



House of Representatives

General Assembly

File No. 490

January Session, 2023

Substitute House Bill No. 6861

House of Representatives, April 11, 2023

The Committee on Labor and Public Employees reported through REP. SANCHEZ, E. of the 24th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT ADOPTING THE RECOMMENDATIONS OF THE TASK FORCE TO STUDY THE STATE WORKFORCE AND RETIRING EMPLOYEES.

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

1 Section 1. (NEW) (*Effective from passage*) As used in this section and
2 section 2 of this act:

3 (1) "Managerial employee" has the same meaning as provided in
4 section 5-270 of the general statutes;

5 (2) "Employee" has the same meaning as provided in section 5-270 of
6 the general statutes, except that it does not include a managerial
7 employee;

8 (3) "State employer" has the same meaning as provided in section 5-
9 270 of the general statutes;

10 (4) "Discrimination" means a violation of section 4a-60, 4a-60a, 4a-60g

11 or 31-40y, subsection (b), (d), (e) or (f) of section 31-51i, subparagraph
12 (C) of subdivision (15) of section 46a-54, subdivisions (16) and (17) of
13 section 46a-54, section 46a-58, 46a-59, 46a-60, 46a-64, 46a-64c, 46a-66 or
14 46a-68, sections 46a-68c to 46a-68f, inclusive, or sections 46a-70 to 46a-
15 78, inclusive, subsection (a) of section 46a-80, sections 46a-81b to 46a-
16 81o, inclusive, sections 46a-80b to 46a-80e, inclusive, or sections 46a-80k
17 to 46a-80m, inclusive, of the general statutes; and

18 (5) "State Employees Bargaining Agent Coalition" means the entity
19 with the authority to engage in coalition bargaining as set forth in
20 subsection (f) of section 5-278 of the general statutes.

21 Sec. 2. (NEW) (*Effective January 1, 2024*) (a) Each state employer shall
22 adopt a zero-tolerance policy that prohibits the use of managerial
23 authority to discriminate or retaliate against employees who complain
24 of discrimination in the workplace. Such policy shall specifically forbid
25 any managerial employee from discriminating or retaliating against an
26 employee who complains of discrimination and shall include
27 performance sanctions and other sanctions against any managerial
28 employee who (1) dissuades or seeks to dissuade an employee from
29 filing a complaint, or (2) fails to objectively and properly investigate
30 such complaints in accordance with prescribed procedures and
31 protocols following the raising of such complaint, including, but not
32 limited to, notifications to the complaining employee regarding the
33 status and outcome of the complaint investigation.

34 (b) (1) Each state employer shall assure employees that it is safe for
35 such employees to formally or informally raise a complaint concerning
36 the misuse of managerial authority that violates the provisions of the
37 zero-tolerance policy adopted pursuant to subsection (a) of this section.

38 (2) No state employer shall take, or threaten to take, any personnel
39 action or otherwise discriminate against any employee because such
40 employee has formally or informally raised such complaint.

41 (c) In any action brought by an employee for a violation of any
42 provision of chapter 814c of the general statutes, or section 31-41m of

43 the general statutes, in addition to all other damages available under
44 said chapter and section, the employee shall be awarded double
45 damages for any employment losses.

46 (d) Discharge or other termination of any employee in violation of
47 subsection (b) of this section shall be presumed to create irreparable
48 harm for purposes of any temporary or permanent injunction action that
49 may be brought to redress such violation, and there shall be an
50 irrebuttable presumption that there is no adequate remedy at law. The
51 doctrine of exhaustion of administrative remedies shall not apply in any
52 action to redress a discharge or other termination of employment. Any
53 initial notice required for an action under this section shall include
54 service on the Connecticut Commission on Human Rights and
55 Opportunities and the commission may intervene as a matter of right in
56 any such proceeding.

57 Sec. 3. (NEW) (*Effective from passage*) There shall be a Chief Diversity,
58 Equity and Inclusion Officer who is responsible for overseeing a
59 transformative hiring process in state government. The Chief Diversity,
60 Equity and Inclusion Officer shall be appointed by the Equity Advisory
61 Committee, established pursuant to section 5 of this act, with the
62 approval of the General Assembly, and shall report to the Equity
63 Advisory Committee.

