

Policy Statement

Section 46a-68-78

CHRO Critique:

This section was found to be in compliance in the previous submission, and there were no proposals/recommendations.

UConn HEALTH

POLICY NUMBER 2002-44

September 13, 2016

POLICY: AFFIRMATIVE ACTION, NON-DISCRIMINATION, AND EQUAL OPPORTUNITY

STATEMENT:

UConn Health reaffirms its commitment to ensuring Non-Discrimination and Equal Opportunity in all conditions of employment, as well as in its educational programs and patient services. Discrimination or harassment based on race, color, ethnicity, religious creed, age, sex (including pregnancy), sexual orientation, transgender status, gender identity or expression, marital status, veteran status, national origin, ancestry, intellectual disability, physical disability, including blindness, past or present history of mental disability, learning disability, criminal record, or genetic information, is prohibited. Factors, which cannot lawfully be the basis for employment and academic decisions, or administering health care, are strictly prohibited. In accordance with all applicable state and federal laws, UConn Health also develops and implements Affirmative Action programs which are undertaken with conviction and effort. UConn Health has established Equal Employment Opportunity and Affirmative Action as immediate and necessary agency objectives because the institution is committed to their concepts, principles and goals. In addition, UConn Health is strongly committed to the effective, productive management of diversity within the institution. This policy applies to all employees, students, volunteers, patients, as well as, outside vendors and contractors.

EQUAL EMPLOYMENT OPPORTUNITY POLICY:

This policy ensures that individuals are not excluded from participation, advancement, or other privileges of employment due to race, color, ethnicity, religious creed, age, sex (including pregnancy), sexual orientation, marital status, veteran status, national origin, ancestry, intellectual disability, physical disability, including blindness, past or present history of mental disability, learning disability, criminal record, genetic information, gender identity or expression, or other factors which cannot lawfully be the basis for employment actions, unless otherwise permitted by law. Equal Employment Opportunity is the purpose and goal of Affirmative Action under Sections 46a-68-75 through 46a-68-114, inclusive, as amended of the Connecticut Statutes, and of applicable federal legislation. Equal Employment Opportunity also provides for an employment system in which neither intentional nor unintentional discrimination is present. These non-discrimination laws also prohibit any workplace harassment on the basis of protected group identity.

AFFIRMATIVE ACTION POLICY:

Affirmative Action is a positive action, undertaken with conviction and effort to overcome the present effects of past practices, policies or barriers to equal employment opportunity and to achieve the full and fair participation of women, blacks and Hispanics and any other protected group found to be underutilized in the workforce or affected by policies or practices having an adverse impact. In addition, UConn Health recognizes the hiring difficulties experienced by persons with disabilities and by many older persons, and will take appropriate action to provide equal employment opportunity.

At UConn Health, Affirmative Action plays a crucial role at all stages of the employment process, including, but not limited to: recruitment, interviewing, hiring, promotion, transfer, discipline, layoff and termination. Our commitment to Affirmative Action requires that we make the good faith efforts that may be necessary in all aspects of human resources administration to ensure that the recruitment and hiring of underrepresented individuals reflect their availability in the job market; that the causes of underutilization are identified and eliminated; that alternative approaches are explored; and that the terms, conditions, and privileges of employment are equitably administered.

DIVERSITY:

Diversity is a concept by which value is placed on the differences of the people who make up our workforce. These differences include both primary dimensions (e.g. race, gender, age, religious creed, national origin, etc.), and secondary dimensions (e.g. geographic location, marital status, work background, etc.) characteristics of groups of people within an organization.

As our workforce becomes more diverse, we are challenged with the opportunity to find ways of enabling people of many different backgrounds to provide valuable contributions to UConn Health. It is not enough to simply increase diversity in the workplace and in the classroom, we must learn to respect and appreciate people from diverse backgrounds. When individuals communicate and work effectively with each other, affirmative action and the diversity within our workforce will mutually support an equal opportunity environment.

PROCEDURES:

UConn Health's affirmative action and equal opportunity processes, as well as efforts to enhance and manage a diverse workforce, are administered by the UConn Health Office of Institutional Equity, 16 Munson Road, 4th Floor, Unit 5310, Farmington, CT 06030, phone: (860)679-3563. Staff is available to counsel and assist employees, students and patients with concerns related to non-discrimination, equal opportunity and affirmative action. The Office of Institutional Equity will keep me apprised of the status of these procedures at UConn Health.

