

Annual Report to the Connecticut General Assembly



AFFIRMATIVE ACTION PLAN DATA REPORT

FY 2015/16 – FY 2017/18

Introduction

The Connecticut Commission on Human Rights and Opportunities (CHRO) is responsible for the enforcement of the state’s Affirmative Action Statutes, CONN. GEN. STAT. §§ 46a-68 to 46a-68k, inclusive. Under CONN. GEN. STAT. § 46a-68(b)(1), each state agency, department, board, and commission is required to employ either a full-time or part-time equal employment opportunity officer. It is the responsibility of the equal employment officer to ensure that the submitted plan contains all elements required under Regs. Conn. State Agencies § 46a-68-102(a), fulfills at least one of the § 46a-68-102(b)(1-3) requirements, and is in compliance with § 46a-68-102(b)(4). It is then the CHRO’s responsibility to review and recommend each plan for disapproval, conditional approval, or approval by the Commissioners. Finally, the Commissioners take the CHRO Staff Recommendation into consideration and vote on the final approval status of each plan. This writing focuses on the Connecticut State Agency Regulations and the process that these regulations outline for the filing of Affirmative Action.

Frequency of Filing

CONN. GEN. STAT § 46a-68(c) stipulates the frequency in which an agency must file an Affirmative Action Plan based on the size of the agency. For state agencies with less than 25 employees, there is no need to file an Affirmative Action Plan. State agencies that employ more than 25 people, but less than 250, must file biennially. All agencies that employ more than 250 people are statutorily required to file annually. However, if any agency shows a pattern of noncompliance, then they may be asked to file semi-annually, regardless of their size.

Size of Agency	Frequency of Filing
0-25 Employees	No Need to File
26-249 Employees	Biennial*
250+ Employees	Annual*

*Agency may also be asked to file semi-annually if they show a pattern of non-compliance

The Process

The process that an agency must follow in order to submit an Affirmative Action Plan that will likely be recommended for approval by CHRO Staff Recommendation and approved

by Commission vote is clearly stated in Sec. 46a-68-76 to 46a-68-114, inclusive. As mentioned above, each agency must have either a full-time or part-time equal employment opportunity officer. Once the officer is chosen, he or she then begins compiling the demographic data of their workforce and of those they've considered in any hiring or promotions. A report is then compiled that must meet the CHRO's statutory and regulatory requirements. When the report is complete, it gets sent to the CHRO Affirmative Action (AA) Unit. Next, that Unit reviews the report and notifies the agency of any deficiencies. The agency then has an opportunity to correct those deficiencies by themselves or with the help of the AA unit. The finalized draft is submitted to the CHRO where it gets reviewed for a recommendation. That recommendation and the plan are then submitted to the Commissioners at the monthly Commission meeting.

CONN. GEN. STAT. § 46a-68(b)(2), provides that the CHRO shall remain available to give training and technical assistance to each agency's equal employment officer for plan development and implementation. In June 2015, the CHRO held a one-day training session open to all equal employment opportunity officers in order to help each agency to understand the new state agency regulations. The CHRO is also available to help each agency to address individualized plan deficiencies. Each agency can find their existing plan deficiencies in their CHRO issued plan evaluation which will contain a directive to seek technical assistance in the specified deficient areas.

However, while Sec. 46a-68-106 requires the CHRO to provide this training, each agency is not statutorily required to complete it. The CHRO shall provide training only if the agency seeks it from them by request. Otherwise, the agency will be solely responsible for completing their Affirmative Action Plan and submitting it on time.

State Agency Affirmative Action Plan Approval Requirements

In order for an agency's Affirmative Action Plan to be approved, the plan must comply with Regs. Conn. State Agencies § 46a-68-102(a), § 46a-68-102(b)(4) and fulfill at least one of the § 46a-68-102(b)(1-3) requirements.

Sec. 46a-68-102(a) provides that a plan must "contain all elements required by sections 46a-68-76 to 46a-68-114, inclusive, of the Regulations of Connecticut State Agencies." Regs. Conn. State Agencies § 46a-68-102 (2015).