64 Sec. 4. (NEW) (*Effective from passage*) (a) Not later than thirty days after
65 the effective date of this section, the commissioner of each state agency
66 shall address its diversity needs by (1) reviewing the "The State of
67 Connecticut Workforce: An Analysis of Representation and
68 Compensation Equity Across Gender and Race-Ethnicity", and (2)
69 conducting an assessment of such commissioner's agency. Such
70 assessment shall include, but need not be limited to (A) the recruitment
71 and retention rates of women and people of color employed by such
72 agency during the previous five years, and (B) such agency's plan for
73 achieving an appropriate and fair balance in filling vacancies left by
74 retiring employees. Such assessment shall be used to inform how such
75 agency shall address any racial or gender disparities, including a review

76 of such agency's recruitment strategies.

77 (b) Not later than three months after the commencement of such
78 assessment, each commissioner shall submit such assessment to the
79 Governor, the joint standing committee of the General Assembly having
80 cognizance of matters relating to labor and public employees, the Chief
81 Diversity, Equity and Inclusion Officer, established in section 3 of this
82 act, and the Equity Advisory Committee, established in section 5 of this
83 act.

84 Sec. 5. (NEW) (*Effective from passage*) (a) There is established an Equity
85 Advisory Committee responsible for monitoring (1) whether state
86 agencies are implementing the recommendations issued in the study of
87 equity in state government programs and actions required under
88 section 81 of public act 21-2 of the June special session, and (2) whether
89 the assessment goals pursuant to section 4 of this act are being met by
90 state agencies.

91 (b) The committee shall consist of the following members: (1) Seven
92 members appointed by representatives of each State Employee
93 Bargaining Agent Coalition constituent union, (2) one member
94 appointed by the Governor, (3) the executive director of the Commission
95 on Human Rights and Opportunities, or the executive director's
96 designee, (4) two members appointed by the executive director of the
97 Commission on Human Rights and Opportunities, (5) three members
98 appointed by the Black and Puerto Rican Caucus of the General
99 Assembly, and (6) four members appointed from the current task force
100 established in section 189 of public act 21-2 of the June special session to
101 study the state workforce and retiring employees, consisting of (A) one
102 member appointed by each chairperson, and (B) one member appointed
103 by each ranking member.

104 (c) Not later than six months after its establishment, the Equity
105 Advisory Committee shall appoint a Chief Diversity, Equity and
106 Inclusion Officer. The committee shall annually evaluate the
107 benchmarks for success and evaluation in order to evaluate the work of
108 the Chief Diversity, Equity and Inclusion Officer.

109 Sec. 6. (NEW) (*Effective January 1, 2024*) (a) There is established within
110 the Commission on Human Rights and Opportunities an Office of the
111 Racial Justice Ombudsperson. Such ombudsperson shall (1) establish
112 common working definitions for all key terms and descriptors to lay the
113 foundation for the work, (2) institute a diverse slate initiative that
114 assures that all state employee applicants, regardless of race, creed,
115 color, national origin or any other protected class under the general
116 statutes, are not disadvantaged among those prioritized for interviews
117 for roles or positions using an external or internal hiring or promotional
118 process that would require the hiring manager, or entity, to screen and
119 interview all candidates using a standard antiracist screening and
120 interview protocol that scores applicant answers, (3) submit a theory of
121 action and plan for making constant progress towards eliminating
122 systemic racism in state government, and implementing strategies and
123 structures to maintain a workplace that (A) affords physical, racial,
124 linguistic and cultural safety, and (B) privileges the ability of all
125 employees to challenge racism and aggressions, (4) assure that all
126 employees get a full and fair hearing of grievances, without fear of
127 retaliation, and assure fair and racially just outcomes, (5) foster a
128 workplace where managerial authorities are accountable to lead and
129 model antiracist practices and make changes needed to ensure an
130 antiracist, equitable workplace for all, (6) track and review the
131 performance review processes and protocols, as well as performance
132 reviews, to identify discrepancies between white workers and black and
133 brown workers in terms of education, time in position, job education
134 provided, opportunities for professional development and growth to
135 immediately create remediation plans to address racial disparities, (7)
136 analyze and recommend solutions to hiring, training and promotion
137 practices which have resulted in pay disparities between workers on the
138 basis of protected class status, (8) focus on specific and actionable steps
139 that those with supervisory or managerial authority can implement
140 within their workplace to eliminate their unconscious or conscious
141 racial biases, and (9) review complaints filed and discipline
142 administered, and recommend remediation plans where evidence of
143 disparate discipline, responses to complaints and manner of

144 investigation differed by employee race.

