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## **OLR Bill Analysis**

### **sSB 1023**

#### ***AN ACT CONCERNING THE DUTIES AND RESPONSIBILITIES OF THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES.***

#### **SUMMARY**

This bill makes various changes affecting the Commission on Human Rights and Opportunities (CHRO) and related laws.

It requires state entities' equal employment opportunity officers to investigate discrimination complaints filed against the entity, even if a complaint has also been filed with CHRO or the Equal Employment Opportunity Commission (EEOC). It does so by eliminating an exception in current law that allows them to instead rely on CHRO's or the EEOC's process. As under current law, this provision applies to state agencies, departments, boards, or commissions.

For CHRO complaints that reach the public hearing stage, the bill specifies that the chief referee may serve the complaint and required notice by first class mail, email, fax, or file transfer protocol.

By law, CHRO's executive director must approve, conditionally approve, or disapprove certain contractors' affirmative action plans within 120 days of their submission. The bill specifies that these contractors are not barred from bidding on future contracts if the executive director failed to meet the deadline and the plan was deemed deficient without consequence. Current law already provides that these contractors are not barred if their plans are deemed approved (see BACKGROUND).

For purposes of existing requirements for employee training in sexual harassment laws, the bill allows employers to not provide the training to an employee who, within two years before being hired, received the training while working for another employer. This applies if that training was provided by CHRO (1) in-person or (2) through its

online training program required by law (see BACKGROUND).

Finally, for all types of discriminatory practice complaints, the bill allows claimants to file a complaint within 300 days after the alleged act. This applies to discriminatory acts that allegedly occurred on or after October 1, 2021. Under current law, claimants have 300 days to file complaints for certain types of discrimination (e.g., employment and several types of state agency discrimination) and 180 days for other types (e.g., housing, public accommodations, and credit).

EFFECTIVE DATE: October 1, 2021

## **BACKGROUND**

### ***Affirmative Action Plans and Contract Bidding***

By law, the successful bidder for certain large state, municipal, or quasi-public agency contracts must file with and obtain CHRO approval for an affirmative action plan before the contract is awarded. A contractor who is not subject to this requirement still must file an affirmative action plan with CHRO if the contractor (1) has 50 or more employees and (2) is awarded such a contract for more than \$50,000 (hereinafter, “other contractors”).

The CHRO executive director or her designee must review and approve, conditionally approve, or disapprove affirmative action plans submitted by other contractors within 120 days after their submission. If she or her designee fails to do so, the plans are deemed approved or deficient without consequence.

### ***Employee Training on Sexual Harassment Laws***

By law, employers generally must provide their employees, within specified deadlines, with two hours of training on sexual harassment laws and remedies available to victims. (For employers with less than three employees, the requirement only applies to supervisory employees.) CHRO must develop and make available to employers a free, online training video or other interactive method that meets these training requirements.

## **COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 34 Nay 1 (04/09/2021)