In order to comply with Sec. 46a-68-102(b)(4) (Deficiencies), an agency must have addressed the deficiencies previously noted by the Commission on Human Rights and Opportunities. In their new Affirmative Action Plan, agencies typically show the ways in which they have addressed the deficient areas of their previous plan. They may also file a separate report prior to the submission of their next plan enumerating the actions taken to remedy the deficiencies.

Regs. Conn. State Agencies § 46a-68-102(b)(1) (Parity) requires that the agency's "workforce, considered as a whole or by occupational category, be in parity" with the relevant labor market. The relevant labor market currently stems from the 1990 U.S. Census. The most difficult regulation to comply with is Parity, not one of the 310 Affirmative Action Plans analyzed for this report were in compliance with this regulation.

In order to comply with Sec. § 46a-68-102(b)(2) (Goals), an agency must have "met all or substantially all of its hiring, promotion, and program goals during the reporting period." Hiring, promotion and program goals are set by each agency according to the agency's ability to grow in a given occupational category. If an agency does not have an opening in the relevant goal area during the reporting period, then there will be no goal set in that area. A goal is substantially fulfilled when the agency has met 70% of their hiring, promotion, and program goals overall.

Sec. 46a-68-102(b)(3) (Good Faith) requires that a state agency demonstrate a good faith effort to achieve their hiring, promotion, and program goals. In order to fulfill this requirement, the agency must show that they have made every attempt to fulfill their goals, yet were still unable to do so. An agency may demonstrate this effort by considering every minority applicant. An agency that is able to illustrate that they have fairly evaluated each minority applicant fulfills the good faith effort requirement regardless of the percentage of goals fulfilled.

Diversity Training and Education Requirements

Pursuant to CONN. GEN. STAT. § 46a-54(16), each state agency must provide a minimum of three hours of diversity training and education to all supervisory and nonsupervisory employees. The training and education must include information concerning the federal and state statutory provisions concerning discrimination and hate crimes directed at protected classes and remedies available to victims of discrimination and hate crimes, standards for working with and serving persons from diverse populations and strategies

for addressing differences that may arise from diverse working environments. Agencies must also submit an annual report to the Commission concerning the status of the required diversity training and education.

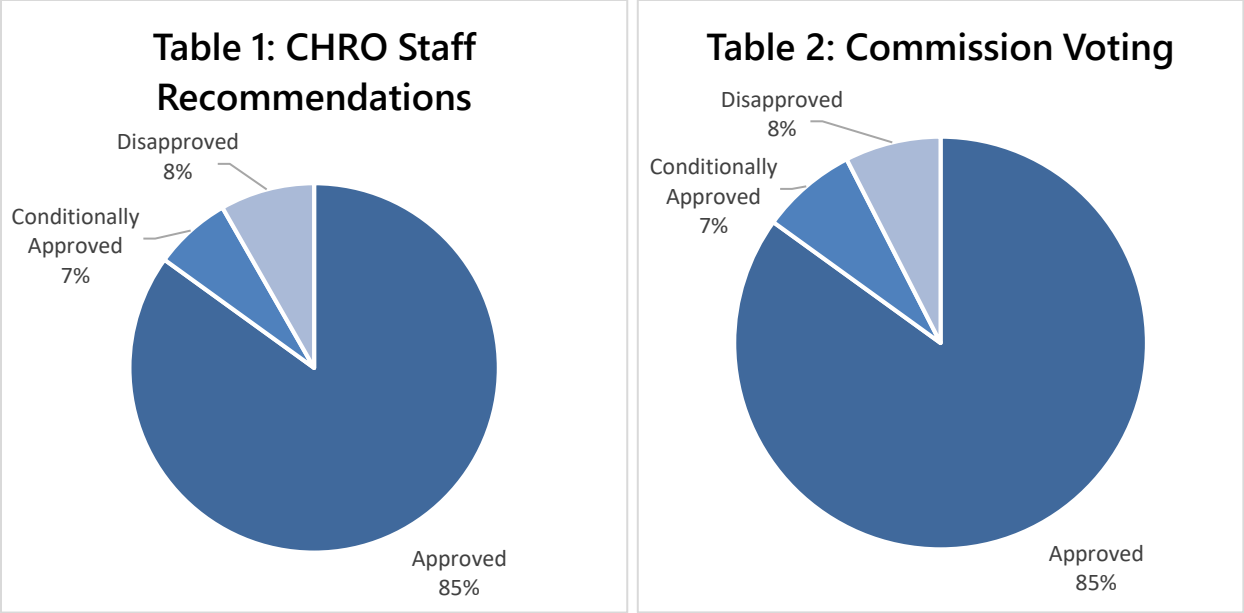
From FY 2015/16 to 2017/18, 57 state agencies provided information regarding their diversity training and education efforts. Agencies typically do not submit annual reports regarding their education efforts. Instead, this information is included in their Affirmative Action Plans submitted to the CHRO.

