



House of Representatives

File No. 668

General Assembly

February Session, 2022

(Reprint of File No. 280)

Substitute House Bill No. 5355
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
April 27, 2022

**AN ACT CONCERNING DOMESTIC VIOLENCE POSTING IN THE
WORKPLACE.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 46a-54 of the 2022 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2022*):

4 The commission shall have the following powers and duties:

5 (1) To establish and maintain such offices as the commission may
6 deem necessary;

7 (2) To organize the commission into a division of affirmative action
8 monitoring and contract compliance, a division of discriminatory
9 practice complaints and such other divisions, bureaus or units as may
10 be necessary for the efficient conduct of business of the commission;

11 (3) To employ legal staff and commission legal counsel as necessary

12 to perform the duties and responsibilities under section 46a-55. One
13 commission legal counsel shall serve as supervising attorney. Each
14 commission legal counsel shall be admitted to practice law in this state;

15 (4) To appoint such investigators and other employees and agents as
16 it deems necessary, fix their compensation within the limitations
17 provided by law and prescribe their duties;

18 (5) To adopt, publish, amend and rescind regulations consistent with
19 and to effectuate the provisions of this chapter;

20 (6) To establish rules of practice to govern, expedite and effectuate
21 the procedures set forth in this chapter;

22 (7) To recommend policies and make recommendations to agencies
23 and officers of the state and local subdivisions of government to
24 effectuate the policies of this chapter;

25 (8) To receive, initiate as provided in section 46a-82, investigate and
26 mediate discriminatory practice complaints;

27 (9) By itself or with or by hearing officers or human rights referees, to
28 hold hearings, subpoena witnesses and compel their attendance,
29 administer oaths, take the testimony of any person under oath and
30 require the production for examination of any books and papers relating
31 to any matter under investigation or in question;

32 (10) To make rules as to the procedure for the issuance of subpoenas
33 by individual commissioners, hearing officers and human rights
34 referees;

35 (11) To require written answers to interrogatories under oath relating
36 to any complaint under investigation pursuant to this chapter alleging
37 any discriminatory practice as defined in subdivision (8) of section 46a-
38 51, and to adopt regulations, in accordance with the provisions of
39 chapter 54, for the procedure for the issuance of interrogatories and
40 compliance with interrogatory requests;

41 (12) To utilize such voluntary and uncompensated services of private
42 individuals, agencies and organizations as may from time to time be
43 offered and needed and with the cooperation of such agencies, (A) to
44 study the problems of discrimination in all or specific fields of human
45 relationships, and (B) to foster through education and community effort
46 or otherwise good will among the groups and elements of the
47 population of the state;

48 (13) To require the posting by an employer, employment agency or
49 labor organization of such notices regarding statutory provisions as the
50 commission shall provide;

51 (14) To require the posting, by any respondent or other person subject
52 to the requirements of section 46a-64, 46a-64c, 46a-81d or 46a-81e, of
53 such notices of statutory provisions as it deems desirable;

54 (15) To require an employer having three or more employees to (A)
55 post in a prominent and accessible location information concerning the
56 illegality of sexual harassment and remedies available to victims of
57 sexual harassment, (B) provide, not later than three months after the
58 employee's start date with the employer, a copy of the information
59 concerning the illegality of sexual harassment and remedies available to
60 victims of sexual harassment to each employee by electronic mail with
61 a subject line that includes the words "Sexual Harassment Policy" or
62 words of similar import, if (i) the employer has provided an electronic
63 mail account to the employee, or (ii) the employee has provided the
64 employer with an electronic mail address, provided if an employer has
65 not provided an electronic mail account to the employee, the employer
66 shall post the information concerning the illegality of sexual harassment
67 and remedies available to victims of sexual harassment on the
68 employer's Internet web site, if the employer maintains such an Internet
69 web site. An employer may comply with the requirements of this
70 subparagraph, by providing an employee with the link to the
71 commission's Internet web site concerning the illegality of sexual
72 harassment and the remedies available to victims of sexual harassment
73 by electronic mail, text message or in writing; and (C) provide two hours

