy regarding employee use of leave;

135 (4) An employer's operations inability to begin or continue due to:

136 (A) The failure of a public utility;

137 (B) A fire, flood or other natural disaster; or

138 (C) An emergency declaration issued by the President of the United
139 States or the Governor.

140 Sec. 4. (NEW) (*Effective October 1, 2025*) (a) No employer shall
141 schedule or require an employee to work during the following rest
142 periods:

143 (1) The first eleven hours following the end of the previous calendar
144 day's regular or on-call shift; or

145 (2) The first eleven hours following the end of a regular or on-call
146 shift that spanned two calendar days.

147 (b) An employee may consent to work any hours during the rest
148 periods described in subsection (a) of this section, provided such
149 consent is in writing. For any hour or portion of an hour an employee
150 works during the rest periods described in subsection (a) of this section,
151 an employer shall compensate such employee at one and one-half times
152 the employee's regular rate of pay.

153 Sec. 5. (NEW) (*Effective October 1, 2025*) (a) Prior to hiring a new
154 employee from an external applicant pool, including hiring through the
155 use of a contractor, including temporary help service or employment
156 agency, as defined in section 31-129 of the general statutes, an employer
157 shall offer available shifts to existing employees and make every effort
158 to schedule such employer's current employees for such current
159 employees' desired number of weekly scheduled work hours identified
160 in the written statement provided by such employees pursuant to
161 section 2 of this act.

162 (b) An employer may hire individuals from an external applicant
163 pool if such employer's current employees lack and cannot obtain with
164 reasonable training, the qualifications necessary to perform the duties
165 of the position being filled or scheduling current employees would
166 require the employer to pay such employees at an overtime rate under
167 state or federal law.

168 (c) If an employer fails to offer such employer's current employees
169 opportunities to work such employees' desired number of weekly
170 scheduled work hours identified in an employee's written statement
171 provided pursuant to section 2 of this act before hiring a new employee
172 from an external applicant pool or through use of a contractor, such
173 employer shall provide compensation to an affected current employee
174 for any hours on such written statement worked by a newly hired
175 employee. Such compensation shall be at the current employee's
176 regularly hour rate.

177 Sec. 6. (NEW) (*Effective October 1, 2025*) An employer subject to the
178 provisions of sections 2 to 5, inclusive, of this act shall keep and maintain
179 a true and accurate record of each employee's work schedule and any
180 revisions to such work schedule. Such records shall be maintained for a
181 period of three years and shall be open to inspection by the Labor
182 Commissioner, or the commissioner's designee, at any reasonable time.

183 Sec. 7. (NEW) (*Effective October 1, 2025*) The Labor Commissioner may
184 adopt regulations, in accordance with the provisions of chapter 54 of the
185 general statutes, to implement and enforce the provisions of sections 2
186 to 6, inclusive, of this act.

187 Sec. 8. (NEW) (*Effective October 1, 2025*) (a) An employee aggrieved by
188 a violation of the provisions of sections 2 to 5, inclusive, of this, act a
189 collective bargaining agent on behalf of an employee aggrieved by a
190 violation of the provisions of sections 2 to 5, inclusive, of this act or the
191 Labor Commissioner may file a complaint in the Superior Court to
192 recover compensatory damages, civil penalties and such equitable and
193 injunctive relief as the court deems appropriate. In addition, the court

194 may award reasonable attorney's fees and costs.

195 (b) An employer who violates the provisions of sections 2 to 6,
196 inclusive, of this act may be assessed a civil penalty of not more than
197 two hundred dollars per violation. Any civil penalty assessed under this
198 subsection shall be paid to the Labor Department.

199 (c) In addition to any damages, or as an alternative to, any relief
200 ordered pursuant to subsection (b) of this section, the court may (1) issue
201 an order of compliance to an employer who violates any provision of
202 sections 2 to 6, inclusive, of this act, or (2) award the following on a per-
203 employee or per-instance basis: (A) For a violation of sections 2 to 4,
204 inclusive, of this act, statutory damages of not more than two hundred
205 dollars; and (B) for a violation of section 5 of this act, statutory damages
206 of not more than three hundred dollars.

207 Sec. 9. (NEW) (*Effective October 1, 2025*) (a) A whistleblower may, on
208 behalf of the state, bring a civil action in the Superior Court against a
209 covered employer who violates the provisions of sections 2 to 5,
210 inclusive, of this act to recover damages, civil penalties and equitable
211 and injunctive relief described in section 8 of this section. The state may
212 intervene in an action brought under this section not later than thirty
213 days after the commencement of such action. After thirty days, the state
214 may intervene with permission from the court.

215 (b) Prior to bringing a civil action under this section, a whistleblower
216 shall give written notice to the Labor Commissioner, in a form and
217 manner prescribed by the Labor Commissioner. Such notice shall state
218 the alleged violation of sections 2 to 5, inclusive, of this act. Not later
219 than thirty days after receipt of such notice, the commissioner shall issue
220 a decision stating whether the whistleblower may proceed with the civil
221 action on behalf of the state or if the Labor Department will be pursuing
222 such action.

223 (c) Any damages awarded to a whistleblower in a civil action brought
224 under this section shall be distributed as follows (1) seventy-five per

225 cent to the Labor Department for enforcement of the provisions of
226 sections 2 to 7, inclusive, of this act, and (2) twenty-five per cent to the
227 whistleblower who brought such action. In addition to any damages
228 awarded, the court shall award reasonable attorney's fees and costs to a
229 whistleblower who prevails in an action brought under this section.

230 (d) The court shall review any settlement agreement in a civil action
231 brought under this section to determine whether such settlement
232 agreement is fair, adequate, reasonable and in the public interest.

233 (e) No provision of a contract shall impair the right of an individual
234 to bring an action under this section.

235 (f) Any action brought under this section shall be tried promptly and
236 without regard to concurrent adjudication of private claims.

237 (g) If any part of a whistleblower's claim brought under this section
238 is ordered or submitted to arbitration or is resolved by way of final
239 judgment, settlement or arbitration in favor of the employee, the
240 whistleblower shall retain standing to recover penalties for violations
241 suffered by employees in any forum having jurisdiction over the claim.

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
Sec. 9	<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
Sec. 9	<i>October 1, 2025</i>	New section

Statement of Purpose:

To require employers to provide advance notice to certain employees of such employees' work schedule and work schedule changes and create a cause of action for violations of advance notice requirements.

[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.]

Co-Sponsors: SEN. LOONEY, 11th Dist.

S.B. 831