145 (b) (1) The Racial Justice Ombudsperson shall (A) be appointed by
146 the Executive Director of the Commission on Human Rights and
147 Opportunities, upon the advice and consent of the State Employees
148 Bargaining Agent Coalition Racial Justice Committee, and (B) be an
149 expert in matters relating to the history, root causes, manifestations and
150 persistent effects of racism.

151 (2) In addition to reporting to the Executive Director of the
152 Commission on Human Rights and Opportunities, the Racial Justice
153 Ombudsperson shall report to a joint committee consisting of (A) the
154 State Employees Bargaining Agent Coalition Racial Justice Committee,
155 (B) the Governor, or the Governor's designee, and (C) the Equity
156 Advisory Committee established pursuant to section 5 of this act.

157 (3) On a quarterly basis, the Racial Justice Ombudsperson shall meet
158 with and submit a written report to the State Employees Bargaining
159 Agent Coalition Racial Justice Committee and the Equity Advisory
160 Committee, established pursuant to section 5 of this act, to discuss the
161 duties and responsibilities of the Racial Justice Ombudsperson, as
162 identified in subsection (a) of this section, and as otherwise directed by
163 the committees. Such written report shall be made available on the
164 Internet web site of the Commission on Human Rights and
165 Opportunities.

166 (c) For purposes of tenure and removal of the Ombudsperson, the
167 procedures applicable to a deputy director as set forth in subsection (d)
168 of section 46a-52 of the general statutes shall apply.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>January 1, 2024</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	New section

Sec. 6	January 1, 2024	New section
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Statement of Legislative Commissioners:

In Section 1(2), "manager" was replaced with "managerial employee" for statutory consistency; Section 1(4) was rewritten for clarity; in Section 2(b)(1), "in violation of" was replaced with "that violates the provisions of the zero-tolerance policy adopted pursuant to" for clarity and consistency with standard drafting standards; Section 4 was rewritten for clarity; in Section 5(b)(6), "established in section 189 of public act 21-2 of the June special session" was added after "task force" for clarity; in Section 6(a)(9), "filed" was added after "complaints" for clarity; in Section 6(b)(2) "created in" was replaced with "established pursuant to" for consistency with standard drafting standards; and Section 6(b)(3) was rewritten for clarity.

LAB *Joint Favorable Subst.*

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:

Agency Affected	Fund-Effect	FY 24 \$	FY 25 \$
Human Rights & Opportunities, Com.	GF - Potential Revenue Loss	1.1 million	1.1 million
Attorney General	GF - Cost	At least 172,700	At least 353,000
Human Rights & Opportunities, Com.	GF - Cost	110,000	225,500
State Comptroller - Fringe Benefits ¹	GF - Cost	160,600	296,400
Equity Advisory Committee	GF - Cost	112,500	153,800

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill makes several changes regarding discrimination and equity in state government. The bill generally alters the process for state employees to make complaints in court and makes various requirements for the Commission on Human Rights and Opportunities (CHRO). This would result in costs starting in FY 24 to CHRO, the Office of the Attorney General (OAG), and the new Equity Advisory Committee, to handle additional complaints expected under the bill and to hire the new staff required. The bill's alterations to the complaint process may also result in an annualized General Fund revenue loss of approximately \$1.1 million, starting in FY 24, along with additional

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 42.82% of payroll in FY 24.

costs to the state for increased damages.

Section 2 results in: (1) a potential annual General Fund revenue loss of approximately \$1.1 million beginning in FY 24, (2) an annual cost to CHRO of \$90,000 plus fringe benefits, starting in FY 24 (with half-year costs in FY 24), and (3) an annual cost to OAG beginning in FY 24.