74 of training and education to employees within one year of October 1,
75 2019, provided any employer who has provided such training and
76 education to any such employees after October 1, 2018, shall not be
77 required to provide such training and education a second time. An
78 employer having (i) three or more employees, shall provide such
79 training and education to an employee hired on or after October 1, 2019,
80 not later than six months after the date of his or her hire, provided the
81 commission has developed and made available such training and
82 education materials in accordance with the provisions of subdivision (8)
83 of subsection (a) of section 46a-56, as amended by this act; or (ii) less
84 than three employees shall provide such training and education to all
85 supervisory employees within one year of October 1, 2019, and to all
86 new supervisory employees within six months of their assumption of a
87 supervisory position, provided any employer who has provided such
88 training and education to any such supervisory employees after October
89 1, 2018, shall not be required to provide such training and education a
90 second time. Any supervisory employee hired on or after October 1,
91 2019, by an employer having less than three employees, shall receive
92 such training and education not later than six months after the date of
93 his or her hire, provided the commission has developed and made
94 available such training and education materials in accordance with the
95 provisions of subdivision (8) of subsection (a) of section 46a-56, as
96 amended by this act. Such training and education shall include
97 information concerning the federal and state statutory provisions
98 concerning sexual harassment and remedies available to victims of
99 sexual harassment. If an employee has received in-person training
100 provided by the commission or has taken the no cost online training
101 provided by the commission on its Internet web site in accordance with
102 the provisions of subdivision (8) of subsection (a) of section 46a-56, as
103 amended by this act, while employed by a different employer within the
104 two years preceding the date of hire, an employer may consider such
105 prior training to satisfy the training requirements of this section. An
106 employer who is required to provide training under this subdivision
107 shall provide periodic supplemental training that updates all
108 supervisory and nonsupervisory employees on the content of such

109 training and education not less than every ten years. As used in this
110 subdivision, "sexual harassment" has the same meaning as provided in
111 subdivision (8) of subsection (b) of section 46a-60 and "employer"
112 includes the General Assembly and "employee" means any individual
113 employed by an employer, including an individual employed by such
114 individual's parent, spouse or child;

115 (16) To require each state agency that employs one or more
116 employees to (A) provide a minimum of three hours of diversity
117 training and education (i) to all supervisory and nonsupervisory
118 employees, not later than July 1, 2002, with priority for such training to
119 supervisory employees, and (ii) to all newly hired supervisory and
120 nonsupervisory employees, not later than six months after their
121 assumption of a position with a state agency, with priority for such
122 training to supervisory employees. Such training and education shall
123 include information concerning the federal and state statutory
124 provisions concerning discrimination and hate crimes directed at
125 protected classes and remedies available to victims of discrimination
126 and hate crimes, standards for working with and serving persons from
127 diverse populations and strategies for addressing differences that may
128 arise from diverse work environments; and (B) submit an annual report
129 to the Commission on Human Rights and Opportunities concerning the
130 status of the diversity training and education required under
131 subparagraph (A) of this subdivision. The information in such annual
132 reports shall be reviewed by the commission for the purpose of
133 submitting an annual summary report to the General Assembly.
134 Notwithstanding the provisions of this section, if a state agency has
135 provided such diversity training and education to any of its employees
136 prior to October 1, 1999, such state agency shall not be required to
137 provide such training and education a second time to such employees.
138 The requirements of this subdivision shall be accomplished within
139 available appropriations. As used in this subdivision, "employee"
140 includes any part-time employee who works more than twenty hours
141 per week;

142 (17) To require each state agency to submit information

143 demonstrating its compliance with subdivision (16) of this section as
144 part of its affirmative action plan and to receive and investigate
145 complaints concerning the failure of a state agency to comply with the
146 requirements of subdivision (16) of this section; [and]

147 (18) To enter into contracts for and accept grants of private or federal
148 funds and to accept gifts, donations or bequests, including donations of
149 service by attorneys; [.]

150 (19) To require each state agency that employs one or more
151 employees to provide a minimum of one hour of training and education
152 related to domestic violence and the resources available to victims of
153 domestic violence (A) to all supervisory and nonsupervisory
154 employees, not later than July 1, 2023, and (B) to all supervisory and
155 nonsupervisory employees hired on or after July 1, 2023, not later than
156 six months after their assumption of a position with a state agency. Such
157 training and education shall include information concerning domestic
158 violence, abuser and victim behaviors, how domestic violence may
159 impact the workplace and the resources available to victims of domestic
160 violence. The requirements of this subdivision shall be accomplished
161 within available appropriations using the training and education
162 materials made available by the commission in accordance with the
163 provisions of subdivision (10) of subsection (a) of section 46a-56, as
164 amended by this act. For purposes of this subdivision, "employees"
165 includes any part-time employee who works more than twenty hours
166 per week; and

167 (20) To require an employer having three or more employees to post
168 in a prominent and accessible location information concerning domestic
169 violence and the resources available to victims of domestic violence in
170 this state.

