



General Assembly

**Substitute Bill No. 881**

*January Session, 2019*



SB00881 LAB 032219

***AN ACT ESTABLISHING A PAID FAMILY AND MEDICAL LEAVE PROGRAM.***

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

1       Section 1. (NEW) (*Effective from passage*) As used in this section and  
2       sections 2 to 13, inclusive, of this act:

3       (1) "Covered worker" means an individual who (A) (i) has earned  
4       not less than two thousand three hundred twenty-five dollars from one  
5       or more employers during the employee's highest earning quarter  
6       within the base period, and (ii) is employed by an employer or not  
7       currently employed, (B) is a self-employed individual or sole  
8       proprietor who has earned not less than two thousand three hundred  
9       twenty-five dollars during the worker's highest earning quarter within  
10      the base period, or (C) is a member of a collective bargaining unit that  
11      has negotiated inclusion in the program, in accordance with chapter 68  
12      of the general statutes or sections 7-467 to 7-477, inclusive, of the  
13      general statutes;

14       (2) "Administrator" means the Labor Department or such quasi-  
15       public agency, as defined in section 1-120 of the general statutes, as the  
16       Labor Commissioner may designate;

17       (3) "Employ" means to allow or permit to work;

18       (4) "Employee" means an individual engaged in service to an

19 employer in this state in the business of the employer and includes a  
20 self-employed individual or sole proprietor in the state;

21 (5) "Employer" means a person engaged in any activity, enterprise  
22 or business who employs one or more employees, and includes any  
23 person who acts, directly or indirectly, in the interest of an employer to  
24 any of the employees of such employer and any successor in interest of  
25 an employer. "Employer" does not include the state, or a municipality,  
26 or a local or regional board of education, except when a collective  
27 bargaining unit negotiates inclusion of the members of that collective  
28 bargaining unit in the program, in accordance with chapter 68 of the  
29 general statutes or sections 7-467 to 7-477, inclusive, of the general  
30 statutes;

31 (6) "Family and medical leave compensation" or "compensation"  
32 means the paid leave provided to covered workers from the Family  
33 and Medical Leave Insurance Trust Fund;

34 (7) "Family and Medical Leave Insurance Program" or "program"  
35 means the program established in section 2 of this act;

36 (8) "Family and Medical Leave Insurance Trust Fund" or "trust"  
37 means the trust fund established in section 3 of this act;

38 (9) "Person" means one or more individuals, partnerships,  
39 associations, corporations, limited liability companies, business trusts,  
40 legal representatives or any organized group of persons;

41 (10) "Base period" means the first four of the five most recently  
42 worked quarters; and

43 (11) "Base weekly earnings" means an amount equal to one twenty-  
44 sixth, rounded to the next lower dollar, of the average of a worker's  
45 total wages, as defined in subsection (b) of section 31-222 of the general  
46 statutes, paid during the two quarters of the worker's base period in  
47 which such wages were highest.

48        Sec. 2. (NEW) (*Effective from passage*) (a) There is established a  
49        Family and Medical Leave Insurance Program. The program shall be  
50        administered by the administrator and shall offer up to twelve  
51        workweeks of family and medical leave compensation to covered  
52        workers during any twelve-month period. The program shall offer two  
53        additional weeks of family and medical leave compensation to a  
54        covered worker for a serious health condition that occurs during a  
55        pregnancy.

56        (b) On or before October 1, 2020, the administrator shall begin  
57        collecting contributions to the Family and Medical Leave Insurance  
58        Trust Fund, established in section 3 of this act and, on and after  
59        January 1, 2022, shall begin to provide compensation to covered  
60        workers. For the purposes of this section and sections 3 to 13, inclusive,  
61        of this act, the administrator shall have the power to (1) determine  
62        whether an individual meets the requirements for compensation under  
63        this section; (2) require a covered worker's claim for compensation  
64        pursuant to this section be supported by certification pursuant to  
65        section 31-51mm of the general statutes, as amended by this act, and  
66        subsection (d) of section 31-51ss of the general statutes; (3) examine, or  
67        cause to be produced or examined, any books, records, documents,  
68        contracts or other papers relevant to the eligibility of a covered worker;  
69        (4) summon and examine under oath such witnesses as may provide  
70        information relevant to a covered worker's claim for family and  
71        medical leave compensation; (5) establish procedures and forms for the  
72        filing of claims for compensation, including the certification required  
73        for establishing eligibility for such compensation; and (6) ensure the  
74        confidentiality of records and documents relating to medical  
75        certifications, recertifications or medical histories of covered workers  
76        or covered workers' family members pursuant to section 31-51oo of the  
77        general statutes, as amended by this act.

78        (c) (1) Beginning on or before October 1, 2020, each employee shall  
79        contribute one-half of one per cent of his or her weekly earnings to the  
80        Family and Medical Leave Insurance Trust Fund, in a manner and

81 form prescribed by the administrator pursuant to section 6 of this act.

82 (2) On September 1, 2022, and on each September first thereafter, the  
83 administrator shall publish the following information: (A) The total  
84 amount of benefits paid by the administrator during the previous fiscal  
85 year, as well as the total amount required for the administration of the  
86 Family and Medical Leave Insurance Program in such year; (B) the  
87 total amount remaining in the trust fund at the close of such fiscal year;  
88 (C) the total amount equal to one hundred forty per cent of the  
89 previous fiscal year's expenditure for benefits paid and for the  
90 administration of the Family and Medical Leave Insurance Program;  
91 (D) the amount by which the total amount remaining in the trust fund  
92 at the close of the previous fiscal year is less than or greater than one  
93 hundred forty per cent of the previous fiscal year's expenditure for  
94 benefits paid and for the administration of the Family and Medical  
95 Leave Insurance Program. On November 1, 2022, and on each  
96 November first thereafter, the Labor Commissioner shall announce a  
97 revision to the contribution rate set forth in subdivision (1) of this  
98 subsection to ensure that the trust fund shall maintain or achieve an  
99 annualized amount of not less than one hundred forty per cent of the  
100 previous fiscal year's expenditure for benefits paid and for the  
101 administration of the Family and Medical Leave Insurance Program.  
102 Effective on January first of the calendar year following each such  
103 announcement, the revised contribution rate announced by the Labor  
104 Commissioner under this subsection shall supersede the rate  
105 previously set forth in subdivision (1) of this subsection or established  
106 in accordance with this subsection.

107 (3) The amount of earnings subject to contributions for a given year  
108 shall not exceed the Social Security contribution and benefit base, as  
109 determined pursuant to 42 USC 430, as amended from time to time,  
110 and shall be utilized to provide compensation to covered workers  
111 pursuant to this subsection and subsections (d) to (f), inclusive, of this  
112 section.

