



**AN ACT CONCERNING LIMITATIONS ON THE USE OF  
NONDISCLOSURE AGREEMENTS.**

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

1 Section 1. Section 46a-60 of the 2026 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2026*):

4 (a) As used in this section:

5 (1) "Pregnancy" means pregnancy, childbirth or a related condition,  
6 including, but not limited to, lactation;

7 (2) "Reasonable accommodation" means, but is not limited to, being  
8 permitted to sit while working, more frequent or longer breaks, periodic  
9 rest, assistance with manual labor, job restructuring, light duty  
10 assignments, modified work schedules, temporary transfers to less  
11 strenuous or hazardous work, time off to recover from childbirth or  
12 break time and appropriate facilities for expressing breast milk; and

13 (3) "Undue hardship" means an action requiring significant difficulty  
14 or expense when considered in light of factors such as (A) the nature  
15 and cost of the accommodation; (B) the overall financial resources of the  
16 employer; (C) the overall size of the business of the employer with  
17 respect to the number of employees, and the number, type and location  
18 of its facilities; and (D) the effect on expenses and resources or the

19 impact otherwise of such accommodation upon the operation of the  
20 employer.

21 (b) It shall be a discriminatory practice in violation of this section:

22 (1) For an employer, by the employer or the employer's agent, except  
23 in the case of a bona fide occupational qualification or need, to refuse to  
24 hire or employ or to bar or to discharge from employment any  
25 individual or to discriminate against any individual in compensation or  
26 in terms, conditions or privileges of employment because of the  
27 individual's race, color, religious creed, age, sex, gender identity or  
28 expression, marital status, national origin, ancestry, present or past  
29 history of mental disability, intellectual disability, learning disability,  
30 physical disability, including, but not limited to, blindness, status as a  
31 veteran, status as a victim of domestic violence, status as a victim of  
32 sexual assault or status as a victim of trafficking in persons;

33 (2) For any employment agency, except in the case of a bona fide  
34 occupational qualification or need, to fail or refuse to classify properly  
35 or refer for employment or otherwise to discriminate against any  
36 individual because of such individual's race, color, religious creed, age,  
37 sex, gender identity or expression, marital status, national origin,  
38 ancestry, present or past history of mental disability, intellectual  
39 disability, learning disability, physical disability, including, but not  
40 limited to, blindness, status as a veteran, status as a victim of domestic  
41 violence, status as a victim of sexual assault or status as a victim of  
42 trafficking in persons;

43 (3) For a labor organization, because of the race, color, religious creed,  
44 age, sex, gender identity or expression, marital status, national origin,  
45 ancestry, present or past history of mental disability, intellectual  
46 disability, learning disability, physical disability, including, but not  
47 limited to, blindness, status as a veteran, status as a victim of domestic  
48 violence, status as a victim of sexual assault or status as a victim of  
49 trafficking in persons of any individual to exclude from full membership  
50 rights or to expel from its membership such individual or to

51 discriminate in any way against any of its members or against any  
52 employer or any individual employed by an employer, unless such  
53 action is based on a bona fide occupational qualification;

54 (4) For any person, employer, labor organization or employment  
55 agency to discharge, expel or otherwise discriminate against any person  
56 because such person has opposed any discriminatory employment  
57 practice or because such person has filed a complaint or testified or  
58 assisted in any proceeding under section 46a-82, 46a-83 or 46a-84;

59 (5) For any person, whether an employer or an employee or not, to  
60 aid, abet, incite, compel or coerce the doing of any act declared to be a  
61 discriminatory employment practice or to attempt to do so;

62 (6) For any person, employer, employment agency or labor  
63 organization, except in the case of a bona fide occupational qualification  
64 or need, to advertise employment opportunities in such a manner as to  
65 restrict such employment so as to discriminate against individuals  
66 because of their race, color, religious creed, age, sex, gender identity or  
67 expression, marital status, national origin, ancestry, present or past  
68 history of mental disability, intellectual disability, learning disability,  
69 physical disability, including, but not limited to, blindness, status as a  
70 veteran, status as a victim of domestic violence, status as a victim of  
71 sexual assault or status as a victim of trafficking in persons;