The section establishes a new discriminatory practice process for state employees that allows this group to bypass the CHRO administrative processes and file complaints directly in court. It also encourages employees to file cases, under certain conditions, which could result in an increased number of complex and lengthy cases for CHRO to handle.

Exempting state employees from CHRO's process could violate the terms of the agency's contract with the federal Equal Employment Opportunity Commission (EEOC). Under the contract, CHRO is eligible for a \$1,000 per case reimbursement if certain criteria are met; in 2022, there were 1,550 cases that met reimbursement eligibility. If CHRO were to lose the contract, then there could be an annual revenue loss of approximately \$1.1 million.

This section is also expected to increase the CHRO workload, resulting in costs for an additional staff. From FY 19 through FY 22, the average number of complaints filed with CHRO against state agencies was 193. Assuming half of these complaints are filed directly in court instead of with CHRO, there could be a significant amount of litigation handled by the agency versus through the current less costly CHRO intake and investigation process. It is estimated that CHRO would need to hire an additional Human Rights Attorney I position at an annual salary of \$90,000 (with half-year costs in FY 24) to handle the litigation associated with these cases. Including associated fringe benefits, the total cost of the position is estimated to be \$64,300 in FY 24 and \$131,800 in FY 25 (and annually thereafter).

The section also results in annual costs to OAG of at least \$353,000 (with half-year costs in FY 24), since the bill would result in certain state employee complaints being heard directly in court, without a change

agency level resolution.² The OAG Employment Section would need to hire two additional Assistant Attorneys General (at a starting salary of \$105,678) and one Human Rights Generalist (\$93,985), as well as pay other associated litigation costs of approximately \$40,000 annually. In addition, there could be costs to the state since cases that are awarded monetary damages would be entitled to double damages, under the bill.

Section 3 of the bill requires the new Equity Advisory Committee to hire a Chief Diversity, Equity and Inclusion Officer to oversee equity within the state employee hiring process. The total cost of the new position is estimated at \$219,600 annually, with salary costs of approximately \$150,000 and associated fringe benefits (with an FY 24 salary cost of nine months, due to the bill's requirements).

Section 6 of the bill requires CHRO to establish the Office of the Racial Justice Ombudsperson to perform various tasks. It is estimated that the ombudsperson's salary would be approximately \$130,000 annually (with a half-year's salary in FY 24 due to the section's effective date), plus fringe benefits, for a total annual cost of approximately \$190,300.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of complaints filed in court, the number and magnitude of monetary damages awarded, and changes in employee wages and benefits.

² The Office of the Attorney General is involved in defending the state in such cases.

OLR Bill Analysis

HB 6861

AN ACT ADOPTING THE RECOMMENDATIONS OF THE TASK FORCE TO STUDY THE STATE WORKFORCE AND RETIRING EMPLOYEES.

SUMMARY

This bill requires most state agencies to take certain steps to address discrimination, retaliation, and disparities in the workplace, including requiring them to adopt a zero-tolerance policy against using managerial authority to discriminate or retaliate against employees who make discrimination complaints.

The bill also creates two new positions in state government to pursue equity and racial justice in state agencies:

1. a chief diversity, equity, and inclusion officer to oversee a transformative hiring process in state government and
2. a racial justice ombudsperson within the Commission on Human Rights and Opportunities (CHRO), who must be an expert in the history and persistent effects of racism.

The bill requires the ombudsperson to, among other things, institute a diverse slate initiative that assures that all state employment applicants, regardless of their protected class status, are not disadvantaged in the hiring process.

It also creates an Equity Advisory Committee that, with the General Assembly's approval, must appoint the chief diversity, equity and inclusion officer. Additionally, the bill requires each state agency to assess its diversity needs and submit the assessment to the chief diversity officer, the governor, the General Assembly, and the Equity

Advisory Committee.

EFFECTIVE DATE: Upon passage, except that the provisions requiring a zero-tolerance policy by state agencies and establishing the Office of Racial Justice Ombudsperson (ORJO) are effective January 1, 2024.

§§ 1 & 2 — DISCRIMINATION AND RETALIATION POLICY

The bill requires all branches and agencies of state government considered an employer under the state employee collective bargaining law to adopt a zero-tolerance policy against using managerial authority to discriminate or retaliate against employees who make discrimination complaints.