UConn Health has developed Affirmative Action Plans that outline procedures the institution will implement to combat discrimination, to correct any under representation of affected group members, and to promote a diverse workplace which provides access to equal opportunity for all employees. Each employee has a right to review and comment on the Affirmative Action Plans or related issues at any time. Comments or questions should be directed to Elizabeth Conklin, Associate Vice President, Office of Institutional Equity. A listing of Federal and State laws,

executive orders and regulations mandating Non-Discrimination, Equal Employment Opportunity and Affirmative Action can be found here http://www.ct.gov/chro/lib/chro/AA_Law_List.pdf
This policy statement is posted in all work locations and is available on UConn Health's policy web page.

ACCOUNTABILITY:

As Chief Executive Officer, Executive Vice President for Health Affairs, I pledge my personal support and commitment to the attainment and retention of a diverse workforce and a work environment free from discrimination on the basis of factors which cannot lawfully be the grounds for employment actions and free from harassment on the basis of group identification, racial intolerance or gender. I am committed to making every good faith effort to meet the hiring, promotion, upward mobility and program goals established within the timetables set forth in the Affirmative Action Plan. I fully expect my managerial and supervisory staff to treat compliance with Federal and State of Connecticut affirmative action statutes as a top priority. I hold all managers and supervisors accountable for the successful implementation of the policies, procedures and objectives of affirmative action, equal opportunity, and the enhancement of diversity at UConn Health. This policy also mandates that employees at every level comply with UConn Health prohibiting harassment on any basis. UConn Health pledges to administer services to employees, students and patients in a fair and impartial manner. Our programs and facilities shall not be used in the tolerance or furtherance of any discriminatory practice, nor shall UConn Health become party to any agreement, arrangement, contract or plan which has the effect of sanctioning discriminatory practices.

Violations of this policy may result in disciplinary action, which may include, but is not limited to, written warning, demotion, transfer, suspension, expulsion, or dismissal.



Andrew Agwunobi, M.D., M.B.A.
Chief Executive Officer
Executive Vice President for Health Affairs

Date

9/15/16

New Policy: 10/26/01

Revised: 10/30/02, 10/30/10, 10/11/11, 03/18/13, 07/18/13, 07/8/14, 09/11/15, 9/13/16

Reviewed w/o Changes: 10/16/09

FEDERAL AND STATE ANTI-DISCRIMINATION LAWS

CONNECTICUT

CONSTITUTIONAL PROVISIONS

SUBJECT

Article First, Section 1	Equality of Rights
Article First, Section 3	Right of Religious Liberty
Article First, Section 20, as amended by Article V and Article XXI of the Amendments to the Connecticut Constitution	Equal Protection under the law for all persons; nondiscrimination in exercise of civil and political rights on the basis of religion, race, color, ancestry, national origin and sex or physical and mental disability.

CONNECTICUT GENERAL STATUTES

SUBJECT

C.G.S. Section 2-120	Establishment of Latino and Puerto Rican Affairs Commission.
C.G.S. Section 2-121	Establishment of African Affairs Commission.
C.G.S. Section 4-61t	Committee on Career Entry and Mobility established re: needs of persons with disabilities
C.G.S. Section 4-61u	Upward mobility, accommodation/training of persons with disabilities
C.G.S. Section 4-61aa	Committee to encourage employment by the State of persons with disabilities
C.G.S. Section 4-61dd(b)(2)(3)	Whistleblower complaint provisions, allows state or quasi-public agency employees, or employees of large state contractors to file retaliation complaints with CHRO Chief Human Rights Referee or Attorney General.
C.G.S. Section 4-61nn	Adaptation of administration of tests to needs of persons with disabilities
C.G.S. Section 4a-2c	Diversity Training Program
C.G.S. Section 4a-59	Award of Contracts
C.G.S. Section 4a-59a	Restrictions of contract extensions
C.G.S. Section 4a-60	Affirmative Action provisions in state contracts and nondiscrimination on the basis of race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation and physical disabilities (including blindness)