72 (7) For an employer, by the employer or the employer's agent: (A) To  
73 terminate a woman's employment because of her pregnancy; (B) to  
74 refuse to grant to that employee a reasonable leave of absence for  
75 disability resulting from her pregnancy; (C) to deny to that employee,  
76 who is disabled as a result of pregnancy, any compensation to which  
77 she is entitled as a result of the accumulation of disability or leave  
78 benefits accrued pursuant to plans maintained by the employer; (D) to  
79 fail or refuse to reinstate the employee to her original job or to an  
80 equivalent position with equivalent pay and accumulated seniority,  
81 retirement, fringe benefits and other service credits upon her signifying  
82 her intent to return unless, in the case of a private employer, the

83 employer's circumstances have so changed as to make it impossible or  
84 unreasonable to do so; (E) to limit, segregate or classify the employee in  
85 a way that would deprive her of employment opportunities due to her  
86 pregnancy; (F) to discriminate against an employee or person seeking  
87 employment on the basis of her pregnancy in the terms or conditions of  
88 her employment; (G) to fail or refuse to make a reasonable  
89 accommodation for an employee or person seeking employment due to  
90 her pregnancy, unless the employer can demonstrate that such  
91 accommodation would impose an undue hardship on such employer;  
92 (H) to deny employment opportunities to an employee or person  
93 seeking employment if such denial is due to the employee's request for  
94 a reasonable accommodation due to her pregnancy; (I) to force an  
95 employee or person seeking employment affected by pregnancy to  
96 accept a reasonable accommodation if such employee or person seeking  
97 employment (i) does not have a known limitation related to her  
98 pregnancy, or (ii) does not require a reasonable accommodation to  
99 perform the essential duties related to her employment; (J) to require an  
100 employee to take a leave of absence if a reasonable accommodation can  
101 be provided in lieu of such leave; and (K) to retaliate against an  
102 employee in the terms, conditions or privileges of her employment  
103 based upon such employee's request for a reasonable accommodation;

104 (8) For an employer, by the employer or the employer's agent, for an  
105 employment agency, by itself or its agent, or for any labor organization,  
106 by itself or its agent, to harass any employee, person seeking  
107 employment or member on the basis of sex or gender identity or  
108 expression. If an employer takes immediate corrective action in  
109 response to an employee's claim of sexual harassment, such corrective  
110 action shall not modify the conditions of employment of the employee  
111 making the claim of sexual harassment unless such employee agrees, in  
112 writing, to any modification in the conditions of employment.  
113 "Corrective action" taken by an employer, includes, but is not limited to,  
114 employee relocation, assigning an employee to a different work  
115 schedule or other substantive changes to an employee's terms and  
116 conditions of employment. Notwithstanding an employer's failure to

117 obtain a written agreement from an employee concerning a modification  
118 in the conditions of employment, the commission may find that  
119 corrective action taken by an employer was reasonable and not of  
120 detriment to the complainant based on the evidence presented to the  
121 commission by the complainant and respondent. As used in this  
122 subdivision, "sexual harassment" means any unwelcome sexual  
123 advances or requests for sexual favors or any conduct of a sexual nature  
124 when (A) submission to such conduct is made either explicitly or  
125 implicitly a term or condition of an individual's employment, (B)  
126 submission to or rejection of such conduct by an individual is used as  
127 the basis for employment decisions affecting such individual, or (C)  
128 such conduct has the purpose or effect of substantially interfering with  
129 an individual's work performance or creating an intimidating, hostile or  
130 offensive working environment;