113 (4) Notwithstanding section 31-71e of the general statutes, an

114 employer may withhold or divert the portion of an employee's wages  
115 that corresponds to the contribution rate established pursuant to this  
116 subsection for the purpose of remitting such wages to the Family and  
117 Medical Leave Insurance Trust Fund.

118 (5) If, after notice, an employee or employer fails to make a payment  
119 required by this section, a state collection agency, as defined in section  
120 12-35 of the general statutes, shall collect such contribution and interest  
121 by any means provided in sections 12-35, 31-265 and 31-266 of the  
122 general statutes.

123 (d) The weekly compensation offered to covered workers shall be  
124 equal to ninety per cent of a covered worker's base weekly earnings up  
125 to an amount equal to forty times the minimum fair wage, as defined  
126 in section 31-58 of the general statutes, and sixty-seven per cent of that  
127 worker's base weekly earnings above an amount equal to forty times  
128 the minimum fair wage, except that the weekly compensation shall not  
129 exceed an amount equal to sixty times the minimum fair wage. If the  
130 Internal Revenue Service determines that family and medical leave  
131 compensation is subject to federal income tax and a covered worker  
132 elects to have federal income tax deducted and withheld from his or  
133 her compensation, the administrator shall deduct and withhold the  
134 amount specified in the United States Internal Revenue Code in a  
135 manner consistent with state law.

136 (e) A covered worker shall receive compensation under this section  
137 for leave taken for one or more of the reasons listed in subparagraphs  
138 (A) to (E), inclusive, of subdivision (2) of subsection (a) of section 31-  
139 51ll of the general statutes, as amended by this act, or the reasons listed  
140 in subsection (i) of said section or section 31-51ss of the general  
141 statutes, if such covered worker (1) provides notice to the  
142 administrator, and such covered worker's employer, if applicable, of  
143 the need for such compensation in a form and a manner as prescribed  
144 by the administrator, and (2) upon the request of the administrator,  
145 provides certification of such covered worker's need for compensation  
146 in accordance with the provisions of section 31-51mm of the general

147 statutes, as amended by this act, to the administrator and such  
148 employer, if applicable.

149 (f) A covered worker may receive compensation under this section  
150 for intermittent leave, provided such leave shall not be less than four  
151 consecutive hours of leave in any workweek. If family and medical  
152 leave benefits are taken for four hours or more, but for less than one  
153 full week, such hourly compensation shall be determined on a pro rata  
154 basis at the discretion of the administrator.

155 (g) A covered worker may receive compensation under this section  
156 concurrently with any employer-provided employment benefits,  
157 provided the total compensation of such covered worker during such  
158 period of leave shall not exceed such covered worker's regular rate of  
159 compensation.

160 (h) No covered worker shall receive compensation under this  
161 section concurrently with compensation under chapter 567 or 568 of  
162 the general statutes or any other state or federal program that provides  
163 wage replacement.

164 (i) No covered worker shall receive compensation under this section  
165 during the greater of the first forty work hours or seven calendar days  
166 of such leave in any twelve-month period, unless taken upon the birth  
167 of a son or daughter of the covered worker or upon the placement of a  
168 son or daughter with the covered worker for adoption or foster care;  
169 except that a covered worker may utilize accrued sick or vacation pay  
170 or other paid leave provided under an employer policy during the first  
171 forty work hours or seven calendar days of such leave. Covered  
172 workers taking family or medical leave for which benefits are not  
173 payable under this subsection shall be entitled to the protections of  
174 section 31-51nn of the general statutes.

175 (j) Any moneys expended from the General Fund for the purpose of  
176 administering the Family and Medical Leave Insurance Program, or  
177 providing compensation to covered workers, shall be reimbursed to

178 the General Fund by the administrator over a period established by the  
179 administrator.

180 Sec. 3. (NEW) (*Effective from passage*) (a) There is established a fund  
181 to be known as the "Family and Medical Leave Insurance Trust Fund"  
182 for the purpose of providing family and medical leave compensation  
183 to covered workers. The Family and Medical Leave Insurance Trust  
184 Fund shall be a nonlapsing fund held by the State Treasurer separate  
185 and apart from all other moneys, funds and accounts. Investment  
186 earnings credited to the trust shall become part of the trust.

187 (b) The trust shall constitute an instrumentality of the state and shall  
188 perform essential governmental functions in accordance with the  
189 provisions of this section. The trust shall receive and hold all payments  
190 and deposits and premiums intended for the trust, as well as gifts,  
191 bequests, endowments or federal, state or local grants and any other  
192 funds from any public or private source and all earnings until  
193 disbursed in accordance with the provisions of this section.

194 (c) The amounts on deposit in the trust shall not constitute property  
195 of the state and the trust shall not be construed to be a department,  
196 institution or agency of the state. Amounts on deposit in the trust shall  
197 not be commingled with state funds and the state shall have no claim  
198 to or against, or interest in, such funds. Any contract entered into by or  
199 any obligation of the trust shall not constitute a debt or obligation of  
200 the state and the state shall have no obligation to any designated  
201 beneficiary or any other person on account of the trust and all amounts  
202 obligated to be paid from the trust shall be limited to amounts  
203 available for such obligation on deposit in the trust. The trust shall  
204 continue in existence as long as it holds any deposits or has any  
205 obligations and until its existence is terminated by law and upon  
206 termination any unclaimed assets shall return to the state. Property of  
207 the trust shall be governed by section 3-61a of the general statutes.

208 (d) The State Treasurer shall be responsible for the receipt and  
209 investment of moneys held by the trust. The trust shall not receive

210 deposits in any form other than cash. No depositor or designated  
211 beneficiary may direct the investment of any contributions or amounts  
212 held in the trust other than the specific fund options provided for by  
213 the trust.

214 (e) The assets of the trust shall be used for the purpose of (1)  
215 distributing family and medical leave compensation to covered  
216 workers, (2) educating and informing persons about the program, and  
217 (3) paying the operational, administrative and investment costs of the  
218 trust, including those incurred pursuant to section 6 of this act.

219 Sec. 4. (NEW) (*Effective from passage*) The State Treasurer, on behalf  
220 of the Family and Medical Leave Insurance Trust Fund and for  
221 purposes of the trust, shall:

222 (1) Receive and invest moneys in the trust in any instruments,  
223 obligations, securities or property in accordance with sections 3 and 5  
224 of this act;

225 (2) Procure insurance as the State Treasurer deems necessary to  
226 protect the trust's property, assets, activities or deposits or  
227 contributions to the trust; and

228 (3) Apply for, accept and expend gifts, grants or donations from  
229 public or private sources to carry out the objectives of the trust.

