

Testimony of Diego Flores Romero and Karley Nadolski

**In SUPPORT of SENATE BILL S.B. 435: An Act Concerning Automated Decision Systems Protections for Employees.**

March 10, 2026

Labor and Public Employees Committee

Dear Senator Kushner, Representative Sanchez, and members of the Labor Committee of the Connecticut General Assembly,

We are law students in the Worker and Immigrant Rights Advocacy Clinic at Yale Law School, which represents the Connecticut AFL-CIO. We submit this testimony in support of S.B. 435 and to suggest ways to strengthen its enforcement mechanisms and transparency provisions.

S.B. 435 is guided by a basic principle: tomorrow's economy should be grounded in the dignity of work. Every day, Connecticut workers go to jobs where employers are increasingly using artificial intelligence systems. As it stands, technology companies unleash these tools with no transparency or accountability, and businesses use them to alter how people are hired, fired, managed, and monitored. By passing S.B. 435, this Committee can begin to build the guardrails that working people deserve.

Under S.B. 435, employers would have to disclose their use of automated employment-related decision processes, including any adverse actions taken based on automated systems. S.B. 435 would also reaffirm the commonsense notion that discrimination by an algorithm is still discrimination. In the public sector, S.B. 435 would create guardrails preventing state agencies from using AI systems that materially affect Connecticut residents' rights, liberties, and public benefits without legal authorization.

We would like to highlight two features of S.B. 435 that represent meaningful progress for workers: its enforcement mechanisms and transparency measures. We support these measures and also recommend ways to strengthen them to better protect the working people of Connecticut.

**1. Support for and Recommended Improvements to the Bill's Enforcement Mechanisms**

S.B. 435 vests clear and robust enforcement authority in the Attorney General over the use of automated employment-related decision processes. Sections

2 through 10(b) establish a comprehensive framework that will govern how developers and deployers of automated employment-related decision processes must operate in the state. These sections require transparency and meaningful human oversight whenever employers use automated processes to make employment-related decisions in the workplace. Most importantly, Section 11 authorizes the Attorney General to enforce key provisions of S.B. 435 and promote employer compliance with the law.

Though vesting enforcement authority in the Attorney General is a crucial step for protecting workers, it may not be enough on its own. Granting sole enforcement authority to the Attorney General would limit accountability to a single individual and curtail workers' ability to advocate for themselves. Given the Attorney General's constrained resources and competing priorities, workers who experience real harm would have no guarantee of relief and no independent tools to change their circumstances.

As such, we fully support the bill's inclusion of a private right of action as delineated in Section 12. However, we recommend Section 12 be further strengthened to empower workers by adding "or applicant" after "an employee" in the first sentence of the section to ensure all Connecticut workers wronged by violations of this act can pursue relief.

S.B. 435 should also leverage existing enforcement mechanisms that are already familiar to Connecticut workers and employers. We particularly support Section 18, which would amend Section 46a-60 of the Connecticut General Statutes to specify that algorithmic discrimination is discrimination under the law and that employers are liable for discrimination caused by automated employment-related decision processes. Channeling complaints through the existing Commission on Human Rights and Opportunities (CHRO) administrative complaint process would benefit workers and businesses alike. First, employees who turn to the CHRO after experiencing discrimination by AI technology in the workplace will interact with an established administrative process that has proven experience in effectively handling employment discrimination complaints. Second, existing Connecticut businesses will be able to interact with an agency and procedures with which they are familiar. This is likely to keep compliance costs low and avoid the unpredictability of a brand-new enforcement regime.

Operating in tandem, these enforcement provisions will provide Connecticut workers with the protection they deserve on an individual level and affirm the state's larger commitment to responsible, worker-centered innovation.

## 2. Support for and Recommended Improvements to the Transparency Provisions

S.B. 435 recognizes that enforcing the law requires transparency. Neither workers nor the government can safeguard against algorithmic discrimination without knowledge of whether an automated decision-making system is being used in the first place. S.B. 435 requires private sector employers to tell job applicants and workers when and how they are interacting with an automated employment-decision process. In doing so, S.B. 435 empowers workers with the information to understand and, when necessary, challenge their treatment in the workplace. These private disclosures also facilitate appropriate government protection against discrimination.

We recommend this Committee amend S.B. 435 to improve transparency in the public sector as well. Connecticut has long recognized the importance of transparency in government. That is why, in 2023, the General Assembly established one of the country's first public AI inventories.<sup>1</sup> Since then, state agencies have disclosed their uses of artificial intelligence on an annual inventory, helping public workers and Connecticut residents understand their government.<sup>2</sup>

But Connecticut's transparency measures have not kept up with the breakneck speed of technological change. The current inventory fails to capture essential data that workers need to protect themselves, such as when an AI system is using people's personally identifiable information. State agencies have also struggled to keep the inventory up to date as their vendors incorporate AI.<sup>3</sup> These disclosure gaps leave over 50,000 state employees in the dark about how AI is affecting their employment, their families, and their privacy.<sup>4</sup> Countless other job seekers do not know to what extent their applications have been subjected to AI screening, including algorithmic bias. There is evidence that the use of AI in reviewing job applications can reflect impermissible race, sex, or age

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<sup>1</sup> 2023 Conn. Legis. Serv. P.A. 23-16 (West).