131 (9) For an employer, by the employer or the employer's agent, for an  
132 employment agency, by itself or its agent, or for any labor organization,  
133 by itself or its agent, to request or require information from an  
134 employee, person seeking employment or member relating to the  
135 individual's child-bearing age or plans, pregnancy, function of the  
136 individual's reproductive system, use of birth control methods, or the  
137 individual's familial responsibilities, unless such information is directly  
138 related to a bona fide occupational qualification or need, provided an  
139 employer, through a physician may request from an employee any such  
140 information which is directly related to workplace exposure to  
141 substances which may cause birth defects or constitute a hazard to an  
142 individual's reproductive system or to a fetus if the employer first  
143 informs the employee of the hazards involved in exposure to such  
144 substances;

145 (10) For an employer, by the employer or the employer's agent, after  
146 informing an employee, pursuant to subdivision (9) of this subsection,  
147 of a workplace exposure to substances which may cause birth defects or  
148 constitute a hazard to an employee's reproductive system or to a fetus,  
149 to fail or refuse, upon the employee's request, to take reasonable  
150 measures to protect the employee from the exposure or hazard

151 identified, or to fail or refuse to inform the employee that the measures  
152 taken may be the subject of a complaint filed under the provisions of  
153 this chapter. Nothing in this subdivision is intended to prohibit an  
154 employer from taking reasonable measures to protect an employee from  
155 exposure to such substances. For the purpose of this subdivision,  
156 "reasonable measures" are those measures which are consistent with  
157 business necessity and are least disruptive of the terms and conditions  
158 of the employee's employment;

159 (11) For an employer, by the employer or the employer's agent, for an  
160 employment agency, by itself or its agent, or for any labor organization,  
161 by itself or its agent: (A) To request or require genetic information from  
162 an employee, person seeking employment or member, or (B) to  
163 discharge, expel or otherwise discriminate against any person on the  
164 basis of genetic information. For the purpose of this subdivision,  
165 "genetic information" means the information about genes, gene  
166 products or inherited characteristics that may derive from an individual  
167 or a family member;

168 (12) For an employer, by the employer or the employer's agent, to  
169 request or require a prospective employee's age, date of birth, dates of  
170 attendance at or date of graduation from an educational institution on  
171 an initial employment application, provided the provisions of this  
172 subdivision shall not apply to any employer requesting or requiring  
173 such information (A) based on a bona fide occupational qualification or  
174 need, or (B) when such information is required to comply with any  
175 provision of state or federal law; [and]

176 (13) (A) For an employer or the employer's agent to deny an employee  
177 a reasonable leave of absence in order to: (i) Seek attention for injuries  
178 caused by domestic violence, sexual assault or trafficking in persons,  
179 including for a child who is a victim of domestic violence, sexual assault  
180 or trafficking in persons, provided the employee is not the perpetrator  
181 of any act of domestic violence, sexual assault or trafficking in persons  
182 committed against a child; (ii) obtain services including safety planning  
183 from a domestic violence agency or rape crisis center, as those terms are

184 defined in section 52-146k, as a result of domestic violence, sexual  
185 assault or trafficking in persons; (iii) obtain psychological counseling  
186 related to an incident or incidents of domestic violence, sexual assault  
187 or trafficking in persons, including for a child who is a victim of  
188 domestic violence, sexual assault or trafficking in persons, provided the  
189 employee is not the perpetrator of any act of domestic violence, sexual  
190 assault or trafficking in persons committed against a child; (iv) take  
191 other actions to increase safety from future incidents of domestic  
192 violence, sexual assault or trafficking in persons, including temporary  
193 or permanent relocation; or (v) obtain legal services, assisting in the  
194 prosecution of the offense, or otherwise participate in legal proceedings  
195 in relation to the incident or incidents of domestic violence, sexual  
196 assault or trafficking in persons.