CONNECTICUT GENERAL STATUTES

SUBJECT

C.G.S. Section 4a-60a	Nondiscrimination clauses in state contracts on the basis of sexual orientation
C.G.S. Section 4a-60g to 4a-60j	Establishment of small business and minority business set-aside program involving state contracts administered by the Department of Administrative Services
C.G.S. Section 4a-61	Requirement of procedures for the award of state contracts concerning minority business enterprises
C.G.S. Section 4a-62	Establishment of Minority Business Enterprise Review Committee
C.G.S. Section 5-195	Merit principles to be observed
C.G.S. Section 5-219	Character of examinations, qualifications for admission
C.G.S. Section 5-227	Prohibition of discrimination in state classified service because Of discriminatory employment practices (as defined in CGS Section 46a-51) and discrimination due to political affiliation.
C.G.S. Section 5-227a	Promotion by reclassification of promotion
C.G.S. Section 5-228	Promotional appointments, original appointments, hiring protected class members, sex discrimination
C.G.S. Section 5-228e	Meeting affirmative action goals in state agencies
C.G.S. Section 5-267	Officers, appointing authorities and employees to comply with law
C.G.S. Section 8-265c	Non-discrimination in housing financed by Connecticut Housing Finance Authority (CHFA) on the basis of race, creed, color, national origin, ancestry or sex; affirmative action required of contractors engaged in construction of housing financed by CHFA
C.G.S. Section 10-15c	Discrimination in public schools prohibited on the basis of race, color, sex, religion, national origin or sexual orientation.
C.G.S. Section 10-17f	Requirement of program of bilingual education in public schools where applicable.
C.G.S. Section 10-18a	Requires use in public schools of instructional materials representative of all races, ethnic origins and both sexes.
C.G.S. Section 10-153	Nondiscrimination in employment of teachers by local or regional boards of education on the basis of sex and marital status.

CONNECTICUT GENERAL STATUTES

SUBJECT

C.G.S. Section 10a-10	Establishment of Office of Educational Opportunity to aid disadvantaged students and ensure workforce diversity in public institutions of higher education.
C.G.S. Section 10a-11(a)	The Board of Governors for Higher Education shall develop a strategic plan to Strategic plan to ensure racial and ethnic diversity of workforce within state system of higher education.
C.G.S. Section 17a-541, 17a-549	Prohibition against denying housing, employment, civil or legal rights on the basis of psychiatric disability or past or present history of mental disability.
C.G.S. Section 19a-581 to 19a-590	AIDS testing and medical information
C.G.S. Section 27-59	Prohibition against discrimination and segregation in armed Forces of the state on the basis of race, creed or color
C.G.S. Section 29-7m	Record and classification of crimes motivated by bigotry or bias
C.G.S. Section 31-22p	Non-discrimination in apprenticeship program training standards within state on the basis of race, color, religion, sex, age and national origin; provide training, employment and upgrading opportunities for disadvantaged workers.
C.G.S. Section 31-40	Breastfeeding in the Workplace
C.G.S. Section 31-51d	Apprenticeship programs
C.G.S. Section 31-75	Discrimination in compensation based solely on the basis of sex
C.G.S. Section 31-128i	Privacy Rights for State Employees
C.G.S. Section 32-9e through h	Set aside program for minority business enterprises
C.G.S. Section 36a-737	Prohibition against discrimination in granting of mortgage and home improvement loans for owner-occupied properties by financial institutions on the basis of geographical or neighborhood areas.
C.G.S. Section 38a-446	Prohibition against discrimination towards classes of insureds in transactions involving life insurance.
C.G.S. Section 38a-488	Discrimination in insurance prohibited
C.G.S. Section 38a-543	Age discrimination in group insurance coverage prohibited

CONNECTICUT GENERAL STATUTES**SUBJECT**

C.G.S. Section 38a-816	Prohibition against unfair insurance practices on the basis of race, color, creed, physical disability, mental retardation, blindness and genetic information.
C.G.S. Section 38a-824	Prohibition against redlining in real estate transactions.
C.G.S. Section 40a-60g	Transferring enforcement of the Set-aside program from DECD to DAS and CHRO
C.G.S. Section 46a-1	Establishment of a Permanent Commission on Women.
C.G.S. Section 46a-10	Establishment of an Office of Protection and Advocacy for persons with disabilities
C.G.S. Section 46a-27	Establishment of a commission for the advocacy of deaf and hearing impaired persons; and providing of qualified interpreter services
C.G.S. Section 46a-52	Concerning the review and dismissal of discriminatory practice complaints by CHRO
C.G.S. Section 46a-54	Concerning Diversity Training for State Employees
C.G.S. Section 46a-54(15)(a)	Sexual harassment education and training in the workplace
C.G.S. Section 46a-54(16)	Requirement that state agencies conduct diversity training for state employees
C.G.S. Section 46a-56	Broad grant of authority regarding discriminatory practices
C.G.S. Section 46a-57 (d)	Chief Human Rights Referees
C.G.S. Section 46a-58	Deprivation of rights, desecration of property, or cross burning
C.G.S. Section 46a-58(a)	Prohibition against deprivation of civil rights on the basis of religion, national origin, alienage, color, race, sex, blindness or physical disability
C.G.S. Section 46a-59(a)	Prohibition against discrimination in professional and occupational associations on the basis of race, national origin, creed, sex or color
C.G.S. Section 46a-60	Discriminatory employment practices prohibited

