



General Assembly

January Session, 2025

Governor's Bill No. 1254

LCO No. 4375



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:

Request of the Governor Pursuant
to Joint Rule 9

**AN ACT ESTABLISHING ADDITIONAL PROTECTIONS FOR
WAREHOUSE WORKERS.**

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 9, 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 two
17 hundred fifty or more employees at a single warehouse distribution
18 center 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 wage
33 statements or data an employer collects, stores, analyzes or interprets
34 that does not relate to the performance of a quota, except for any content
35 of such records that includes work speed data; and

36 (5) "Warehouse distribution center" means an establishment as
37 defined by any of the following North American Industry Classification
38 System Codes, however such establishment is denominated: (A) 493110
39 for General Warehousing and Storage; (B) 423 for Merchant
40 Wholesalers, Durable Goods; (C) 424 for Merchant Wholesalers,
41 Nondurable Goods; (D) 454110 for Electronic Shopping and Mail-Order
42 Houses; or (E) 492110 for Couriers and Express Delivery Services.

43 Sec. 2. (NEW) (*Effective October 1, 2025*) (a) On and after July 1, 2026,
44 an employer shall provide to each employee a written description of
45 each quota to which such employee is subject, including any potential

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

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

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

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

60 (c) Any written description required pursuant to this section shall be
61 provided directly to an employee by a manager during such employee's
62 work hours.

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

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

71 Sec. 4. (NEW) (*Effective October 1, 2025*) On and after July 1, 2026, no
72 employer shall take any adverse action against an employee for failing
73 to satisfy a quota that violates the provisions of subsection (a) of section
74 3 of this act or has not previously been provided to the employee

75 pursuant to section 2 of this act.

76 Sec. 5. (NEW) (*Effective October 1, 2025*) On and after July 1, 2026, each
77 employer shall establish, maintain and preserve contemporaneous, true
78 and accurate records of (1) each individual employee's work speed data;
79 (2) the aggregated work speed data for similar employees at the same
80 warehouse distribution center; and (3) the written description provided
81 to each employee pursuant to section 2 of this act. Such records shall be
82 maintained for a period of three years. Nothing in this section shall
83 require an employer to establish, maintain and preserve the records
84 required pursuant to this section if such employer does not assign or
85 require quotas or collect, store, analyze or interpret work speed data.

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

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

104 (c) An employer shall provide a written copy of any records
105 requested pursuant to this section not later than five calendar days after

106 receipt of such request. Such written copy shall be provided (1) in both
107 English and the primary language of the employee requesting such
108 records, and (2) (A) for a current employee, directly to the employee
109 requesting such records by a manager during such employee's work
110 hours, or (B) for a former employee, either at a mutually convenient time
111 or via a mutually convenient delivery method.

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

117 (b) On and after July 1, 2026, if an employer discharges or in any way
118 retaliates, discriminates or takes any adverse action against any
119 employee or former employee within ninety days after such employee
120 engages in or attempts to engage in the activities described in subsection
121 (a) of this section, there shall be a rebuttable presumption that such
122 adverse action is in violation of this section. Such presumption may be
123 rebutted by clear and convincing evidence that (1) the adverse action
124 was taken for other permissible reasons, and (2) the employee engaging
125 or attempting to engage in the activities described in subsection (a) of
126 this section was not a motivating factor in the employer taking such
127 adverse action.

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

136 (b) An employer who violates a provision of section 2 to 7, inclusive,

137 of this act may be assessed a civil penalty by the court of (1) one
 138 thousand dollars for a first violation, (2) two thousand dollars for a
 139 second violation, or (3) three thousand dollars for a third or subsequent
 140 violations.

141 Sec. 9. (NEW) (*Effective October 1, 2025*) On and after July 1, 2026, the
 142 Workers' Compensation Commission shall monitor the injury rates of
 143 employees working in warehouse distribution centers in the state. If an
 144 employer is found to have an annual injury rate at or over one and one-
 145 half times the average annual injury rate for the relevant North
 146 American Industry Classification System codes, based on data reported
 147 to the federal Occupational and Safety and Health Administration, the
 148 Workers' Compensation Commission shall notify the Labor
 149 Commissioner and the commissioner shall determine whether an
 150 investigation concerning potential violations of sections 2 to 7, inclusive,
 151 of this act is appropriate.

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

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.]