

Government Administration and Elections Committee

Public Hearing

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Testimony

by

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Thank you for the opportunity to provide testimony on Raised Bill 494.

Among other things, this bill would require each company seeking to do business with any state agency or institution – whether for goods, services or construction – to submit a sexual harassment policy to the state. It also requires that the company’s policy specifically include references to Connecticut state law relating to sexual harassment, and that it incorporate other Connecticut-specific provisions, such as notice of Connecticut’s complaint process. Companies that fail to adopt a policy that meets these specific requirements would be prohibited from even bidding on state contracts.

UConn unequivocally supports the goals of Raised Bill 494. UConn is dedicated to working with vendors who share its commitment to human rights and the eradication of sexual and other forms of harassment. To that end, UConn adopted a comprehensive Vendor Code of Conduct in 2013, which is available at <https://policy.uconn.edu/2013/02/12/vendor-code-of-conduct/>.

For the following reasons, UConn feels it must nonetheless oppose Raised Bill 494 in its current form:

1. The bill will discourage many vendors and partners from engaging with UConn.

The bill would require UConn’s vendors and partners to incorporate Connecticut sexual harassment law into their corporate policies. UConn contracts with well over 2,000 out-of-state vendors each year. Many of these vendors and partners, particularly those in the information technology sector, have international reach and considerable market power. These companies are extremely unlikely to modify their policies to incorporate Connecticut laws. Under the bill, these companies could not respond to UConn solicitations.

The bill would also require UConn's vendors and partners to incorporate United States sexual harassment law into their corporate policies. UConn contracts with over 150 foreign companies each year. In addition to Connecticut law, these foreign companies are unlikely to incorporate United States law into their policies and would be excluded from UConn solicitations under the bill.

Last legislative session, the Legislature passed Public Act 17-130, making narrowly-tailored and thoughtful changes to the statutes to streamline contracting paperwork for state vendors and to make it easier for institutions of higher education to do business and to compete with their peers. Raised Bill 494 runs counter to those goals, and may even roll back the improvements made in Public Act 17-130

2. Raised Bill 494 would impose significant administrative costs on UConn and all other state agencies and institutions at a time when resources have become much more limited. Under the bill, agencies and institutions must review the sexual harassment policies of each company responding to a solicitation, to ensure that they meet the requirements of the statute. UConn releases at least 230 solicitations each year. Even if only five companies responded to each solicitation, that would result in 1,150 policy reviews each year. Furthermore, the bill requires that companies recertify this documentation annually. Managing this new, additional paperwork will be burdensome and will add administrative costs. If this bill passes, agencies and institutions will also have to document and manage companies that are found to be non-compliant.

While the goals behind Raised Bill 494 are laudable and fully supported by the University, we urge the Committee to refrain from adding more paperwork to the state procurement processes. These requirements make it more difficult for state agencies and institutions to get the best prices for goods and services, make doing businesses with the state more difficult for our vendors, and add transactional and administrative costs to the process.