



General Assembly

January Session, 2025

Raised Bill No. 1417

LCO No. 4849



Referred to Committee on HUMAN SERVICES

Introduced by:
(HS)

***AN ACT CONCERNING THE ESTABLISHMENT OF A NURSING HOME
WORKFORCE STANDARDS BOARD.***

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

- 1 Section 1. (NEW) (*Effective July 1, 2025*) (a) As used in this section:
- 2 (1) "Board" means the Nursing Home Workforce Standards Board
- 3 established under subsection (b) of this section;
- 4 (2) "Certified worker organization" means a worker organization that
- 5 is certified by the board to conduct nursing home worker trainings;
- 6 (3) "Compensation" means all income and benefits paid by a nursing
- 7 home employer to a nursing home worker or on behalf of a nursing
- 8 home worker, including, but not limited to, wages, bonuses,
- 9 differentials, paid leave, pay for scheduling changes and pay for
- 10 training or occupational certification;
- 11 (4) "Employer organization" means:
- 12 (A) An organization that is exempt from federal income taxation
- 13 under section 501(c)(6) of the Internal Revenue Code, as amended from

14 time to time, and that represents nursing home employers; or

15 (B) An entity that employers, who together employ a majority of
16 nursing home workers in the state, have selected as a representative;

17 (5) "Nursing home" has the same meaning as provided under section
18 19a-490 of the general statutes;

19 (6) "Nursing home employer" means an employer of nursing home
20 workers in a licensed, Medicaid-certified facility that is reimbursed
21 under chapter 319y of the general statutes;

22 (7) "Nursing home worker" means any worker who provides services
23 for a nursing home employer in the state, including direct care staff,
24 non-direct care staff and contractors, but excluding administrative staff,
25 medical directors, nursing directors, physicians and individuals
26 employed by a supplemental nursing services agency; and

27 (8) "Worker organization" means an organization that is exempt from
28 federal income taxation under section 501(c)(3), 501(c)(4) or 501(c)(5) of
29 the Internal Revenue Code, as amended from time to time, that is not
30 dominated or interfered with by any nursing home employer within the
31 meaning of 29 USC 158a(2), as amended from time to time, and that has
32 at least five years of demonstrated experience engaging with and
33 advocating for nursing home workers.

34 (b) There is established a Nursing Home Workforce Standards Board
35 to establish nursing home employment, training and minimum
36 compensation standards necessary to ensure the safety and well-being
37 of nursing home residents and workers. The board shall have the
38 following members:

39 (1) The Commissioner of Social Services, or the commissioner's
40 designee;

41 (2) The commissioner of Public Health, or the commissioner's
42 designee;

43 (3) The Labor Commissioner, or the commissioner's designee;

44 (4) Three members who represent nursing home employers or
45 employer organizations, appointed by the Governor, with one initially
46 serving a two-year term, one initially serving a three-year term and one
47 initially serving a four-year term;

48 (5) Three members who represent nursing home workers or worker
49 organizations, appointed by the Governor, with one initially serving a
50 two-year term, one initially serving a three-year term and one initially
51 serving a four-year term; and

52 (6) The chairpersons of the joint standing committee of the General
53 Assembly having cognizance of matters relating to human services, or
54 their designees.

55 (c) In making appointments under subdivisions (4) and (5) of
56 subsection (b) of this section, the Governor shall consider the geographic
57 distribution of nursing homes within the state. After the initial terms of
58 board members appointed under subdivisions (4) and (5) of subsection
59 (b) of this section have expired, appointed board members shall serve
60 four-year terms, limited to two consecutive terms. Any vacancy in the
61 board membership shall be filled by the appointing authority.

62 (d) The board shall (1) meet not later than thirty days after all
63 members have been appointed, (2) elect a member by majority vote to
64 serve as its chairperson, and (3) determine the term to be served by the
65 chairperson. The affirmative vote of six board members is required for
66 the board to take any action.

67 (e) The Labor Commissioner shall appoint an administrative director
68 for the board and provide office space, resources and personnel to assist
69 the board in carrying out its duties.

70 (f) To carry out its duties, the board shall hold public hearings on, and
71 conduct investigations into, working conditions in the nursing home

72 industry. The board shall examine (1) wage rate and benefit data
73 collected by or submitted to the board for nursing home workers in the
74 relevant geographic area and nursing home occupations; (2) statements
75 showing wage rates and benefits paid to nursing home workers in the
76 relevant geographic area and nursing home occupations; (3) signed
77 collective bargaining agreements applicable to nursing home workers
78 in the relevant geographic area and nursing home occupations; (4)
79 testimony and information from current and former nursing home
80 workers, worker organizations, nursing home employers, nursing home
81 resident representatives and employer organizations; (5) training
82 provided to nursing home workers and experience necessary for an
83 organization to be designated a certified worker organization to conduct
84 such training; (6) state and federal laws and regulations governing
85 nursing home care and labor; and (7) any other information pertinent to
86 establishing nursing home workplace standards.

