



# Human Resources Conference

2.25.25





# Creative Strategies for Navigating Workplace Mandates

Presentation by

**Grace Brangwynne**

Public Policy Associate  
CBIA

**Maria Miranda**

Owner and Creative Director  
Miranda Creative, Inc.



CBIA's HR Conference — 02.25.2025



# Little-Known Employment Laws You're Probably Breaking

Presentation by

**Diane Mokriski**

HR Counsel  
CBIA

**Paula Anthony**

Office Managing Shareholder  
Littler

**Nicole Mulé**

Associate  
Littler



LOCAL EVERYWHERE

# Little-Known Employment Laws You're Probably Breaking

CBIA 2025 Human Resources Conference

**Littler**



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## Presented By



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HR Counsel, CBIA



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Shareholder  
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# Agenda

- Recruitment and Onboarding
- Managing A Workforce
- Wage & Hour
- Discipline & Terminations

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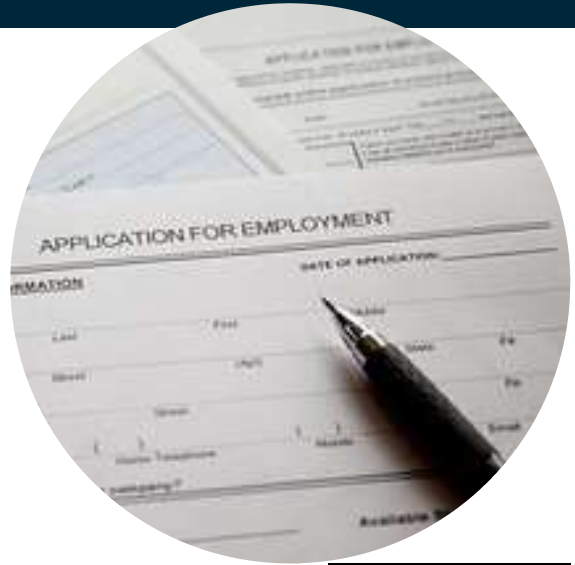
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## Recruitment and Onboarding

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# Recruitment and Onboarding

- Prohibited Questions in Job Applications
- Documentation and Notices at the Time of Hire



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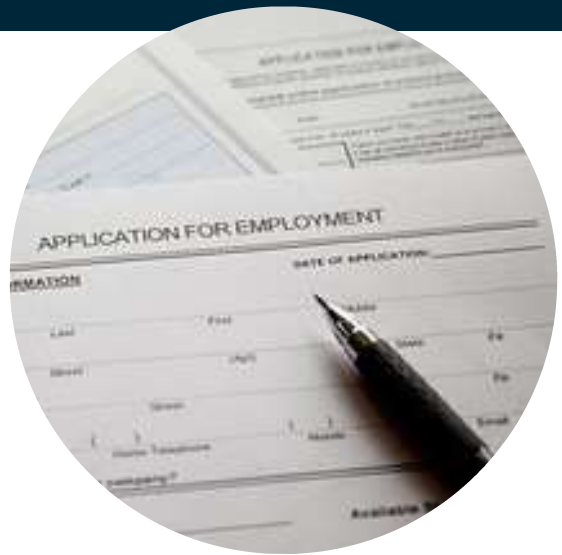


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# Managing A Workforce

- Weekly Wage Payment
- Meal Breaks
- Employee Monitoring & Data Privacy



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## Personnel Files

Connecticut Law Requires Employers Create Personnel Files?

**True or False**

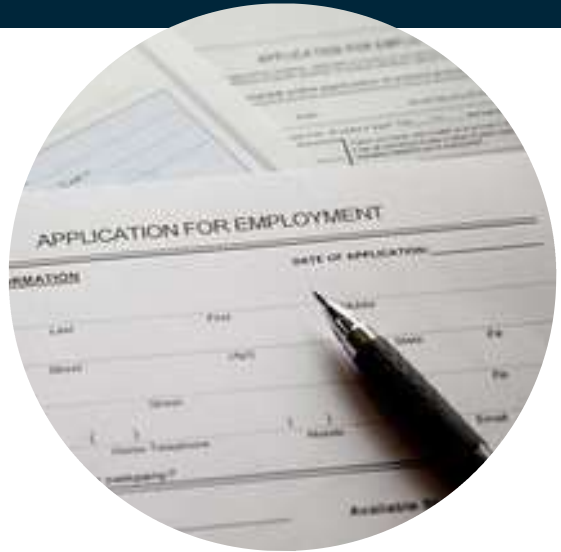
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## Managing A Workforce

- Failing To Provide A Copy Of Disciplinary Action
- Using A Workplace Accident As Grounds For Conducting A Drug Test
- Health Insurance For An Employee On Leave



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## Wage & Hour

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## Wage & Hour



- Pay Transparency
- Discussing Wages
- Interns: To Pay or Not To Pay
- Changing an Employee's Time Punches

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## Discipline & Termination

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## Employee Termination

Employees can be terminated at any time for any reason because Connecticut is an at-will employment state.

**True or False**

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## Discipline & Terminations

- I Quit ... No, You're Fired
  - Notice Requirements
  - Final Paychecks
- Bonus and Commission Upon Termination



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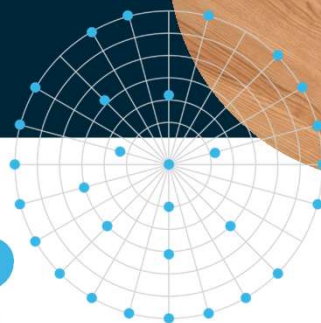
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# Questions?



This information provided by Littler is not a substitute for experienced legal counsel and does not provide legal advice or attempt to address the numerous factual issues that inevitably arise in any employment-related dispute. Although this information attempts to cover some major recent developments, it is not all-inclusive, and the current status of any decision or principle of law should be verified by counsel.

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Inspired by you.®

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# Thank You



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## Notes

[illegible]



# The Secret to Maintaining an Engaged Workforce

Presentation by

**Kawel LauBach**

Principal

The Human Resource Consortium



## The 'Secret To Maintaining an Engaged Workforce'

Presented by:

**Kawel B. LauBach**

Principal, HR & OD Practice Leader, and Executive Coach

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## Introduction



**Kawel B. LauBach**

M.S. Organization Development  
B.S. Industrial Organizational  
Psychology

 **The Human Resource Consortium, LLC**  
Strategy-Centric HR and OD. *Exponential Results.*

2022 – Present	<b>The Human Resource Consortium</b>	Principal, HR & OD Practice Leader HR & OD Practice Leader
2022 - 2024	<b>Turning Stone Enterprises, LLC</b>	Senior Vice President, People & Culture
2021 – 2022	<b>Signature HealthCARE, LLC</b>	Chief Human Resource Officer
2017 – 2022	<b>Reciprocity Solutions, LLC</b>	Principal Consultant
2005 – 2017	<b>Mohegan Gaming &amp; Entertainment</b>	Chief Human Resource Officer
2003 - 2005	<b>Caesar's Entertainment</b>	Director Of HR
1996 – 2003	<b>Southwest Airlines</b>	Operations Management Corporate HR Management
1989 – 1996	<b>United Parcel Service</b>	Hub Operations Management

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# Recognition and Distinction

- ◆ 2024 Turning Stone Enterprise recognized as 'Best Place to Work', CNY Business Journal
- ◆ 2023 Keynote Presenter "Employee Engagement & Creating Workplace Magnetism," ECCC
- ◆ 2016 Human Resource Education Community Engagement Award, University of Louisville
- ◆ 2016 Keynote Presenter "Challenge Conformity; Achieve the Edge," SHRM Tri-State Conf
- ◆ 2015 (Global) CHRO of the Year, HRO Today Magazine
- ◆ 2015 Mohegan Gaming & Entertainment, 'America's 500 Best Employers,' Forbes
- ◆ 2014 Best in Class, HRO Today Magazine
- ◆ 2010 "Top 40 Under Forty" Times Leader, Wilkes-Barre, PA

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Ops → HR

- ◆ Evolving organizational philosophy from the front line
- ◆ Challenging conventional business methodology
- ◆ Helping organizations become an 'Employer of Choice'

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**Epiphany  
Happened Here...**



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**Actually...  
It happened here!**

- ◆ This job sucks.
- ◆ If this job sucks...
  - ◆ Consistently rated Best to Work For and Most Admired Company
  - ◆ High level of employee satisfaction
- ◆ *Imagine... how bad other jobs suck!*



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# Let's start with a clean perspective

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## Story of The Apes -

A group of scientists placed 5 monkeys in a cage and in the middle, a ladder with bananas on the top.



