

Testimony of Eric W. Gjede
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Before the Labor Committee
Hartford, CT
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Testifying in Opposition to SB-908
An Act Concerning The Use Of Criminal Conviction Information

Good Afternoon Senator Osten, Representative Tercyak, and members of the Labor and Public Employees Committee. My name is Eric Gjede and I am assistant counsel at the Connecticut Business and Industry Association (CBIA) which represents more than 10,000 large and small companies throughout the state of Connecticut.

CBIA opposes SB-908 because the current protections on erased criminal histories are adequately enforced, and the change contemplated in this bill would result in a flood of litigation for business that only engage in good faith hiring practices.

Section 31-51i protects employees by prohibiting employers from inquiring about or using erased criminal history in their hiring practices. This prohibition has been strongly enforced by the labor department.

Allowing individuals to enforce this provision via a private right of action would be disastrous for the business community. This bill would make it very easy for claimants that are angry or disappointed they were not hired or retained to bring a meritless claim against an employer. While it is likely these claims would be properly dismissed, it would not come without a great deal of time and legal fee expenditure on the part of an innocent business.

The current law adequately protects current and prospective employees. Allowing it to be enforced by private rights of action will result in innocent businesses having to defend against meritless legal claims.

CBIA strongly urges the committee to reject SB-908.