



General Assembly

February Session, 2024

***Raised Bill No. 414***

LCO No. 2721



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:  
(LAB)

***AN ACT CONCERNING EQUITY IN STATE EMPLOYMENT.***

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

1 Section 1. (NEW) (*Effective October 1, 2024*) (a) For the purposes of this  
2 section and sections 2 to 6, inclusive, of this act:

3 (1) "Department" means the (A) Departments of Administrative  
4 Services, Aging and Disability Services, Agriculture, Banking, Children  
5 and Families, Consumer Protection, Correction, Developmental  
6 Services, Economic and Community Development, Education,  
7 Emergency Services and Public Protection, Energy and Environmental  
8 Protection, Housing, Insurance, Labor, Mental Health and Addiction  
9 Services, Motor Vehicles, Public Health, Revenue Services, Social  
10 Services, Transportation and Veterans Affairs, and (B) Offices of Early  
11 Childhood and Policy and Management;

12 (2) "Department head" means the (A) Commissioners of  
13 Administrative Services, Aging and Disability Services, Agriculture,  
14 Banking, Children and Families, Consumer Protection, Correction,  
15 Developmental Services, Economic and Community Development,

16 Education, Emergency Services and Public Protection, Early Childhood,  
17 Energy and Environmental Protection, Housing, Insurance, Labor,  
18 Mental Health and Addiction Services, Motor Vehicles, Public Health,  
19 Revenue Services, Social Services, Transportation and Veterans Affairs,  
20 and (B) the Secretary of the Office of Policy and Management;

21 (3) "Director" means the director of the Diversity, Equity and  
22 Inclusion division established pursuant to subsection (b) of this section;

23 (4) "Division" means the Diversity, Equity and Inclusion division of  
24 each department established pursuant to subsection (b) of this section;

25 (5) "Equity" means the consistent and systematic fair, just and  
26 impartial treatment of all individuals, including individuals who belong  
27 to underserved communities that have been denied such treatment,  
28 such as Black, Latino, Indigenous and Native American persons, Asian  
29 Americans and Pacific Islanders and other persons of color, members of  
30 religious minorities, women, lesbian, gay, bisexual, transgender and  
31 queer persons, persons with disabilities, persons who live in rural areas  
32 and persons otherwise adversely affected by persistent poverty or  
33 inequality;

34 (6) "Implicit bias" means an attitude or internalized stereotype that  
35 affects a person's perceptions, actions and decisions in an unconscious  
36 manner and often contributes to unequal treatment of a person based on  
37 such person's race, ethnicity, gender identity, sexual orientation, age,  
38 disability or other characteristics; and

39 (7) "Underserved community" means populations sharing a  
40 particular characteristic and geographical communities that have been  
41 systemically denied a full opportunity to participate in aspects of  
42 economic, social and civic life, such as Black, Latino, Indigenous and  
43 Native American persons, Asian Americans and Pacific Islanders and  
44 other persons of color, members of religious minorities, women, lesbian,  
45 gay, bisexual, transgender and queer persons, persons with disabilities,  
46 persons who live in rural areas and persons otherwise adversely  
47 affected by persistent poverty or inequality.

48 (b) There shall be established a Diversity, Equity and Inclusion  
49 Division within each department, which shall be administered by a full-  
50 time, salaried director, who shall be subject to the supervision and the  
51 direction of the department head. Such director shall be in the classified  
52 service and shall devote full-time to the duties of such director's office.  
53 The department head may appoint and fix the compensation of such  
54 director, provided such appointment shall be subject to the approval of  
55 the Governor and the rate of such compensation shall be subject to the  
56 approval of the Governor and the Secretary of the Office of Policy and  
57 Management. The Diversity, Equity and Inclusion Division shall be  
58 responsible for equity-related matters within the department and in  
59 relation to the services provided by the department.

60 (c) The director shall be responsible for (1) coordinating the  
61 department's equity initiatives, (2) serving as the primary contact and  
62 subject matter expert for officials and employees within the department  
63 regarding the development, implementation and assessment of the  
64 division's programs, (3) developing and publishing the department's  
65 equity plan pursuant to section 2 of this act, (4) evaluating the policies,  
66 operations, training and hiring practices of the department, (5)  
67 evaluating outcomes of services provided by the department, (6)  
68 collecting and using data from the department relevant to the division,  
69 including, but not limited to, disparate outcomes of services provided  
70 by the department or disparate outcomes in the operations and policies  
71 of the department, (7) assisting department staff in creating division-  
72 related training programs required pursuant to sections 5 and 6 of this  
73 act and participating in the presentation of such training programs, (8)  
74 supporting the department in creating and sustaining inclusive cultures  
75 and behaviors, (9) maintaining knowledge of equity-related issues,  
76 operations and strategies that ensure the department's activities reflect  
77 best equity practices for the department, (10) overseeing the community  
78 engagement work of the division, (11) providing department staff with  
79 advice and guidance on how to navigate situations that impact the  
80 diversity, equity, and inclusion of the department, and (12) any other  
81 duties assigned by the department head.