Every time a monkey went up the ladder, the scientists soaked the rest of the monkeys with cold water.



After a while, every time a monkey went up the ladder, the others beat up the one on the ladder.



After some time, no monkey dare to go up the ladder regardless of the temptation.



Scientists then decided to substitute one of the monkeys. The 1<sup>st</sup> thing this new monkey did was to go up the ladder. Immediately the other monkeys beat him up.



After several beatings, the new member learned not to climb the ladder even though never knew why.

A 2<sup>nd</sup> monkey was substituted and the same occurred. The 1<sup>st</sup> monkey participated on the beating for the 2<sup>nd</sup> monkey. A 3<sup>rd</sup> monkey was changed and the same was repeated (beating). The 4<sup>th</sup> was substituted and the beating was repeated and finally the 5<sup>th</sup> monkey was replaced.



What was left was a group of 5 monkeys that even though never received a cold shower, continued to beat up any monkey who attempted to climb the ladder.



If it was possible to ask the monkeys why they would beat up all those who attempted to go up the ladder.... I bet you the answer would be...

"I don't know - that's how things are done around here"

Does it sounds familiar?



Don't miss the opportunity to share this with others as they might be asking themselves why we continue to do what we are doing if there is a different way out there.



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# Why is engagement important?

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## Aligned & Integrated HR, TR, & OD Systems to Deliver Significantly Higher Value

Recent Global Research Led by Ulrich & Brockbank <sup>1</sup> Proved:

- ♦ **4X** greater impact to Organization Performance
- ♦ **4X** the value to Line Managers
- ♦ **Over 3X** greater value to Investors / Owners
- ♦ **More than 2X** the value to External Customers.

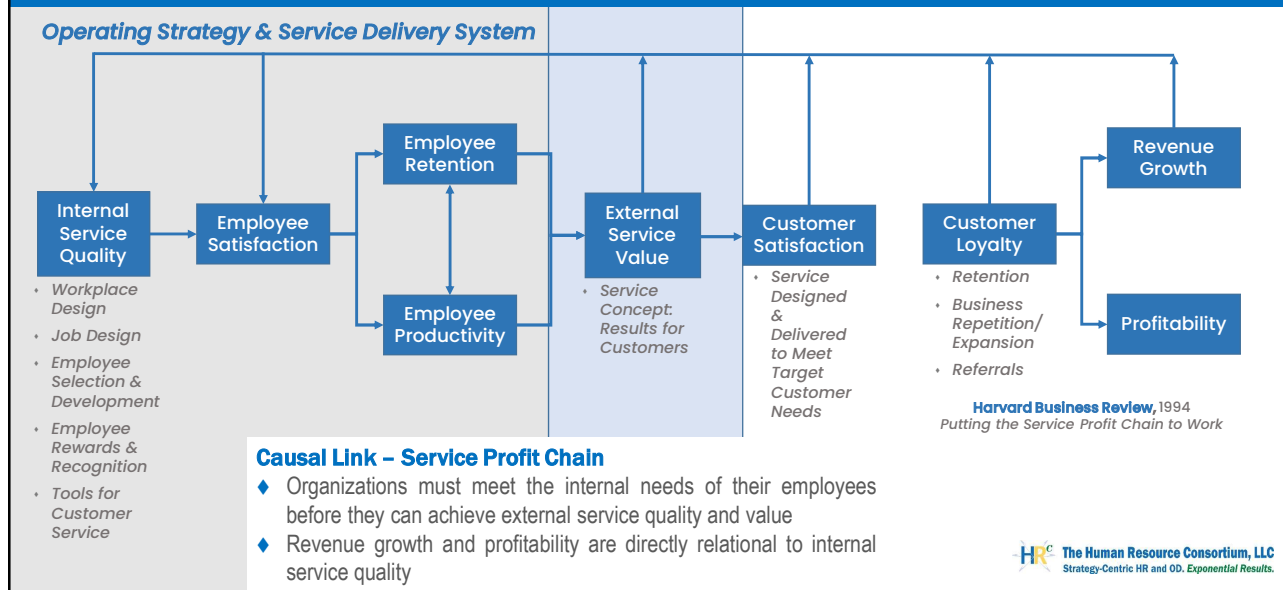
*And, specialized integrated systems' methodology in DEI significantly contributes to reducing DEI Culture Shifting cycle time in half... from 10 years to 5!*

<sup>1</sup> "Victory Through Organization" by Ulrich, Kryscynski, Ulrich and Brockbank, McGraw-Hill, 2017, pp 57-58.

**Make It Easier for Staff to Grasp, Engage & Perform Better, Faster...  
While Feeling Connected to Mission and the Organization**

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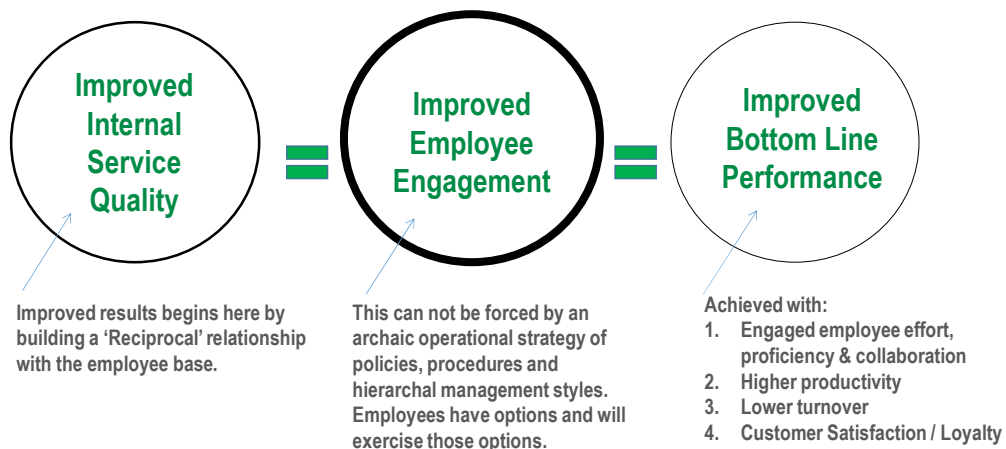
# Revenue & Profitability Deeply Connected



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## Simply!

### The Answer...

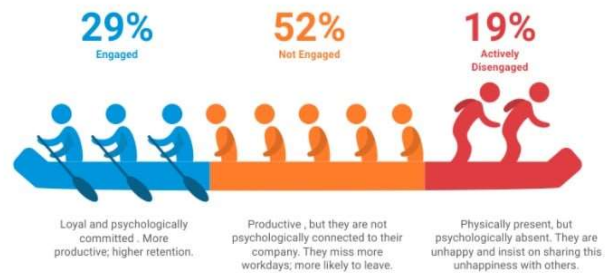


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# Who's Engaged?

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Same boat, different engagement.  
Some drive it, some jump off it.

# Unfortunately!

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# Where Does Engagement Come From?

