

Testimony of Eric W. Gjede  
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Before the Judiciary Committee  
Hartford, CT  
March 23, 2015

**Testifying in support (with modifications) to SB 1111: AAC The Duties Of The Commission On Human Rights And Opportunities And The Removal Of The Terms "Crippled" And "Defective Eyesight" From The General Statutes**

Good afternoon Senator Coleman, Representative Tong, Senator Kissel, Representative Rebimbas and members of the Judiciary 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 supports CHRO's effort to update their statutes, but requests that the committee modify the bill to reflect the following concerns of the business community:

1. Line 456 replaces the archaic term "such endeavors" with the commission's "processing of a complaint" for purposes of nondisclosure. While this is one interpretation of what "such endeavors" has historically meant, others have interpreted it to apply to conciliation efforts as well. The business community supports CHRO's suggestion to ensure the investigator of the complaint and the mediator two separate people (line 324). However, we think additional language is necessary to clarify that that the non-disclosure provision in line 456 also extends to conciliation efforts. It could help to require, in statute, mediation confidentiality agreements. This will ensure conciliation discussions are not shared between the investigator of the complaint and the mediator.
2. Finally, we suggest adding language to section 46a-60 that would limit claims for age discrimination in the employment context to individuals that have attained the age of 40, as in federal law. The business community believes this was the intent of the law, and would like to have that clarified. Currently, only two types of individuals can be barred from bringing a claim for age discrimination under this section – the unborn and the deceased. We ask that you modify this section accordingly.

For those reason, CBIA supports (with modifications) SB 1111.