197 (B) An employee who is absent from work in accordance with the  
198 provisions of subparagraph (A) of this subdivision shall, within a  
199 reasonable time after the absence, provide a certification to the employer  
200 when requested by the employer. Such certification shall be in the form  
201 of: (i) A police report indicating that the employee or the employee's  
202 child was a victim of domestic violence, sexual assault or trafficking in  
203 persons; (ii) a court order protecting or separating the employee or  
204 employee's child from the perpetrator of an act of domestic violence,  
205 sexual assault or trafficking in persons; (iii) other evidence from the  
206 court or prosecuting attorney that the employee appeared in court; or  
207 (iv) documentation from a medical professional, including a domestic  
208 violence counselor or sexual assault counselor, as those terms are  
209 defined in section 52-146k, or other health care provider, that the  
210 employee or the employee's child was receiving services, counseling or  
211 treatment for physical or mental injuries or abuse resulting in  
212 victimization from an act of domestic violence, sexual assault or  
213 trafficking in persons.

214 (C) Where an employee has a physical or mental disability resulting  
215 from an incident or series of incidents of domestic violence, sexual  
216 assault or trafficking in persons, such employee shall be treated in the  
217 same manner as an employee with any other disability.

218 (D) To the extent permitted by law, employers shall maintain the  
219 confidentiality of any information regarding an employee's status as a  
220 victim of domestic violence, sexual assault or trafficking in persons; and

221 (14) For an employer, by the employer or the employer's agent to: (A)  
222 Refuse to hire or employ, discriminate in compensation or in terms,  
223 conditions or privileges of employment, or bar or discharge from  
224 employment, any employee or independent contractor because such  
225 employee or independent contractor disclosed conduct the employee or  
226 independent contractor reasonably believes to be a discriminatory  
227 employment practice, or because such employee or independent  
228 contractor disparaged the employer for engaging in conduct the  
229 employee or independent contractor reasonably believes to be a  
230 discriminatory employment practice, or (B) require or request a  
231 prospective, current or former employee or independent contractor to  
232 enter into an agreement containing a provision that is void pursuant to  
233 subsection (e) of this section, or for an employer to attempt to enforce  
234 such provision. Notwithstanding the provisions of section 46a-86, an  
235 employer who violates the provisions of this subdivision shall be liable  
236 to an employee or independent contractor for actual damages or  
237 statutory damages of ten thousand dollars, whichever is more, as well  
238 as other remedies provided under law, including, but not limited to, the  
239 remedies prescribed in section 2 of this act. The provisions of this  
240 subdivision and subsection (e) of this section shall be liberally construed  
241 so as to effectuate their remedial purpose and such provisions shall  
242 extend to an intern, who is paid or unpaid, and any volunteer engaged  
243 in service to an employer in this state in the business of the employer.

244 (c) (1) The provisions of this section concerning age shall not apply  
245 to: (A) The termination of employment of any person with a contract of  
246 unlimited tenure at an independent institution of higher education who  
247 is mandatorily retired, on or before July 1, 1993, after having attained  
248 the age of seventy; (B) the termination of employment of any person  
249 who has attained the age of sixty-five and who, for the two years  
250 immediately preceding such termination, is employed in a bona fide  
251 executive or a high policy-making position, if such person is entitled to

252 an immediate nonforfeitable annual retirement benefit under a pension,  
253 profit-sharing, savings or deferred compensation plan, or any  
254 combination of such plans, from such person's employer, which equals,  
255 in aggregate, at least forty-four thousand dollars; (C) the termination of  
256 employment of persons in occupations, including police work and fire-  
257 fighting, in which age is a bona fide occupational qualification; (D) the  
258 operation of any bona fide apprenticeship system or plan; or (E) the  
259 observance of the terms of a bona fide seniority system or any bona fide  
260 employee benefit plan for retirement, pensions or insurance which is not  
261 adopted for the purpose of evading said provisions, except that no such  
262 plan may excuse the failure to hire any individual and no such system  
263 or plan may require or permit the termination of employment on the  
264 basis of age. No such plan which covers less than twenty employees may  
265 reduce the group hospital, surgical or medical insurance coverage  
266 provided under the plan to any employee who has reached the age of  
267 sixty-five and is eligible for Medicare benefits or any employee's spouse  
268 who has reached age sixty-five and is eligible for Medicare benefits  
269 except to the extent such coverage is provided by Medicare. The terms  
270 of any such plan which covers twenty or more employees shall entitle  
271 any employee who has attained the age of sixty-five and any employee's  
272 spouse who has attained the age of sixty-five to group hospital, surgical  
273 or medical insurance coverage under the same conditions as any  
274 covered employee or spouse who is under the age of sixty-five.