82       Sec. 2. (NEW) (*Effective October 1, 2024*) Not later than October 1, 2026,  
83 and annually thereafter, the director for each department shall create an  
84 equity action plan for such department that identifies specific diversity,  
85 equity and inclusion goals for the department and establishes  
86 accountability mechanisms for achieving such goals. All department  
87 heads shall ensure effective implementation of such equity action plans  
88 by prioritizing and incorporating the strategies of the equity action plan  
89 when setting equity goals for the department. Such equity action plan  
90 shall be posted on the department's Internet web site. Such equity action  
91 plan shall:

92       (1) Identify the progress made by the department on the actions,  
93 performance, measures and milestones highlighted in the preceding  
94 year's equity action plan;

95       (2) Identify potential barriers that underserved communities may  
96 face in accessing and benefitting from the benefits, services and  
97 programs provided by the department;

98       (3) Evaluate certain key programs and policies of the department as  
99 identified by the department head, to assess whether underserved  
100 communities and their members face systemic barriers in accessing  
101 benefits and opportunities available pursuant to those policies and  
102 programs;

103       (4) Identify how the department intends to engage with underserved  
104 communities in order to advance equity in the department's policies,  
105 services and programs, including, but not limited to, accessible and  
106 appropriate outreach to such underserved communities and individuals  
107 in underserved communities and the incorporation of perspectives of  
108 underserved communities in the department's policies, services and  
109 programs;

110       (5) Identify training programs developed by the division pursuant to  
111 section 5 of this act;

112       (6) Evaluate the applicant data required pursuant to section 3 of this

113 act and identify demographic hiring trends within the department; and

114 (7) Evaluate whether new policies, regulations or guidance  
115 documents may be necessary to address potential barriers to benefits,  
116 services and programs provided by the department.

117 Sec. 3. (NEW) (*Effective October 1, 2024*) (a) Each department shall  
118 collect and maintain data regarding demographic information for each  
119 individual that applies for positions with such department.

120 (b) Each division shall annually examine data regarding  
121 demographic information for individuals who apply for positions with  
122 the department collected pursuant to subsection (a) of this section and  
123 disaggregate such data by the categories of age, race, ethnicity, religious  
124 creed, gender identity or expression, sexual orientation, individuals  
125 with disabilities and how far an individual of each category progressed  
126 in the hiring or interview process, provided such disaggregation keeps  
127 such individuals' information personally nonidentifiable. The division  
128 shall annually submit to the department head, and post on its Internet  
129 web site, a report summarizing the examination and disaggregation of  
130 such data.

131 Sec. 4. (NEW) (*Effective October 1, 2024*) (a) Each department shall  
132 utilize diverse hiring panels to conduct interviews for open positions  
133 within such department. Such hiring panels shall be comprised of  
134 current employees in appropriate positions from varying backgrounds,  
135 including, but not limited to, race, ethnicity, gender, age and sexual  
136 orientation. Such hiring panels shall be utilized for at least one interview  
137 of a candidate. Departments may, where appropriate, utilize employees  
138 from other departments to serve on hiring panels. When filling a  
139 position within the department, where relevant, the department shall  
140 consider whether a candidate is multilingual.

141 (b) The director may waive the requirements of this section in writing  
142 if the director determines that a diverse hiring panel cannot be  
143 organized after considering (1) the circumstances around not being able  
144 to fulfil such requirement, (2) whether reasonable efforts were made to

145 fulfil such requirement, and (3) the demographic information of current  
146 employees at the department.

147       Sec. 5. (NEW) (*Effective October 1, 2024*) (a) The director shall develop  
148 a standardized diversity, equity and inclusion training program that  
149 shall be used by the department in completing the diversity, equity and  
150 inclusion training required under this section. Such program shall  
151 include, but need not be limited to, training on how to recognize and  
152 mitigate unconscious implicit biases, how to reduce miscommunication  
153 and misinformation regarding different identities and backgrounds,  
154 and how to cultivate inclusive community and cross-community  
155 interactions both within the department and with the wider community,  
156 including when interacting with a member of an underserved  
157 community.

158       (b) Each department shall require diversity, equity and inclusion  
159 training and education for all supervisory and nonsupervisory  
160 employees hired on or after July 1, 2025, not later than six months after  
161 such employees' assumption of a position within the department, while  
162 prioritizing providing such training for supervisory employees.

163       Sec. 6. (NEW) (*Effective October 1, 2024*) (a) The director shall develop  
164 annual training and materials on diversity, equity and inclusion topics  
165 for all supervisory and nonsupervisory employees, including  
166 supervisory-specific trainings and materials. Such training and  
167 materials shall include, but need not be limited to, topics related to  
168 cultural sensitivity, sexual orientation and gender identities, anti-  
169 racism, anti-sexism and disability awareness.

170       (b) Each department shall require a minimum of four hours of annual  
171 diversity, equity and inclusion training (1) for all existing supervisory  
172 and nonsupervisory employees, not later than July 1, 2025, and annually  
173 thereafter, while prioritizing providing such training for supervisory  
174 employees, and (2) for all supervisory and nonsupervisory employees  
175 hired on or after July 1, 2025, not later than six months after such  
176 employees' assumption of a position within the department, and

177 annually thereafter, while prioritizing providing such training for  
178 supervisory employees.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	New section
Sec. 2	<i>October 1, 2024</i>	New section
Sec. 3	<i>October 1, 2024</i>	New section
Sec. 4	<i>October 1, 2024</i>	New section
Sec. 5	<i>October 1, 2024</i>	New section
Sec. 6	<i>October 1, 2024</i>	New section

**Statement of Purpose:**

To implement the recommendations of the Commission on Racial Equity in Public Health regarding equity in state employment.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*