

CONNECTICUT HR Reports Newsletter

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• WORKPLACE PRACTICES SURVEY

Breaks, Workweek, Records, Overtime and more...

A recent CTHRR survey of 140 Connecticut employers examined a variety of workplace practices

including lunch and daily breaks, basic workweek schedules, time/pay records, and overtime policies. Here are the results:

<u>Lunch Period</u>	<u>Top Execs</u>	<u>Exempts</u>	<u>Office</u>	<u>Plant/Blue-Collar</u>				
15 or 20 minutes	0%	0%	1%	2%				
30 minutes	25	42	65	83				
45 minutes	2	3	5	1				
60 minutes	15	30	25	9				
At employee's discretion	58	25	4	5				
<u>Daily Breaks</u>	<u>Top Execs</u>	<u>Exempts</u>	<u>Office</u>	<u>Plant/Blue-Collar</u>				
1 break of 10 minutes	1%	2%	3%	6%				
1 break of 15 minutes	1	6	10	14				
2 breaks of 10 minutes	4	9	28	41				
2 breaks of 15 minutes	3	7	25	29				
At employee's discretion	91	76	34	10				
<u>Basic Workweek</u>	<u>Top Execs</u>	<u>Exempts</u>	<u>Office</u>	<u>Plant/Blue-Collar</u>				
Most common number of hours/week	44+	40	40	40				
Typical time first shift starts (a.m.)	8:00	8:00	8:00	7:00				
Typical time first shift ends (p.m.)	5:00	5:00	5:00	3:30				
<u>Time & Pay Records</u>	<u>Top Execs</u>	<u>Exempts</u>	<u>Office</u>	<u>Plant/Blue-Collar</u>				
Time clock	6%	7%	35%	68%				
Data collection cards, time sheets	23	33	47	22				
Sign-in & -out book	4	4	1	1				
Supervisors' records	4	12	3	2				
Computerized login	9	12	13	7				
No record kept	54	32	1	-				
<u>Overtime: Nonexempts</u>	<u>Over 8/day</u>		<u>Holidays</u>		<u>Saturdays</u>		<u>Sundays</u>	
<u>NOT Over 40 hours/week</u>	<u>Office</u>	<u>Plant</u>	<u>Office</u>	<u>Plant</u>	<u>Office</u>	<u>Plant</u>	<u>Office</u>	<u>Plant</u>
Straight time	83%	73%	47%	40%	61%	60%	56%	45%
1.5x pay	17	27	27	24	38	40	25	24
2x pay	-	-	15	21	1	-	19	29
2.5x pay	-	-	7	9	-	-	-	2
3x pay	-	-	4	6	-	-	-	-

Lunch Periods & "Coffee Breaks"

Most non-exempt employees in Connecticut have a half-hour for lunch; however, the majority of exempt employees gets either an hour lunch break or is allowed to take lunch at their own discretion. And

most non-exempt employees also have two rest periods each day—typically each break is either ten or fifteen minutes in length.

Note that wage and hour laws require that work breaks be paid unless they are more than 20 minutes in

length. Although there is no state law requiring rest breaks, CGS §31-51ii requires that employees who work for seven and one-half or more consecutive hours be given a meal period of at least 30 minutes between the first two and last two hours of the shift. The meal period does not have to be paid. Note too that employers who give a total of 30 minutes of *paid* breaks during the shift have satisfied the requirements of this law. There are some exceptions which can be reviewed on the “REST PERIODS · MEAL PERIODS” page in *What to Do about Personnel Problems in Connecticut*.

Basic Workweek

Forty hours per week continues to be the standard for most employees; however, top executives tend to (or at least they claim to) work longer than that. Of course, all hours worked by non-exempt personnel in excess of 40 per week must be paid time-and-one-half...exempts and executives need not be paid more than their regular salary in such cases.

Timekeeping Records

The old time clock is still in existence recording the punches of workers as they start and end the shift. Most plant/blue-collar workers punch the clock, but for other groups the use of data-collection cards and time sheets is more typical. Technically, no record of the hours of exempts needs to be kept, but many

employers do so as a means of tracking absences, FMLA, lunch periods, sick pay usage, and so on. (*)TIMEKEEPING.

