



General Assembly

Amendment

February Session, 2008

LCO No. 4936

HB0570004936HDO

Offered by:

REP. GREEN, 1st Dist.

REP. HEWETT, 39th Dist.

To: Subst. House Bill No. 5700

File No. 712

Cal. No. 179

"AN ACT CONCERNING A CHANGE IN AFFIRMATIVE ACTION OFFICERS REPORTING REQUIREMENTS AND ORGANIZATION."

1 In line 9, strike ", and the duties, independence and authority of
2 such"

3 In line 10, strike "officer shall be audited by the Department of
4 Administrative Services"

5 After the last section, add the following and renumber sections and
6 internal references accordingly:

7 "Sec. 501. (NEW) (*Effective July 1, 2009*) (1) There shall be a Chief
8 Administrative Affirmative Action Officer to review the written
9 conclusions of the affirmative action officers. The executive director of
10 the Office of State Ethics shall designate a full-time affirmative action
11 officer to serve as the Chief Administrative Affirmative Action Officer.
12 The executive director of the Office of State Ethics shall be directly
13 responsible for the supervision of the Chief Administrative

14 Affirmative Action Officer.

15 (2) For purposes of this section "state agency" means state and
16 department, board or commission. Any complainant who has alleged
17 discrimination against a state agency pursuant to section 46a-68 of the
18 general statutes, as amended by this act, and believes he or she
19 continues to be aggrieved, may file a written request with the Chief
20 Administrative Affirmative Action Officer for review of the written
21 report prepared by an affirmative action officer pursuant to
22 subparagraph (A) of subdivision (4) of subsection (b) of section 46-68
23 of the general statutes, as amended by this act, and the action taken by
24 the commissioner or director of the state agency after receiving the
25 report.

26 (3) Upon review of the written report provided by the affirmative
27 action officer and actions taken by the commissioner or director of the
28 state agency as a result of the report, the Chief Administrative
29 Affirmative Action Officer shall conduct a confidential mediation
30 between the parties and may include such other personnel from the
31 State agency where the complaint originated as the Chief
32 Administrative Affirmative Action Officer deems appropriate, unless
33 such mediation is declined by the complainant.

34 (4) The Chief Administrative Affirmative Action Officer shall notify
35 the complainant and the commissioner or director of the state agency
36 of the date, time and place of the mediation. Upon the completion of
37 the mediation, the Chief Administrative Affirmative Action Officer
38 shall file the results of the mediation and the Chief Administrative
39 Affirmative Action Officer's nonbinding recommendations for
40 settlement with the complainant, the commissioner or director of the
41 state agency where the complaint originated and the affirmative action
42 officer of the state agency where the complaint originated.

43 (5) Should the complainant and the commissioner or the director of
44 the state agency where the complaint originated agree to the terms of
45 the Chief Administrative Affirmative Action Officer's

46 recommendations for settlement, pursuant to section 4 of this act, the
47 terms of such recommendation for settlement shall become binding.

48 (6) Beginning January 1, 2010, and annually thereafter, the Chief
49 Administrative Affirmative Action Officer shall submit, in accordance
50 with section 11-4a of the general statutes, to the joint standing
51 committee of the General Assembly having cognizance of matters
52 relating to the judiciary a report on the number of mediations
53 conducted, the results of such mediations and recommendations on
54 the mediation program.

55 (7) Any report of findings and recommendations, pursuant to this
56 section, shall be provided to the Commission on Human Rights and
57 Opportunities upon request or notification that an investigation or
58 complaint proceeding has been initiated pursuant to Part III of chapter
59 814c of the general statutes."