230 Sec. 5. (NEW) (*Effective from passage*) The State Treasurer shall invest  
231 the amounts on deposit in the Family and Medical Leave Insurance  
232 Trust Fund in a manner reasonable and appropriate to achieve the  
233 objectives of the trust, exercising the discretion and care of a prudent  
234 person in similar circumstances with similar objectives. The State  
235 Treasurer shall give due consideration to rate of return, risk, term or  
236 maturity, diversification of the total portfolio within the trust,  
237 liquidity, the projected disbursements and expenditures and the  
238 expected payments, deposits, contributions and gifts to be received.  
239 The State Treasurer shall not require the trust to invest directly in  
240 obligations of the state or any political subdivision of the state or in

241 any investment or other fund administered by the State Treasurer. The  
242 assets of the trust shall be continuously invested and reinvested in a  
243 manner consistent with the objectives of the trust until disbursed upon  
244 order of the administrator or expended on expenses incurred by the  
245 operations of the trust.

246 Sec. 6. (NEW) (*Effective from passage*) The administrator, in  
247 consultation with the State Treasurer and the Department of Revenue  
248 Services, shall establish the procedures necessary to implement the  
249 Family and Medical Leave Insurance Program. The administrator  
250 shall:

251 (1) Design, establish and operate the program to ensure  
252 transparency in the management of the program and the Family and  
253 Medical Leave Insurance Trust Fund through oversight and ethics  
254 review of plan fiduciaries;

255 (2) Design and establish the process by which employees shall  
256 contribute a portion of their salary or wages to the trust;

257 (3) Evaluate and establish the process by which employers may  
258 credit employee premiums to the trust through payroll deposit;

259 (4) Ensure that contributions to the trust collected from employees  
260 shall not be used for any purpose other than to provide compensation  
261 to covered workers or to satisfy any expenses, including employee  
262 costs, incurred to implement, maintain, advertise and administer the  
263 program;

264 (5) Establish and maintain a secure Internet web site that displays all  
265 public notices issued by the administrator and such other information  
266 as the administrator deems relevant and necessary for the  
267 implementation of the program and for the education of the public  
268 regarding the program; and

269 (6) Not later than January 1, 2020, submit a report, in accordance  
270 with the provisions of section 11-4a of the general statutes, to the joint

271 standing committee of the General Assembly having cognizance of  
272 matters relating to labor regarding any recommendations for  
273 legislative action that may be necessary for the implementation or  
274 administration of the program.

275 Sec. 7. (NEW) (*Effective January 1, 2020*) The administrator, in  
276 consultation with the State Treasurer, shall conduct a public education  
277 campaign to inform individuals and employers about the Family and  
278 Medical Leave Insurance Program. Such campaign shall include, but  
279 not be limited to, information about (1) the requirements for receiving  
280 family and medical leave compensation, (2) how to apply for such  
281 compensation, and (3) the circumstances for which such compensation  
282 may be available. The administrator may use funds contributed to the  
283 Family and Medical Leave Insurance Trust Fund for purposes of the  
284 public education campaign. Information distributed or made available  
285 under the campaign shall be available in English and Spanish and in  
286 any other language as prescribed by the administrator.

287 Sec. 8. (NEW) (*Effective from passage*) (a) (1) Employers may apply to  
288 the administrator for approval to meet their obligations under sections  
289 1 to 13, inclusive, of this act through a private plan, which the  
290 administrator shall evaluate in coordination with the Insurance  
291 Department. To be approved as meeting an employer's obligations  
292 under sections 1 to 13, inclusive, of this act, a private plan shall confer  
293 all of the same rights, protections and benefits provided to employees  
294 under sections 1 to 13, inclusive, of this act, impose no additional  
295 conditions or restriction on the use of family or medical leave beyond  
296 those explicitly authorized by said sections or by regulations issued  
297 pursuant to section 31-51qq, of the general statutes, as amended by this  
298 act, and cost employees no more than the cost charged to employees  
299 under the state program.

300 (2) In order to be approved as meeting an employer's obligations  
301 under sections 1 to 13, inclusive, of this act, a private plan shall also  
302 comply with the following provisions: (A) If the private plan is in the  
303 form of self-insurance, the employer shall furnish a bond running to

304 the state, with a surety company authorized to transact business in the  
305 state as surety, in such form as may be approved by the administrator  
306 and in such amount as may be required by the department; (B) the  
307 plan shall provide coverage for all eligible employees throughout their  
308 period of employment; (C) if the plan provides for insurance, the forms  
309 of the policy shall be issued by an approved insurer; and (D) the plan  
310 shall have been approved by a majority vote of the employer's  
311 employees.

312 (b) The administrator may withdraw approval for a private plan  
313 granted under subsection (a) of this section when terms or conditions  
314 of the plan have been violated. Causes for plan termination include,  
315 but shall not be limited to, the following: (1) Failure to pay benefits; (2)  
316 failure to pay benefits timely and in a manner consistent with the  
317 public plan; (3) failure to maintain an adequate security deposit; (4)  
318 misuse of private plan funds; (5) failure to submit reports as required  
319 by regulations adopted by the administrator; or (6) failure to comply  
320 with sections 1 to 13, inclusive, of this act or the regulations adopted  
321 hereunder or both.

322 (c) An employee covered by a private plan approved under this  
323 section shall retain all applicable rights under sections 31-51kk to 31-  
324 51qq, inclusive, of the general statutes, as amended by this act.

325 (d) A denial of family or medical leave benefits by a private plan  
326 shall be subject to appeal before the administrator and Superior Court  
327 as provided by section 9 of this act.

328 Sec. 9. (NEW) (*Effective from passage*) Any covered worker aggrieved  
329 by a denial of compensation under the Family and Medical Leave  
330 Insurance Program may file a complaint with the commissioner. Upon  
331 receipt of any such complaint, the commissioner shall conduct an  
332 investigation and make a finding regarding jurisdiction and whether a  
333 violation of sections 1 to 13, inclusive, of this act, has occurred. If the  
334 commissioner makes a finding that the agency has no jurisdiction or  
335 that no violation of such sections has occurred, the commissioner shall

336 dismiss the complaint and issue a release of jurisdiction allowing the  
337 complainant to bring a civil action in Superior Court. Any action  
338 brought by the complainant in accordance with this subsection shall be  
339 brought not later than ninety days after the date of the receipt of the  
340 release from the commissioner. The employee may be awarded all  
341 appropriate relief, including any compensation or benefits to which the  
342 covered worker otherwise would have been eligible if such denial had  
343 not occurred. If the commissioner makes a finding that a violation of  
344 sections 1 to 13, inclusive, of this act, has occurred, there shall be a  
345 mandatory settlement conference and, in the absence of a settlement,  
346 the commissioner shall hold a hearing. After the hearing, the  
347 commissioner shall send each party a written copy of the  
348 commissioner's decision. The commissioner may award the covered  
349 worker all appropriate relief, including any compensation or benefits  
350 to which the covered worker otherwise would have been eligible if  
351 such denial had not occurred. Any party aggrieved by the decision of  
352 the commissioner may appeal the decision to the Superior Court in  
353 accordance with the provisions of chapter 54 of the general statutes.