Overtime

There is no law requiring payment of overtime for hours worked in excess of eight in one day...only for hours worked beyond 40 per week. Nevertheless, many employers—either by policy or union contract—pay “OT over 8.” Similarly, there is no law saying overtime must be paid when an employee works on a holiday or on Saturday or Sunday...unless that time is over 40 hours that week...yet many employers do so, again, by policy or contractual obligation. Some employers pay as much as triple-time for hours worked on a paid holiday. (*)OVERTIME.

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• NEW CONNECTICUT LAWS

• **SB899—Marriage, Civil Unions:** Governor Rell has signed this new law which, effective 4/23/2009, redefines “marriage” in Connecticut as the “union of two persons,” replacing the former definition, the “union of one man and one woman.” Further, on October 1, 2010, SB899 transforms civil unions into marriages.

Until 10/1/2010, both same sex marriages and civil unions are available under current law. Connecticut civil unions may apply for marriage licenses if they are eligible to marry; they are not required to dissolve their civil unions prior to marrying each other.

On 10/1/2010, civil unions merge into marriages by operation of law—except for those that have been dissolved or annulled, or are in the process of being dissolved. SB899 states that the mergers do not impair or affect any action or proceeding brought before 10/1/2010, any accrued right or benefit, or any responsibility incurred prior to that date. The relationships that have not merged on 10/1/2010

because of pending dissolution, annulment, or legal separation are governed by the civil union statutes in effect on 9/30/2010.

It exempts clergy, churches, and IRS-qualified church-controlled organizations from officiating or participating in a marriage ceremony that violates their religious freedom or beliefs. It also (1)provides certain other religious organizations legal protections for refusing to provide services related to marriage ceremonies; (2)leaves unchanged the authority of fraternal benefit societies to determine membership and beneficiaries; and (3)permits religiously-affiliated organizations that provide adoption, foster care, or social services to operate in the manner they choose so long as the specific program or purpose does not receive state or federal funds.

• **PA 09-6—PEOs:** Affects the registration process for professional employer organizations (PEOs). Effective 5/4/2009.

• BULLETIN BOARD

• **HR Certification Requirements to Stiffen:**

“Beginning in 2011, the eligibility requirements for the HR Certification Institute professional credentials will change, increasing the education level and years of practical experience necessary to earn the certifications. The changes regard the Professional in HR (PHR), Senior Professional in HR (SPHR), and Global Professional in HR (GPHR) certifications.” Source: www.hrci.org. (*)HR MANAGEMENT.

• **Connecticut WC Pocket Guide:** The state Workers’ Compensation Commission has published an Employee’s Pocket Guide to Connecticut Workers’ Compensation available on the Publications page at <http://wcc.state.ct.us>, (*)WORKERS’ COMPENSATION.

• **Unions Can Celebrate USDOL, NLRB Selections:**

In addition to the appointment of Hilda Solis as U. S. Secretary of Labor—a congresswoman who the *The Wall Street Journal* reports “...has voted with the AFL-CIO 97% of the time, and got three-quarters of her campaign contributions from unions,” President Barack Obama has appointed a key union activist as senior adviser to Solis: Mary Beth Maxwell. Ms. Maxwell spent the past five years as executive director of American Rights at Work, a nonprofit group pushing for passage of a bill to make it easier to form unions. Obama has also nominated two to vacant seats on the National Labor Relations Board: Craig Becker, associate general counsel for both the American Federation of Government Employees and the Service Employees, and Mark Pearce, a labor-side labor lawyer from Buffalo, NY.

• **Unions Win 63% of Elections...Who Needs**

EFCA? New data showing labor unions won nearly two-thirds of private ballot organizing elections last year is prompting some business groups to question the need for Congress to pass a bill that would make it even easier to form unions. Union officials say the latest figures from the National Labor Relations Board are misleading because anti-union intimidation prevents many elections from happening at all. Unions won 63 percent of representation elections conducted by the NLRB in fiscal 2008, a 4% increase from the previous year and the highest level since the mid-1950s, according to figures released last week. Source: www.tri-cityherald.com. (*)NATIONAL LABOR RELATIONS ACT.

