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0024-075-01

These Administrative Regulations must be posted and maintained wherever workers covered by this Act are employed.

CONNECTICUT DEPARTMENT OF LABOR

WAGE AND WORKPLACE STANDARDS DIVISION

Sec. 31-60-1. Piece rates in relation to time rates or incentive pay plans, including commissions and bonuses.

(a) Definitions. For the purposes of this regulation, "piece rates" means an established rate per unit of work performed without regard to time required for such accomplishment. "Commissions" means any premium or incentive compensation for business transacted whether based on per centum of total valuation or specific rate per unit of accomplishment. "Incentive plan" means any method of compensation, including, without limitation thereto, commissions, piece rate, bonuses, etc., based upon the amount of results produced, where the payment is in accordance with a fixed plan by which the employee becomes entitled to the compensation upon fulfillment of the conditions established as part of the working agreement, but shall be subject to the limitation hereinafter set forth.

(b) Record of wages. Each employer shall maintain records of wages paid to each employee who is compensated for his services in accordance with an incentive plan in such form as to enable such compensation to be translated readily into terms of average hourly rate on a weekly basis for each work week or part thereof of employment.

(c) Piece rates in relation to time rates. (1) When an employee is compensated solely at piece rates he shall be paid a sufficient amount at piece rates to yield an average rate of at least the minimum fair wage established by subsection (j) of section 31-58 of the Connecticut General Statutes for each hour worked in any week, and the wage paid to such employee shall be not less than the minimum fair wage established by subsection (j) of section 31-58 of the Connecticut General Statutes for each hour worked. (2) When an employee is compensated at piece rates for certain hours of work in a week and at an hourly rate for other hours, the employee's hourly rate shall be at least the minimum fair wage established by subsection (j) of section 31-58 of the Connecticut General Statutes and his earnings from piece rates shall average at least the minimum fair wage established by subsection (j) of section 31-58 of the Connecticut General Statutes for each hour worked on piece rate for that work week, and the wage paid to such employee shall be not less than the minimum fair wage established by subsection (j) of section 31-58 of the Connecticut General Statutes for each hour worked. (3) When an employee is employed at a combination of hourly rate and piece rate for the same hours of work (i.e., an incentive pay plan superimposed upon an hourly rate or a piece rate coupled with a minimum hourly guarantee), the employee shall receive an average rate of at least the minimum fair wage established by subsection (j) of section 31-58 of the Connecticut General Statutes an hour for each hour worked in any week and the wage paid to such employee shall be not less than the minimum fair wage established by subsection (j) of section 31-58 of the Connecticut General Statutes for each hour worked.

(d) Commission. (1) When an employee is compensated solely on a commission basis, he shall be paid weekly an average of at least the minimum fair wage established by subsection (j) of section 31-58 of the Connecticut General Statutes per hour for each hour worked. (2) When an employee is paid in accordance with a finding for a base rate plus commission, the wage paid weekly to the employee from these combined sources shall equal at least an average of the minimum fair wage established by subsection (j) of section 31-58 of the Connecticut General Statutes an hour for each hour worked in any work week. All commissions shall be settled at least once in each month in full. When earnings are derived in whole or in part on the basis of an incentive plan other than those defined herein, the employee shall receive weekly at least the minimum fair wage established by subsection (j) of section 31-58 of the Connecticut General Statutes per hour for each hour worked in the work week, and the balance earned shall be settled at least once monthly.

Sec. 31-60-2. Gratuities as part of the minimum fair wage.

For the purposes of this section, "gratuity" means a voluntary monetary contribution received by the employee from a guest, patron or customer for service rendered.

Unless otherwise prohibited by statutory provision or by a wage order gratuities may be recognized as constituting a part of the minimum fair wage when all of the following provisions are complied with:

(1) The employee shall be engaged in an employment in which gratuities have customarily and usually constituted and have been recognized as part of his remuneration for hiring purposes and

(2) the amount received in gratuities claimed as credit for part of the minimum fair wage shall be recorded on a daily, weekly, or bi-weekly basis in a wage record, even though payment is made more frequently, and

(3) each employer claiming credit for gratuities as part of the minimum fair wage paid to any employee shall provide substantial evidence that not less than the amount claimed, which shall not exceed the allowance hereinafter provided, was received by the employee.

