



General Assembly

January Session, 2001

Amendment

LCO No. 6287

Offered by:

SEN. COLEMAN, 2nd Dist.

To: Subst. Senate Bill No. 1049

File No. 531

Cal. No. 108

"AN ACT CONCERNING STATE AGENCY AFFIRMATIVE ACTION PLANS."

1 After line 18, add the following:

2 "Sec. 3. Section 46a-54 of the general statutes is repealed and the
3 following is substituted in lieu thereof:

4 The commission shall have the following powers and duties:

5 (1) To establish and maintain such offices as the commission may
6 deem necessary;

7 (2) To organize the commission into a division of affirmative action
8 monitoring and contract compliance, a division of discriminatory
9 practice complaints and such other divisions, bureaus or units as may
10 be necessary for the efficient conduct of business of the commission;

11 (3) To employ a commission counsel who shall not be subject to the
12 provisions of chapter 67;

13 (4) To appoint such investigators and other employees and agents as
14 it deems necessary, fix their compensation within the limitations
15 provided by law and prescribe their duties;

16 (5) To adopt, publish, amend and rescind regulations consistent
17 with and to effectuate the provisions of this chapter;

18 (6) To establish rules of practice to govern, expedite and effectuate
19 the procedures set forth in this chapter;

20 (7) To recommend policies and make recommendations to agencies
21 and officers of the state and local subdivisions of government to
22 effectuate the policies of this chapter;

23 (8) To receive, initiate as provided in section 46a-82, investigate and
24 mediate discriminatory practice complaints;

25 (9) By itself or with or by hearing officers or human rights referees,
26 to hold hearings, subpoena witnesses and compel their attendance,
27 administer oaths, take the testimony of any person under oath and
28 require the production for examination of any books and papers
29 relating to any matter under investigation or in question;

30 (10) To make rules as to the procedure for the issuance of subpoenas
31 by individual commissioners, hearing officers and human rights
32 referees;

33 (11) To require written answers to interrogatories under oath
34 relating to any complaint under investigation pursuant to this chapter
35 alleging any discriminatory practice as defined in subdivision (8) of
36 section 46a-51, and to adopt regulations, in accordance with the
37 provisions of chapter 54, for the procedure for the issuance of
38 interrogatories and compliance with interrogatory requests;

39 (12) To utilize such voluntary and uncompensated services of
40 private individuals, agencies and organizations as may from time to
41 time be offered and needed and with the cooperation of such agencies,
42 (A) to study the problems of discrimination in all or specific fields of

43 human relationships, and (B) to foster through education and
44 community effort or otherwise good will among the groups and
45 elements of the population of the state;

46 (13) To require the posting by an employer, employment agency or
47 labor organization of such notices regarding statutory provisions as
48 the commission shall provide;

49 (14) To require the posting, by any respondent or other person
50 subject to the requirements of section 46a-64, 46a-64c, 46a-81d or 46a-
51 81e, of such notices of statutory provisions as it deems desirable;

52 (15) (A) To require an employer having three or more employees to
53 post in a prominent and accessible location information concerning the
54 illegality of sexual harassment and remedies available to victims of
55 sexual harassment; and (B) to require an employer having fifty or more
56 employees to provide two hours of training and education to all
57 supervisory employees within one year of October 1, 1992, and to all
58 new supervisory employees within six months of their assumption of a
59 supervisory position, provided any employer who has provided such
60 training and education to any such employees after October 1, 1991,
61 shall not be required to provide such training and education a second
62 time. Such training and education shall include information
63 concerning the federal and state statutory provisions concerning
64 sexual harassment and remedies available to victims of sexual
65 harassment. As used in this subdivision, "sexual harassment" shall
66 have the same meaning as set forth in subdivision (8) of subsection (a)
67 of section 46a-60, and "employer" shall include the General Assembly;

68 (16) To require each state agency that employs one or more
69 employees to (A) provide a minimum of three hours of diversity
70 training and education (i) to all supervisory and nonsupervisory
71 employees, not later than [January 1, 2001] July 1, 2002, with priority
72 for such training to supervisory employees, and (ii) to all newly hired
73 supervisory and nonsupervisory employees, not later than six months
74 after their assumption of a position with a state agency, with priority

75 for such training to supervisory employees. Such training and
76 education shall include information concerning the federal and state
77 statutory provisions concerning discrimination and hate crimes
78 directed at protected classes and remedies available to victims of
79 discrimination and hate crimes, standards for working with and
80 serving persons from diverse populations and strategies for addressing
81 differences that may arise from diverse work environments; and (B)
82 submit an annual report to the Commission on Human Rights and
83 Opportunities concerning the status of the diversity training and
84 education required under subparagraph (A) of this subdivision. The
85 information in such annual reports shall be reviewed by the
86 commission for the purpose of submitting an annual summary report
87 to the General Assembly. Notwithstanding the provisions of this
88 section, if a state agency has provided such diversity training and
89 education to any of its employees prior to October 1, 1999, such state
90 agency shall not be required to provide such training and education a
91 second time to such employees. The requirements of this subdivision
92 shall be accomplished within available appropriations. As used in this
93 subdivision, "employee" shall include any part-time employee who
94 works more than twenty hours per week;

95 (17) To require each agency to submit information demonstrating its
96 compliance with subdivision (16) of this section as part of its
97 affirmative action plan and to receive and investigate complaints
98 concerning the failure of a state agency to comply with the
99 requirements of subdivision (16) of this section; and

100 (18) To enter into contracts for and accept grants of private or
101 federal funds and to accept gifts, donations or bequests, including
102 donations of service by attorneys."