arduous duties and less time performing those that are easier or more agreeable"). Viewing the evidence in a light favorable to Morse, the court finds a genuine issue of material fact as to whether the change of duties –those that differentiate the Grade 40 and L5 employees—substantially diminished Morse's material employment responsibilities, thereby constituting an adverse employment action.

As to the third prong of Morse's prima facie case, a plaintiff can show a causal connection between her protected activity and the alleged retaliatory actions by demonstrating that the actions occurred soon after the protected activity. See Reed v. A.W. Lawrence & Co., 95 F.3d 1170, 1178 (2d Cir.1996). In order to prove a causal connection in this manner, the temporal proximity must be "very close." See Clark County Sch. Dist. v. Breeden, 532 U.S. 268, 273-74, 121 S.Ct. 1508, 149 L.Ed.2d 509 (2001) (citing cases holding that gaps between protected activity and adverse employment action as short as three or four months are insufficiently close to prove causation). According to Morse, Mr. Muldoon emailed her on June 5, 2008, regarding her limited responsibilities. See Pl. Mem. in Opp. Mot. for Summ. J., Ex. 5. This email exchange took place one month after Morse clarified her internal complaint, and only a day after Morse met with Mr. Muldoon and the Director of Human Resources, Cynthia Howard, regarding her complaint. See L.R. 56(a)(2) ¶ 11, 15; Def.'s Mem. in Supp. Mot. for Summ. J. at 3 n.3. The short timeframe from both the May filing of the complaint and the follow-up meeting is such that a reasonable jury could infer retaliation. See Treglia, 313 F.3d at 720 (finding temporal proximity when the plaintiff engaged in continued protected activity such as preparing a witness list to corroborate charges of discrimination). Furthermore, the 2007 trade show that Morse attended was held in

September. See Pl. Dep. at 112. Making all inferences in favor of Morse and, assuming the 2008 trade show took place sometime in or around September, a reasonable jury could find that there is a small enough window between Morse's refusal to withdraw her July 18, 2008, CHRO complaint, and Mr. Bianchi's decision to send Ms. Hiller in Morse's place two months later so as to raise an inference of retaliation.

The court next considers Morse's additional claim that she was denied future continued employment from home as a result of her refusal to withdraw her CHRO complaint. According to Morse, she submitted her complaint to the CHRO on July 17, 2008. Pl. Aff. at ¶ 20. Morse claims that in response, Mr. Bianchi "demanded she withdraw the Complaint" and, when she refused, he "withdrew the request" for her to work from home.[7] L.R. 56(a)(2) at p. 11. She asserts that sometime in the spring of 2009, Mr. Lemire reassured her that she could in fact work from home. Id.; see also Morse Aff. at ¶ 26. However, after she left Pratt, allegedly to work from home, on May 29, 2009, L.R. 56(a)(2) at ¶ 1, Pratt never paid her for her services.

Taking Morse's version of events as true, she has introduced evidence which would allow a reasonable jury to find that she suffered an adverse employment action, as the refusal to allow Morse to continue working at home may constitute a "material change in the terms and conditions of her employment," particularly given Morse's claim that she wanted to work from home to care for her ill husband. See id. at p. 11; see

[7] At oral argument, Pratt argued that Morse's Affidavit, stating that Mr. Bianchi requested that she withdraw her complaint in July 2008, is contradictory to Morse's deposition testimony and should, therefore, not be considered by the court. In Morse's deposition, she responded that she believed that she and Mr. Bianchi, "were not talking to each other or communicating" from January 2008 until May 2009. The court does not believe that this statement is necessarily contradictory to Morse's assertions in her Affidavit. See Hayes, 84 F.3d at 620 (considering testimony that does not "directly contradict" a prior statement). Although the two may not have been "talking to each other," that does not mean that no words were spoken by one of them during that almost year and a half period.

also Burlington Northern, 548 U.S. at 69 (stating that "a schedule change in an employee's work schedule may make little difference to many workers, but may matter enormously to a young mother with school-age children").

Furthermore, a reasonable jury could find temporal proximity sufficient to infer that the refusal was due to Morse's initiation of her CHRO complaint. Taking Morse's version of events as true, there is a "very close" timeframe between the filing of Morse's CHRO complaint and Mr. Bianchi 's withdrawal of the request that Morse be allowed to work from home in Tennessee upon her husband's retirement. L.R. 56(a)(2) at ¶18; see also Clark County, 532 U.S. at 273 ("The cases that accept mere temporal proximity between an employer's knowledge of protected activity and an adverse employment action as sufficient evidence of causality to establish a prima facie case uniformly hold that the temporal proximity must be 'very close,'" with as little as three to four months considered too long.) Although Mr. Lemire supposedly indicated he would allow Morse to work from home, his later actions, as alleged by Morse, did nothing to override Mr. Bianchi's decision to withdraw the request for Morse to telecommute. Even though Morse was ultimately prevented from working from home in May 2009, 11 months after she submitted her CHRO complaint, a court may overlook a longer gap in time between protected conduct and an adverse employment action where "the pattern of retaliatory conduct begins soon after the filing of the [ ] complaint and only culminates later in actual discharge." Marx v. Schnuck Markets, Inc., 76 F.3d 324, 329 (10th Cir.1996) (Fair Labor Act retaliation claim) (citing Jackson v. RKO Bottlers of Toledo, Inc., 743 F.2d 370, 377 n. 4 (6th Cir.1984) (Title VII case)). Making all inferences in Morse's favor, a reasonable jury could find that Mr. Bianchi prevented Morse from

working from home in retaliation for submitting and refusing to withdraw her CHRO complaint and that Mr. Lemire abided by that decision.