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## #1 - Your Brand

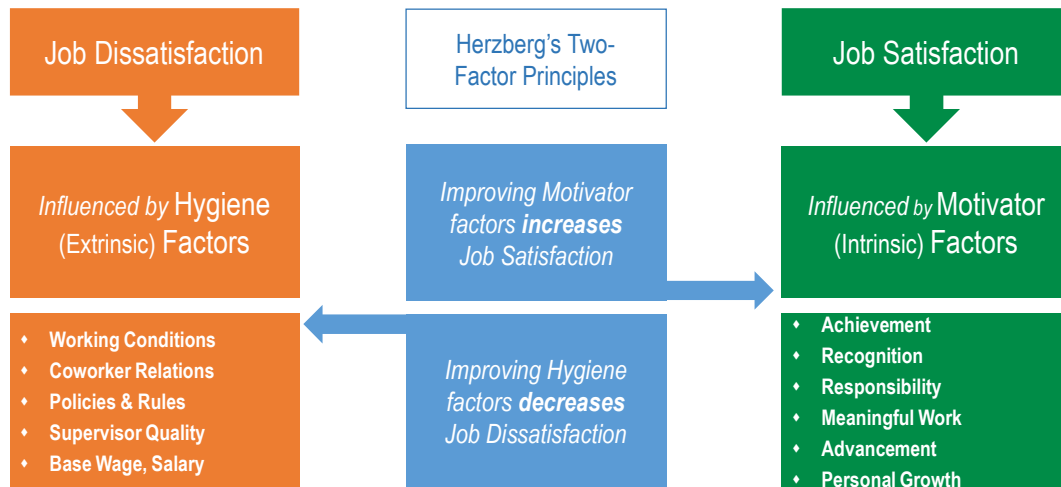
The most important motivational aspect in human capital is Internal Brand.

- ◆ **Recruitment:** Create an internal brand that attracts, motivates, retains, and intrinsically rewards the best individuals to optimize your business metrics.
- ◆ **Employee Experience:** Begin with Applicant Experience. Continue through Employee Life Cycle.
- ◆ **An Underlying, Silent, & Persuasive Strategy...** Must be executed by an emotionally intuitive organization.



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# Employee Experience Connection

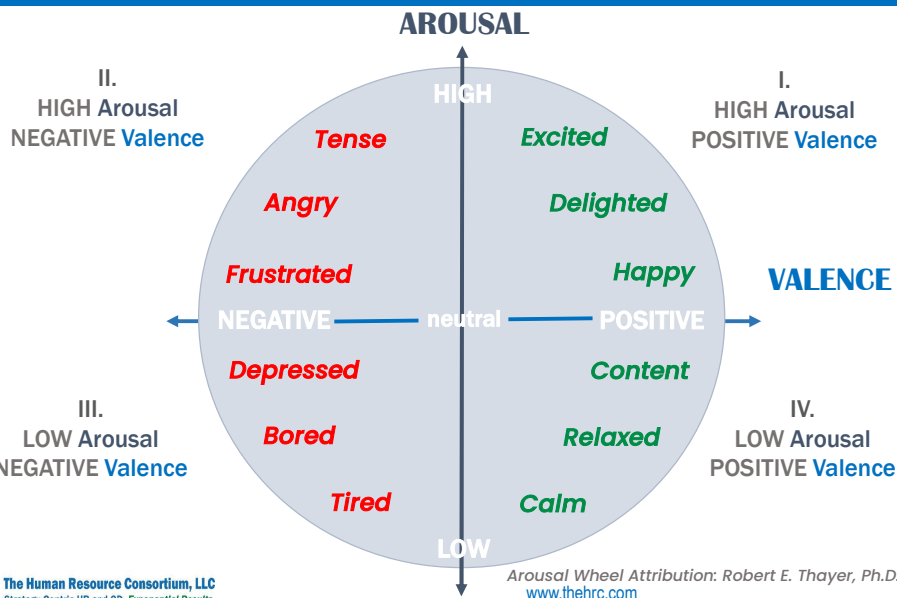


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# Positive Emotional Valence



**Exceptional Employee Experience.**

Organizations must strive to achieve similar emotional goals with employees as they wish provided to customers.



**Recognition is NOT "one size fits all."**

Organizations must work to satisfy the majority by understanding their workforce and their needs.

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Arousal Wheel Attribution: Robert E. Thayer, Ph.D.  
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# Organizational Focus

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## Gallup – Engagement Top 5



Meaningful Work



Career Advancement  
Opportunity



Positive  
Relationships

◆ *It's not pay...It's still not  
pay...Nope, not pay!*

◆ [https://www.gallup.com/workplace/285674/  
improve-employee-engagement-  
workplace.aspx](https://www.gallup.com/workplace/285674/improve-employee-engagement-workplace.aspx)



Recognition &  
Appreciation  
(Leadership)



Healthy Work  
Environment (Great  
Culture)

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# Net Promoter Score = Relationships

## ◆ Best Friend at Work

(<https://www.gallup.com/workplace/397058/increasing-importance-best-friend-work.aspx> – Jan 19, 2024)

- ✧ Engage more
- ✧ Get more done in less time
- ✧ Support safe work environment
- ✧ Innovate and share ideas
- ✧ Have fun while at work

## ◆ Example – Signature Healthcare

# Build A Bar!



# Leadership Focus

*To succeed, leaders need to be equipped with knowledge and expertise to motivate and lead.*

## ◆ Culture Development

- ✧ Reciprocity v. Directive
- ✧ Emphasis on Humility
- ✧ Collaboration & Teaming
- ✧ Interaction Safety

## ◆ Procedures in Alignment with Culture

- ✧ Shades of Gray v. Black/White
- ✧ Maintaining a Servant's Heart
- ✧ "Policies Don't Motivate, Leaders Do" (remove emphasis on policy)
- ✧ "Management should not be in the business of firing, but in the business of inspiring"

*The key to development of effective leadership is based in emotional intelligence and motivating a team in a specific discipline.*



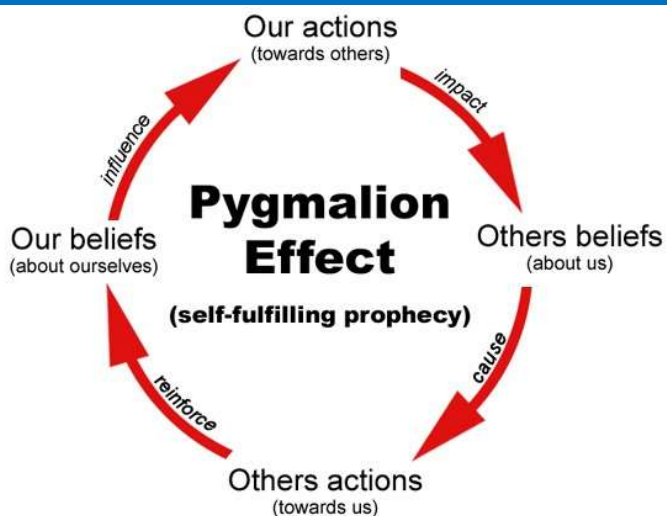
## Positive Emotional Valence

- ◆ Outside The Box Perspective
- ◆ Platinum Rule Employee Rewards
- ◆ Reduce Rigidity... *Allow for Fallibility.*
- ◆ 'Employer of Choice' Differentiation

# Challenge

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## Culture Fragility



- ◆ Organizations are fragile ecosystems
- ◆ Every decision affects or effects the culture (down stream)
- ◆ Examples

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## What Are Employees Saying?

### Random Selection

#### Poor Management

Unhappy workforce. Management is out of touch. Customer service is poor. No raises. Too much micromanaging of management. Good benefits and time off, sometimes a bonus.

#### Negative Environment

Terrible attitudes from employees. Awful management. There are no opportunities for advancement. Relatively easy job with decent pay and benefits though.

## What Are Employees Saying?

### Random Selection

#### Loved what I did

Too much drama, politics, back-stabbing and talking about other coworkers. Should work as a team NOT against each other. Management didn't treat their employees good at all. They say we are one... It's all for show. No place I want to work... It's too bad, too, because it could be a great place to work if u got a good management team in there.