For example, an attestation or statement in electronic or written format demonstrating that wages received by the service employee, including gratuities, together with other authorized allowances, represents a payment of not less than the minimum fair wage established by subsection (j) of section 31-58 of the **Connecticut** General Statutes per hour for each hour worked during the pay period, will be accepted by the commissioner as substantial evidence for purposes of this section, provided all other requirements of this and other applicable regulations shall be complied with. Such attestation, statement, or substantial evidence shall satisfy the requirements of subdivisions (2) and (3) of this section.

Public Act 19-4, An Act Increasing the Minimum Fair Wage.

Sec. 31-60(b) The Labor Commissioner shall adopt such regulations, in accordance with the provisions of chapter 54, as may be appropriate to carry out the purposes of this part. Such regulations may include, but are not limited to, regulations defining and governing an executive, administrative or professional employee and outside salesperson; learners and apprentices, their number, proportion and length of service; and piece rates in relation to time rates; and shall recognize, as part of the minimum fair wage, gratuities in an amount (1) equal to twenty-nine and three-tenths per cent, and effective January 1, 2009, equal to thirty-one per cent of the minimum fair wage per hour, and effective January 1, 2014, equal to thirty-four and six-tenths per cent of the minimum fair wage per hour, and effective January 1, 2015, and ending on June 30, 2019, equal to thirty-six and eight-tenths per cent of the minimum fair wage per hour for persons, other than bartenders, who are employed in the hotel and restaurant industry, including a hotel restaurant, who customarily and regularly receive gratuities, (2) equal to eight and two-tenths per cent, and effective January 1, 2009, equal to eleven per cent of the minimum fair wage per hour, and effective January 1, 2014, equal to fifteen and six-tenths per cent of the minimum fair wage per hour, and effective January 1, 2015, and ending on June 30, 2019, equal to eighteen and one-half per cent of the minimum fair wage per hour for persons employed as bartenders who customarily and regularly receive gratuities, and (3) not to exceed thirty-five cents per hour in any other industry, and shall also recognize deductions and allowances for the value of board, in the amount of eighty-five cents for a full meal and forty-five cents for a light meal, lodging, apparel or other items or services supplied by the employer; and other special conditions or circumstances which may be usual in a particular employer-employee relationship. The commissioner may provide, in such regulations, modifications of the minimum fair wage herein established for learners and apprentices; persons under the age of eighteen years; and for such special cases or classes of cases as the commissioner finds appropriate to prevent curtailment of employment opportunities, avoid undue hardship and safeguard the minimum fair wage herein established. Regulations in effect on July 1, 1973, providing for a board deduction and allowance in an amount differing from that provided in this section shall be construed to be amended consistent with this section.

Sec. 31-60-3. Deductions and allowances for reasonable value of board and lodging was repealed.

Sec. 31-60-4. Physically or mentally handicapped employees.

[This regulation defines a "physically or mentally handicapped person" as a person whose earning capacity is impaired by age or physical or mental deficiency or injury and provides guidelines for a modification of the minimum wage.]

Sec. 31-60-6. Minors under the age of 18.

(a) For the purposes of this regulation, "minor" means a person at least 16 years of age but not over 18 years of age. To prevent curtailment of employment opportunities for minors, and to provide a reasonable period during which training for adjustment to employment conditions may be accomplished, a minor may be employed at a modification of the minimum fair wage established by subsection (j) of section 31-58 of the general statutes, but at not less than 85% of the minimum wage, for the first 200 hours of employment. When a minor has had an aggregate of two hundred hours of employment, he may not be employed by the same or any other employer at less than the minimum fair wage.*

***This subsection is amended by P.A. 19-4, An Act Increasing the Minimum Fair Wage. CGS Sec. 31-58(l)(5).** The rates for all persons under the age of eighteen years, except emancipated minors, shall be not less than eighty-five per cent of the minimum fair wage for the first ninety days of such employment, or ten dollars and ten cents per hour, whichever is greater, and shall be equal to the minimum fair wage thereafter, except in institutional training programs specifically exempted by the commissioner.