Of the 57 agencies, seven did not report engaging in the required training and education efforts. In each instance, the CHRO has required the agency engage in technical assistance sessions to correct the deficiencies and ensure that staff receives the required training as soon as possible.

For a complete list of reporting state agencies and whether they met their diversity training and education requirements, see Appendix A of this report.

Statistical Analysis of State Agency Affirmative Action Plan Approval Ratings

The data analyzed in this report comes from the 58 state agencies that currently file Affirmative Action Plans with the CHRO. Each agency is required to file on either a semi-annual, annual, or biennial basis. Of those 58 agencies, 133 Affirmative Action Plans have been filed as a result of their individual filing histories. Out of the 133 plans filed, CHRO Staff recommended that 9 of the plans be conditionally approved and 11 of them be disapproved. These numbers are depicted in Table 1 below. There were 113 plans recommended for approval, all of which were voted for approval by the Commissioners. The remaining 20 Affirmative Action Plans were recommended for either conditional approval or disapproval. Of those 20 plans, 10 were voted conditionally approved and 10 were voted disapproved. The overall result of Commissioner voting for each of the 133 submitted Affirmative Action Plans are depicted in Table 2 below.



For full information regarding Affirmative Action Plans filed with the CHRO between FY 15/16 and FY 17/18, see Appendices B – D.

Conclusion

The State of Connecticut, the CHRO, and the state agencies that have been consistently approved are committed to Affirmative Action Programming. The CHRO would like to see those state agencies that have not been consistently approved seek the technical assistance and training offered to them by the Commission. The CHRO is committed to uniformity in the development and implementation of plans across each reporting state agency. The Commission hopes to serve as a nation-wide example for state-run Affirmative Action Programming.

Appendix A: Diversity Training and Education Training Requirements FY 2015/16 --- 2017/18

Agency:	FY 15-16	FY 16-17	FY 17-18
Administrative Services	Y	Y	Y
Aging	Y	No Longer Required to File	
Agriculture	Y	Y	Y
Asnuntuck Community College	Y	Y	Y
Attorney General	Y	Y	Y
Banking	Y	Y	Y
Capital Community College	Y	Y	Y
Central CSU	Y	Y	Y
Charter Oak State College	Y	Y	Y
Chief State's Attorney, Div of Criminal Justice	Y	Y	Y
Children and Families	Y	Y	Y
State Comptroller	Y	Y	Y
CT Agricultural Experiment Station	Y	Y	Y
Consumer Protection	Y		Y
State Colleges and Universities (Bd of Regents)	Y	Y	Y
Corrections	Y	Y	Y
Developmental Services	Y	Y	Y
Early Childhood	Y	Y	Y
Eastern CSU	Y	Y	Y
Economic and Community Development	Did Not Meet Req.	Y	Y
Education	Y	Y	Y
Emergency Services and Public Protection	Y	Y	Y
Energy and Environmental Protection	Y	Y	Y
Gateway Community College	Did Not Meet Req.	Y	Y
Housatonic CC	Y	Y	Did Not Meet Req.
Housing	Y	Y	Y
Commission on Human Rights	Y	Y	Y
Insurance Dept	Y	Y	Y
Labor	Y	Y	Y
State Library	Y	Y	Y
Manchester CC	Y	Y	Y
Chief Medical Examiner	Y	Y	Y
Mental Health and Addiction Services	Y	Y	Y
Metropolitan District Commission	Y	Y	Y