## What Are Employees Saying?

### Random Selection

#### Started out well, but it turned

The **pay was great**, but the experience was very disappointing. They seem to be great at being a revolving door. Expectations weren't fully disclosed at interview and required tasks changed almost daily making it impossible to know what was expected. Coworkers complained constantly, especially behind other employees backs, and managers didn't seem concerned with improving the atmosphere. They did support employees when guests complained, and that was very helpful, but they didn't enforce their own rules, especially with regular guests. If effort was placed into employee morale, they would probably keep more of them, so they wouldn't ALWAYS be short-handed and ALWAYS hiring, forcing mandated overtime, making experiences even worse. Some of the long-time employees are extremely disrespectful to newer employees. They complained about everything new employees did and eventually drove us out. **The large paychecks weren't good enough to keep us.** I had high hopes and was very disappointed.

## Integrated HR: Entire Employee Life Cycle

*Aligned & Integrated HR Frameworks closely align with mission, vision, values, strategy, and culture AND integrate with each other.*

- |                       |                                     |
|-----------------------|-------------------------------------|
| ◆ Strategy            | ◆ Onboarding                        |
| ◆ Leadership          | ◆ Role & Expectations Clarity       |
| ◆ Culture             | ◆ Career Pathing & Succession Plnng |
| ◆ Communication       | ◆ Talent Management                 |
| ◆ Employee Experience | ◆ Professional Development          |
| ◆ HR Analytics        | ◆ Performance                       |
|                       | ◆ Total Rewards                     |



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## Employee & Customer Experience Connection

### What It Looks and Acts Like...

- ◆ **Applicant Attraction** Organizations that achieve higher job enrichment elevate engagement, retention, & performance.
  - ✦ Proficiency in delivering *exceptional* customer experience
  - ✦ Higher productivity, reduced errors
  - ✦ Highly effective collaboration, performance & innovation
  - ✦ Reputation – Robust talent pipeline, improved selection ratio, and reduced recruitment spend
- ◆ **Customer Attraction** Driven by employee passion, proficiency, reduced errors, and familiarity with employees
  - ✦ Dedicated repeat and expanding customer business
  - ✦ Endorsement – brand supporter, reduced marketing spend, and steady, rapid customer growth

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## If You Remember Nothing Else...



- ◆ Your *People Are What Move Your Organization's Numbers* ...not vice versa
- ◆ **Align & Integrate HR, TR & OD Frameworks**
  - ✦ Make It Easy for Your People to Achieve Success & Feel Connected within and to Your Organization
  - ✦ Create a dynamic, rewarding and supportive environment
- ◆ Define and *Live* a Market-Differentiated Employee Experience (Internal Brand): *Develop the 'Je ne sais quoi'*
- ◆ **Indefinable quality that makes you different!**

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*How to reach us with your questions or challenges...*



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Presented by:

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## Notes

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# Legislative Update

Presentation by

**Paul Amarone**

Public Policy Associate & Advocacy Manager  
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# Connecticut Legislative Update

2025 Human Resources Conference | 2.25.25



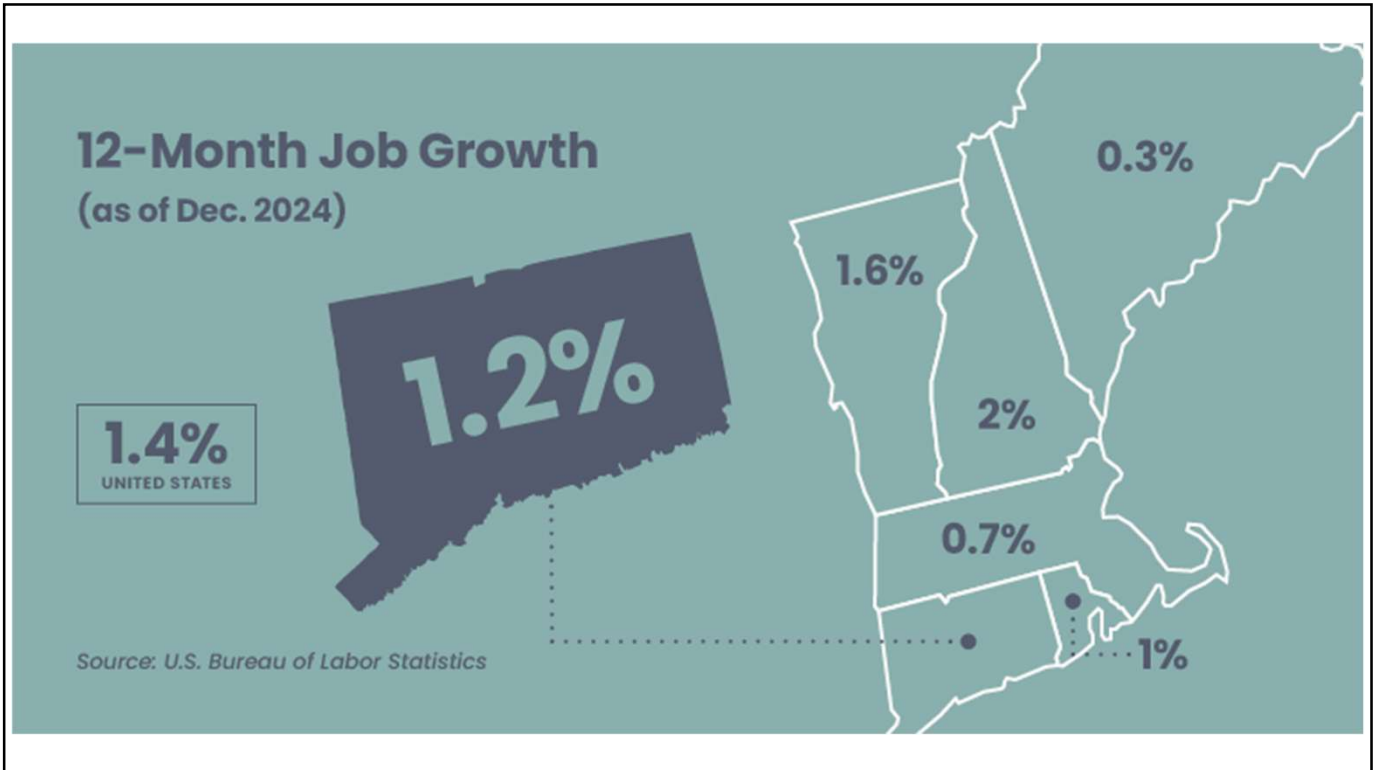
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## Economic Dashboard