354 Sec. 10. (NEW) (*Effective July 1, 2021*) Each employer shall, at the  
355 time of hiring, and annually thereafter, provide notice to each of the  
356 employer's employees (1) of the entitlement to family and medical  
357 leave under sections 31-51kk to 31-51qq, inclusive, of the general  
358 statutes, as amended by this act, and 31-51ss of the general statutes  
359 and the terms under which such leave may be used, (2) that retaliation  
360 by the employer against the employee for requesting, applying for or  
361 using family and medical leave for which the employee is eligible is  
362 prohibited, and (3) that the employee has a right to file a complaint  
363 with the Labor Commissioner for any violation of said sections. An  
364 employee claiming to be aggrieved in relation to such a complaint filed  
365 with the Labor Commissioner may bring an action in the superior  
366 court for the judicial district of Hartford within one year from the date  
367 of the alleged aggrievement. The Labor Commissioner may adopt  
368 regulations, in accordance with chapter 54 of the general statutes, to  
369 establish additional requirements concerning the means by which

370 employers shall provide such notice.

371 Sec. 11. (NEW) (*Effective from passage*) (a) Any individual or covered  
372 worker participating in the program who wilfully makes a false  
373 statement or misrepresentation regarding a material fact, or wilfully  
374 fails to report a material fact, to obtain family and medical leave  
375 compensation shall be disqualified from receiving any compensation  
376 under the program for two years after making such false statement or  
377 misrepresentation or failing to report such material fact.

378 (b) If family and medical leave compensation is paid to an  
379 individual or covered worker erroneously or as a result of wilful  
380 misrepresentation by such individual or covered worker, or if a claim  
381 for family and medical leave compensation is rejected after  
382 compensation is paid, the administrator may seek repayment of  
383 benefits from the individual or covered worker having received such  
384 compensation and may also, in the case of wilful misrepresentation,  
385 seek payment of a penalty in the amount of fifty per cent of the  
386 benefits paid as a result of such misrepresentation. The administrator  
387 may, in his or her discretion, waive, in whole or in part, the amount of  
388 any such payments where the recovery would be against equity and  
389 good conscience.

390 (c) If family and medical leave compensation is paid to an  
391 individual or covered worker as a result of wilful misrepresentation by  
392 any health care provider, as defined in section 31-51kk of the general  
393 statutes, as amended by this act, the administrator shall notify the  
394 Labor Commissioner and may seek payment of a penalty from such  
395 health care provider in the amount of fifty per cent of the benefits paid  
396 as a result of such misrepresentation. The administrator may, in his or  
397 her discretion, waive, in whole or in part, the amount of any such  
398 payments where the recovery would be against equity and good  
399 conscience.

400 (d) A health care provider shall complete a medical certification of a  
401 patient's serious medical condition at the request of the patient. No

402 health care provider shall charge a patient a fee for such service.

403 Sec. 12. (NEW) (*Effective from passage*) Nothing in sections 31-51kk to  
404 31-51qq, inclusive, of the general statutes, as amended by this act, and  
405 31-51ss of the general statutes or sections 2 to 13, inclusive, of this act,  
406 shall be construed to (1) prevent employers from providing any  
407 benefits that are more expansive than those provided for under said  
408 sections, (2) diminish any rights provided to any covered worker  
409 under the terms of the covered worker's employment or a collective  
410 bargaining agreement, or (3) interfere with, impede or in any way  
411 diminish the right of an employee to bargain collectively with his or  
412 her employer through a representative of his or her choosing, in order  
413 to establish wages or conditions of work in excess of the applicable  
414 minimum pursuant to sections 3-13c of the general statutes, as  
415 amended by this act, 31-51kk to 31-51mm, inclusive, of the general  
416 statutes, as amended by this act, 31-51oo to 31-51qq, inclusive, of the  
417 general statutes, as amended by this act, and sections 1 to 13, inclusive,  
418 of this act.

419 Sec. 13. (*Effective from passage*) Not later than July 1, 2022, and  
420 annually thereafter, the administrator shall report, in accordance with  
421 section 11-4a of the general statutes, to the joint standing committees of  
422 the General Assembly having cognizance of matters relating to  
423 appropriations and the budgets of state agencies and labor, and to the  
424 Office of Policy and Management, on (1) the projected and actual  
425 participation in the program, (2) the balance of the trust, (3) the size of  
426 employers at which covered workers are employed, (4) the reasons  
427 covered workers are receiving family and medical leave compensation,  
428 (5) the success of the administrator's outreach and education efforts,  
429 and (6) demographic information of covered workers, including  
430 gender, age, town of residence and income level.

431 Sec. 14. Section 31-51kk of the general statutes is repealed and the  
432 following is substituted in lieu thereof (*Effective July 1, 2019*):

433 As used in sections 31-51kk to 31-51qq, inclusive, as amended by

434 this act:

435 (1) "Eligible employee" means an employee who has [been  
436 employed (A) for at least twelve months by the employer with respect  
437 to whom leave is requested; and (B) for at least one thousand hours of  
438 service with such employer during the twelve-month period preceding  
439 the first day of the leave] earned not less than two thousand three  
440 hundred twenty-five dollars from one or more employers during the  
441 employee's highest earning quarter within the base period, as defined  
442 in section 1 of this act;

443 (2) "Employ" includes to allow or permit to work;

444 (3) "Employee" means any person engaged in service to an employer  
445 in the business of the employer;

446 (4) "Employer" means a person engaged in any activity, enterprise  
447 or business who employs [seventy-five] one or more employees, and  
448 includes any person who acts, directly or indirectly, in the interest of  
449 an employer to any of the employees of such employer and any  
450 successor in interest of an employer, [but] as well as any partnership,  
451 association, corporation, or business trust that contracts with self-  
452 employed individuals for services and is required to report the  
453 payment for services to such individuals on IRS Form 1099-MISC for  
454 more than fifty per cent of its workforce, and shall not include [the  
455 state,] a municipality [ ] or a local or regional board of education; [ ] or a  
456 private or parochial elementary or secondary school. The number of  
457 employees of an employer shall be determined on October first  
458 annually;]

459 (5) "Employment benefits" means all benefits provided or made  
460 available to employees by an employer, including group life insurance,  
461 health insurance, disability insurance, sick leave, annual leave,  
462 educational benefits and pensions, regardless of whether such benefits  
463 are provided by practice or written policy of an employer or through  
464 an "employee benefit plan", as defined in Section 1002(3) of Title 29 of