• **USDOL FY 2010 Budget to Add 670 Investigators:** Under this \$104.5 billion budget, the Labor Department expects to hire nearly 1,000 new employ-

ees, including about 670 investigators, restoring worker protection staffing to FY 2001 levels. For example, the FY 2010 budget asks for \$564 million for the department's Occupational Safety and Health Administration. With this funding, the Labor Department plans to hire 160 new enforcement staff. Also, the department's Wage and Hour Division will receive \$228 million, an increase of \$35 million from the prior year, including funding to hire 200 new investigators.

• **EEOC Issues Work/Family Balance Paper:** The U.S. Equal Employment Opportunity Commission has issued a best practices document that provides recommendations for workplace policies aimed at removing barriers to equal employment opportunity for workers with caregiving responsibilities. Examples include personal or sick leave policies that allow employees to use leave to care for ill family members, flexible work arrangements, part-time opportunities with proportional compensation and benefits, and equal-opportunity policies that address unlawful discrimination against caregivers. See www.eeoc.gov/policy/docs/caregiver-best-practices.html

• **Curse of the Class of 2009:** The Wall Street Journal says, “The bad news for this spring's college graduates is that they're entering the toughest labor market in at least 25 years. The worse news: Even those who land jobs will likely suffer lower wages for a decade or more compared to those lucky enough to graduate in better times....” (*)HIRING · RECRUITING.

• **Swine Flu: What to Do:** OSHA has a number of recommendations for reducing the risk of exposure to swine flu: “The best strategy to reduce the risk of becoming infected with influenza during a pandemic is to avoid crowded settings and other situations that increase the risk of exposure to someone who may be infected. Keep work surfaces, telephones, computer equipment and other frequently touched surfaces and office equipment clean. Discourage your employees from using other employees' phones, desks, offices or other work tools and equipment. Minimize situations where groups of people are crowded together, such as in a meeting. Use e-mail, phones and text messages to communicate with each other.” OSHA’s website on pandemic flu is: www.osha.gov/Publications/influenza_pandemic.html#steps_employers_can_take. Further resources on this subject can be found at the Centers for Disease Control: www.cdc.gov/flu/protect/stopgerms.htm

• THIS MONTH'S STATISTICS

Production and related workers; seasonally adjusted

Average Hourly Earnings of Production Workers	Latest Period	Current	Prior Report	One Year Ago	12-Month % Change
National:	Jun-09	18.53	18.53	18.04	+2.7
Connecticut:	Jun-09	23.15	23.00	21.23	+9.0

Actual number employed (000s); seasonally adjusted

Employment (Civilian)	Latest Period	Current	Prior Report	One Year Ago	12-Month % Change
National:	Jun-09	140,196	140,570	145,738	-3.8
Connecticut:	Jun-09	1,639.1	1,644.0	1,704.3	-3.8

% unemployed, number (000s); seasonally adjusted

Unemployment (Civilian)	Latest Period	Current	Prior Report	One Year Ago	Current # Unemployed
National:	Jun-09	9.5%	9.4%	5.6%	14,729.0
Connecticut:	Jun-09	8.0	8.0	5.5	149.8

CPI for All Urban Consumers: Index of 7/83 = 100

Cost of Living Consumer Price Index (CPI-U)	Latest Period	Current	Prior Report	One Year Ago	12-Month % Change
National:	Jun-09	215.7	213.9	218.8	-1.4
Northeast Urban:	Jun-09	229.9	228.1	232.6	-1.2
New York/NJ:	Jun-09	237.2	236.0	238.6	-0.6
Boston:	May-09	231.9	232.2	235.3	-1.5
C-CPI-U (Chained CPI; 12/99 = 100):	Jun-09	124.0	122.9	125.6	-1.3

National Job Openings and Turnover (%) NSA

Job Openings and Labor Turnover	Latest Period	Current	Prior Report	One Year Ago	12-Month % Change
Job Openings (% of total employment)	May-09	1.9	2.1	2.8	-32.1
Hiring Rate (% of total employment)	May-09	3.3	3.4	3.8	-13.2
Total Turnover (% of total employment)	May-09	2.9	3.6	3.3	-12.1
Quit Rate (included in "Total Turnover")	May-09	1.3	1.4	1.9	-31.6