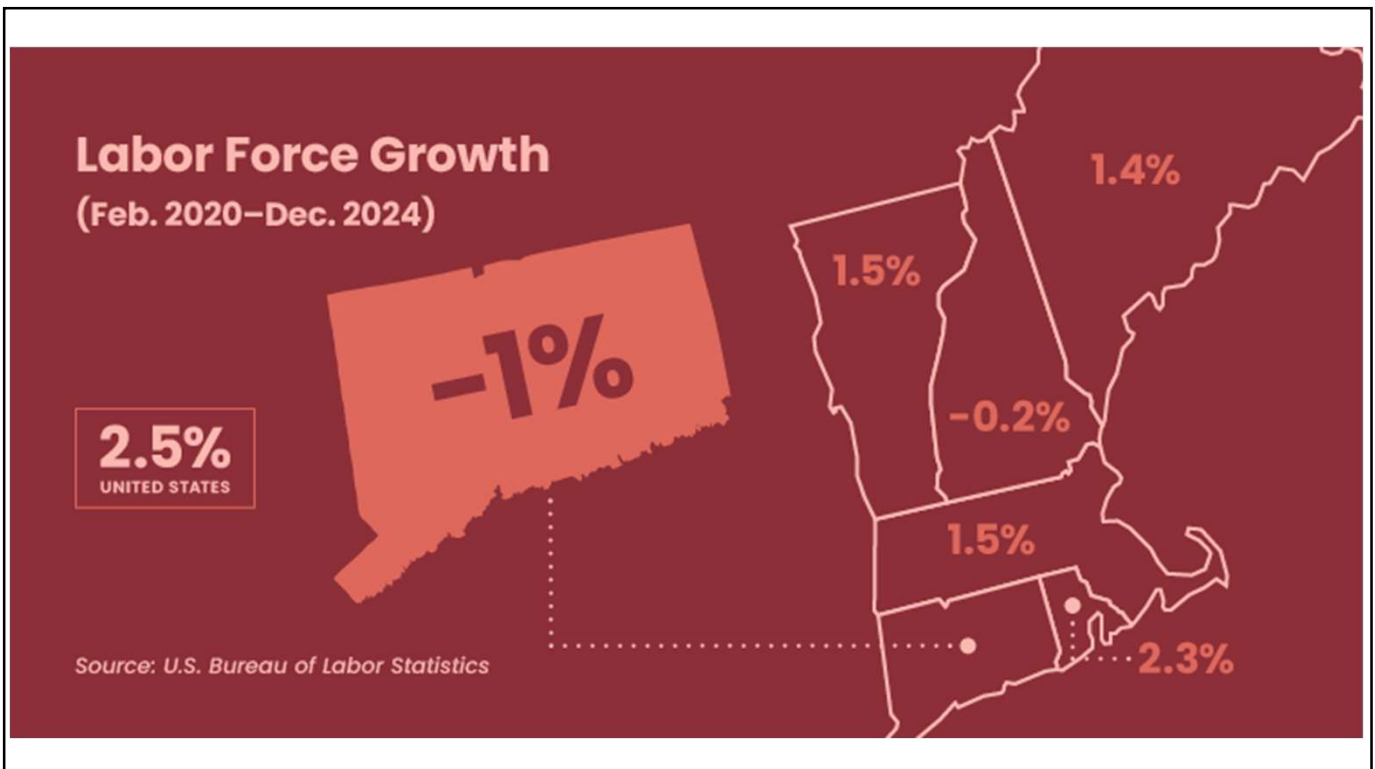
<b>12-MONTH</b> <b>Job Growth</b> <b>+1.2%</b> U.S. Rank #33	<b>DECEMBER 2024</b> <b>COVID Recovery</b> <b>106%</b> U.S. 133%	<b>DECEMBER 2024</b> <b>Unemployment</b> <b>3%</b> U.S. Rank #6	<b>DECEMBER 2024</b> <b>Job Openings</b> <b>74,000</b> Monthly Change -5.1%	<b>DECEMBER 2024</b> <b>Labor Force</b> <b>1,912,100</b> Yearly Change 0.7%
<b>DECEMBER 2024</b> <b>Labor Participation</b> <b>64.4%</b> U.S. Rank #19	<b>Q3 2024</b> <b>Cost of Living</b> <b>111.7</b> U.S. Rank #40	<b>Q3 2024</b> <b>GDP</b> <b>+3%</b> U.S. Rank #26	<b>Q3 2024</b> <b>Personal Income</b> <b>+2.9%</b> U.S. Rank #32	



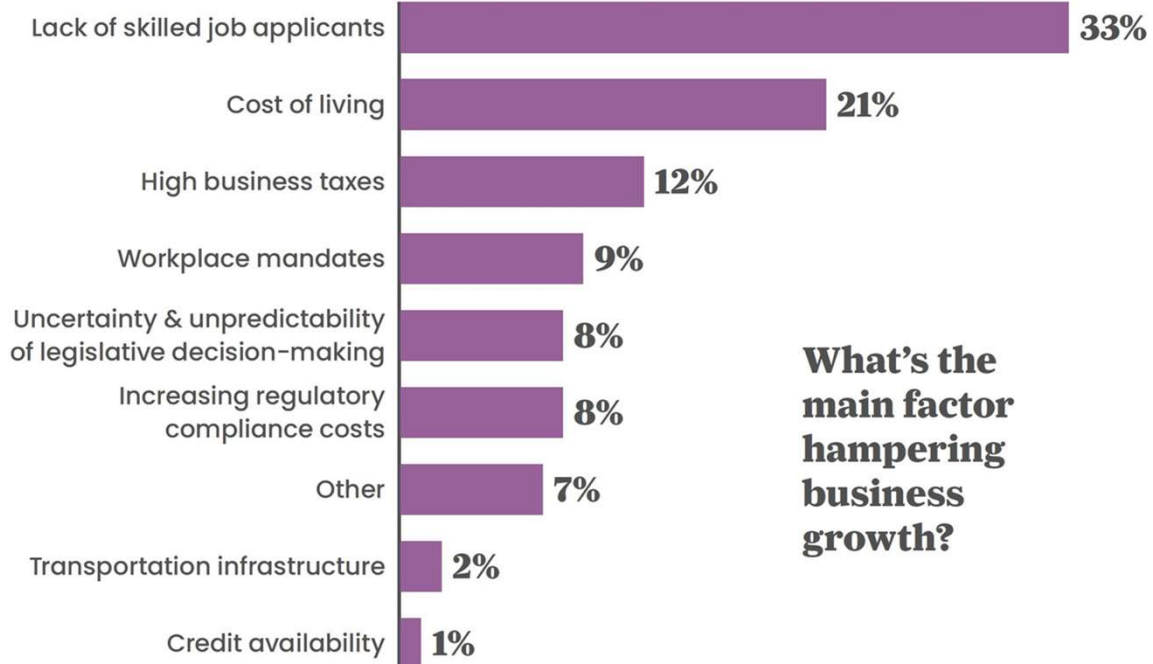
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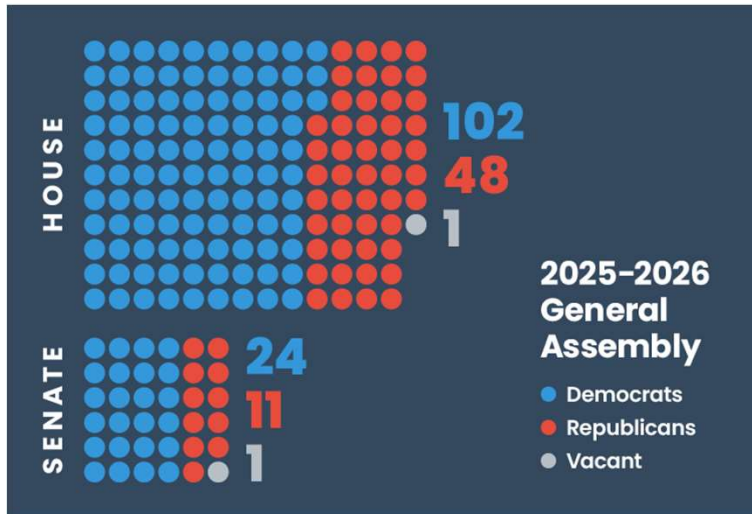
## 2025 Session Overview

- Legislative session began January 8, concludes June 4
- “Long session,” when lawmakers craft state’s next two-year budget
- Thousands of bills introduced—committees currently holding public hearings, modifying bills before acting
- Bipartisan group of 73 lawmakers signed CBIA’s ReimagineCT policy pledge
  - Prioritize policies that lower our high cost of living—particularly energy, housing, childcare, and healthcare costs
  - Evaluate every proposal through this lens: ‘How will this bill make Connecticut more affordable?’