This covers the executive and judicial branches, as well as the constituent units of higher education, quasi-public agencies, and any related boards, departments, or commissions. It does not include the legislative branch, State Board of Labor Relations, or State Board of Mediation and Arbitration.

Under the bill, “discrimination” is a violation of state government management and human rights laws that prohibit discrimination in employment, housing, public accommodation, and credit practices, among others. These specifically apply to discrimination based on a person’s race; color; religious creed; age; sex; sexual orientation; gender identity or expression; marital status; national origin; ancestry; present or past history of mental disability, intellectual disability, learning disability, or physical disability, including blindness; status as a veteran; or status as a domestic violence victim. The laws also (1) prohibit discrimination in awarding public contracts, certain employer inquiries about erased criminal records, and denial of employment based on conviction information and (2) require sexual harassment and diversity training.

Existing state law prohibits the state as an employer from discriminating in the workplace and authorizes CHRO to investigate complaints (CGS § 46a-51 et seq).

Policy Requirements

Under the bill, the zero-tolerance policy must:

1. forbid any manager from taking or threatening to take any personnel action, retaliating, or discriminating against an employee who makes a discrimination complaint and
2. include performance and other sanctions against managers who (a) dissuade or seek to dissuade employees from filing discrimination complaints or (b) fail to investigate complaints objectively and fully, consistent with identified procedures after an incident, including notifying the complainant about the investigation's status and outcome.

Violations

The bill requires each state employer to assure employees that it is safe for them to raise a complaint formally or informally about the misuse of managerial authority that violates the zero-tolerance policy. It prohibits state employers from taking or threatening to take any personnel action or otherwise discriminating against any employee for formally or informally raising a complaint.

The bill creates a presumption that discharging or terminating an employee in violation of these provisions creates irreparable harm for any temporary or permanent injunctive action that may be brought to redress the violation. The bill establishes an irrebuttable presumption that there is no adequate remedy at law.

Under the bill, the doctrine of exhaustion of administrative remedies does not apply in any action to redress a discharge or other employment termination. Any initial notice required for an action over a violation of these provisions must include service on CHRO, and the bill allows the commission to intervene as a matter of right.

Separately, the bill requires that state employees be awarded double damages in any action brought for a violation of any provision of the state human rights law (CGS Chap. 814c) in addition to all other

damages available under that chapter.

§ 5 — EQUITY ADVISORY COMMITTEE

The bill establishes an Equity Advisory Committee to monitor whether state agencies are (1) implementing the recommendations issued in the equity in state government programs and actions study (PA 21-2, June Special Session, § 81) and (2) meeting the bill's assessment goals (see § 4 below).

Under the bill, the 18-member committee consists of the following:

1. one member the governor appoints,
2. the executive director of CHRO or her designee,
3. two members the CHRO executive director appoints,
4. seven members that representatives of each constituent union in the State Employee Bargaining Agent Coalition (SEBAC) appoint,
5. three members the Black and Puerto Rican Caucus of the General Assembly appoints, and
6. four members the Task Force to Study the State Workforce and Retiring Employees appoints. (However, this task force terminated when it submitted its final report to the legislature on February 8, 2022.)

Of the four members the task force appoints, one must be appointed by each chairperson, and one must be appointed by each ranking member. (It is unclear (1) if former task force members may make the appointments to the committee and (2) who must make the ranking member appointments, as the task force did not have ranking members. By law, its members included the four ranking members of the Labor and Public Employees and Government Administration and Elections committees.)

The bill does not (1) indicate how the committee chooses a chairperson or chairpersons or where it is administratively housed in state government or (2) set a date by which appointing authorities must make their appointments.

§§ 3 & 5 — CHIEF DIVERSITY, EQUITY, AND INCLUSION OFFICER

The bill requires the Equity Advisory Committee to appoint a chief diversity, equity, and inclusion officer within six months after it is established. The appointment must be made with the General Assembly's approval, and the officer must report to the Equity Advisory Committee. (The bill does not indicate if the chief diversity officer is a paid state employee or what agency the officer is affiliated with.)

Under the bill, the officer must oversee a transformative hiring process in state government. The committee must annually evaluate the benchmarks for success and evaluation in order to evaluate the officer's work.