87 (g) The board shall adopt minimum compensation and training
88 standards and may (1) adopt regional compensation standards based on
89 wage rate and benefit data for similar occupations in a geographic area;
90 (2) establish minimum compensation standards by occupation of a
91 nursing home worker; and (3) approve a waiver to such standards for
92 any nursing home employer that presents the board with evidence of
93 financial difficulty risking such home's closure if the standards are
94 applied to such nursing home. Before adopting any compensation or
95 training standards for workers at Medicaid-funded nursing homes with
96 rates of payment set pursuant to chapter 319y of the general statutes, the
97 board shall consult with the Commissioner of Social Services to
98 determine the amount of state funding needed to implement any
99 changes in compensation or additional costs associated with new
100 training requirements. No such standards shall be adopted or
101 implemented until such date as any necessary state appropriations are
102 made.

103 (h) The board shall establish (1) requirements for a worker
104 organization to be certified by the board to provide training; and (2) the

105 curriculum for such training, which, at a minimum, shall contain (A) the
106 applicable compensation and working condition standards adopted by
107 the board pursuant to subsection (g) of this section, and (B) the anti-
108 retaliation protections established pursuant to subsection (k) of this
109 section. The training shall include, but need not be limited to, follow-up
110 written materials in languages in which nursing home workers taking
111 the training are proficient. Before establishing or updating curriculum
112 requirements, the board shall hold at least one public hearing to solicit
113 input.

114 (i) A nursing home employer shall compensate its nursing home
115 workers at their regular hourly rate of wages and benefits for each hour
116 of training completed as required by this section and reimburse any
117 reasonable travel expenses associated with attending training sessions
118 not held on the premises of the nursing home. A nursing home
119 employer shall submit written documentation to the board to certify
120 that every two years each of its nursing home workers completes one
121 hour of training that meets the requirements of this section and is
122 provided by a certified worker organization. Upon request by a certified
123 worker organization, a nursing home employer shall provide the
124 certified worker organization with the names and contact information
125 of the nursing home workers who attended the training session unless
126 such worker opts out in a written statement filed with the nursing home
127 employer.

128 (j) Nursing home employers shall provide notices informing nursing
129 home workers of applicable minimum nursing home employment
130 standards. The notice shall be in writing and include contact
131 information for the Labor Commissioner to report violations of this
132 section and, at the request of a nursing home worker, provided in the
133 language in which such worker is proficient.

134 (k) A nursing home employer shall not discharge, discipline,
135 penalize, interfere with, threaten, restrain, coerce or otherwise retaliate
136 or discriminate against a nursing home worker because such worker has

137 exercised or attempted to exercise rights protected under this section,
138 including participating in any investigations concerning violations of
139 this section or attending training or board proceedings. It shall be
140 unlawful for a nursing home employer to: (1) Inform another employer
141 that a nursing home worker or former nursing home worker has
142 engaged in an investigation of a violation of this section or exercised or
143 attempted to exercise any right protected under this section; or (2) report
144 or threaten to report the actual or suspected citizenship or immigration
145 status of a nursing home worker, former nursing home worker or family
146 member of a nursing home worker to a federal, state or local agency for
147 exercising or attempting to exercise any right protected under this
148 section.

149 (l) It shall be unlawful for a nursing home employer to employ a
150 nursing home worker for lower wages or other compensation than that
151 adopted as the minimum nursing home employment standards by the
152 board and adopted pursuant to the provisions of subsection (g) of this
153 section. One or more nursing home workers may bring a civil action in
154 any Superior Court in the state against a nursing home employer who
155 violates the provisions of this section and such action may represent a
156 class of similarly situated nursing home workers. Upon a finding of one
157 or more violations, a nursing home employer shall be liable to each
158 nursing home worker for the full amount of any wages, benefits and
159 overtime compensation lost due to the violation, less any amount the
160 nursing home employer is able to establish was actually paid to each
161 nursing home worker, in addition to liquidated damages, costs and
162 attorneys' fees. A court may also issue an order requiring compliance
163 with this section. A nursing home worker found to have experienced
164 retaliation and loss of pay in violation of this section shall be entitled to
165 back pay and reinstatement to the worker's previous position, wages,
166 benefits, hours and other conditions of employment.

167 (m) An agreement between a nursing home employer and nursing
168 home worker or labor union that fails to meet the minimum standards
169 adopted by the board pursuant to this section shall not be a defense to

170 an action brought under subsection (l) of this section.

171 (n) Not later than December 1, 2025, and annually thereafter, the
172 board shall file a report, in accordance with the provisions of section 11-
173 4a of the general statutes, on actions taken, standards recommended or
174 adopted and state appropriations necessary to implement such
175 standards with the joint standing committees of the General Assembly
176 having cognizance of matters relating to aging, appropriations and the
177 budgets of state agencies, human services, labor and public health.

178 (o) The Labor Commissioner, in consultation with the board, shall
179 adopt regulations concerning minimum compensation standards, in
180 accordance with chapter 54 of the general statutes, to implement the
181 provisions of this section.

182 (p) The Commissioner of Public Health, in consultation with the
183 board, shall adopt regulations concerning minimum training standards
184 for nursing home workers, in accordance with chapter 54 of the general
185 statutes, to implement the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2025	New section

Statement of Purpose:

To establish a board to develop minimum nursing home workforce standards for compensation and training.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]