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## 2025 Session Overview



- Democratic electoral gains in both chambers after last November's elections
- 22 new legislators
- Two special elections today to fill Senate, House vacancies



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## Proposed Workplace Mandates

- Unemployment benefits for striking workers (SB 8, HB 6904, HB 5760)
  - Allow benefits after 14 consecutive days of a labor dispute
  - Governor vetoed similar measure last year
- Warehouse distribution center quotas (SB 8, SB 1254, SB 832, HB 6907)
  - Ban or limit use of productivity quotas, expose employers to private right of action claims



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## Proposed Workplace Mandates

- Predictive scheduling (SB 831)
  - Mandates that employers provide advance notice of work schedules, exposes employers to private right of action claims
- Noncompete agreements
  - Prohibits use of noncompete agreements for employees making three times the minimum wage or contractors making five times minimum wage



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## Proposed Workplace Mandates

- Wage theft (HB 6955)
  - Makes contractors liable for unpaid subcontractor wages on private construction projects
- Salary disclosure (SB 1036, HB 6517)
  - Mandate disclosure of pay information in all job postings—internal and external
  - Employers must disclose available job postings to all employees and share successful candidates
  - Records of job descriptions also must be preserved



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## Proposed Workplace Mandates

- Non-disclosure agreements (SB 1035)
  - Prohibits employers from using NDAs and discussing certain types of conduct such as discrimination, harassment, or retaliation
- Paid sick leave
  - Several bills introduced by Republicans and Democrats
  - Not as much of a priority this session for proponents, but still an area we're monitoring



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## Workforce Development Proposals

- Apprenticeship hiring ratios (HB 6786, HB 5704, HB 5046, HB 5092)
  - Adjust state's apprenticeship hiring ratio in the skilled trades from 3:1 to 1:1
- Youth employment (HB 6414, SB 359)
  - Authorizes the employment of 15-year-olds in mercantile establishments under same conditions as retail food stores
  - Allows 16-year-olds to be employed in hospitality, restaurants, and grocery stores



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## Workforce Development Proposals

- Women in the building trades (SB 1206)
  - Establishes a pilot program to train and recruit women in the trades
- Veterans (SB 6722)
  - Allows veterans—or sponsors of veterans in apprenticeship programs—to seek reimbursement of licensing, certification, registration, or tuition fees



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## Advocacy Contacts



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Bioscience

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# reimagine**ct**

The logo for 'reimaginect' features the word in a bold, sans-serif font. The 'reimagine' portion is dark blue, while the 'ct' is a lighter blue. A white puzzle piece graphic is positioned behind the 'ct', with its top and bottom edges overlapping the letters.



CBIA's HR Conference — 02.25.2025



# HR Hotline Live: Managing Employee Absences

Presentation by

**Diane Mokriski**

HR Counsel  
CBIA

**Vincent Farisello**

Partner  
Carmody Torrance Sandak & Hennessey

**Nick Zaino**

Partner  
Carmody Torrance Sandak & Hennessey

## NOTICE

### Connecticut General Statutes §§ 31-57r - 31-57w – Paid Sick Leave

Each employer with 25 or more employees, based on the number of employees on its payroll for the week containing January 1<sup>st</sup> annually, shall provide paid sick leave annually to each of its employees in the state. The paid sick leave shall accrue beginning January 1, 2025, for current employees, or for employees hired after January 1, 2025, beginning on the employee's date of employment.

#### Accrual

The accrual is at a rate of 1 hour of paid sick leave for each 30 hours worked by an employee up to a maximum of 40 hours per year (the employer shall choose any 365-day period used to calculate employee benefits in order to administer paid sick leave).

- No employee shall be entitled to use more than the maximum number of accrued hours.

#### Carry Over

Each employee shall be entitled to carry over up to 40 unused accrued hours of paid sick leave from the current year period to the following year period.

#### Use of Paid Sick Leave

An employee shall be entitled to the use of accrued paid sick leave 120 calendar days after their date of hire.

Employees may use accrued paid sick leave in one-hour increments.

#### Recordkeeping

Employers must track and keep records of hours worked and paid sick leave accrued and used for every employee.

#### Pay

Each employer shall pay each employee for paid sick leave at a pay rate equal to the greater of either:

- the normal hourly wage for that employee; or
- the minimum fair wage rate under section 31-58 of the general statutes in effect for the pay period during which the employee used paid sick leave.

#### Reasons for Use of Leave

An employee may use paid sick leave for his or her own:

- illness, injury or health condition;
- the medical diagnosis, care or treatment of his or her mental illness or physical illness, injury or health condition;
- preventative medical care; or
- mental health wellness day.

An employee may use paid sick leave for a family member's:

- illness, injury or health condition;
- the medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; or
- preventative medical care.

An employee may use paid sick leave when either:

- the employer's place of business; or
- a family member's school or place of care closes by order of a public official due to a public health emergency.

An employee may use paid sick leave when a health authority, the employer of the employee or the employee's family member, or a health care provider determines that the employee or the employee's family member poses a risk to the health of others because of exposure to a communicable disease.

An employee may use paid sick leave if the employee or the employee's family member is a victim of family violence or sexual assault:

- for medical care or psychological or other counseling for physical or psychological injury or disability;
- to obtain services from a victim services organization;
- to relocate due to such family violence or sexual assault;
- to participate in any civil or criminal proceedings related to or resulting from such family violence or sexual assault.

"Family member" means a spouse, sibling, child, grandparent, grandchild, or parent of an employee, or an individual who is related to the employee by blood or by an affinity whose close association the employee shows to be equivalent to those family relationships.

#### Documentation

No employer shall require an employee to provide any documentation that paid sick leave is being taken for a reason covered by the paid sick leave law.

#### Prohibition of Retaliation or Discrimination

No employer shall take retaliatory personnel action or discriminate against an employee because the employee:

- requests or uses paid sick leave either in accordance with the act; or
- in accordance with the employer's own paid sick leave policy, as the case may be; or
- files a complaint with the Labor Commissioner alleging the employer's violation of the act.

#### Collective Bargaining

Nothing in the act shall diminish any rights provided to any employee under a collective bargaining agreement, preempt or override the terms of any collective bargaining agreement effective prior to January 1, 2012, or July 1, 2012, pursuant to chapter 319pp.

#### Complaint Process

Any employee aggrieved by a violation of the provisions of the law may file a complaint with the Labor Commissioner. Upon receipt of any such complaint, said Commissioner may hold a hearing. After a hearing, the Commissioner may assess a civil penalty or award other relief.

Employees may file a complaint on the Department of Labor website:

[https://portal.ct.gov/dol/divisions/wage-and-workplace-standards/wage-complaint?language=en\\_US](https://portal.ct.gov/dol/divisions/wage-and-workplace-standards/wage-complaint?language=en_US)

**This is not the complete Paid Sick Leave law. Please contact your Human Resources office for additional information.**

**Effective 1/1/25**





## NOTICE OF EMPLOYEE RIGHTS UNDER THE CONNECTICUT FAMILY AND MEDICAL LEAVE ACT (CTFMLA) & CONNECTICUT PAID LEAVE ACT (CTPL)

### CONNECTICUT DEPARTMENT OF LABOR AND CONNECTICUT PAID LEAVE AUTHORITY

#### LEAVE ENTITLEMENT AND ELIGIBILITY:

The CTFMLA provides eligible employees, after 3 consecutive months on the job, up to 12 weeks of unpaid, job-protected leave during a 12-month period for qualifying family or medical leave reasons. Employees are entitled to return to their same job at the end of leave. The CTPL provides income replacement benefits to eligible employees who are unable to work for the same leave reasons. These leave options may run at the same time.

Qualifying reasons for leave include:

- The birth of a child and care within the first year after birth;
- The placement of a child with employee for adoption or foster care and care for child within the first year after placement;
- To care for a family member with a serious health condition. Family includes spouse (the person to whom one is legally married), sibling, son or daughter, grandparent, grandchild or parent, or an individual related to the employee by blood or affinity;
- Because of the employee's own serious health condition;
- To serve as an organ or bone marrow donor;
- To address qualifying exigencies arising from a spouse, son, daughter or parent's active duty service in the armed forces; or
- To care for a spouse, son, daughter, parent or next of kin with a serious injury or illness incurred on active duty in the armed forces.

It also allows eligible employees to receive two extra weeks of leave (up to a total of 14 weeks) in connection with an incapacity that occurs during pregnancy. CTFMLA further allows eligible employees to take up to 26 weeks of leave in a single 12-month period to care for a covered servicemember with a serious injury or illness.

Employees may also take up to 12 days of leave to deal with the effects of family violence separate from leave time available under state or federal law. While this is not protected under CTFMLA, it is protected under the Connecticut Family Violence Leave Act and an employee can apply for CTPL in connection with these absences.

Leave does not have to be taken all at once. Employees may take leave intermittently (in separate blocks of time) or to reduce their work schedule.