CONNECTICUT GENERAL STATUTES

SUBJECT

C.G.S. Section 46a-60 (a)(1)	Prohibition against refusal to hire or employ, to bar or discharge from employment, discriminate in compensation, or in terms, conditions or privileges of employment, or on the basis of race, color, religious creed, age, sex, marital status, national origin, ancestry, present or past history of mental disability, mental retardation, learning disability and physical disability (including blindness) without bona fide occupational qualifications or need
C.G.S. Section 46a-60 (a)(2)	Prohibition against employment agencies' failure or refusal to properly classify or refer one on the basis of race, color, religious creed, age, sex, marital status, national origin, ancestry, present or past history of mental disability, mental retardation, learning disability and physical disability (including blindness)
C.G.S. Section 46a-60 (a)(3)	Prohibition against discrimination regarding membership and membership rights; discrimination against members or employers or to expel from membership by labor organizations on the basis of race, color, religious creed, age, sex, marital status, national origin, ancestry, present or past history of mental disorder, mental retardation, learning disability and physical disability (including blindness)
C.G.S. Section 46a-60 (a)(4)	Prohibition against retaliation for exercising right to file or participate in the processing of a discrimination complaint; prohibition against retaliation on the basis of opposing discriminatory employment practices
C.G.S. Section 46a-60 (a)(5)	Prohibition against aiding, abetting or inciting discriminatory employment practices
C.G.S. Section 46a-60 (a)(6)	Prohibition against advertising of employment opportunities in a manner that discriminates on the basis of race, color, religious creed, age, sex, marital status, national origin, ancestry, present or past history of mental disability, mental retardation, learning disability and physical disability (including blindness)
C.G.S. Section 46a-60 (a)(7)	Prohibition against termination of employment because of pregnancy; right of reinstatement and employment benefits; right to request temporary transfer
C.G.S. Section 46a-60 (a)(8)	Prohibition against sexual harassment in employment
C.G.S. Section 46a-60 (a)(9)	Prohibition against requiring information on familial responsibilities, pregnancy or birth control information in employment situations

CONNECTICUT GENERAL STATUTES

SUBJECT

C.G.S. Section 46a-60 (a)(10)	Requirement of employer to take reasonable measures to protect employee from exposure to workplace hazard pursuant to C.G.S. Section 46a-60 (a) (9)
C.G.S. Section 46a-60(a)(11)	Use of genetic information in employment decisions prohibited
C.G.S. Section 46a-64	Prohibition against discrimination and segregation in places of public accommodations on the basis of race, creed, color, national origin, ancestry, sex, marital status, age, lawful source of income, mental retardation, mental disability, or physical disability; requirement of full and equal access to blind, deaf or mobility impaired persons with guide dog; prohibits limiting breastfeeding
C.G.S. Section 46a-64a	Discrimination against families with children prohibited
C.G.S. Section 46a-64c	Prohibition against housing discrimination on the basis of race, color, creed, national origin, ancestry, sex, marital status, age, lawful source of income, familial status, learning disability, physical or mental disability
C.G.S. Section 46a-66	Prohibition against discriminatory credit practices by creditors On the basis of sex, age, race, color, religious creed, national Origin, ancestry, marital status, mental retardation, learning Disability, blindness or physical disability
C.G.S. Section 46a-68 (as amended by Public Acts 99-233 & 01-28)	State affirmative action plans; filing; monitoring report; affirmative action officers; regulations
C.G.S. Section 46a-68(a)	Each state agency shall develop and implement, in cooperation with CHRO an affirmative action plan that commits the agency to a program of affirmative action in all aspects of personnel and administration.
C.G.S. Section 46a-68(b)(2)	CHRO shall provide training and technical assistance to affirmative action officers in plan development and implementation.
C.G.S. Section 46a-68(b)(3)	CHRO and the Permanent Commission on the Status of Women shall provide training concerning state and federal discrimination laws and techniques for conducting internal investigations of discrimination complaints to persons designated by state agencies as affirmative action officers and persons designated by the Attorney General or the Attorney General's designee to represent the agency. Such training shall be provided for a minimum of ten hours during the first year of service and a minimum of five hours per year thereafter

