



General Assembly

February Session, 2010

Raised Bill No. 5206

LCO No. 880

00880_____LAB

Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

**AN ACT PROVIDING AN INDIVIDUAL THE RIGHT TO BRING A
DISCRIMINATORY PRACTICE ACTION IN SUPERIOR COURT
RATHER THAN THE COMMISSION ON HUMAN RIGHTS AND
OPPORTUNITIES.**

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

1 Section 1. Section 46a-82 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2010*):

3 (a) Any person claiming to be aggrieved by an alleged
4 discriminatory practice, except for an alleged violation of section 4a-
5 60g or 46a-68, [or] the provisions of sections 46a-68c to 46a-68f,
6 inclusive, or individuals filing complaints in the superior court
7 pursuant to subsection (g) of this section may, by himself or herself or
8 by such person's attorney, make, sign and file with the commission a
9 complaint in writing under oath, which shall state the name and
10 address of the person alleged to have committed the discriminatory
11 practice, and which shall set forth the particulars thereof and contain
12 such other information as may be required by the commission. After
13 the filing of a complaint pursuant to this subsection, the commission
14 shall serve upon the person claiming to be aggrieved a notice that: (1)

15 Acknowledges receipt of the complaint; and (2) advises of the time
16 frames and choice of forums available under this chapter.

17 (b) The commission, whenever it has reason to believe that any
18 person has been engaged or is engaged in a discriminatory practice,
19 may issue a complaint, except for a violation of subsection (a) of
20 section 46a-80.

21 (c) The commission, whenever it has reason to believe that any
22 contractor or subcontractor is not complying with antidiscrimination
23 statutes or contract provisions required under section 4a-60, 4a-60a or
24 4a-60g or the provisions of sections 46a-68c to 46a-68f, inclusive, may
25 issue a complaint.

26 (d) The commission may issue a complaint if: (1) An affirmative
27 action plan filed pursuant to section 46a-68 is in violation of any of the
28 provisions of section 4-61u or 4-61w, sections 46a-54 to 46a-64,
29 inclusive, section 46a-64c or sections 46a-70 to 46a-78, inclusive; or (2)
30 an agency, department, board or commission fails to submit an
31 affirmative action plan required under section 46a-68.

32 (e) Any employer whose employees, or any of them, refuse or
33 threaten to refuse to comply with the provisions of section 46a-60 or
34 46a-81c may file with the commission a written complaint under oath
35 asking for assistance by conciliation or other remedial action.

36 (f) Any complaint filed pursuant to this section must be filed within
37 one hundred and eighty days after the alleged act of discrimination,
38 except that any complaint by a person claiming to be aggrieved by a
39 violation of subsection (a) of section 46a-80 must be filed within thirty
40 days of the alleged act of discrimination.

41 (g) (1) In lieu of, but not in addition to, filing a complaint pursuant
42 to subsections (a) to (f), inclusive, of this section, any person claiming
43 to be aggrieved by a violation of section 46a-60 or 46a-81c may bring
44 an action in the superior court for the judicial district in which such

45 aggrieved person resides or in which the alleged violation took place
46 against an employer, employer's agent, labor organization,
47 employment agency, or person, as defined in section 46a-51.

48 (2) An action brought under this subsection shall be filed not later
49 than two years after the date of the occurrence of the alleged act of
50 discrimination.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2010	46a-82

Statement of Purpose:

To allow a person claiming to be aggrieved by an alleged discriminatory practice to file a complaint with the superior court rather than with the Commission on Human Rights and Opportunities.

[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.]