CTFMLA leave is unpaid. However, an employer may require, or an employee may request to use their accrued, paid time off. An employee may choose to preserve up to 2 weeks of their accrued, paid time off. This accrued, paid time off is in addition to the income-replacement benefits available to employees under CTPL.

#### **APPLYING FOR INCOME-REPLACEMENT BENEFITS UNDER CTPL**

Wage replacement benefits under the CTPL may also be available for CTFMLA absences. More information about Connecticut's Paid Leave program and instructions for how to apply are available at <https://ctpaidleave.org/>. Some employers have received approval from the CT Paid Leave Authority to provide CTPL benefits to their employees through an approved private plan instead of through the state's CTPL program. Employers that have approved private plans are required to notify their employees how to file claims for benefits through their private plan and who the employees can contact for answers to questions about their plan. CTPL benefits are available for up to 12 weeks in a 12-month period, with an additional two weeks available to an employee for incapacity or medical treatment during pregnancy. Benefits are limited to 12 days for leave to deal with the effects of family violence.

#### **EMPLOYER NOTIFICATION FOR CTFMLA LEAVE**

Employees should provide at least 30-days advance notice to their employer of the need to take CTFMLA leave if they can. If they are unable to because they do not know they need leave, the employee must provide notice as soon as they can. An employer may require a medical certification to support a request for leave.

#### **WHAT IS PROHIBITED?**

The CTFMLA prohibits employers from:

- Interfering with or denying any rights provided by the CTFMLA or CTPL. Examples include, but are not limited to, improperly refusing to grant CTFMLA leave or discouraging employees from using CTFMLA leave or applying for CTPL benefits.

- Disciplining, terminating, discriminating against, or retaliating against any individual for taking CTFMLA leave or applying for CTPL benefits, for opposing or complaining about any unlawful practice, or being involved in any proceeding related to the CTFMLA.

If you believe that your CTFMLA rights have been violated, you can either file a complaint directly in Superior Court or with the Connecticut Department of Labor.

To file a CTFMLA complaint with the Connecticut Department of Labor, complete and submit the appropriate CTFMLA complaint form found on the Department's website found at [THE CONNECTICUT FAMILY & MEDICAL LEAVE ACT](#) and [CT PAID LEAVE APPEALS](#).

More information about the CTFMLA is available at [THE CONNECTICUT FAMILY & MEDICAL LEAVE ACT](#) and [CT PAID LEAVE APPEALS](#) and CTPL at <https://ctpaidleave.org/>.

# Your Employee Rights Under the Family and Medical Leave Act

## What is FMLA leave?

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you,
- Your serious mental or physical health condition that makes you unable to work,
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness **may take up to 26 workweeks** of FMLA leave in a single 12-month period to care for the servicemember.

You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you may take FMLA leave **intermittently in separate blocks of time, or on a reduced schedule** by working less hours each day or week. Read Fact Sheet #28M(c) for more information.

FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

## Am I eligible to take FMLA leave?

You are an **eligible employee** if **all** of the following apply:

- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location.

Airline flight crew employees have different "hours of service" requirements.

You work for a **covered employer** if **one** of the following applies:

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

## How do I request FMLA leave?

Generally, **to request FMLA leave you must:**

- Follow your employer's normal policies for requesting leave,
- Give notice at least 30 days before your need for FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

You **do not have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You **must also inform your employer if FMLA leave was previously taken** or approved for the same reason when requesting additional leave.

Your **employer may request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

## What does my employer need to do?

If you are eligible for FMLA leave, your **employer must:**

- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your **employer cannot interfere with your FMLA rights** or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your **employer must confirm whether you are eligible** or not eligible for FMLA leave. If your employer determines that you are eligible, your **employer must notify you in writing:**

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

## Where can I find more information?

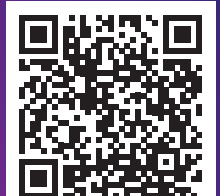
Call **1-866-487-9243** or visit **dol.gov/fmla** to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. **Scan the QR code to learn about our WHD complaint process.**



**WAGE AND HOUR DIVISION**  
UNITED STATES DEPARTMENT OF LABOR

SCAN ME





CBIA's HR Conference — 02.25.2025



# The Trump Administration: Key Issues for Employers

Presentation by

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## Question

- As an employer operating a business under the new Trump Administration, what's one word to describe how you're feeling?

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## Changes at the EEOC

- Currently without a quorum

### How will the EEOC proceed? Recent FAQs have made clear:

- None of the previously issued executive orders “shut down” the EEOC.
- Despite the lack of quorum, “the EEOC remains open for business.”
- The lack of quorum will not impact parties currently engaged in the EEOC process (investigation, conciliation, or settlement).
- The EEOC can continue to file lawsuits without a quorum.
- EEOC dropping transgender discrimination cases
  - Parties are still allowed to proceed in court; right to sue letter issued
  - Any other laws that will not be “enforced”?

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## Changes at the EEOC

### What does this mean for employers?



**Don't** expect to see new rules or amendments to guidance any time soon. Those actions will require a quorum.



**Don't** expect the EEOC to file claims of “systemic” discrimination.



**Do** expect that employees can continue to file complaints and the EEOC will continue to investigate (at least some cases). The investigation of individual or even class claims will not cease.



**Do** expect “reverse” discrimination cases to increase

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## EEOC Acting Chair's Priorities

"Defending the biological and binary reality of sex and related rights, including women's rights to single-sex spaces at work"

"Rooting out unlawful DEI-motivated race and sex discrimination"

"Protecting American workers from anti-American national origin discrimination"

Lucas has been a dissenting voice in recent years against:

- the EEOC workplace harassment guidance focused on LGBTQ+ workers, and
- the finalized rules regulating the Pregnant Worker Fairness Act (PWFA)

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## Question

- Do transgender workers in this state still have protections against discrimination in the workplace?
  - A.) No, pursuant to the Trump Administration's new executive orders governing gender ideology.
  - B.) Yes, under Title VII of the Civil Rights Act of 1964.
  - C.) Yes, under the Connecticut Fair Employment Practices Act ("CFEPA"), Conn. Gen. Stat. § 46a-51 et seq.
  - D.) Both B and C.

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## “Gender Ideology” Directives

### Executive Order 14168 “Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government”

- U.S. will only recognize two sexes.
- Federal agencies to replace the term “gender” with “sex” in official documents.
- Government-issued identification (like passports) reflect the biological sex assigned at birth.
- Attorney General to guide federal agencies to reverse any policies that allowed gender-identity-based access to single-sex spaces (like bathrooms).
- EEOC, Department of Labor, and other agencies to “prioritize investigations and litigation to enforce the rights and freedoms identified” in the order; purports to rescind a slew of Biden-era guidance documents, including the 2024 EEOC workplace harassment guidance that, among other updates to its longstanding harassment guidance, incorporated the agency’s analysis of Title VII protections for LGBTQ+ workers based on the Supreme Court’s holding in *Bostock v. Clayton County*.

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## “Gender Ideology” Directives

- The EO does **not** specifically mandate that private employers (who are not federal contractors) change gender identity-related policies, practices, or procedures
- Existing protections against workplace discrimination remain in place
  - Title VII
  - State/local laws
  - Employer handbook policies, EAPS, counseling resources
- But recall the EEOC’s recent move to dismiss six of its own discrimination cases against transgender/gender nonconforming workers

**Bottom line: enforcement of laws remains in flux**

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## Public Sector Anti-DEI Directives

### Executive Order 14173 “Ending Illegal Discrimination and Restoring Merit-Based Opportunity”

- Directs all federal executive departments and agencies (including private companies that are federal contractors) to eliminate DEI initiatives
- Within 60 days of the EO, companies that employ federal contractors must:
  - Eliminate DEI-related offices and positions
  - Terminate equity-related action plans, programs, and contracts
  - Remove DEI-related performance requirements
  - Submit certifications that they do not have any “illegal” DEI programs
    - Puts them at risk of a False Claims Act (or Qui Tam) action

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## Public Sector Anti-DEI Directives

- Federal contractors will need to **evaluate their current DEI policies and practices**, including any affirmative action plans, and assess potential legal implications
  - E.g., risk of FCA liability, civil and criminal investigations and enforcement actions, termination of existing grants and contracts, and impacts to future contracting opportunities
- Contractors should not make changes to their policies with respect to veterans and individuals with disabilities, because these requirements remain in place
- Lack of clarity regarding what DEI policies are unlawful makes it difficult to reliably assess
  - e.g., will the administration only target companies with hiring preferences relating to race, color, sex, sexual orientation, religion, or national origin? Or will it more broadly challenge DEI policies that generally encourage or promote equity inclusion like workplace diversity training programs?

