

**Commission on Human Rights and Opportunities**

**March 1, 2010**

**Public Hearing before the Joint Committee on Government Administration and Elections**

Good morning, Senator Slossberg, Representative Spallone and members of the Government Administration and Elections Committee. My name is Bob Brothers. I am the Executive Director of the Commission on Human Rights and Opportunities. With me is Neva Vigezzi of our Affirmative Action Unit.

I would like to comment on two bills. The first is **SB 284, AN ACT CREATING A DIVISION OF ADMINISTRATIVE HEARINGS**. Like last year we are supportive of the concept of an independent hearings office, but oppose the bill as drafted. As we expressed in 2009 using the existing structure of the Office of Public Hearings under CHRO as the place to consolidate various hearings operations of state government is unworkable for a series of reasons. We would be happy to work with you to improve this bill.

We are here to **STRONGLY OPPOSE HB 5323, AN ACT ELIMINATING A DUPLICATIVE DEPARTMENT OF TRANSPORTATION AFFIRMATIVE ACTION PLAN**.

DOT represents about 6% of the entire State workforce. It has long been the stated policy of the General Assembly to embrace and encourage diversity in the workforce specifically to allow those who have traditionally been isolated from the economic ladder to gain a foothold and climb out of poverty. In fact this very General Assembly last year added the MDC which, like DOT, receives significant federal financial assistance, to the list of entities that must file affirmative action plans with CHRO. We believed that that action reconfirmed your commitment to diversity in the state workforce.

Please remember that our state law provides far more protected classes than does the federal government.

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To carve out one agency, particularly an agency that offers many Connecticut citizens entry level jobs is to begin the retreat from decades of racial, gender and economic progress. It is to delay the dream of equality that has been centuries in the making in this state and our country. Whether the product of invidious discrimination or benign neglect, discrimination at the individual and institutional levels has historically disadvantaged many, to the detriment of society as a whole. Without continuing oversight to correct inequities in opportunity inherited from the past, discrimination will continue unchecked, evolving into more subtle but equally sinister forms.

Federal regulations use a different, less comprehensive methodology for setting goals and contain very different criteria for approving plans. Under Connecticut's affirmative action regulations, a plan meeting federal standards would not even be considered a plan. In the past, the U.S. Dept. of Transportation has accepted the DOT's State of Connecticut affirmative action plan in lieu of the federal plan since it is more comprehensive. For instance, in Connecticut plans hiring and promotion goals are updated annually based on the changes in agency's workforce and the unemployment rate. This provides a far more accurate assessment of the status of women and minorities. Through this legislation we would effectively be ceding state policy to the federal government.

This proposal also contains the odd provision that the DOT "may" submit its federal affirmative action plan or update to CHRO and that the commission "may" approve such plan or update without further review. This means that the DOT may also not submit its federal plan, and that if the Commission finds it does not fulfill State goals we have no authority to act.

We believe this bill is irresponsible and contrary to the proud tradition of equal economic opportunity advancement in which Connecticut has long been a leader.

We will be pleased to answer any questions you may have.