Help-Wanted Ads: The Conference Board, NY, NY

Employment Advertising OnLine Help-Wanted Ads (000s)	Latest Period	Current	Prior Report	One Year Ago	12-Month % Change
National:	Jun-09	3,294.8	3,361.5	4,626.8	-28.8
New England:	Jun-09	208.1	211.5	297.4	-30.0
Connecticut:	Jun-09	46.7	51.2	70.5	-33.8
Hartford:	Jun-09	18.7	19.9	28.8	-35.1
New York City:	Jun-09	211.4	219.4	280.9	-24.7
Help-Wanted Ad Index [newspapers]	May-09	10.0	11.0	17.0	-41.2

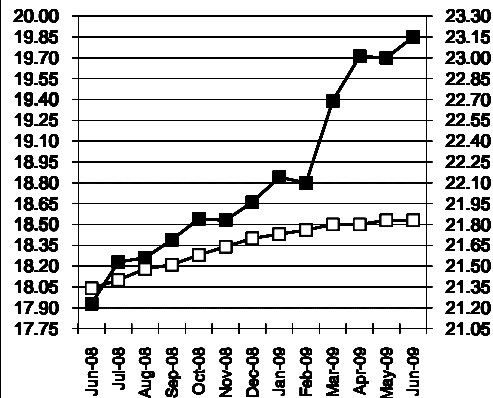
Initial Jobless Claims: (000s) seasonally adjusted

Initial Jobless Claims	Latest Period	Current	Prior Report	One Year Ago	12-Month % Change
National [4-week moving avg]:	Jul-09	584.50	607.00	387.75	+50.7
Connecticut [total for month]:	Jun-09	6,459	6,945	4,644	+39.1

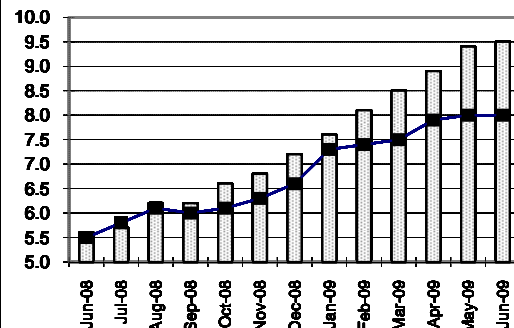
CTHRR Employment Climate Index: 5/05 = 100

Employment Climate	Latest Period	Current	Prior Report	One Year Ago	12-Month % Change
National:	Jul-09	78.5	79.2	102.0	-23.0
Connecticut:	Jul-09	78.2	78.6	97.8	-20.0

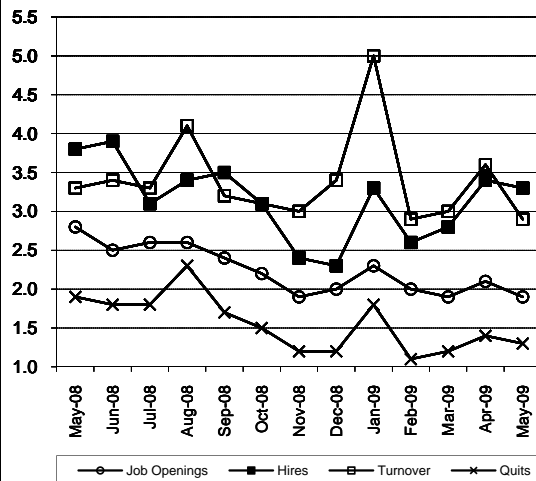
Average Hourly Earnings U.S. (white, left scale) CT (black, right)



Percent Unemployment U.S. (columns), CT (line)



Job Openings, Hires, Turnover, & Quits as % of U.S. Total Employment



(*)References: are to the CTHRR publication, *What to Do about Personnel Problems in Connecticut* (ISSN. 1074-1445), a digest of federal and Connecticut employment regulations and area HR practices.

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