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## Private Sector Anti-DEI Directives

- The EO does not mandate specific changes in the private sphere but strongly encourages the private sector to **end “DEI discrimination”**
- The U.S. Attorney General and the Director of OMB are tasked with creating a strategic enforcement plan for the private sector, which will identify:
  - Key sectors of concern within each agency’s jurisdiction
  - Most egregious and discriminatory DEI practitioners in each sector of concern
    - Each agency shall “identify up to nine potential civil compliance investigations” of large publicly traded corporations, non-profits, foundations, medical and bar associations and educational institutions.
  - Plan of specific steps or measures to deter DEI programs or principles
  - Litigation that would potentially be appropriate for federal lawsuits, intervention or statements of interest

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## U.S. Attorney General’s DEI Memo

### February 5, 2025 Memo: “Ending Illegal DEI and DEIA Discrimination and Preferences”

- No guidance on what will be considered an “illegal” DEI or DEIA program, activity, or initiative.
- Identifies two action items:
  - By March 1, 2025, the DOJ Civil Rights Division and the Office of Legal Policy are to jointly submit a report containing recommendations for enforcing federal civil rights laws as well as “taking other appropriate measures to encourage the private sector to end illegal discrimination and preferences, including policies relating to DEI and DEIA.”
  - The DOJ is to work with the Department of Education “to issue directions, and the Civil Rights Division will pursue actions, regarding the measures and practices required to comply with *Students for Fair Admissions*.”
- Does not prohibit educational, cultural, or historical observances such as Black History Month, International Holocaust Remembrance Day, or similar events that “celebrate diversity, recognize historical contributions, and promote awareness without engaging in exclusion or discrimination.”

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## Anti-American National Origin Discrimination

- No guidance yet on meaning
- Press release: “Many employers have policies and practices preferring illegal aliens, migrant workers and visa holders over American workers”
  - No data given on these “many employers”
- Appears to target discriminatory actions or practices that would negatively impact American workers,
  - But be careful – still cannot and should not exclude others because of national origin
- In line with focusing on “majority” or “reverse” discrimination

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## Question

- If ICE agents come knocking at your business’ door, what should you do?
  - A. Let them in immediately.
  - B. Ask them for identification and check to see if they have a warrant.
  - C. Direct employees not to respond to the ICE agents’ questions.
  - D. Assist employees in leaving the premises.
  - E. Physically block the ICE agents from entering the business until your attorney arrives.

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# Immigration Enforcement



- President Trump signed 10 executive orders relating to immigration policy on day one of his new term
- New “border czar”
  - Currently prioritizing national security and public safety threats
- Trump administration has rescinded “protected” or “sensitive” areas policy

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## ICE in the Workplace

### Understand risk of immigration violations

- Civil fines
  - Penalties for Form I-9 violations can reach up to \$2,789 per form. Knowingly hiring undocumented workers can lead to fines of up to \$5,579 for first offenses – but up to \$27,894 per worker for repeat offenders.
- Criminal penalties
  - Managers and business owners could face up to 10 years in prison and fines up to \$250,000 for actions considered “harboring” or concealing undocumented workers.
- Debarment from lucrative federal contracts
  - Pursuant to Executive Order, the President can instruct the federal government to not procure goods and services from an employer who violates the law.
- Operational disruptions
  - ICE raids can halt business operations, damage morale, and lead to public relations issues, especially in industries like construction, agriculture, hospitality, and manufacturing, which often employ higher concentrations of undocumented workers.

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# ICE in the Workplace

## Take steps to minimize likelihood of raid

- Establish I-9 compliance and conduct regular I-9 audits
- Train employees on how to handle visit from ICE
- Consider using E-Verify system
- Establish a rapid response plan

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# ICE in the Workplace

## Know how to respond if ICE initiates audit

- Contact legal counsel immediately
- Gather and verify documentation
- Review findings and correct error(s)

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# ICE in the Workplace

## Know what to do if subjected to ICE raid

- Get legal support ASAP
- Establish agent's identity and credentials
- Request and examine warrant
  - More likely that ICE agents will appear with administrative arrest or removal warrant versus judicial warrant
- Monitor but do not obstruct
- Avoid actions that could be construed as harboring
  - e.g., hiding or assisting employees in leaving premises; providing false or misleading info; discarding documents
- Document everything
  - e.g., agent names; badges; where they go; what they search; what they take or copy; any interactions
- Organization can inform employees that they have the right to remain silent and do not need to answer questions, but do not direct them to refuse to speak to agent(s)

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# Changes at the NLRB

- Currently sitting without a quorum and without permanent general counsel

## What should we expect to see?

- More favorable to management
- Lower volume of unfair labor practice complaints
- More favorable settlement agreement terms
- Reversal of former General Counsel Jennifer Abruzzo's policy directives, which so far have included:
  - GC 21-08: taking the position that certain college athletes are "employees"
  - GC 23-08: declaring that the "proffer, maintenance and enforcement" of noncompete agreements in employment contracts/severance agreements violate the NLRA
  - GC 25-01: taking the position that so-called "stay-or-pay" provisions are unlawful

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# Changes in Artificial Intelligence

## Executive Order 14179 - "Removing Barriers to American Leadership in Artificial Intelligence"

- Requires a review of "existing AI policies and directives that act as barriers to American AI innovation."
- Employment-related materials that could come under scrutiny include guidance from the U.S. DOL and the EEOC.
  - But does not directly impact private-sector employers at this time.
- Also rescinded the Biden administration's Executive Order 14100 ("Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence") which sought to set guardrails for AI development.
  - Contained measures related to employment, including working toward best practices to address job displacement, creating labor standards regarding workplace discrimination, and regulating data collection.

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# Overtime Rule "Dead"

- In 2024, the DOL finalized a two-prong rule under the Biden administration that expanded the pool of salaried workers entitled to overtime pay under the FLSA by raising minimum salaries required to qualify for exemptions for bona fide executive, administrative, or professional (EAP) roles, or as exempt "highly compensated employees"
  - Raised overtime threshold to \$43,888 on July 1, 2024, and
  - Would have raised it to \$58,656 on January 1, 2025
- In November after the election, a U.S. District Court judge in the Eastern District of Texas vacated the rule, setting the overtime threshold back to the standard set during the Trump administration: \$35,568
  - Held that the DOL exceeded its rulemaking authority to "define" and "delimit" EAP exemptions by improperly elevating salary thresholds over the job duties test

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## Non-Compete Rule is Also Dead

- Previously, the Federal Trade Commission proposed a rule to bar most non-compete agreements
- On August 20, 2024, Northern District of Texas set aside rule in *Ryan LLC v. Texas*, finding the rule was an unlawful agency action beyond the authority of the FTC and set aside under the Administrative Procedures Act as “arbitrary and capricious”
- No indication the FTC will renew the rule
- Implications in future for Trump rules?

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## Foreign Corrupt Practices Act Paused

- President Trump signed an executive order pausing almost all enforcement of the Foreign Corrupt Practices Act (FCPA), which makes it illegal for both U.S. firms and foreign companies with a U.S. connection to bribe foreign officials
- EO frames the pause as part of the administration’s broader agenda to “advance American economic and national security by eliminating excessive barriers to American commerce abroad.”
  - States that “overenforcement” of the law harms U.S. companies

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## Questions?



*Thank you for joining us!*

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