Since Morse has established a prima facie case, the burden shifts to Pratt to offer a non-discriminatory reason for the change in Morse's duties and the refusal to allow her to work from home. See e.g., Texas Dept. of Community Affairs v. Burdine, 450 U.S. 249, 254 (1981). As to the former, Pratt claims that Mr. Muldoon merely clarified Morse's responsibilities and eliminated the duties that she was performing that were not under her purview. See Defs.' Reply at 5. As for Pratt's refusal to allow Morse to work from home, Pratt suggests that Morse was not allowed to work from home because she submitted a letter of resignation and, therefore, ended her employment with Pratt. See id. at 6.

The burden then shifts back to Morse "to demonstrate that the proferred reason was not the true reason for the employment decision." Burdine, 450 U.S. at 256. Morse has presented evidence from which a fact-finder could conclude that these reasons were pretexts to cover unlawful retaliation. There is a material issue of fact as to whether Mr. Muldoon, along with Mr. Bianchi, assigned Morse the tasks that he ultimately informed her in his June 5, 2008, email were not under her purview. L.R. 56(a)(2) at p. 5. Therefore, a reasonable jury could find that Mr. Muldoon eliminated, rather than clarified, Morse's duties. In addition, Morse has introduced evidence that she did not resign from Pratt, but rather thought she was continuing her employment from home in a different capacity. See id. at 11. As Pratt has not introduced Morse's letter of resignation into the record, there is a material issue of fact as to (1) what understanding Morse had with Pratt, and in particular, Mr. Lemire, and (2) when Morse

submitted the letter of resignation—in May 2009, before she left to work from home, or after Pratt stopped paying her for her work in Tennessee. If Mr. Lemire told Morse that she could work from home, but instead abided by Mr. Bianchi's decision to withdraw the request for Morse to work from home, a reasonable jury could find that Pratt retaliated against Morse for refusing to withdraw her CHRO complaint. Therefore, Pratt's Motion for Summary Judgment as to Morse's retaliation claim is denied.

C. Gender Discrimination and Disparate Pay in Violation of Connecticut Law

In addition to her Title VII claims, Morse alleges discrimination in compensation on the basis of sex, in violation of the Connecticut Equal Pay Act, and gender discrimination, in violation of section 46a-58 of the Connecticut General Statutes.

Claims brought pursuant to the Connecticut Equal Pay Act are analyzed under the same standard as the Federal Equal Pay Act, 29 U.S.C. § 206(d). See Grudier v. Hendel's, Inc., 2008 WL 1924971, at *1 (D. Conn. 2008) (unpublished opinion) (articulating and considering the same showing for both the Federal and Connecticut Equal Pay Acts). Therefore, because the court denied Pratt's Motion for Summary Judgment on Morse's Title VII unequal pay and retaliation claims, the court similarly denies Pratt's Motion for Summary Judgment on Morse's claim pursuant to the Connecticut Equal Pay Act.[8] See Tomka, 66 F.3d at 1312.

As for Morse's claim pursuant to section 46a-58 of the Connecticut General

[8] Pratt argues that Morse cannot recover based on her claim that she had been subject to unfair pay "for years," because section 46a-82 of the Connecticut General Statutes requires complaints to be filed within 180 days of the alleged act of discrimination. Pratt confirmed at oral argument that it is only raising its statute of limitations defense in relation to Morse's claim of gender discrimination for underpayment pursuant to section 46a-58 of the Connecticut General Statutes. Pratt raises no similar statute of limitations defense pursuant to Morse's claims under the Connecticut Equal Pay Act. Furthermore, under the Connecticut Equal Pay Act, a plaintiff has two years to bring suit, or three years if the violation was intentional or committed with reckless indifference. Conn. Gen. Stat. § 31-76.

Statutes, the Connecticut Supreme Court held in Commission on Human Rights and Opportunities v. Truelove and Maclean, Inc., 238 Conn. 337, 346 (1996), that section 46a–58(a) does not encompass claims of discriminatory employment practices that fall within the purview of section 46a–60. See Hill v. Pinkerton Sec. & Investigation Services, Inc., 977 F.Supp. 148, 154 (D. Conn. 1997) (granting summary judgment because "the more specific, narrowly tailored cause of action embodied in section 46a-60 supersedes the general cause of action in section 46a-58(a) . . . [and therefore] plaintiff has failed to state a cause of action"). Therefore, to the extent that Morse brings her claim of gender discrimination for failure to promote or underpayment pursuant to section 46a-58, Pratt's Motion for Summary Judgment is granted.

V. CONCLUSION

For the reasons discussed above, Pratt's Motion for Summary Judgment (Doc. No. 37) is **DENIED** as to Morse's Title VII claims for unequal pay for equal work and retaliation as well as her claim pursuant to the Connecticut Equal Pay Act, Conn. Gen. Stat. § 31-75. Pratt's Motion for Summary Judgment is **GRANTED** as to Morse's Title VII claim for failure to promote as well as her claims pursuant to section 46a-58 of the Connecticut General Statutes.

SO ORDERED.

Dated at New Haven, Connecticut this 23rd day of January, 2013.

/s/Janet C. Hall
Janet C. Hall
United States District Judge