465 the United States Code;

466 (6) "Grandchild" means a grandchild related to a person by (A)  
467 blood, (B) marriage, (C) adoption by a child of the grandparent, or (D)  
468 foster care by a child of the grandparent;

469 (7) "Grandparent" means a grandparent related to a person by (A)  
470 blood, (B) marriage, (C) adoption of a minor child by a child of the  
471 grandparent, or (D) foster care by a child of the grandparent;

472 [(6)] (8) "Health care provider" means (A) a doctor of medicine or  
473 osteopathy who is authorized to practice medicine or surgery by the  
474 state in which the doctor practices; (B) a podiatrist, dentist,  
475 psychologist, optometrist or chiropractor authorized to practice by the  
476 state in which such person practices and performs within the scope of  
477 the authorized practice; (C) an advanced practice registered nurse,  
478 nurse practitioner, nurse midwife or clinical social worker authorized  
479 to practice by the state in which such person practices and performs  
480 within the scope of the authorized practice; (D) Christian Science  
481 practitioners listed with the First Church of Christ, Scientist in Boston,  
482 Massachusetts; (E) any health care provider from whom an employer  
483 or a group health plan's benefits manager will accept certification of  
484 the existence of a serious health condition to substantiate a claim for  
485 benefits; (F) a health care provider as defined in subparagraphs (A) to  
486 (E), inclusive, of this subdivision who practices in a country other than  
487 the United States, who is licensed to practice in accordance with the  
488 laws and regulations of that country; or (G) such other health care  
489 provider as the Labor Commissioner determines, performing within  
490 the scope of the authorized practice, except that "health care provider"  
491 does not mean any such person included by the commissioner on any  
492 registry of providers who has wilfully misrepresented information to  
493 the administrator. The commissioner may utilize any determinations  
494 made pursuant to chapter 568;

495 [(7)] (9) "Parent" means a biological parent, foster parent, adoptive  
496 parent, stepparent, parent-in-law or legal guardian of an eligible

497 employee or an eligible employee's spouse, [or] an individual [who  
498 stood] standing in loco parentis to an eligible employee, [when the  
499 employee was a son or daughter] or an individual who stood in loco  
500 parentis to an eligible employee when the employee was a child;

501 [(8)] (10) "Person" means one or more individuals, partnerships,  
502 associations, corporations, business trusts, legal representatives or  
503 organized groups of persons;

504 [(9)] (11) "Reduced leave schedule" means a leave schedule that  
505 reduces the usual number of hours per workweek, or hours per  
506 workday, of an employee;

507 [(10)] (12) "Serious health condition" means an illness, injury,  
508 impairment, or physical or mental condition that involves (A) inpatient  
509 care in a hospital, hospice, nursing home or residential medical care  
510 facility; or (B) continuing treatment, including outpatient treatment, by  
511 a health care provider;

512 (13) "Sibling" means a brother or sister related to a person by (A)  
513 blood, (B) marriage, (C) adoption by a parent of the person, or (D)  
514 foster care placement;

515 [(11)] (14) "Son or daughter" means a biological, adopted or foster  
516 child, stepchild, legal ward, or, in the alternative, a child of a person  
517 standing in loco parentis, [who is (A) under eighteen years of age; or  
518 (B) eighteen years of age or older and incapable of self-care because of  
519 a mental or physical disability] or an individual to whom the employee  
520 stood in loco parentis when the individual was a child; [and]

521 [(12)] (15) "Spouse" means a [husband or wife, as the case may be]  
522 person to whom one is legally married; and

523 (16) "Family member" means a spouse, sibling, son or daughter,  
524 grandparent, grandchild or parent.

525 Sec. 15. Section 31-511l of the general statutes is repealed and the

526 following is substituted in lieu thereof (*Effective July 1, 2019*):

527 (a) (1) Subject to section 31-51mm, as amended by this act, an  
528 eligible employee shall be entitled to a total of [sixteen] twelve  
529 workweeks of leave during any [twenty-four-month] twelve-month  
530 period, such [twenty-four-month] twelve-month period to be  
531 determined utilizing any one of the following methods: (A)  
532 [Consecutive] A calendar [years] year; (B) any fixed [twenty-four-  
533 month] twelve-month period, such as [two] a consecutive fiscal [years]  
534 year or a [twenty-four-month] twelve-month period measured forward  
535 from an employee's first date of employment; (C) a [twenty-four-  
536 month] twelve-month period measured forward from an employee's  
537 first day of leave taken under sections 31-51kk to 31-51qq, inclusive, as  
538 amended by this act; or (D) a rolling [twenty-four-month] twelve-  
539 month period measured backward from an employee's first day of  
540 leave taken under sections 31-51kk to 31-51qq, inclusive, as amended  
541 by this act. Such employee may take up to two additional weeks of  
542 leave due to a serious health condition that results from a pregnancy.

543 (2) Leave under this subsection may be taken for one or more of the  
544 following reasons:

545 (A) Upon the birth of a son or daughter of the employee;

546 (B) Upon the placement of a son or daughter with the employee for  
547 adoption or foster care;

548 (C) In order to care for [the spouse, or a son, daughter or parent of  
549 the employee, if such spouse, son, daughter or parent has] a family  
550 member with a serious health condition;

551 (D) Because of a serious health condition of the employee;

552 (E) In order to serve as an organ or bone marrow donor; or

553 (F) Because of any qualifying exigency, as determined in regulations  
554 adopted by the United States Secretary of Labor, arising out of the fact

555 that the spouse, son, daughter or parent of the employee is on active  
556 duty, or has been notified of an impending call or order to active duty,  
557 in the armed forces, as defined in subsection (a) of section 27-103.

558 (b) Entitlement to leave under subparagraph (A) or (B) of  
559 subdivision (2) of subsection (a) of this section may accrue prior to the  
560 birth or placement of a son or daughter when such leave is required  
561 because of such impending birth or placement.

562 (c) (1) Leave under subparagraph (A) or (B) of subdivision (2) of  
563 subsection (a) of this section for the birth or placement of a son or  
564 daughter may not be taken by an employee intermittently or on a  
565 reduced leave schedule unless the employee and the employer agree  
566 otherwise. Subject to subdivision (2) of this subsection concerning an  
567 alternative position, subdivision (2) of subsection (f) of this section  
568 concerning the duties of the employee and subdivision (5) of  
569 subsection (b) of section 31-51mm, as amended by this act, concerning  
570 sufficient certification, leave under subparagraph (C) or (D) of  
571 subdivision (2) of subsection (a) or under subsection (i) of this section  
572 for a serious health condition may be taken intermittently or on a  
573 reduced leave schedule when medically necessary. The taking of leave  
574 intermittently or on a reduced leave schedule pursuant to this  
575 subsection shall not result in a reduction of the total amount of leave to  
576 which the employee is entitled under subsection (a) of this section  
577 beyond the amount of leave actually taken.