Middlesex CC	Did Not Meet Req.	Y	Y
Military Dept	Y	Y	Y
Motor Vehicles	Y	Y	Y
Naugatuck Valley CC	Y	Y	Y
Northwestern CT CC	Y	Y	Y
Norwalk CC	Y	Y	Did Not Meet Req.
Policy and Management	Y	Y	Y
Protection and Advocacy	Y	Y	
Public Health	Y	Y	Y
Quinebaug Valley CC	Y	Y	Y
Rehabilitation Services	Y	Y	Y
Revenue Services	Y	Y	Y
Secretary of State	Y	Y	Y
Social Services	Y	Y	Y
Southern CT State Univ	Did Not Meet Req.	Y	Y
Three Rivers Community College	Y	Y	Y
Transportation	Y	Y	Y
Tunxis CC	Did Not Meet Req.	Y	Y
Treasurer	Y	Y	Y
University of Connecticut	Y	Y	Y
UConn Health	Y	Y	Y
Western CT State University	Y	Y	Y
Workers' Compensation Commission	Y	Y	Y

Appendix B: FY 15/16 Agency AA Plans

Agency	Filing Status	Timeliness Of Filing	Staff Recommendation	Commission Action	Justification			
					(A)	(B 1-3)	(B 4)No Deficiencies	(B4) Previous Deficiencies Adequately Addressed
Administrative Services	Annual	Timely	A	A	A	3		Y
Aging (merged w/Rehabilitation Services)	Biannual	Timely	A	A	A	2	Y	
Agriculture	Biannual	Timely	A	A	A	3		Y
Agricultural Experiment Station	Biannual	Timely	A	A	A	3		Y
Asnuntuck Community College	Biannual	Timely	A	A	A	3	Y	
Attorney General	Annual	Timely	A	A	A	3		Y
Banking	Biannual	Timely	A	A	A	3		Y
Capital Community College	Biannual							
Central Connecticut State Univ	Annual	Timely	A	A	A	3	Y	
Ct State Colleges & Universities (Bd of Regents)	Biannual	Timely	A	A	A	2	Y	
Chief State's Attorney	Annual	Timely	A	A	A	3	Y	
Children and Families	Annual	89 Days Late	D	D		Non-Compliance With 1 & 3	Y	
Comptroller	Annual	Timely	A	A	A	3	Y	

Agency	Filing Status	Timeliness Of Filing	Staff Recommendation	Commission Action	Justification			
					(A)	(B 1-3)	(B 4)No Deficiencies	(B4) Previous Deficiencies Adequately Addressed
Consumer Protection	Biannual	Timely	A	A	A	3	Y	
Corrections	Annual	34 Days Late	A	A	A	3	Y	
Developmental Services	Annual	Timely	A	A	A	3		Y
Early Childhood	Semi-Annual	1 Day Late	D	D		Non-Compliance With 1 & 2		Y
Early Childhood	Annual	Timely	A	A	A	3		Y
Eastern CT State Univ.	Annual	Timely	A	A	A	3		Y
Economic & Community Dev.	Biannual	Timely	A	A	A	2		Y
Education	Annual	Timely	A	A	A	3	Y	
Emergency Services and Public Protection	Annual	Timely	CA	CA		3		Y
Energy and Environmental Protection	Annual	88 Days Late	A	A	A	3	Y	
Gateway CC	Annual	87 Days Late	CA	CA	A	3	Y	
Housatonic CC	Biannual	Timely	A	A	A	3	Y	
Housing	Biannual	Timely	A	A	A	3		Y
Commission on Human Rights & Opportunities	Biannual							
Labor	Annual	Timely	A	A	A	3		Y
State Library	Biannual							
Manchester CC	Annual	Timely	A	A	A	3	Y	
Chief Medical Examiner	Biannual							
Mental Health & Addiction Services	Annual	Timely	A	A	A	3	Y	

