



Testimony to the Program Review and Investigations Committee

Submitted by Suzanne Bates, Policy Director

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My name is Suzanne Bates. I am the policy director for the Yankee Institute for Public Policy, a Connecticut-based free market think tank.

I am here to share some of the research we've done on the state Commission on Human Rights and Opportunities.

We found, after reviewing many of the cases that have come before the commission, that it often takes years for a decision in a case, whether the case leads to a settlement or dismissal. In fact, many of the cases that ended up in dismissals have taken as long as seven or eight years.

For example, in 2010, Kirk McKinney sued the Glastonbury Fire Department. He said he lost his job as fire chief because of his age. CHRO skipped mandatory mediation and went directly to a public hearing even though there was already a mandatory retirement statute on the books. Ultimately, that law was found to protect Glastonbury from Chief McKinney's complaint. Yet it took five years to settle this case.

This is just one of many cases that with little merit go straight to a public hearing only to be dragged out for years. These cases create false hope for years, only to be dismissed.

On the flip side, there were several cases where the complainant received a settlement, but because the system was clogged with so many cases, it also took several years to reach a decision.

In one example, a woman was harassed in her workplace for being pregnant. Her child was almost in kindergarten by the time she received her settlement.

There are ways to simplify and improve the process for all parties. For example, the federal Equal Employment Opportunity Commission goes through an investigation process on all complaints to determine merit before they are granted a full hearing.

The investigators are often independent contractors who interview all of the parties by phone and develop a case file for EEOC employees to review and make a determination on the merits of the case. This is a process that could provide a pathway forward for the state.