578 (2) If an employee requests intermittent leave or leave on a reduced  
579 leave schedule under subparagraph (C), (D) or (E) of subdivision (2) of  
580 subsection (a) or under subsection (i) of this section that is foreseeable  
581 based on planned medical treatment, the employer may require the  
582 employee to transfer temporarily to an available alternative position  
583 offered by the employer for which the employee is qualified and that  
584 (A) has equivalent pay and benefits, and (B) better accommodates  
585 recurring periods of leave than the regular employment position of the  
586 employee, provided the exercise of this authority shall not conflict  
587 with any provision of a collective bargaining agreement between such

588 employer and a labor organization which is the collective bargaining  
589 representative of the unit of which the employee is a part.

590 (d) Except as provided in subsection (e) of this section, leave  
591 granted under subsection (a) of this section may consist of unpaid  
592 leave.

593 (e) (1) If an employer provides paid leave for fewer than [sixteen]  
594 twelve workweeks, the additional weeks of leave necessary to attain  
595 the sixteen workweeks of leave required under sections 5-248a and 31-  
596 51kk to 31-51qq, inclusive, as amended by this act, may be provided  
597 [without compensation] with compensation, through the Family and  
598 Medical Leave Insurance Program established pursuant to section 2 of  
599 this act.

600 (2) (A) An eligible employee may elect [l, or an employer may  
601 require the employee,] to substitute any of the accrued paid vacation  
602 leave, personal leave or family leave of the employee for leave  
603 provided under subparagraph (A), (B) or (C) of subdivision (2) of  
604 subsection (a) of this section for any part of the [sixteen-week] twelve-  
605 week period of such leave under said subsection or under subsection  
606 (i) of this section for any part of the twenty-six-week period of such  
607 leave.

608 (B) An eligible employee may elect [l, or an employer may require  
609 the employee,] to substitute any of the accrued paid vacation leave,  
610 personal leave, or medical or sick leave of the employee for leave  
611 provided under subparagraph (C), (D) or (E) of subdivision (2) of  
612 subsection (a) of this section for any part of the [sixteen-week] twelve-  
613 week period of such leave under said subsection or under subsection  
614 (i) of this section for any part of the twenty-six-week period of leave,  
615 except that nothing in section 5-248a or sections 31-51kk to 31-51qq,  
616 inclusive, as amended by this act, shall require an employer to provide  
617 paid sick leave or paid medical leave in any situation in which such  
618 employer would not normally provide any such paid leave.

619 (f) (1) In any case in which the necessity for leave under  
620 subparagraph (A) or (B) of subdivision (2) of subsection (a) of this  
621 section is foreseeable based on an expected birth or placement of a son  
622 or daughter, the employee shall provide the employer with not less  
623 than thirty days' notice, before the date of the leave is to begin, of the  
624 employee's intention to take leave under said subparagraph (A) or (B),  
625 except that if the date of the birth or placement of a son or daughter  
626 requires leave to begin in less than thirty days, the employee shall  
627 provide such notice as is practicable.

628 (2) In any case in which the necessity for leave under subparagraph  
629 (C), (D) or (E) of subdivision (2) of subsection (a) or under subsection  
630 (i) of this section is foreseeable based on planned medical treatment,  
631 the employee (A) shall make a reasonable effort to schedule the  
632 treatment so as not to disrupt unduly the operations of the employer,  
633 subject to the approval of the health care provider of the employee or  
634 the health care provider of the [son, daughter, spouse or parent of the  
635 employee] family member, as appropriate; and (B) shall provide the  
636 employer with not less than thirty days' notice, before the date the  
637 leave is to begin, of the employee's intention to take leave under said  
638 subparagraph (C), (D) or (E) or said subsection (i), except that if the  
639 date of the treatment requires leave to begin in less than thirty days,  
640 the employee shall provide such notice as is practicable.

641 (g) In any case in which [a husband and wife] two spouses entitled  
642 to leave under subsection (a) of this section are employed by the same  
643 employer, the aggregate number of workweeks of leave to which both  
644 may be entitled may be limited to [sixteen] twelve workweeks during  
645 any [twenty-four-month] twelve-month period, if such leave is taken:  
646 (1) Under subparagraph (A) or (B) of subdivision (2) of subsection (a)  
647 of this section; or (2) to care for a sick [parent] family member under  
648 subparagraph (C) of said subdivision. In any case in which [a husband  
649 and wife] two spouses entitled to leave under subsection (i) of this  
650 section are employed by the same employer, the aggregate number of  
651 workweeks of leave to which both may be entitled may be limited to

652 twenty-six workweeks during any twelve-month period.

653 (h) Unpaid leave taken pursuant to sections 5-248a and 31-51kk to  
654 31-51qq, inclusive, as amended by this act, shall not be construed to  
655 affect an employee's qualification for exemption under chapter 558.

656 (i) Subject to section 31-51mm, as amended by this act, an eligible  
657 employee who is the spouse, son or daughter, parent or next of kin of a  
658 current member of the armed forces, as defined in section 27-103, who  
659 is undergoing medical treatment, recuperation or therapy, is otherwise  
660 in outpatient status or is on the temporary disability retired list for a  
661 serious injury or illness incurred in the line of duty shall be entitled to  
662 a one-time benefit of twenty-six workweeks of leave during any  
663 twelve-month period for each armed forces member per serious injury  
664 or illness incurred in the line of duty. Such twelve-month period shall  
665 commence on an employee's first day of leave taken to care for a  
666 covered armed forces member and end on the date twelve months  
667 after such first day of leave. For the purposes of this subsection, (1)  
668 "next of kin" means the armed forces member's nearest blood relative,  
669 other than the covered armed forces member's spouse, parent, son or  
670 daughter, in the following order of priority: Blood relatives who have  
671 been granted legal custody of the armed forces member by court  
672 decree or statutory provisions, brothers and sisters, grandparents,  
673 aunts and uncles, and first cousins, unless the covered armed forces  
674 member has specifically designated in writing another blood relative  
675 as his or her nearest blood relative or any other individual whose close  
676 association with the employee is the equivalent of a family member for  
677 purposes of military caregiver leave, in which case the designated  
678 individual shall be deemed to be the covered armed forces member's  
679 next of kin; and (2) "son or daughter" means a biological, adopted or  
680 foster child, stepchild, legal ward or child for whom the eligible  
681 employee or armed forces member stood in loco parentis and who is  
682 any age.

683 (j) Leave taken pursuant to sections 31-51kk to 31-51qq, inclusive, as  
684 amended by this act, shall not run concurrently with the provisions of

685 section 31-313.