(b) In addition to the records required by section 31-66 of the 1969 supplement to the general statutes, each employer shall obtain from each minor to be employed at a modification of the minimum fair wage rate as herein provided, a statement of his employment prior to his date of accession with his present employer. Such statement of prior employment, supplemented by the present employer's record of hours worked by the minor while in his employ, will be deemed satisfactory evidence of good faith on the part of the employer with respect to his adherence to the provisions of this regulation, provided such record shall be in complete compliance with the requirements of section 31-66 of the general statutes and section 31-60-12.

(c) Deviation from the provisions of this regulation will cancel the modification of the minimum fair wage herein provided for all hours during which the violation prevailed and for such time the minimum wage shall be paid.

Sec. 31-60-7. Learners.

[This regulation contains the requirements to apply to the Labor Commissioner for a subminimum rate in an occupation which is not apprenticeable.]

Sec. 31-60-8. Apprentices.

[Under this regulation, apprentices duly registered by the Connecticut State Apprenticeship Council of the Labor Department may not be employed at less than the minimum wage unless permission has been received from the Labor Commissioner through an application process.]

Sec. 31-60-9. Apparel

For the purpose of this regulation, "apparel" means uniforms or other clothing supplied by the employer for use in the course of employment but does not include articles of clothing purchased by the employee or clothing usually required for health, comfort or convenience of the employee. An allowance (deduction) not to exceed one dollar and fifty cents per week or the actual cost, whichever is lower, may be permitted to apply as part of the minimum fair wage for the maintenance of wearing apparel or for the laundering and cleaning of such apparel when the service has been performed. When protective garments such as gloves, boots or aprons are necessary to safeguard the worker or prevent injury to an employee or are required in the interest of sanitation, such garments shall be provided and paid for and maintained by the employer without charge upon the employee.

Sec. 31-60-10. Travel time.

(a) For the purpose of this regulation, "travel time" means that time during which a worker is required or permitted to travel for purposes incidental to "a performance of his employment but does not include time spent traveling from home to his usual place of employment or return to home, except as hereinafter provided in this regulation.

(b) When an employee, in the course of his employment, is required or permitted to travel for purposes which inure to the benefit of the employer, such travel time shall be considered to be working time and shall be paid for as such. Expenses directly incidental to and resulting from such travel shall be paid for by the employer when payment made by the employee would bring the employee's earnings below the minimum fair wage.

(c) When an employee is required to report to other than his usual place of employment at the beginning of his work day, if such an assignment involves travel time on the part of the employee in excess of that ordinarily required to travel from his home to his usual place of employment, such additional travel time shall be considered to be working time and shall be paid for as such.

(d) When at the end of a work day a work assignment at other than his usual place of employment involves, on the part of the employee, travel time in excess of that ordinarily required to travel from his usual place of employment to his home, such additional travel time shall be considered to be working time and shall be paid for as such.

(e) Repealed.

Sec. 31-60-11. Hours worked.

(a) For the purpose of this regulation, "hours worked" include all time during which an employee is required by the employer to be on the employer's premises or to be on duty, or to be at the prescribed work place, and all time during which an employee is employed or permitted to work, whether or not required to do so, provided time allowed for meals shall be excluded unless the employee is required or permitted to work. Such time includes, but shall not be limited to, the time when an employee is required to wait on the premises while no work is provided by the employer. Working time in every instance shall be computed to the nearest unit of 15 minutes.

(b) All time during which an employee is required to be on call for emergency service at a location designated by the employer shall be considered to be working time and shall be paid for as such, whether or not the employee is actually called upon to work.

(c) When an employee is subject to call for emergency service but is not required to be at a location designated by the employer but is simply required to keep the employer informed as to the location at which he may be contacted, or when an employee is not specifically required by his employer to be subject to call but is contacted by his employer or on the employer's authorization directly or indirectly and assigned to duty, working time shall begin when the employee is notified of his assignment and shall end when the employee has completed his assignment.

Sec. 31-60-12. Records.

