



General Assembly

February Session, 2008

**Raised Bill No. 494**

LCO No. 2323

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Referred to Committee on Planning and Development

Introduced by:  
(PD)

**AN ACT REQUIRING THE METROPOLITAN DISTRICT COMMISSION  
OF HARTFORD COUNTY TO DEVELOP AND IMPLEMENT  
AFFIRMATIVE ACTION PLANS.**

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

1 Section 1. Section 46a-68 of the 2008 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2008*):

4 (a) Each state agency, department, board and commission shall  
5 develop and implement, in cooperation with the Commission on  
6 Human Rights and Opportunities, an affirmative action plan that  
7 commits the agency, department, board or commission to a program of  
8 affirmative action in all aspects of personnel and administration. Such  
9 plan shall be developed pursuant to regulations adopted by the  
10 Commission on Human Rights and Opportunities in accordance with  
11 chapter 54 to ensure that affirmative action is undertaken as required  
12 by state and federal law to provide equal employment opportunities  
13 and to comply with all responsibilities under the provisions of sections  
14 4-61u to 4-61w, inclusive, sections 46a-54 to 46a-64, inclusive, of the  
15 2008 supplement to the general statutes section 46a-64c of the 2008

16 supplement to the general statutes and sections 46a-70 to 46a-78,  
17 inclusive. The executive head of each such agency, department, board  
18 or commission shall be directly responsible for the development, filing  
19 and implementation of such affirmative action plan. The Metropolitan  
20 District of Hartford county shall be deemed to be a state agency for  
21 purposes of this section.

22 (b) (1) Each state agency, department, board or commission shall  
23 designate a full-time or part-time affirmative action officer. If such  
24 affirmative action officer is an employee of the agency, department,  
25 board or commission, the executive head of the agency, department,  
26 board or commission shall be directly responsible for the supervision  
27 of the officer.

28 (2) The Commission on Human Rights and Opportunities shall  
29 provide training and technical assistance to affirmative action officers  
30 in plan development and implementation.

31 (3) The Commission on Human Rights and Opportunities and the  
32 Permanent Commission on the Status of Women shall provide training  
33 concerning state and federal discrimination laws and techniques for  
34 conducting investigations of discrimination complaints to persons  
35 designated by state agencies, departments, boards or commissions as  
36 affirmative action officers and persons designated by the Attorney  
37 General or the Attorney General's designee to represent such agencies,  
38 departments, boards or commissions pursuant to subdivision (5) of  
39 this subsection. Such training shall be provided for a minimum of ten  
40 hours during the first year of service or designation, and a minimum of  
41 five hours per year thereafter.

42 (4) (A) Each person designated by a state agency, department, board  
43 or commission as an affirmative action officer shall (i) be responsible  
44 for mitigating any discriminatory conduct within the agency,  
45 department, board or commission, (ii) investigate all complaints of  
46 discrimination made against the state agency, department, board or  
47 commission, and (iii) report all findings and recommendations upon

48 the conclusion of an investigation to the commissioner or director of  
49 the state agency, department, board or commission for proper action.

50 (B) Notwithstanding the provisions of subparagraphs (A)(i), (A)(ii)  
51 and (A)(iii) of this subdivision, if a discrimination complaint is made  
52 against the executive head of a state agency or department, any  
53 member of a state board or commission or any affirmative action  
54 officer alleging that the executive head, member or officer directly or  
55 personally engaged in discriminatory conduct, or if a complaint of  
56 discrimination is made by the executive head of a state agency, any  
57 member of a state board or commission or any affirmative action  
58 officer, the complaint shall be referred to the Commission on Human  
59 Rights and Opportunities for review and, if appropriate, investigation  
60 by the Department of Administrative Services. If the discrimination  
61 complaint is made by or against the executive head, any member or  
62 the affirmative action officer of the Commission on Human Rights and  
63 Opportunities alleging that the executive head, member or officer  
64 directly or personally engaged in discriminatory conduct, the  
65 commission shall refer the complaint to the Department of  
66 Administrative Services for review and, if appropriate, investigation. If  
67 the complaint is by or against the executive head or affirmative action  
68 officer of the Department of Administrative Services, the complaint  
69 shall be referred to the Commission on Human Rights and  
70 Opportunities for review and, if appropriate, investigation. Each  
71 person who conducts an investigation pursuant to this subparagraph  
72 shall report all findings and recommendations upon the conclusion of  
73 such investigation to the appointing authority of the individual who  
74 was the subject of the complaint for proper action. The provisions of  
75 this subparagraph shall apply to any such complaint pending on or  
76 after July 5, 2007.

77 (5) Each person designated by a state agency, department, board or  
78 commission as an affirmative action officer, and each person  
79 designated by the Attorney General or the Attorney General's designee  
80 to represent an agency pursuant to subdivision (6) of this subsection,

81 shall complete training provided by the Commission on Human Rights  
82 and Opportunities and the Permanent Commission on the Status of  
83 Women pursuant to subdivision (3) of this subsection.

84 (6) No person designated by a state agency, department, board or  
85 commission as an affirmative action officer shall represent such  
86 agency, department, board or commission before the Commission on  
87 Human Rights and Opportunities or the Equal Employment  
88 Opportunity Commission concerning a discrimination complaint. If a  
89 discrimination complaint is filed with the Commission on Human  
90 Rights and Opportunities or the Equal Employment Opportunity  
91 Commission against a state agency, department, board or commission,  
92 the Attorney General, or the Attorney General's designee, other than  
93 the affirmative action officer for such agency, department board or  
94 commission, shall represent the state agency, department, board or  
95 commission before the Commission on Human Rights and  
96 Opportunities or the Equal Employment Opportunity Commission.

97 (c) Each state agency, department, board and commission shall file  
98 an affirmative action plan developed in accordance with subsection (a)  
99 of this section, with the Commission on Human Rights and  
100 Opportunities, semiannually, except that any state agency,  
101 department, board or commission which has an affirmative action plan  
102 approved by the commission may be permitted to file its plan on an  
103 annual basis in a manner prescribed by the commission and any state  
104 agency, department, board or commission that employs twenty or  
105 fewer full-time employees shall file its affirmative action plan  
106 biennially.

107 (d) The Commission on Human Rights and Opportunities shall  
108 review and formally approve, conditionally approve or disapprove the  
109 content of such affirmative action plans within ninety days of the  
110 submission of each plan to the commission. If the commissioners, by a  
111 majority vote of those present and voting, fail to approve,  
112 conditionally approve or disapprove a plan within that period, the

113 plan shall be deemed to be approved.

114 (e) The Commissioner of Administrative Services and the Secretary  
115 of the Office of Policy and Management shall cooperate with the  
116 Commission on Human Rights and Opportunities to insure that the  
117 State Personnel Act and personnel regulations are administered, and  
118 that the process of collective bargaining is conducted by all parties in a  
119 manner consistent with the affirmative action responsibilities of the  
120 state.

121 (f) The Commission on Human Rights and Opportunities shall  
122 monitor the activity of such plans within each state agency,  
123 department, board and commission and report to the Governor and  
124 the General Assembly on or before April first of each year concerning  
125 the results of such plans.

126 (g) The Commission on Human Rights and Opportunities shall  
127 adopt regulations, in accordance with chapter 54, to carry out the  
128 requirements of this section. Such regulations shall include a schedule  
129 for semiannual, annual and biennial filing of plans.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2008	46a-68

**Statement of Purpose:**

To require the Metropolitan District of Hartford county to prepare an affirmative action plan.

*[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.]*