Agency	Filing Status	Timeliness Of Filing	Staff Recommendation	Commission Action	Justification			
					(A)	(B 1-3)	(B 4)No Deficiencies	(B4) Previous Deficiencies Adequately Addressed
Metropolitan District Commission	Annual	Timely	A	A	A	3	Y	
Middlesex CC	Annual	Timely	A	A	A	3		Y
Military Dept.	Biannual	Timely	A	A	A	3	Y	
Motor Vehicles	Annual	Timely	A	A	A	3	Y	
Naugatuck Valley CC	Annual	Timely	A	A	A	3	Y	
Northwestern CT CC	Biannual	Timely	A	A	A	3		Y
Norwalk CC	Annual	2 Days Late	D	D		Non-Compliance With 1 & 3		Y
Policy & Management	Biannual	Timely	A	A	A	3		Y
Office of Protection & Advocacy (merged w/Rehab Services)	Biannual	Timely	A	A	A	3	Y	
Public Health	Annual	4 Days Late	A	A	A	3	Y	
Quinebaug Valley CC	Biannual	Timely	D	D		Non-Compliance With 1 & 3	Y	
Rehabilitation Services	Annual	Timely	A	A	A	3	Y	
Revenue Services	Annual	Timely	A	A	A	3	Y	
Secretary of State	Annual	32 Days Late	A	A	A	3	Y	
Social Services	Annual	7 Days Late	CA	CA	A	3	Y	
Southern CT State University	Annual	Timely	A	A	A	3		Y
Three Rivers CC	Biannual	Timely	A	A	A	2	Y	
Transportation	Annual	Timely	A	A	A	3	Y	

Agency	Filing Status	Timeliness Of Filing	Staff Recommendation	Commission Action	Justification			
					(A)	(B 1-3)	(B 4)No Deficiencies	(B4) Previous Deficiencies Adequately Addressed
Treasurer	Biannual	Timely (Biannual Rescinded)	D	D		Non-Compliance With 1, 2 & 3	Y	
Treasurer	Annual	Timely	A	A	A	3		Y
Tunxis CC	Biannual	Timely	A	A	A	3	Y	
UCONN	Annual	Timely	A	A	A	3	Y	
UCONN Health	Annual	53 Days Late	A	A	A	3	Y	
Veteran's Affairs	Biannual	Timely	A	A	A	3	Y	
Western CT State Univ.	Annual	Timely	A	A	A	3	Y	
Workers' Compensation Commission	Biannual	Timely	A	A	A	2	Y	

Appendix C: FY 16/17 Agency AA Plans

Agency	Filing Status	Timeliness Of Filing	Staff Recommendation	Commission Action	Justification			
					(A)	(B 1-3)	(B 4)No Deficiencies	(B4) Previous Deficiencies Adequately Addressed
Administrative Services	Annual	Timely	A	A	A	3	Y	
Aging (merged w/Rehabilitation Services)								
Agriculture								
Agricultural Experiment Station	Biannual	Timely	A	A	A	3	Y	
Asnuntuck Community College								
Attorney General	Annual	Timely	A	A	A	3	Y	
Banking	Biannual	Timely	A	A	A	3	Y	
Capital Community College	Biannual	5 Days Late	A	A	A	3	Y	
Central Connecticut State Univ	Annual	Timely	A	A	A	3	Y	
Ct State Colleges & Universities (Bd of Regents)	Biannual	Timely	A	A	A	3	Y	