686 (k) Notwithstanding the provisions of sections 5-248a and 31-51kk  
687 to 31-51qq, inclusive, as amended by this act, all further rights granted  
688 by federal law shall remain in effect.

689 Sec. 16. Section 31-51mm of the general statutes is repealed and the  
690 following is substituted in lieu thereof (*Effective July 1, 2019*):

691 (a) An employer may require that request for leave based on a  
692 serious health condition in subparagraph (C) or (D) of subdivision (2)  
693 of subsection (a) of section 31-51ll, as amended by this act, or leave  
694 based on subsection (i) of section 31-51ll, as amended by this act, be  
695 supported by a certification issued by the health care provider of the  
696 eligible employee or of the [son, daughter, spouse, parent or next of  
697 kin] family member of the employee, as appropriate. The employee  
698 shall provide, in a timely manner, a copy of such certification to the  
699 employer.

700 (b) Certification provided under subsection (a) of this section shall  
701 be sufficient if it states:

702 (1) The date on which the serious health condition commenced;

703 (2) The probable duration of the condition;

704 (3) The appropriate medical facts within the knowledge of the  
705 health care provider regarding the condition;

706 (4) (A) For purposes of leave under subparagraph (C) of subdivision  
707 (2) of subsection (a) of section 31-51ll, as amended by this act, a  
708 statement that the eligible employee is needed to care for the [son,  
709 daughter, spouse or parent] family member and an estimate of the  
710 amount of time that such employee needs to care for the [son,  
711 daughter, spouse or parent] family member; and (B) for purposes of  
712 leave under subparagraph (D) of subdivision (2) of subsection (a) of  
713 section 31-51ll, as amended by this act, a statement that the employee

714 is unable to perform the functions of the position of the employee;

715 (5) In the case of certification for intermittent leave or leave on a  
716 reduced leave schedule for planned medical treatment, the dates on  
717 which such treatment is expected to be given and the duration of such  
718 treatment;

719 (6) In the case of certification for intermittent leave or leave on a  
720 reduced leave schedule under subparagraph (D) of subdivision (2) of  
721 subsection (a) of section 31-51ll, as amended by this act, a statement of  
722 the medical necessity of the intermittent leave or leave on a reduced  
723 leave schedule, and the expected duration of the intermittent leave or  
724 reduced leave schedule;

725 (7) In the case of certification for intermittent leave or leave on a  
726 reduced leave schedule under subparagraph (C) of subdivision (2) of  
727 subsection (a) of section 31-51ll, as amended by this act, a statement  
728 that the employee's intermittent leave or leave on a reduced leave  
729 schedule is necessary for the care of the [son, daughter, parent or  
730 spouse] family member who has a serious health condition, or will  
731 assist in their recovery, and the expected duration and schedule of the  
732 intermittent leave or reduced leave schedule; and

733 (8) In the case of certification for intermittent leave or leave on a  
734 reduced leave schedule under subsection (i) of section 31-51ll, as  
735 amended by this act, a statement that the employee's intermittent leave  
736 or leave on a reduced leave schedule is necessary for the care of the  
737 spouse, son or daughter, parent or next of kin who is a current member  
738 of the armed forces, as defined in section 27-103, who is undergoing  
739 medical treatment, recuperation or therapy, is otherwise in outpatient  
740 status or is on the temporary disability retired list, for a serious injury  
741 or illness incurred in the line of duty, and the expected duration and  
742 schedule of the intermittent leave or reduced leave schedule. For the  
743 purposes of this subsection, "son or daughter" and "next of kin" have  
744 the same meanings as provided in subsection (i) of section 31-51ll, as  
745 amended by this act.

746 (c) (1) In any case in which the employer has reason to doubt the  
747 validity of the certification provided under subsection (a) of this  
748 section for leave under subparagraph (C) or (D) of subdivision (2) of  
749 subsection (a) or under subsection (i) of section 31-51ll, as amended by  
750 this act, the employer may require, at the expense of the employer, that  
751 the eligible employee obtain the opinion of a second health care  
752 provider designated or approved by the employer concerning any  
753 information certified under subsection (b) of this section for such leave.

754 (2) A health care provider designated or approved under  
755 subdivision (1) of this subsection shall not be employed on a regular  
756 basis by the employer.

757 (d) (1) In any case in which the second opinion described in  
758 subsection (c) of this section differs from the opinion in the original  
759 certification provided under subsection (a) of this section, the  
760 employer may require, at the expense of the employer, that the  
761 employee obtain the opinion of a third health care provider designated  
762 or approved jointly by the employer and the employee concerning the  
763 information certified under subsection (b) of this section.

764 (2) The opinion of the third health care provider concerning the  
765 information certified under subsection (b) of this section shall be  
766 considered to be final and shall be binding on the employer and the  
767 employee.

768 (e) The employer may require that the eligible employee obtain  
769 subsequent recertifications on a reasonable basis, provided the  
770 standards for determining what constitutes a reasonable basis for  
771 recertification may be governed by a collective bargaining agreement  
772 between such employer and a labor organization which is the  
773 collective bargaining representative of the unit of which the worker is  
774 a part if such a collective bargaining agreement is in effect. Unless  
775 otherwise required by the employee's health care provider, the  
776 employer may not require recertification more than once during a  
777 thirty-day period and, in any case, may not unreasonably require

778 recertification. The employer shall pay for any recertification that is not  
779 covered by the employee's health insurance.

780 Sec. 17. Section 31-51oo of the general statutes is repealed and the  
781 following is substituted in lieu thereof (*Effective July 1, 2019*):

782 Records and documents relating to medical certifications,  
783 recertifications or medical histories of employees or employees' family  
784 members, created for purposes of sections 5-248a and 31-51kk to 31-  
785 51qq, inclusive, as amended by this act, and sections 2 to 13, inclusive,  
786 of this act, shall be maintained as medical records pursuant to chapter  
787 563a, except that: (1) Supervisors and managers may be informed  
788 regarding necessary restrictions on the work or duties of an employee  
789 and necessary accommodations; (2) first aid and safety personnel may  
790 be informed, when appropriate, if the employee's physical or medical  
791 condition might require emergency treatment; [and] (3) government  
792 officials investigating compliance with sections 5-248a and 31-51kk to  
793 31-51qq, inclusive, as amended by this act, and sections 2 to 13,  
794 inclusive, of this act, or other pertinent law shall be provided relevant  
795 information upon request; and (4) the administrator may maintain a  
796 record of employees who take leave to care for a family member, and  
797 of the identities of such family members, to ensure the integrity of the  
798 program.