(a) For the purpose of this regulation, "true and accurate records" means accurate legible records for each employee showing:

(1) His name;
(2) his home address;
(3) the occupation in which he is employed;
the total daily and total weekly hours worked, showing the beginning and ending time of each work period, computed to the nearest unit of 15 minutes;
(5) his total hourly, daily or weekly basic wage;
(6) his overtime wage as a separate item from his basic wage;
(7) additions to or deductions from his wages each pay period;
(8) his total wages paid each pay period;
(9) such other records as are stipulated in accordance with sections 31-60-1 through 31-60-16;
(10) working certificates for minor employees (sixteen to eighteen years). True and accurate records shall be maintained and retained at the place of employment for a period of 3 years for each employee.

(b) The labor commissioner may authorize the maintenance of wage records and the retention of both wage and hour records as outlined either in whole or in part at a place other than the place of employment when it is demonstrated that the retention of such records at the place of employment either

(1) works an undue hardship on the employer without materially benefiting the inspection procedures of the labor department, or
(2) is not practical for enforcement purposes. Where permission is granted to maintain wage records at other than the place of employment, a record of total daily and weekly hours worked by each employee shall also be available for inspection in connection with such wage records.

(c) In the case of an employee who spends 75% or more of his working time away from his employer's place of business and the maintaining of time records showing the beginning and ending time of each work period for such employee either imposes an undue hardship upon the employer or exposes him to jeopardy because of his inability to control the accuracy of such entries, a record of total daily and total weekly hours will be approved as fulfilling the record keeping requirements of this section. However, in such cases, the original time entries shall be made by the employee in his own behalf and the time entries made by the employee shall be used as the basis for payroll records.

(d) Repealed.

(e) The employer shall maintain and retain for a period of 3 years the following information and data on each individual employed in a bona fide executive, administrative or professional capacity.

(1) His name;
(2) his home address;
(3) the occupation in which he is employed;
(4) his total wages paid each work period;
(5) the date of payment and the pay period covered by payment.

Sec. 31-60-14. Employee in a bona fide Executive capacity.

(a) For the purposes of section 31-58 (f) of the general statutes, as amended, "employee employed in a bona fide executive capacity" means any employee (1) whose primary duty consists of the management of the enterprise in which he is employed or of a customarily recognized department or subdivision thereof; and (2) who customarily and regularly directs the work of two or more other employees therein; and (3) who has the authority to hire or fire other employees or whose suggestions and recommendations as to the hiring or firing and as to the advancement and promotion or any other change of status of other employees will be given particular weight; and (4) who customarily and regularly exercise discretionary powers; and (5) who does not devote more than twenty percent, or, in the case of an employee of a retail or service establishment who does not devote as much as forty percent, of his hours of work in the workweek to activities which are not directly and closely related to the performance of the work described in subdivisions (1) to (4), inclusive, of this section; provided this subdivision shall not apply in the case of an employee who owns at least twenty percent interest in the enterprise in which he is employed; and (6) who is compensated for his services on a salary basis at a rate of not less than four hundred dollars per week exclusive of board, lodging, or other facilities, except that this subdivision shall not apply in the case of an employee in training for a bona fide executive position as defined in this section if (A) the training period does not exceed six months; and (B) the employee is compensated for his services on a salary basis at a rate not less than three hundred seventy-five dollars per week exclusive of board, lodging, or other facilities during the training period; (C) a tentative outline of the training program has been approved by the labor commissioner; and (D) the employer shall pay tuition costs, and fees, if any, for such instruction and reimburse the employee for travel expenses to and from each destination other than local, where such instruction or training is provided. Any trainee program so approved may be terminated at any time by the labor commissioner upon proper notice, if he finds that the intent of the program as approved has not been carried out. An employee who is compensated on a salary basis at a rate of not less than four hundred seventy-five dollars per week, exclusive of board, lodging, or other facilities, and whose primary duty consists of the management of the enterprise in which he is employed or of a customarily recognized department or subdivision thereof, and includes the customary and regular direction of the work of two or more other employees therein, shall be deemed to meet all of the requirements of this section.

(b) "Salary basis" means a predetermined amount paid for each pay period on a weekly or less frequent basis, regardless of the number of days or hours worked, which amount is not subject to reduction because of variations in the quality or quantity of the work performed, and which amount has been the subject of an employer advisement as required by section 31-71f of the Connecticut General Statutes.

