



General Assembly

Amendment

January Session, 2025

LCO No. 7724



Offered by:

REP. SANCHEZ E., 24th Dist.

REP. WILSON, 46th Dist.

To: House Bill No. 6907

File No. 192

Cal. No. 145

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

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

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

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

10 (2) "Employer" means an individual, corporation, partnership,
11 limited partnership, limited liability partnership, limited liability
12 company, business trust, estate, trust, association, joint venture, agency,
13 instrumentality or any other legal or commercial entity, whether

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

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

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

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

46 Sec. 2. (NEW) (*Effective October 1, 2025*) (a) On and after July 1, 2026,
47 an employer shall provide to each employee a written description of
48 each quota to which such employee is subject, including any potential
49 adverse employment action that may result from a failure to satisfy such
50 quota. Such written description shall be provided to an employer's
51 current employees not later than August 1, 2026. For employees hired
52 after August 1, 2026, such written description shall be provided to the
53 employee upon hire.

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

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

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

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 as soon as practicable, but not later
106 than fifteen calendar days after receipt of such request. Such written
107 copy shall be provided (1) in both English and the primary language of
108 the employee requesting such records, and (2) for a former employee,

109 via a mutually convenient delivery method.

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

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

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

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

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

140 (b) An employer who violates a provision of sections 2 to 7, inclusive,
141 of this act may be assessed a civil penalty by the court of (1) one
142 thousand dollars for a first violation, (2) two thousand dollars for a
143 second violation, or (3) three thousand dollars for a third or subsequent
144 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