
OLR Bill Analysis

sSB 414

AN ACT CONCERNING EQUITY IN STATE EMPLOYMENT.

SUMMARY

This bill establishes a (1) Diversity, Equity, and Inclusion (DEI) Division in state agencies and the offices of certain constitutional officers (collectively referred to as “departments” below) and (2) full-time, salaried director position to lead each division. It makes a DEI Division responsible for equity-related matters within its department and in relation to the services the department provides. It also requires department heads (which includes the applicable constitutional officers), before implementing a proposed policy or regulation, to consult with their DEI Division director to ensure that it will not have an indirect or direct adverse impact on any underserved communities.

Under the bill, each DEI Division director must, among other things, create an equity action plan for the department that identifies specific DEI goals and establishes accountability mechanisms for achieving them. Each division must annually examine (1) demographic data on its department’s job applicants and (2) how far an individual of each category progressed in the hiring process. And each department must use diverse hiring panels to conduct interviews, although this requirement may be waived under certain conditions.

Lastly, the bill sets DEI standardized and annual training requirements for department employees, which DEI directors must develop to meet specified criteria (e.g., how to mitigate unconscious implicit biases and reduce misinformation about different identities).

Under the bill, “equity” is the consistent and systematic, fair, just, and impartial treatment of all people, including those who belong to underserved communities that have been denied this treatment, such as

Black, Latino, Indigenous, and Native American people, Asian Americans and Pacific Islanders, and other people of color; members of religious minorities; women; lesbian, gay, bisexual, transgender, and queer people; people with disabilities; people who live in rural areas; and people otherwise adversely affected by persistent poverty or inequality. An “underserved community” is populations sharing a particular characteristic and geographic communities that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, such as the people listed above.

EFFECTIVE DATE: October 1, 2024

§ 1 — DEI DIVISIONS AND DIRECTORS

The bill creates a DEI Division and director position in the offices of the secretary of the state, comptroller, treasurer, and attorney general, and in the following state agencies: the departments of Administrative Services, Aging and Disability Services, Agriculture, Banking, Children and Families, Consumer Protection, Correction, Developmental Services, Economic and Community Development, Education, Emergency Services and Public Protection, Energy and Environmental Protection, Housing, Insurance, Labor, Mental Health and Addiction Services, Motor Vehicles, Public Health, Revenue Services, Social Services, Transportation, and Veterans Affairs, and the offices of Early Childhood and Policy and Management (OPM).

Under the bill, the director position is a full-time salaried position in the state employee classified service under the supervision and direction of the department head. The department head may appoint their director, subject to the governor’s approval, and fix their director’s compensation, subject to the governor’s and OPM secretary’s approval.

Director Responsibilities

The bill makes each DEI director responsible for doing the following:

1. coordinating their department’s equity initiatives;
2. serving as the primary contact and subject matter expert for the department’s officials and employees on developing,

- implementing, and assessing the DEI Division's programs;
3. developing and publishing the department's equity plan (see below);
 4. evaluating the department's policies, operations, training, and hiring practices;
 5. evaluating outcomes of services provided by the department;
 6. collecting and using department data relevant to the division, such as disparate outcomes (a) of services provided by the department or (b) in the department's operations and policies;
 7. helping department staff create division-related training programs required by the bill and presenting those training programs;
 8. supporting the department in creating and sustaining inclusive cultures and behaviors;
 9. maintaining knowledge about equity-related issues, operations, and strategies that ensure that a department's activities reflect its best equity practices;
 10. overseeing the division's community engagement work and ensuring that underserved communities are encouraged to provide feedback on department activities;
 11. advising and guiding department staff on navigating situations that impact the department's DEI; and
 12. any other duties the department head assigns.

§ 2 — EQUITY ACTION PLANS

The bill requires each department's DEI director, starting by October 1, 2026, to annually create an equity action plan for the department that identifies specific DEI goals and establishes accountability mechanisms for achieving them. All department heads must ensure the plan's

effective implementation by prioritizing and incorporating its strategies when setting department goals. The plans must be posted on each department's website.

Under the bill, the plans must:

1. identify the department's progress on the actions, performance, measures, and milestones highlighted in the preceding year's plan;
2. identify potential barriers that underserved communities may face in (a) accessing and benefiting from the department's benefits, services, and programs, or (b) providing feedback about department programs;
3. evaluate certain key department programs and policies that the department head identifies to assess whether underserved communities and their members face systemic barriers in accessing program benefits and opportunities;
4. identify how the department intends to engage with underserved communities to advance equity in department policies, services, and programs, including by (a) accessible and appropriate outreach to them; (b) incorporating their perspectives in the department's policies, services, and programs; and (c) continually assessing the progress made or not made towards attaining community engagement during the prior year;
5. identify training programs developed by the division (see below); and
6. evaluate applicant data required by the bill (see below) and identify demographic hiring trends in the department.

§ 3 — JOB APPLICANT DATA

The bill requires each (1) department to collect and maintain demographic data for job applicants and (2) division to annually examine the data and disaggregate it by age, race, ethnicity, religious

creed, gender identity or expression, sexual orientation, and people with disabilities, as well as how far a person of each category progressed in the hiring or interview process. The disaggregation must keep each person's information personally nonidentifiable.

The bill requires the division to annually submit a summary of the data to the department head and post it on its website.

§ 4 — DIVERSE HIRING PANELS

The bill requires each department to use diverse hiring panels to conduct interviews for open positions. The panels must be (1) comprised of current employees in appropriate positions from varying backgrounds such as race, ethnicity, gender, age, and sexual orientation, and (2) used for at least one candidate interview.

The bill allows departments to use employees from other departments on hiring panels, when appropriate. And when filling a position, and where relevant, a department must consider whether a candidate is conversant in a language other than English that is spoken by the diverse populations the department serves.

Under the bill, the director may waive the diverse hiring panel requirement if he or she determines that the panel cannot be organized after considering (1) the circumstances, (2) whether reasonable efforts were made to fulfill the requirement, and (3) the demographic information of the department's current employees.

§ 5 — STANDARDIZED DEI TRAINING

Under the bill, each department must require DEI training and education for all supervisory and nonsupervisory employees hired on or after July 1, 2025, within six months after the employee assumes a position in the department, while prioritizing the training for supervisory employees.

The bill requires each DEI director to develop a standardized DEI training program that their department must use to complete this training requirement. The program must at least include training on how to (1) recognize and mitigate unconscious implicit biases; (2) reduce

miscommunication and misinformation about different identities and backgrounds; and (3) cultivate inclusive community and cross-community interactions within the department and with the wider community, including when interacting with underserved community members.

Under the bill, “implicit bias” is an attitude or internalized stereotype that affects someone’s perceptions, actions, and decisions in an unconscious way and often contributes to unequal treatment of someone based on their race, ethnicity, gender identity, sexual orientation, age, disability, or other characteristics.

§ 6 — ANNUAL DEI TRAINING

The bill requires each DEI director to develop annual training and materials on DEI topics for all supervisory and nonsupervisory employees, including supervisory-specific trainings and materials. These must include topics related to cultural sensitivity, sexual orientation and gender identities, anti-racism, anti-sexism, and disability awareness.

The bill also requires each department to require at least four hours of annual DEI training starting (1) by July 1, 2025, for all existing employees and (2) for any employee hired on or after that date, within six months after they assume a position in the department. In both instances, the department must prioritize the training for supervisory employees.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 8 Nay 4 (03/21/2024)