

Thank you for the opportunity to provide testimony on H.B. 6595, AN ACT CONCERNING THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES:

Good afternoon, my name is Cheryl Sharp and I am an Attorney with the CHRO and a union steward with AFSCME authorized to speak on behalf of the P-2 bargaining unit at CHRO regarding this bill. Further, you just heard from the Executive Director of the CHRO and I add these additional comments on behalf of and in support of the CHRO.

If enacted, H.B. 6595 will save money for the State, generate federal dollars, promote government efficiency, improve the services that are provided to the public and increase stakeholder satisfaction with the CHRO's complaint processing.

This bill is progressive and amounts to a comprehensive overhaul of the CHRO's approach to processing claims of discrimination. Stakeholders have asked for the CHRO to improve and expedite its case processing and I believe that this bill allows the CHRO to do just that. Further, because the Commission has not received permission to refill a single vacant position in over two years and has lost more than 25% of its staff, the agency is not positioned to receive all federal funds for which it is eligible. Thus, leaving federal dollars on the table. The provisions of HB 6595 will empower the agency to fairly and equitably process more cases and process them more expeditiously. Moreover, this bill will increase the likelihood that the agency will receive all of the federal funding to which it is entitled. Thus, this redesign is necessary for the Commission to increase or maximize federal contributions, which go into the general fund, and bring federal dollars back home to Connecticut.

Just a few years ago the CHRO received around \$1,500,000.00 in combined federal money from two federal agencies--about \$800,000 of it from the U.S. Equal Employment Opportunity Commission. Federal dollars paid for close 25% of the agency budget. Just last year, due to a reduction in staff and the lack of authorization to refill positions, the agency had to reduce its contract with the EEOC from 1,607 to 1,307 case closures, causing the CHRO to lose almost 20% of the value of the EEOC contract. As Governor Malloy cautioned we should not be leaving these federal dollars on the table and I agree with that sentiment, especially when those federal dollars help to offset the cost of running a state agency.

Turning to the provisions of the bill, and I know there is a lot to digest, I want to point out a few of its highlights.

By adding an earlier and more visible legal component to the investigative process, the overburdened, understaffed investigators will be provided with assistance that will allow them to increase the quantity of their closures, i.e. attorneys can deal with purely legal issues at public hearing and not bog down investigators with purely legal issues that have to be decided by a Referee or judge. Further, the quality of the agency's decision making will be enhanced, because legal issues will be resolved by the appropriate authority, thereby building public confidence in the CHRO's case processing ability.

One key improvement to the CHRO's case processing made in this bill—early legal intervention—is found in Section 7(c)(2). The CHRO has been criticized for the time it takes to investigate cases. Early legal intervention gives the Executive Director or his designee the power to move cases.

Early legal intervention moves cases by compressing the time it takes to complete the investigative process. It does this by introducing CHRO attorneys at an earlier stage of the process. Currently a case will not generally see an attorney until after it is certified to public hearing. Having attorneys involved earlier does four things: (1) It brings additional staff into the process, which should result in more speedy determinations; (2) Since the attorneys in the Legal Division will be putting the cases on at public hearing, having attorneys make initial assessments about the merits of individual cases will allow the agency to concentrate its efforts on developing cases for hearing more effectively and efficiently while the evidence is fresh; and (3) Working closely alongside attorneys will benefit our dedicated investigative staff by providing them with hands-on practical training and professional development that they can apply to reduce their existing case inventory (4) Investigators won't be bogged down writing up cases that contain purely legal issues that can't be resolved during the investigative stage.

In FY 09-10 about 1,200 cases survived merit assessment review and so would potentially be eligible for early legal intervention if they could not be mediated. The additional assignments for the legal department will require attorneys to do more with less, but both investigators and attorneys have been doing more with less and presumably will continue in this vein if HB 6595 is enacted.

Thank you.