275 (2) No employee retirement or pension plan may exclude any  
276 employee from membership in such plan or cease or reduce the  
277 employee's benefit accruals or allocations under such plan on the basis  
278 of age. The provisions of this subdivision shall be applicable to plan  
279 years beginning on or after January 1, 1988, except that for any  
280 collectively bargained plan this subdivision shall be applicable on the  
281 earlier of (A) January 1, 1990, or (B) the later of (i) the expiration date of  
282 the collective bargaining agreement, or (ii) January 1, 1988.

283 (3) The provisions of this section concerning age shall not prohibit an  
284 employer from requiring medical examinations for employees for the  
285 purpose of determining such employees' physical qualification for

286 continued employment.

287 (4) Any employee who continues employment beyond the normal  
288 retirement age in the applicable retirement or pension plan shall give  
289 notice of intent to retire, in writing, to such employee's employer not  
290 less than thirty days prior to the date of such retirement.

291 (d) (1) An employer shall provide written notice of the right to be free  
292 from discrimination in relation to pregnancy, childbirth and related  
293 conditions, including the right to a reasonable accommodation to the  
294 known limitations related to pregnancy pursuant to subdivision (7) of  
295 subsection (b) of this section to: (A) New employees at the  
296 commencement of employment; (B) existing employees within one  
297 hundred twenty days of October 1, 2017; and (C) any employee who  
298 notifies the employer of her pregnancy within ten days of such  
299 notification. An employer may comply with the provisions of this  
300 section by displaying a poster in a conspicuous place, accessible to  
301 employees, at the employer's place of business that contains the  
302 information required by this section in both English and Spanish. The  
303 Labor Commissioner may adopt regulations, in accordance with  
304 chapter 54, to establish additional requirements concerning the means  
305 by which employers shall provide such notice.

306 (2) The Commission on Human Rights and Opportunities shall  
307 develop courses of instruction and conduct ongoing public education  
308 efforts as necessary to inform employers, employees, employment  
309 agencies and persons seeking employment about their rights and  
310 responsibilities under this section.

311 (e) Any provision in an agreement between an employer and a  
312 prospective, current or former employee or independent contractor  
313 shall be void as against public policy if such provision prohibits the  
314 disparagement or disclosure of conduct by the employer that the  
315 employee or independent contractor reasonably believes to be a  
316 discriminatory employment practice.

317 Sec. 2. (NEW) (*Effective October 1, 2026*) (a) As used in this section:

318 (1) "Employee" means any person employed by an employer but does  
319 not include any individual employed by such individual's parents,  
320 spouse or child. "Employee" includes (A) any elected or appointed  
321 official of a municipality, board, commission, counsel or other  
322 governmental body, and (B) a current, former or prospective employee,  
323 or an independent contractor;

324 (2) "Employer" means any person or employer with one or more  
325 persons in such person's or employer's employ. "Employer" includes (A)  
326 the state and all political subdivisions thereof, and (B) any person who  
327 acts, directly or indirectly, in the interest of an employer to any of the  
328 employees of such employer and any successor in interest of an  
329 employer; and

330 (3) "Volunteer" means any person who provides services to an  
331 employer without compensation for such services. "Volunteer" includes  
332 an intern providing service to an employer.