171 Sec. 2. Subsection (a) of section 46a-56 of the general statutes is
172 repealed and the following is substituted in lieu thereof (*Effective October*
173 *1, 2022*):

174 (a) The commission shall:

175 (1) Investigate the possibilities of affording equal opportunity of
176 profitable employment to all persons, with particular reference to job
177 training and placement;

178 (2) Compile facts concerning discrimination in employment,
179 violations of civil liberties and other related matters;

180 (3) Investigate and proceed in all cases of discriminatory practices as
181 provided in this chapter and noncompliance with the provisions of
182 section 4a-60 or 4a-60a or sections 46a-68c to 46a-68f, inclusive;

183 (4) From time to time, but not less than once a year, report to the
184 Governor as provided in section 4-60, making recommendations for the
185 removal of such injustices as it may find to exist and such other
186 recommendations as it deems advisable and describing the
187 investigations, proceedings and hearings it has conducted and their
188 outcome, the decisions it has rendered and the other work it has
189 performed;

190 (5) Monitor state contracts to determine whether they are in
191 compliance with sections 4a-60 and 4a-60a, and those provisions of the
192 general statutes which prohibit discrimination;

193 (6) Compile data concerning state contracts with female and minority
194 business enterprises and submit a report annually to the General
195 Assembly concerning the employment of such business enterprises as
196 contractors and subcontractors;

197 (7) Develop and include on the commission's Internet web site a link
198 concerning the illegality of sexual harassment, as defined in section 46a-
199 60, and the remedies available to victims of sexual harassment; [and]

200 (8) Develop and make available at no cost to employers an online
201 training and education video or other interactive method of training and
202 education that fulfills the requirements prescribed in subdivision (15) of
203 section 46a-54, as amended by this act; [.]

204 (9) Develop, in conjunction with organizations that advocate on

205 behalf of victims of domestic violence, and include on the commission's
 206 Internet web site, a link concerning domestic violence and the resources
 207 available to victims of domestic violence; and

208 (10) Develop, in conjunction with organizations that advocate on
 209 behalf of victims of domestic violence, and make available at no cost to
 210 each state agency, an online training and education video or other
 211 interactive method of training and education that fulfills the
 212 requirements of subdivision (19) of section 46a-54, as amended by this
 213 act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2022	46a-54
Sec. 2	October 1, 2022	46a-56(a)

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill authorizes the Commission on Human Rights and Opportunities (CHRO), in conjunction with the Connecticut Coalition Against Domestic Violence (the Coalition), to require state agencies to provide one hour of training to employees on domestic violence. It also requires CHRO to develop: (1) a free online training and education video; and (2) to post a link on their website containing this information. Lastly, the bill allows CHRO to require that all employers post information in a visible place about domestic violence and the resources available to victims. These provisions have no fiscal impact since CHRO, in working with the Coalition, have the necessary expertise to meet these requirements, and the materials can be posted online.

House "A" requires CHRO to work a different third-party entity, which has no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5355 (as amended by House “A”)******AN ACT CONCERNING DOMESTIC VIOLENCE POSTING IN THE WORKPLACE.*****SUMMARY**

This bill authorizes the Commission on Human Rights and Opportunities (CHRO) to require that each state agency provide at least one hour of training and education to employees about domestic violence and the resources available to victims. The training must include information about domestic violence, abuser and victim behaviors, how domestic violence can impact the workplace, and resources for victims.

The bill correspondingly requires CHRO, in conjunction with domestic violence victim advocacy organizations, to develop (1) a free online training and education video, or other interactive training method, for state employees to meet the bill’s training requirement and (2) a link on the CHRO website with information about domestic violence and resources available to victims.

Finally, the bill also allows CHRO to require that all employers (including the state and municipalities) that have at least three employees post information in a prominent and accessible place about domestic violence and resources available to domestic violence victims in the state.

*House Amendment “A” requires CHRO to work in conjunction with domestic violence victim advocacy organizations generally instead of with the Connecticut Coalition Against Domestic Violence specifically as required in the underlying bill.

EFFECTIVE DATE: October 1, 2022

TRAINING AND EDUCATION ABOUT DOMESTIC VIOLENCE

The bill requires agencies to provide the training to current employees by July 1, 2023, and to any employees hired after that date within six months after they are hired. The training must be accomplished within available appropriations, using the training and education materials CHRO develops as required under the bill.

The training requirement applies to any (1) supervisory or nonsupervisory employee and (2) part-time employee who works more than 20 hours a week.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 12 Nay 0 (03/22/2022)

Government Administration and Elections Committee

Joint Favorable

Yea 17 Nay 0 (04/20/2022)