



# State of Connecticut COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES

450 Columbus Boulevard, Suite 2, Hartford, CT 06103

*Promoting Equality and Justice for all People*

## **Labor Committee Public Hearing – February 9, 2021**

### **CHRO Testimony Regarding:**

**HB 6376 - AA Creating a Respectful and Open World for Natural Hair**

**HB 5158 – AAC Breastfeeding in the Workplace**

**HB 6380 – AAC the Disclosure of Salary Range for a Vacant Position**

Good morning Senator Kushner, Representative Porter, Senator Sampson, Representative Arora, and members of the Labor Committee. Thank you for the opportunity to testify today in support of HB 6376, An Act Creating a Respectful and Open World for Natural Hair; HB 5158, An Act Concerning Breastfeeding in the Workplace; and HB 6380, An Act Concerning the Disclosure of Salary Range for a Vacant Position.

### **HB 6376 – AA Creating a Respectful and Open World for Natural Hair**

The CHRO strongly supports HB 6376, which expands the definition of “race” in the state’s antidiscrimination statutes to include traits historically associated with race, such as hair textures and protective hairstyles. Versions of the CROWN Act are being considered across the country as increasing recognition is paid to the fact that certain hairstyles are often equated with race or ethnicity, which has historically led to separate and unequal treatment. Out-of-date workplace dress codes, grooming policies, and ideas of professionalism often have a disparate impact on Black applicants and employees. Similar policies in places of public accommodations affect both adults and children.

In Connecticut, it is important we continue to respect and protect people’s traits race and ethnicity, particularly in light of the 11<sup>th</sup> Circuit’s holding in *Equal Employment Opportunity Comm’n v. Catastrophe Mgmt. Sols.*, stating that “banning dreadlocks in the workplace under a race-neutral grooming policy –without more – does not constitute intentional race-based discrimination.”<sup>1</sup> This legislation would make it explicitly clear that discrimination on the basis of an individual’s protective hairstyle or hair texture is a form of race discrimination in Connecticut.

### **HB 5158 – AAC Breastfeeding in the Workplace**

The Commission supports HB 5158, An Act Concerning Breastfeeding in the Workplace, but would like to make a few suggestions regarding the language of the bill. Although Conn. Gen. Stat. §46a-60(a) already mandates that employers accommodate lactating parents, this bill adds specifics regarding what those accommodations should entail. As the language in this bill is similar to the regulations for the expression of breastmilk under Section 7(r) of the Federal Fair Labor Standards Act, which includes that the employer must provide “reasonable

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<sup>1</sup> See, *Equal Employment Opportunity Comm’n v. Catastrophe Mgmt. Sols.*, 876 F.3d 1273, 1275 (11<sup>th</sup> Cir. 2017).

break time” to express breastmilk, the Commission suggests that the bill be amended to include that language referring to “reasonable break time” as well. An issue that has arisen for parents expressing breastmilk during the COVID-19 pandemic is the potential of viral contamination of the breastmilk; for this reason we also suggest the language of the bill specify that the room should be well ventilated.

The Commission also suggests that language be added stating that while the accommodations listed in the bill are those that an employer is required to make a reasonable effort to provide, there may be additional accommodations that are necessary based on an employee’s individual needs.

Finally, the language referring to “no undue hardship” is unnecessary as the language already existing in statute requires the employer to make reasonable efforts to provide these breastfeeding accommodations.

### **HB 6380 – AAC the Disclosure of Salary Range for a Vacant Position**

The Commission supports HB 6380, which is another step toward closing the gender wage gap in Connecticut by requiring employers to provide salary ranges for vacant positions and requiring equal pay for comparable work. Replacing the “equal pay for equal work” standard with a “comparable work” standard is a crucial part of dealing with the economy’s long history of sex-segregated occupations and unequal pay scales for jobs traditionally considered “for women.”

Women continue to earn significantly less than men in Connecticut, despite the fact that mothers in Connecticut are the sole, primary, or co-breadwinners in 66.2% of families.<sup>2</sup> This gender wage gap only increases for women of color. Black women working full time, for example, earn \$0.57 and Latina women earn \$0.48 when compared with White men.<sup>3</sup> Salary range transparency is an important part of tackling this gender wage gap. When job applicants have full access to information about a position, they are better able to negotiate salary, increasing women’s earnings and narrowing the wage gap.

Connecticut has taken important steps to address pay equity over the last few years, and the Commission urges the Labor Committee to pass HB 6380 to continue these efforts. The COVID-19 pandemic has only made more evident the importance of women to the state’s economy and to the economic security of their families.

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<sup>2</sup> [Fast Facts: Economic Security for Women and Families in Connecticut - Center for American Progress.](#)

<sup>3</sup> [Women’s Issues in Connecticut | NWLC. https://nwlc.org/state/connecticut](https://nwlc.org/state/connecticut)