333 (b) Any provision in an agreement between an employer and an  
334 employee or volunteer to not disclose or discuss conduct, or the  
335 existence of a settlement involving conduct, that the employee or  
336 volunteer reasonably believes, under state, federal or common law to  
337 be: Legally impermissible discrimination, legally impermissible  
338 harassment, legally impermissible retaliation directed at an employee or  
339 volunteer, a wage and hour violation or a sexual assault, or that is  
340 recognized as against a clear mandate of public policy, shall be void and  
341 unenforceable. Prohibited nondisclosure and nondisparagement  
342 provisions in an agreement between an employee or volunteer and an  
343 employer are those provisions concerning legally impermissible  
344 conduct that occurs at the workplace, at work-related events  
345 coordinated by or through the employer, between employees or  
346 volunteers, or between an employer and an employee or volunteer,  
347 whether on or off the employment premises. Prohibited nondisclosure  
348 and nondisparagement provisions include those contained in  
349 employment agreements, independent contractor agreements,  
350 agreements to pay compensation in exchange for the release of a legal

351 claim, or any other form of agreement between the employer and an  
352 employee or a volunteer.

353 (c) It shall be a violation of this section for an employer to: (1)  
354 Discharge or otherwise discriminate or retaliate against an employee or  
355 volunteer for disclosing or discussing conduct that the employee or  
356 volunteer reasonably believes to be legally impermissible  
357 discrimination, legally impermissible harassment, legally impermissible  
358 retaliation directed at an employee or volunteer, a wage and hour  
359 violation or a sexual assault, or that is recognized as against a clear  
360 mandate of public policy, occurring in the workplace, at work-related  
361 events coordinated by or through the employer, between employees or  
362 volunteers, or between the employer and an employee or volunteer,  
363 whether on or off the employment premises; (2) request or require that  
364 an employee or volunteer enter into any agreement provision that is  
365 prohibited under this section; or (3) enforce a provision of an agreement  
366 prohibited under this section, whether through a lawsuit, a threat to  
367 enforce or any other attempt to influence a party to comply with a  
368 provision in any agreement that is prohibited by this section.

369 (d) The provisions of this section shall not prohibit: (1) An employer  
370 and an employee or volunteer from protecting trade secrets, proprietary  
371 information or confidential information that does not involve illegal  
372 acts; (2) an employee or volunteer from requesting that the employee  
373 and employer enter into a binding written agreement, which may  
374 include terms and conditions that preclude the employer from  
375 disclosing certain confidential information relating to an employee or a  
376 volunteer that does not involve illegal acts; and (3) the enforcement of a  
377 provision in any agreement that prohibits the disclosure of the amount  
378 paid in settlement of a claim.

379 (e) Any employer who, on or after October 1, 2026, violates the  
380 provisions of this section shall be liable in a civil cause of action for  
381 actual damages or statutory damages of ten thousand dollars,  
382 whichever is more, as well as reasonable attorneys' fees and costs.

383 (f) A prohibited nondisclosure or nondisparagement provision  
384 included in any contract or agreement entered into prior to October 1,  
385 2026, shall be void and unenforceable only where such provision was  
386 entered into at the outset of employment or during the course of  
387 employment. For a prohibited nondisclosure or nondisparagement  
388 provision void and unenforceable under this subsection, an employee  
389 may recover only damages relating to preventing the enforcement of the  
390 provision. The provisions of this subsection shall not apply to any  
391 nondisclosure or nondisparagement provision contained in an  
392 agreement to settle a legal claim.

393 (g) A nondisclosure or nondisparagement provision in any  
394 agreement signed by an employee or volunteer who is a resident of this  
395 state is governed by the laws of this state.

396 (h) The provisions of this section are to be liberally construed so as to  
397 effectuate its remedial purpose. The remedies provided under this  
398 section are cumulative and shall not be construed as restricting any  
399 other remedy that is available under any other law.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2026	46a-60
Sec. 2	October 1, 2026	New section

**LAB** Joint Favorable Subst. -LCO

**JUD** Joint Favorable