Agency	Filing Status	Timeliness Of Filing	Staff Recommendation	Commission Action	Justification			
					(A)	(B 1-3)	(B 4)No Deficiencies	(B4) Previous Deficiencies Adequately Addressed
Chief State's Attorney	Annual	Timely	A	A	A	3	Y	
Children and Families	Annual	53 Days Late	D	CA		1 & 3		Y
Comptroller	Annual	Timely	A	A	A	3		Y
Consumer Protection	Biannual							
Corrections	Annual	31 Days Late	A	A	A	3	Y	
Developmental Services	Annual	Timely	A	A	A	3	Y	
Early Childhood								
Early Childhood	Biannual	Timely	A	A	A	3		Y
Eastern CT State Univ.	Annual	Timely	A	A	A	3	Y	
Economic & Community Dev.	Biannual	Timely	A	A	A	1 & 3	Y	
Education	Annual	Timely	A	A	A	3	Y	
Emergency Services and Public Protection	Annual	Timely	D	D		1 & 3		N
Energy and Environmental Protection	Annual	Timely	A	A	A	3	Y	

Agency	Filing Status	Timeliness Of Filing	Staff Recommendation	Commission Action	Justification			
					(A)	(B 1-3)	(B 4)No Deficiencies	(B4) Previous Deficiencies Adequately Addressed
Gateway CC	Annual	30 Days Late	D	D		1		N
Housatonic CC	Biannual							
Housing	Biannual							
Commission on Human Rights & Opportunities	Biannual	Timely	A	A	A	3		Y
Labor	Annual	Timely	A	A	A	3	Y	
State Library	Biannual	Timely	A	A	A	3	Y	
Manchester CC	Annual	29 Days Late	A	A	A	3	Y	
Chief Medical Examiner	Biannual	31 Days Late	D	D		1, 2 & 3	Y	
Mental Health & Addiction Services	Annual	Timely	A	A	A	3	Y	
Metropolitan District Commission	Annual	1 Day Late	A	A	A	3	Y	
Middlesex CC	Biannual							
Military Dept.								
Motor Vehicles	Annual	Timely	A	A	A	3	Y	

Agency	Filing Status	Timeliness Of Filing	Staff Recommendation	Commission Action	Justification			
					(A)	(B 1-3)	(B 4)No Deficiencies	(B4) Previous Deficiencies Adequately Addressed
Naugatuck Valley CC	Annual	Timely	A	A	A	3	Y	
Northwestern CT CC								
Norwalk CC	Annual	2 Days Late	A	A	A	3		Y
Policy & Management								
Office of Protection & Advocacy (merged w/Rehab Services)								
Public Health	Annual	Timely	A	A	A	3	Y	
Quinebaug Valley CC	Biannual	Timely	A	A	A	3		Y
Rehabilitation Services	Annual	Timely	A	A	A	3	Y	
Revenue Services	Annual	Timely	A	A	A	2	Y	
Secretary of State	Biannual							
Social Services	Annual	1 Day Late	A	A	A	3		Y
Southern CT State University	Annual	1 Day Late	A	A	A	3		Y
Three Rivers CC	Biannual	Timely	A	A	A	2	Y	

Agency	Filing Status	Timeliness Of Filing	Staff Recommendation	Commission Action	Justification			
					(A)	(B 1-3)	(B 4)No Deficiencies	(B4) Previous Deficiencies Adequately Addressed
Transportation	Annual	Timely	A	A	A	3	Y	
Treasurer								
Treasurer	Biannual	Timely	A	A	A	2	Y	
Tunxis CC	Biannual	22 Days Late	A	A	A	3	Y	
UCONN	Annual	Timely	A	A	A	3	Y	
UCONN Health	Annual	Timely	A	A	A	3	Y	
Veteran's Affairs	Biannual							
Western CT State Univ.	Annual	Timely	A	A	A	3	Y	
Workers' Compensation Commission	Biannual							

Appendix D: FY 17/18 Agency AA Plans

Agency	Filing Status	Timeliness Of Filing	Staff Recommendation	Commission Action	Justification			
					(A)	(B 1-3)	(B 4)No Deficiencies	(B4) Previous Deficiencies Adequately Addressed
Administrative Services	Annual	Timely	A	A	A	3	Y	
Aging (merged w/Rehabilitation Services)								
Agriculture								
Agricultural Experiment Station								
Asnuntuck Community College								
Attorney General	Annual	Timely	A	A	A	3		Y
Banking								
Capital Community College	Biannual							
Central Connecticut State Univ	Annual	Timely	A	A	A	3	Y	
Ct State Colleges & Universities (Bd of Regents)								
Chief State's Attorney	Annual	Timely	A	A	A	3	Y	

