

Sec. 31-379-6. Unprotected activities

(a) Actions taken by an employer, or others, which adversely affect an employee may be predicated upon nondiscriminatory grounds. The proscriptions of 379 apply when the adverse action occurs because the employee has engaged in protected activities. An employee's engagement in activities protected by the Act does not automatically render him immune from discharge or discipline for legitimate reasons, or from adverse action dictated by non-prohibited considerations.

(b) To establish that a violation of section 31-379 of the Connecticut General Statutes has occurred, the employee's engagement in protected activity is not required to be the sole consideration for a discharge or other adverse action. If protected activity was a substantial reason for the action or if the discharge or other adverse action would not have taken place "but for" engagement in protected activity, a violation of section 31-379 of the Connecticut General Statutes has occurred. Whether a discharge or other adverse action taken against the complainant by a person was because of protected activity shall be determined on the basis of the facts in the particular case.

(Effective September 30, 1976; Amended December 6, 2001)