



Senate Bill 414

AN ACT CONCERNING EQUITY IN STATE EMPLOYMENT

Testimony of the Department of Administrative Services

Labor and Public Employees Committee

March 12, 2024

Senator Kushner, Representative Sanchez, Senator Sampson, Representative Weir, and distinguished members of the Labor and Public Employees Committee. We thank you for the opportunity to submit testimony on **Senate Bill 414: *An Act Concerning Equity in State Employment***.

DAS understands that equity is crucial to ensuring that state government programs and services are accessible by all, and that all individuals in the state have opportunities for growth and success. The Department of Administrative Services (DAS) has been working hard with stakeholders and community members to ensure the continued expansion of initiatives that increase equity in access, opportunities, programs, and services.

In 2021, in furtherance of President Biden's Federal Executive Order #13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, the Connecticut General Assembly passed P.A. 21-2, which required the Commission on Human Rights and Opportunities (CHRO), in consultation with DAS and the Office of Policy and Management (OPM), to oversee an equity study. Over the last year, DAS has worked closely with the CHRO and the OPM to help oversee this study, which evaluated key programs and policies of 23 executive branch agencies, and assessed whether underserved communities and their members face systemic barriers in accessing benefits and opportunities. The study included a public survey, landscape analysis, interviews with state agencies, focus groups with both community-based organizations and residents, and collected and analyzed program data from those 23 agencies. It culminated in a 147-page report with statewide findings and recommendations on how to improve equity across Connecticut government, as well as agency specific recommendations.

DAS is pleased to share that many of our equity efforts were highlighted in the report, and we continue to move forward with recommendations included therein. The department's equity initiatives include but are not limited to the following:

- DAS has made efforts to ensure that the hiring practices of the state do not include unnecessary barriers that would limit access to state jobs. Our recent report pursuant to Public Act 23-19 found that 92% of state job classes do not require a degree. DAS plans to continue efforts to communicate with relevant stakeholder groups that most jobs with the state do not require a college degree.

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Affirmative Action/Equal Opportunity Employer

- DAS routinely does outreach with historically black colleges and universities and institutions with high populations of Latino and Asian students to promote job opportunities and careers in the State of Connecticut.
- The DAS Supplier Diversity program certifies Connecticut small, and minority owned businesses through the Set Aside program. This program advances equity by working to ensure these businesses have access to the state procurement process.
- Pursuant to Special Act 21-8, DAS has been consulting with CHRO on a State of Connecticut Disparity Study. In April 2022, the State contracted with Griffin & Strong to conduct this study to assess the effectiveness of the aforementioned set-aside program, as well as of contracting processes and relevant statutory provisions and to determine whether a disparity exists between the availability and the state's utilization of SBEs/MBEs through statistical and anecdotal analysis.
- DAS Construction Services is pursuing sustainability projects that lie at the nexus of health equity and environmental justice. As part of these sustainability initiatives, DAS is incorporating information and standards relating to construction techniques that maximize energy efficiency and minimize greenhouse gas emissions into existing training and educational programs for code officials and candidates.
- The DAS BITS team supports increased access to state agency information by improving accessibility on agency websites. This includes strengthening accessibility for individuals with disabilities. Examples of recent website accessibility updates include changes to the DOL, DMV, DAS HR, CHRO Affirmative Action and Hate Crimes, DSS Heating and Utility Assistance, OTG Social Equity Council, and DSS Reproductive Rights websites. Website accessibility helps with transparency and connectivity to these vital State of Connecticut agency resources for all members of the Connecticut population.
- The Commission for Educational Technology, which is housed within DAS, creates opportunities for equity through focus on Digital Learning and Infrastructure. Digital Learning enables student data to be protected and encourages the adoption of Open Educational Resources (OER). Open resources allow school districts to focus on unique learning needs and streamline rollout of emerging content needs. The Digital Equity Program aims to ensure that the state makes technology access available, affordable, adopted, and fully utilized for all residents. The goal of the program is that all communities can access and use affordable, reliable, high-speed internet to meet their needs and improve lives as participating members of a digital economy.

While DAS supports the intent of this bill – and all equity initiatives generally – we want to share concerns over two sections – Sections 3 and 4.

Section 3 requires State agencies to collect certain demographic data on applicants. For context, DAS already collects certain *voluntary* demographic information from job applicants. However, that information is not shared with appointing authorities to protect against any possible hiring decisions based on those demographics, which would be illegal under Title VII law. Requiring State agencies to collect a myriad of demographic data is problematic in our view because the mere existence of that compiled data in the hands of appointing authorities could be a motivating factor in hiring decisions, which again would be illegal under Title VII law.

Section 4 requires State agencies to have diverse hiring panels, with exceptions granted by the Director. While we agree with and support the general principle, this is something that is already discussed between

hiring managers, Human Resources professionals, and agency Affirmation Action Officers. The requirements herein will add to the litany of requirements that presently exist to fill a vacant position. Adding further requirements to the process of filling a vacant position will make it even more complex than it already is, and in turn lengthen the time it takes to fill a vacant position, which is of great concern to us.

Once again, thank you for the opportunity to submit testimony on **Senate Bill 414: *An Act Concerning Equity in State Employment***, and we look forward to continuing the conversation on the topic of equity in state government.