(1) Although the employee need not be paid for any workweek in which he performed no work, deductions may only be made in the following five (5) instances:

(A) During the initial and terminal weeks of employment, an employer may pay a proportionate part of an employee's salary for the time actually worked;

(B) Deductions may be made for one or more full days if the employee is absent for personal reasons other than sickness or accident;

(C) Deductions may be made for one or more full days of sickness or disability provided the deduction is made pursuant to a bona fide plan, policy or practice of making deductions from an employee's salary after sickness or disability leave has been exhausted which has been disclosed to the employee in accordance with section 31-71f of the Connecticut General Statutes;

(D) Deductions may be made for absences of less than one full day taken pursuant to the federal family medical leave act, 29 USC 2601 et seq., or the Connecticut family and medical leave act, section 31-51kk et seq., of the Connecticut General Statutes, as permitted by 29 CFR 825.206 or by section 31-51qq-17 of the regulations of Connecticut state agencies; or

(E) Deductions may be made for one or more full days if the employee is absent as a result of a disciplinary suspension for violating a safety rule of major significance. Safety rules of major significance include only those relating to the prevention of serious danger to the employer's premises, or to other employees.

(2)(A) No deduction of any kind shall be made for any part of a workweek absence that is attributable to:
(i) lack of work occasioned by the operating requirements of the employer;
(ii) jury duty, or attendance at a judicial proceeding in the capacity of a witness; or
(iii) temporary military leave.

(B) An employer is permitted to offset payments an employee receives for any of the services described in this subdivision against the employee's regular salary during the week of such absence.

(3) No deduction shall be made for an absence of less than one full day from work unless:

(A) The absence is taken pursuant to the federal family and medical leave act, 29 USC 2601 et seq., or the Connecticut family and medical leave act, section 31-51kk et seq., of the Connecticut General Statutes, as permitted by 29 CFR 825.206 or by section 31-51qq-17 of the regulations of Connecticut state agencies; or
(B) The absence is taken pursuant to a bona fide paid time off benefits plan that specifically authorizes the substitution or reduction from accrued benefits for the time that an employee is absent from work, provided the employee receives payment in an amount equal to his guaranteed salary.

(4) No deduction of any kind shall be made for an absence of less than one week which results from a disciplinary suspension for violating ordinary rules of employee conduct.

Sec. 31-60-15. Employee in bona fide Administrative Capacity.

(a) For the purposes of said section 31-58 (f), "employee employed in a bona fide administrative capacity" means any employee (1) whose primary duty consists of either: (A) the performance of office or nonmanual work directly related to management policies or general business operations of his employer or his employer's customers, or (B) the performance of functions in the administration of a school system or educational establishment or institution, or of a department or subdivision thereof, in work directly related to the academic instruction or training carried on therein; and (2) who customarily and regularly exercises discretion and independent judgement; and (3) (A) who regularly and directly assists a proprietor, or an employee employed in a bona fide executive or administrative capacity, as such terms are defined in section 31-60-14 and 31-60-15, or (B) who performs under only general supervision work along specialized or technical lines requiring special training, experience or knowledge, or (C) who executes under only general supervision special assignments and tasks; and (4) who does not devote more than twenty percent, or, in the case of an employee of a retail or service establishment who does not devote as much as forty percent, of his hours worked in the workweek to activities which are not directly and closely related to the performance of the work described in subdivisions (1) to (3), inclusive, of this section; and (5)(A) who is compensated for his services on a salary or fee basis at a rate of not less than four hundred dollars per week exclusive of board, lodging, or other facilities, or (B) who, in the case of academic administrative personnel, is compensated for his services as required by subparagraph (A) of this subdivision or on a salary basis which is at least equal to the entrance salary for teachers in the school system or educational establishment or institution by which he is employed; provided an employee who is compensated on a salary or fee basis at a rate of not less than four hundred seventy-five dollars per week, exclusive of board, lodging, or other facilities, and whose primary duty consists of the performance of work described in subdivision (1) of this section, which includes work requiring the exercise of discretion and independent judgement, shall be deemed to meet all of the requirements of this section.

(b) "Salary basis" [refer to Section 31-60-14.]

(c) "Fee basis" means the payment of an agreed sum for the accomplishment of a single task regardless of the time required for its completion. A fee basis payment shall be permitted only for jobs which are unique in nature rather than for a series of jobs which are repeated an indefinite number of times and for which payment on an identical basis is made over and over again. Payment on a fee basis shall amount to a rate of not less than the rate set forth in subsection (a) of this section.