Agency	Filing Status	Timeliness Of Filing	Staff Recommendation	Commission Action	Justification			
					(A)	(B 1-3)	(B 4)No Deficiencies	(B4) Previous Deficiencies Adequately Addressed
Children and Families	Annual	26 Days Late	A	A	A	3	Y	
Comptroller	Annual	Timely	A	A	A	3	Y	
Consumer Protection	Biannual	Timely	A	A	A	3	Y	
Corrections	Annual	28 Days Late	A	A	A	3	Y	
Developmental Services	Annual	Timely	CA	CA	A	3	Y	
Early Childhood								
Early Childhood								
Eastern CT State Univ.	Annual	Timely	A	A	A	3	Y	
Economic & Community Dev.								
Education	Annual	Timely	A	A	A	3	Y	
Emergency Services and Public Protection	Annual	30 Days Late	CA	CA	A	3		Y
Energy and Environmental Protection	Annual	4 Days Late	A	A	A	3	Y	
Gateway CC	Annual	1 Day Late	CA	CA	A	3		Y
Housatonic CC	Biannual	Timely	CA	CA	A	3	Y	

Agency	Filing Status	Timeliness Of Filing	Staff Recommendation	Commission Action	Justification			
					(A)	(B 1-3)	(B 4)No Deficiencies	(B4) Previous Deficiencies Adequately Addressed
Housing	Biannual	Timely	A	A	A	3	Y	
Commission on Human Rights & Opportunities	Biannual							
Labor	Annual	Timely	A	A	A	2	Y	
State Library	Biannual							
Manchester CC	Annual	32 Days Late	A	A	A	3	Y	
Chief Medical Examiner	Biannual	30 Days Late	A	A	A	3		Y
Mental Health & Addiction Services	Annual	33 Days Late	A	A	A	3	Y	
Metropolitan District Commission	Annual	1 Day Late	A	A	A	3	Y	
Middlesex CC	Biannual	Timely	D	D		1,2,3		Y
Military Dept.								
Motor Vehicles								
Naugatuck Valley CC	Annual	Timely	A	A	A	3	Y	
Northwestern CT CC								
Norwalk CC	Annual	Timely	A	A	A	3	Y	

Agency	Filing Status	Timeliness Of Filing	Staff Recommendation	Commission Action	Justification			
					(A)	(B 1-3)	(B 4)No Deficiencies	(B4) Previous Deficiencies Adequately Addressed
Policy & Management								
Office of Protection & Advocacy (merged w/Rehab Services)								
Public Health	Annual	39 Days Late	A	A	A	2	Y	
Quinebaug Valley CC	Biannual	Timely	A	A	A	3	Y	
Rehabilitation Services	Annual	Timely	A	A	A	3	Y	
Revenue Services	Annual	Timely	A	A	A	2	Y	
Secretary of State	Biannual	Over 90 Late	D	D		Failure To File		
Social Services	Annual	6 Days Late	A	A	A	3	Y	
Southern CT State University	Annual	Timely	CA	CA	A	3	Y	
Three Rivers CC								
Transportation	Annual	Timely	A	A	A	3	Y	
Treasurer								
Treasurer								

Agency	Filing Status	Timeliness Of Filing	Staff Recommendation	Commission Action	Justification			
					(A)	(B 1-3)	(B 4)No Deficiencies	(B4) Previous Deficiencies Adequately Addressed
Tunxis CC								
UConn	Annual	Timely	CA	CA	A	3	Y	
UConn Health	Annual	Timely	A	A	A	3	Y	
Veteran's Affairs	Biannual	Timely	A	A	A	3	Y	
Western CT State Univ.	Annual	Timely	A	A	A	3	Y	
Workers' Compensation Commission	Biannual	Timely	A	A	A	3	Y	