§ 4 — AGENCY DIVERSITY NEEDS ASSESSMENT

The bill requires each state agency commissioner, within 30 days after the bill becomes effective, to address the agency's diversity needs by (1) reviewing "The State of Connecticut Workforce: An Analysis of Representation and Compensation Equity Across Gender and Race-Ethnicity" and (2) assessing the agency.

Under the bill, the assessment must include (1) recruitment and retention rates for women and people of color employed by the agency during the previous five years and (2) a plan for achieving an appropriate and fair balance in filling vacancies left by retiring employees. The assessments must be used to address any racial and gender disparities, including a review of each agency's recruitment strategies. Within three months after starting the assessment, a commissioner must submit it to the governor, the Labor and Public Employees Committee, the chief diversity officer, and the Equity Advisory Committee.

Under existing law and unchanged by the bill, each agency must also

develop an affirmative action plan and submit it to CHRO for review and approval. CHRO monitors the implementation of the plans and may issue a certificate of noncompliance, which imposes a hiring freeze on the agency.

§ 6 — OFFICE OF THE RACIAL JUSTICE OMBUDSMAN (ORJO)

The bill establishes ORJO within CHRO and gives the office several duties related to hiring and training state employees. The ombudsperson (1) is appointed by the CHRO executive director, with SEBAC's Racial Justice Committee's advice and consent, and (2) must be an expert in matters relating to the history, root causes, manifestations, and persistent effects of racism.

Under the bill, the ombudsperson serves at the pleasure of the CHRO executive director and without tenure. The executive director may remove the ombudsperson with the approval of a majority of the members of the commission. These same provisions apply to the CHRO deputy director under existing law.

In addition to reporting to the CHRO executive director, the ombudsperson must report to a joint committee consisting of (1) the SEBAC Racial Justice Committee, (2) the governor, or the governor's designee, and (3) the Equity Advisory Committee created in the bill.

Duties

Under the bill, the ombudsman must:

1. establish working definitions for all key terms and descriptors to lay the foundation for the office's work;
2. institute a diverse slate initiative that assures that all state employee applicants, regardless of race, creed, color, national origin, or any other protected class under the general statutes, are not disadvantaged among those prioritized for interviews for roles or positions using an external or internal hiring or promotional process that would require the hiring manager, or entity, to screen and interview all candidates using a standard

- antiracist screening and interview protocol that scores applicant answers;
3. submit a theory of action and plan for making constant progress towards eliminating systemic racism in state government and implementing strategies and structures to maintain a workplace that (a) affords physical, racial, linguistic, and cultural safety, and (b) privileges the ability of all employees to challenge racism and aggressions;
 4. ensure that all employees get full and fair grievance hearings, without fear of retaliation, and ensure fair and racially just outcomes (the bill does add ORJO to any employee hearing process);
 5. foster a workplace where managerial authorities are accountable to lead and model antiracist practices and make changes needed to ensure an antiracist, equitable workplace for all;
 6. track and review the performance review processes and protocols, as well as performance reviews, to identify discrepancies between white workers and black and brown workers in terms of education, time in position, job education provided, opportunities for professional development and growth to immediately create remediation plans to address racial disparities (performance reviews are generally confidential and the bill does not expressly give ORJO access to them);
 7. analyze and recommend solutions to hiring, training and promotion practices that have resulted in pay disparities between workers on the basis of protected class status;
 8. focus on specific and actionable steps that those with supervisory or managerial authority can implement within their workplace to eliminate their unconscious or conscious racial biases; and
 9. review complaints filed and discipline administered, and recommend remediation plans where evidence of disparate

discipline, responses to complaints, and manner of investigation differed by employee race.

The bill does not specify how ORJO's authority interacts with the existing statutory authority of (1) the Department of Administrative Services regarding state hiring practices and (2) CHRO regarding discrimination investigations.

Reporting

The bill requires the ombudsperson, on a quarterly basis, to meet with and submit a written report to the SEBAC Racial Justice Committee and the Equity Advisory Committee to discuss his or her duties and responsibilities under the bill and as otherwise directed by the committees. The written report must be posted on CHRO's website.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 8 Nay 4 (03/23/2023)