Sec. 31-60-16. Employee in bona fide Professional Capacity.

(a) For the purposes of said section 31-58 (f) "employee employed in a bona fide professional capacity" means any employee (

1) whose primary duty consists of the performance of:

(A) work requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study, as distinguished from a general academic education and from an apprenticeship, and from training in the performance of routine mental, manual, or physical processes, or

(B) work that is original and creative in character in a recognized field of artistic endeavor, as opposed to work which can be produced by a person endowed with general manual or intellectual ability and training, and the result of which depends primarily on the invention, imagination or talent of the employee or

(C) teaching, tutoring, instructing or lecturing in the activity of imparting knowledge while employed and engaged in this activity as a teacher certified or recognized as such in the school system or educational establishment or institution by which he is employed; and
(2) whose work requires the consistent exercise of discretion and judgement in its performance; and

(3) whose work is predominantly intellectual and varied in character, as opposed to routine mental, manual, mechanical or physical work, and is of such character that the output produced or the result accomplished cannot be standardized in relation to a given period of time; and

(4) who does not devote more than twenty percent of his hours worked in the workweek to activities which are not an essential part of and necessarily incident to the work described in subdivision (1) to (3), inclusive, of this section; and

(5) who is compensated for his services on a salary or fee basis at a rate of not less than four hundred dollars per week exclusive of board, lodging, or other facilities; provided this subdivision shall not apply in the case of an employee who is the holder of a valid license or certificate permitting the practice of law or medicine or any of their branches and who is actually engaged in the practice thereof, or in the case of an employee who is the holder of the requisite academic degree for the general practice of medicine and is engaged in an internship or resident program pursuant to the practice of medicine or any of its branches, or in the case of an employee employed and engaged as a teacher as provided in subdivision (1) (C) of this section, and provided an employee who is compensated on a salary or fee basis at a rate of not less than four hundred seventy-five dollars per week exclusive of board, lodging or other facilities, and whose primary duty consists of the performance either of work described in subdivision (1) (A) or (C) of this section which includes work requiring the consistent exercise of discretion and judgement, or of work requiring invention, imagination or talent in a recognized field of artistic endeavor, shall be deemed to meet all of the requirements of this section.

(b) "Salary basis" [refer to Section 31-60-14.]

(c) "Fee basis" means the payment of an agreed sum for the accomplishment of a single task regardless of the time required for its completion. A fee basis payment shall be permitted only for jobs which are unique in nature rather than for a series of jobs which are repeated an indefinite number of times and for which payment on an identical basis is made over and over again. Payment on a fee basis shall amount to a rate of not less than the rate set forth in subsection (a) of this section.

MINIMUM WAGE:
Minimum wage is annually indexed each year, effective Jan 1.

$16.94 per hour effective 1-1-2026 through 12-31-2026 (CGS Sec. 31-58)

OVERTIME - ONE AND ONE-HALF TIMES THE EMPLOYEES REGULAR RATE OF PAY AFTER 40 HOURS PER WEEK. FOR EXCEPTIONS - SEE SECTION 31-76i OF THE CONNECTICUT GENERAL STATUTES.

MINORS UNDER 18 YEARS OF AGE EMPLOYED BY THE STATE OR POLITICAL SUBDIVISION THEREOF MAY BE PAID 85% OF THE APPLICABLE MINIMUM WAGE.

MINORS UNDER 18 YEARS OF AGE EMPLOYED IN AGRICULTURE MAY BE PAID 85% OF THE APPLICABLE MINIMUM WAGE. MINORS EMPLOYED BY AGRICULTURAL EMPLOYERS WHO DID NOT, DURING THE PRECEDING CALENDAR YEAR, EMPLOY EIGHT OR MORE WORKERS AT THE SAME TIME SHALL BE PAID A MINIMUM WAGE OF NOT LESS THAN 70% OF THE MINIMUM WAGE AS DEFINED IN SECTION 31-58. MINORS IN OTHER EMPLOYMENT - SEE SECTION 31-60-6

CONNECTICUT Labor

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