



# Senate

General Assembly

**File No. 29**

February Session, 2012

Substitute Senate Bill No. 79

*Senate, March 19, 2012*

The Committee on Labor and Public Employees reported through SEN. PRAGUE of the 19th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT CONCERNING UNEMPLOYED INDIVIDUALS AND DISCRIMINATORY HIRING PRACTICES.***

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

1 Section 1. Subdivision (6) of subsection (a) of section 46a-60 of the  
2 2012 supplement to the general statutes is repealed and the following  
3 is substituted in lieu thereof (*Effective October 1, 2012*):

4 (6) For any person, employer, employment agency or labor  
5 organization, except in the case of a bona fide occupational  
6 qualification or need, to advertise employment opportunities in such a  
7 manner as to restrict such employment so as to discriminate against  
8 [individuals] any individual because (A) of [their] such individual's  
9 race, color, religious creed, age, sex, gender identity or expression,  
10 marital status, national origin, ancestry, present or past history of  
11 mental disability, intellectual disability, learning disability or physical  
12 disability, including, but not limited to, blindness, or (B) such  
13 individual is unemployed;



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The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

This bill, which makes it a discriminatory employment practice for employers to advertise job opportunities in a way that discriminates against unemployed people, has no fiscal impact on the state.

**The Out Years**

**State Impact:** None

**Municipal Impact:** None

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**OLR Bill Analysis****sSB 79*****AN ACT CONCERNING UNEMPLOYED INDIVIDUALS AND DISCRIMINATORY HIRING PRACTICES.*****SUMMARY:**

This bill makes it a discriminatory employment practice to advertise employment opportunities in a way that discriminates against anyone because he or she is unemployed, unless there is a bona fide occupational qualification or need. The bill applies to people, employers, employment agencies, and labor organizations advertising such opportunities.

Under current law, it is a discriminatory employment practice for these groups to advertise employment opportunities in a way that discriminates against people because of their characteristics or disabilities, unless there is a bona fide occupational qualification or need. These characteristics and disabilities are race; color; religious creed; age; sex; gender identity or expression; marital status; national origin; ancestry; and present or past history of mental, intellectual, learning, or physical disability, including blindness.

By law, the Commission on Human Rights and Opportunities (CHRO) may investigate complaints and order people who engage in discriminatory employment practices to, among other things, (1) cease and desist such practices, (2) take steps to prohibit them, (3) pay back pay, and (4) hire or reinstate the employees. If CHRO fails to act within 180 days after a complaint is filed, the complainant may get a release and take the case to court, which can order appropriate legal and equitable relief, including injunctive relief, attorney's fees, and court costs.

EFFECTIVE DATE: October 1, 2012

**COMMITTEE ACTION**

Commerce Committee

Joint Favorable Substitute Change of Reference  
Yea 16 Nay 0 (03/01/2012)

Labor and Public Employees Committee

Joint Favorable  
Yea 8 Nay 3 (03/08/2012)