<sup>2</sup> Bureau of Information Tech. Solutions, *2025 State of Connecticut Artificial Intelligence Inventory*, DEP'T OF ADMIN. SERVS. (Dec. 8, 2025), <https://portal.ct.gov/das/knowledge-base/articles/bits/ai-inventory>.

<sup>3</sup> Jordan Nathaniel Fenster, *6 Fingers and Gibberish? Connecticut Agency's AI Blunder Sparks Questions About Use*, CT INSIDER (Sept. 19, 2025), <https://www.ctinsider.com/connecticut/article/ct-ai-deep-artificial-intelligence-government-21050512.php>.

<sup>4</sup> Budget and Financial Analysis Division, *Annual Comprehensive Financial Report for the Fiscal Year Ended June 30, 2024*, at 166, OFFICE OF THE CONN. STATE COMPTROLLER (Mar. 27, 2025), <https://osc.ct.gov/wp-content/uploads/2025/03/State-of-Connecticut-ACFR-FY-24-3-26-25.pdf>.

discrimination.<sup>5</sup> Connecticut small businesses pursuing permits, licenses, or state contracts are similarly disadvantaged by the state’s failure to make required disclosures.

S.B. 435 presents an opportunity to address the current, serious gaps in the Connecticut AI inventory. Improving the AI inventory would complement S.B. 435’s proposed guardrails on state agency use of AI tools. Under Section 14 of S.B. 435, state agencies would not be able to use an AI system that materially affects the rights, welfare, civil liberties, or public benefits of Connecticut residents unless that system is specifically authorized by law. When an agency seeks to use an authorized system, it still must complete and publish a bias audit. These provisions create important rules for government deployment of AI systems. But to make sure that these laws are working properly, Connecticut residents need more transparency.

Connecticut residents and workers cannot protect themselves or hold their government accountable if they do not know how the state is deploying AI tools. While a state agency might assess that a given AI system does not materially affect residents’ civil liberties, civic groups in Connecticut might disagree. But they can only raise that disagreement with the government if they have the information necessary to identify the issue in the first place. To address this problem, we recommend amending S.B. 435 to add the following disclosure requirements to the existing public AI inventory:

1. **Last Date of AI Impact Assessment.** State agencies should be required to disclose the date of their most recent AI impact assessment to ensure they are not lagging behind changes in AI technology.
2. **Risk-Tier Assessment.** State agencies already categorize AI systems into risk tiers—ranging from low to severe—as part of their impact assessments.<sup>6</sup> This risk-tier categorization should be publicly available.
3. **Use of Personally Identifiable Information.** The AI inventory should require that agencies disclose whether an AI system has access to

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<sup>5</sup> See, for example, Kyra Wilson & Aylin Caliskan, *Gender, Race, and Intersectional Bias in AI Resume Screening via Language Model Retrieval*, BROOKINGS (Apr. 25, 2025), <https://www.brookings.edu/articles/gender-race-and-intersectional-bias-in-ai-resume-screening-via-language-model-retrieval>; Douglas Guilbeault, Solène Delecourt & Bhargav Srinivasa Desikan, *Age and Gender Distortion in Online Media and Large Language Models*, 646 NATURE 1129 (2025).

<sup>6</sup> *Policy AI-01 AI Responsible Use Framework*, OFFICE OF POL’Y & MGMT. (Feb. 1, 2024), <https://portal.ct.gov/-/media/OPM/Fin-General/Policies/CT-Responsible-AI-Policy-Framework-Final-02012024.pdf>.

Connecticut residents’ personal information. A similar requirement exists for California’s state AI inventory.<sup>7</sup>

4. **Projected Costs and Cost Savings of AI Use.** Agencies should be required to provide cost savings estimates. This parameter is included in Vermont’s state inventory for AI use in state.<sup>8</sup>

The Connecticut Office of Policy and Management already requires state agencies to collect much of this data. These amendments would make the information public, closing data gaps for Connecticut’s public servants, job seekers, and small businesses. They would offer all residents insight into how their government employs automated decision processes.

These recommendations would create stronger enforcement and greater transparency, sharpening the already robust protections in S.B. 435. We support S.B. 435, and we urge the Committee to support and pass this legislation. Right now, sweeping technological changes are remaking work with little regard for the worker. S.B. 435 offers a chance to change that and take a step towards the economic future that Connecticut needs: a future that is shaped by and for working people.

Thank you for your time and consideration,

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*\* This testimony has been prepared by a clinic operated by Yale Law School but does not purport to present the school’s institutional views, if any.*

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<sup>7</sup> CAL. GOV’T CODE § 11546.45.5 (West 2025) (requiring that the California Department of Technology report “categories of data and personal information the automated decision system uses to make its decisions”).

<sup>8</sup> *2025 Annual Report*, VT. AGENCY OF DIGIT. SERVS. 18 (Jan. 28, 2025), <https://legislature.vermont.gov/assets/Legislative-Reports/ADS-2025-Annual-Report.pdf>. California also requires its Department of Technology to report on “the efficacy and relative benefits of the uses and alternatives of the automated decision system[s]” in its inventory. CAL. GOV’T CODE § 11546.45.5 (West 2025).