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Senate Bill 383, An Act Concerning Workforce Participation Thresholds for Public Works Contracts

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Public Hearing, Committee on Labor and Public Employees

Connecticut Construction Industries Association, Inc. (CCIA) represents the commercial construction industry in the state and seeks to advance and promote a better quality of life for all citizens in the state. Formed over 40 years ago, CCIA is an organization of associations, where all sectors of the commercial construction industry work together to advance and promote their shared interests. CCIA is comprised of more than 300 members, including contractors, subcontractors, suppliers and affiliated organizations representing many sectors of the construction industry.

The Associated General Contractors (AGC) of Connecticut is the building division of CCIA, representing 150 commercial, industrial, and institutional construction contractors, subcontractors, material suppliers and professionals serving the Connecticut construction industry. AGC of Connecticut is a chapter of AGC of America.

S.B. 383, An Act Concerning Workforce Participation Thresholds for Public Works Contracts, would require any contractor who is a party to a public works contract, as defined in section 46a-68b of the general statutes, to include in the affirmative action plan the employment of a workforce that is at least 25 percent minority, 25 percent state resident, and 6.9 percent women.

CCIA and AGC regard S.B. 383 as a well-intentioned concept to spur construction employment opportunities for minorities, women, and state residents. Unfortunately, as a concept, the bill raises practical concerns.

By placing the workforce participation thresholds in the affirmative action plan, it appears that the requirements will be administered and enforced by the Commission on Human Rights and Opportunities (CHRO). As drafted, the bill assumes CHRO has the capacity to administer the requirements.

The bill's participation thresholds of at least 25 percent minority participation and 25 percent state resident participation appear to be unsubstantiated. Indeed, the bill is silent on the basis of how those thresholds have been established. CCIA and AGC believe that for these thresholds to achieve their intended purpose and perhaps more importantly to give the bill more solid legal footing, there needs to be sound basis supporting the thresholds contained in the bill.

Finally, CCIA and AGC are concerned that S.B. 383 could be a barrier for Connecticut contractors who would be unable meet the thresholds contained in the bill from pursuing public work. Unobtainable hiring thresholds could have the unintended consequence of affecting competition in the marketplace and eliminating good construction firms that have a long history of providing quality work for the public benefit from the pool of available bidders.

In conclusion, we encourage this committee to consider the practical issues and potential unintended consequences of applying unsupported thresholds on the composition of a state contractor's workforce. Thank you for the opportunity to provide our comments.

