



LEVETT ROCKWOOD

P.C.

Attorneys-at-Law

NEWSLETTER

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A Courtesy To Our Clients and Friends

DID YOU KNOW . . . ?

Our newsletters typically focus on new laws or developing topics. This time we're highlighting a few existing Connecticut employment laws which, for some, may come as news.

Reporting New Hires

Within 20 days after the date of employment of a new employee, employers who maintain an office or transact business in Connecticut must report to the Labor Department the name, address and Social Security number of each new employee employed in this state. (C.G.S. §31-254(b)).

Information that Must be Given to Employees

When a new employee is hired, the employer must provide the employee with *written notice* of: (a) what the employee will be paid; (b) the hours of employment; and (c) the wage payment schedule. Employers must also make available to employees, either in writing or through a posted notice in an accessible place, any employment practices and policies or changes in such practices and policies relating to wages, vacation pay, sick leave, health and welfare benefits and comparable matters. (C.G.S. §31-71f).

Weekly Wage Payment

The law requires that employees be paid on a regular pay day, designated in advance, on a *weekly* basis, for the previous week's work. This requirement may be waived, on application to the Labor Commissioner, but even with such a waiver, employees must be paid in full, at least once a month, on a regularly established schedule. (C.G.S. §§31-71b and 31-71i).

Limits on Wage Withholding

There are strict limits on what may be withheld from an employee's wages. The withholding must be authorized by law or authorized by the employee, in writing, for a

statutorily approved purpose. Employers should exercise care before withholding from wages for unusual purposes. (C.G.S. §31-71e).

Emergency Phone Calls

Employees must be notified of an incoming emergency phone call if the caller states that the emergency involves a member of the employee's family (a parent, spouse, child or sibling). An "emergency" is a situation in which a member of the employee's family has died, been seriously physically injured or is ill and in need of medical attention. (C.G.S. §31-51jj).

Recording Phone Calls

It is generally illegal to record a telephone communication unless: (a) all parties to the conversation have consented in writing or agreed at the start of the recording that the communication can be recorded; or (b) the recording is preceded by a verbal notification, recorded at the beginning of the communication; or (c) the recording is accompanied by a tone warning repeated at fifteen-second intervals. There are exceptions to these prohibitions, but they are unlikely to apply in most business settings. (C.G.S. §52-570d).

Random Drug Testing

Unlike other states, Connecticut generally prohibits random drug testing unless the tests are authorized under federal law or the employee is engaged in a "high risk or safety-sensitive occupation" (as defined by the Labor Commissioner). In all other circumstances, an employee may not be required to submit to a urine analysis drug test unless the employer "has reasonable suspicion that the employee is under the influence of drugs or alcohol which adversely affects or could adversely affect such employee's job performance." (C.G.S. §31-51x).

Use of Polygraph Prohibited

Employees (other than law enforcement or corrections officers) may not be requested or required to submit to a polygraph examination as a condition of obtaining employment or of continuing employment. (C.G.S. §31-51g).

If you have questions about any of these laws, or would like information about other employment-related issues, please feel free to contact **Dorit Heimer** or **Pat Weitzman** at our office at 203-222-0885.