799 Sec. 18. Section 31-51pp of the general statutes is repealed and the  
800 following is substituted in lieu thereof (*Effective July 1, 2019*):

801 (a) (1) It shall be a violation of sections 5-248a and 31-51kk to 31-  
802 51qq, inclusive, as amended by this act, for any employer to interfere  
803 with, restrain or deny the exercise of, or the attempt to exercise, any  
804 right provided under said sections.

805 (2) It shall be a violation of sections 5-248a and 31-51kk to 31-51qq,  
806 inclusive, as amended by this act, for any employer to discharge or  
807 cause to be discharged, or in any other manner discriminate, against  
808 any individual for opposing any practice made unlawful by said

809 sections or because such employee has exercised the rights afforded to  
810 such employee under said sections.

811 (b) It shall be a violation of sections 5-248a and 31-51kk to 31-51qq,  
812 inclusive, as amended by this act, for any person to discharge or cause  
813 to be discharged, or in any other manner discriminate, against any  
814 individual because such individual:

815 (1) Has filed any charge, or has instituted or caused to be instituted  
816 any proceeding, under or related to sections 5-248a and 31-51kk to 31-  
817 51qq, inclusive, as amended by this act;

818 (2) Has given, or is about to give, any information in connection  
819 with any inquiry or proceeding relating to any right provided under  
820 said sections; or

821 (3) Has testified, or is about to testify, in any inquiry or proceeding  
822 relating to any right provided under said sections.

823 (c) (1) It shall be a violation of sections 31-51kk to 31-51qq, inclusive,  
824 as amended by this act, for any employer to deny an employee the  
825 right to use up to two weeks of accumulated sick leave or to discharge,  
826 threaten to discharge, demote, suspend or in any manner discriminate  
827 against an employee for using, or attempting to exercise the right to  
828 use, up to two weeks of accumulated sick leave to attend to a serious  
829 health condition of a [son or daughter, spouse or parent of the  
830 employee] family member, or for the birth or adoption of a son or  
831 daughter of the employee. For purposes of this subsection, "sick leave"  
832 means an absence from work for which compensation is provided  
833 through an employer's bona fide written policy providing  
834 compensation for loss of wages occasioned by illness, but does not  
835 include absences from work for which compensation is provided  
836 through an employer's plan, including, but not limited to, a short or  
837 long-term disability plan, whether or not such plan is self-insured.

838 (2) Any employee aggrieved by a violation of this subsection may  
839 file a complaint with the Labor Commissioner alleging violation of the

provisions of this subsection. Upon receipt of any such complaint, the commissioner shall conduct an investigation and make a finding regarding jurisdiction and whether a violation of sections 31-51kk to 31-51qq, inclusive, as amended by this act, has occurred. If the commissioner makes a finding that the agency has no jurisdiction or that no violation of said sections has occurred, the commissioner shall dismiss the complaint and issue a release of jurisdiction allowing the complainant to bring a civil action in Superior Court. Any action brought by the complainant in accordance with this subdivision shall be brought not later than ninety days after the date of the receipt of the release from the commissioner. The employee may be awarded all appropriate relief, including rehiring or reinstatement to the employee's previous job, payment of back wages and reestablishment of employee benefits to which the employee otherwise would have been eligible if a violation of this subsection had not occurred, as well as attorney's fees. If the commissioner makes a finding that a violation of sections 31-51kk to 31-51qq, inclusive, as amended by this act, has occurred, there shall be a mandatory settlement conference and, in the absence of a settlement, the commissioner shall hold a hearing. After the hearing, the commissioner shall send each party a written copy of the commissioner's decision. The commissioner may award the employee all appropriate relief, including attorney's fees, rehiring or reinstatement to the employee's previous job, payment of back wages and reestablishment of employee benefits to which the employee otherwise would have been eligible if a violation of this subsection had not occurred. Any party aggrieved by the decision of the commissioner may appeal the decision to the Superior Court in accordance with the provisions of chapter 54.

(3) The rights and remedies specified in this subsection are cumulative and nonexclusive and are in addition to any other rights or remedies afforded by contract or under other provisions of law.

Sec. 19. Section 31-51qq of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

873 On or before [January 1, 1997] July 1, 2020, the Labor Commissioner  
874 shall adopt regulations, in accordance with the provisions of chapter  
875 54, to establish procedures and guidelines necessary to implement the  
876 provisions of sections [5-248a and] 31-51kk to 31-51qq, inclusive, as  
877 amended by this act, and sections 2 to 13, inclusive, of this act,  
878 including, but not limited to, procedures for hearings and redress,  
879 including restoration and restitution, for an employee who believes  
880 that there is a violation by the employer of such employee of any  
881 provision of said sections. [In adopting such regulations, the  
882 commissioner shall make reasonable efforts to ensure compatibility of  
883 state regulatory provisions with similar provisions of the federal  
884 Family and Medical Leave Act of 1993 and the regulations  
885 promulgated pursuant to said act.]

886 Sec. 20. Section 3-13c of the general statutes is repealed and the  
887 following is substituted in lieu thereof (*Effective July 1, 2019*):

888 Trust funds as used in sections 3-13 to 3-13e, inclusive, and 3-31b  
889 shall be construed to include Connecticut Municipal Employees'  
890 Retirement Fund A, Connecticut Municipal Employees' Retirement  
891 Fund B, Soldiers, Sailors and Marines Fund, Family and Medical Leave  
892 Insurance Trust Fund, State's Attorneys' Retirement Fund, Teachers'  
893 Annuity Fund, Teachers' Pension Fund, Teachers' Survivorship and  
894 Dependency Fund, School Fund, State Employees Retirement Fund,  
895 the Hospital Insurance Fund, Policemen and Firemen Survivor's  
896 Benefit Fund and all other trust funds administered, held or invested  
897 by the State Treasurer.

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

Sec. 7	<i>January 1, 2020</i>	New section
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>July 1, 2021</i>	New section
Sec. 11	<i>from passage</i>	New section
Sec. 12	<i>from passage</i>	New section
Sec. 13	<i>from passage</i>	New section
Sec. 14	<i>July 1, 2019</i>	31-51kk
Sec. 15	<i>July 1, 2019</i>	31-51ll
Sec. 16	<i>July 1, 2019</i>	31-51mm
Sec. 17	<i>July 1, 2019</i>	31-51oo
Sec. 18	<i>July 1, 2019</i>	31-51pp
Sec. 19	<i>July 1, 2019</i>	31-51qq
Sec. 20	<i>July 1, 2019</i>	3-13c

**Statement of Legislative Commissioners:**

In Section 1(2), the reference to section "1-121" was changed to "1-120" for accuracy; In Section 2(c)(5), "such contributable" was changed to "such contribution" for accuracy; and punctuation and internal references were changed in Sections 1(5), 2(c)(2) and 17.

**LAB**      *Joint Favorable Subst. -LCO*