CONNECTICUT GENERAL STATUTES **SUBJECT**

C.G.S. Section 46a-68(b)(4)	Each person designated by an agency or department board as an affirmative action officer shall (A) be responsible for mitigating any discriminatory conduct within the agency or department, (B) investigate all complaints of discrimination made against the state agency or department, (C) report all findings and recommendations upon the conclusion of an investigation to the commissioner or director of a state agency or department for proper action and (D) complete 10 hours of training by the CHRO and PCSW
C.G.S. Section 46a-68(b)(5)	No person designated by an agency or department as an affirmative action officer shall represent the agency or department before CHRO or EEOC. If a complaint of discrimination is filed with CHRO or EEOC against a state agency or department, the Attorney General or designee, of the Attorney General, other than the affirmative action officer shall represent the agency or department before CHRO and EEOC
C.G.S. Section 46a-68(c)	Requires state agencies to file affirmative action plans with CHRO. Agencies with fewer than 20 employees to file biennially.
C.G.S. Section 46a -68-75 – 114	State affirmative action plans; filing; monitoring; reporting; amended AA Regulations
C.G.S Section 46a-69	Discriminatory practices by state agencies
C.G.S. Section 46a-70 (as amended by Public Act 01-28)	Guarantee of equal employment in state agencies on the basis of race, color religious creed, sex, marital status, age, national origin, ancestry, mental retardation, mental Disability, learning disability or physical disability (including blindness)
C.G.S. Section 46a-70 (a)	Judicial Department included in guarantee of equal employment in State Agencies.
C.G.S. Section 46a-71 (as amended by Public Act 01-28)	Non-discrimination in services provided by state agencies on the basis of race, color, religious creed, sex, marital status, age, national origin, ancestry, mental retardation, mental disability, learning disability or physical disability (including blindness)
C.G.S. Section 46a-72 (as amended by Public Act 01-28)	Discrimination in job placement by state agencies prohibited
C.G.S. Section 46a-73 (as amended by Public Act 01-28)	Discrimination in state licensing and charter procedures prohibited

CONNECTICUT GENERAL STATUTES

SUBJECT

C.G.S. Section 46a-74	State agencies not to permit discriminatory practices in professional or occupational associations, public accommodations or housing
C.G.S. Section 46a-75(a) (as amended by Public Act 01-28)	Non-discrimination in state educational, counseling, apprenticeship and on the job training programs on the basis of race, color, religious creed, sex, marital status, age, national origin, ancestry, mental retardation, mental disability, learning disability or physical disability (including blindness)
C.G.S. Section 46a-76(a) (as amended by Public Act 01-28)	Non-discrimination in allocation of state benefits on the basis of basis of race, color, religious creed, sex, marital status, age, national origin, ancestry, mental retardation, mental disability, learning disability or physical disability (including blindness)
C.G.S. Section 46a-77	Cooperation with CHRO required of all state agencies. Compliance with Americans with Disabilities Act
C.G.S. Section 46a-77(a)	All state agencies shall cooperate with CHRO in their enforcement and educational programs
C.G.S. Section 46a-77(b)	All state agency shall comply with CHRO's request for information concerning practices inconsistent with the state policy against discrimination and shall consider recommendations for effectuating and implementing that policy
C.G.S. Section 46a-77(c)	Each state agency shall comply in all of its services, programs and activities with provisions of the Americans with Disabilities Act (42USC 12101) to the same extent that provides rights and protections for persons with physical or mental disabilities beyond those provided for by the laws of the state
C.G.S. Section 46a-79	Statement of encouragement for employers to hire qualified persons with criminal conviction records; re employment of criminal offenders
C.G.S. Section 46a-80	Denial of employment based on prior conviction of a crime. Dissemination of arrest record prohibited
C.G.S. Section 46a-81a to 46a-81r, inclusive	Discrimination on the basis of sexual orientation
C.G.S. Section 46a-81b	Prohibition against discrimination in professional and occupational associations on the basis of sexual orientation
C.G.S. Section 46a-81c	Prohibition against employment discrimination on the basis of sexual orientation

CONNECTICUT GENERAL STATUTES

SUBJECT

C.G.S. Section 46a-81d	Prohibition against discrimination and segregation in places of public accommodation on the basis of sexual orientation
C.G.S. Section 46a-81e	Prohibition against housing discrimination on the basis of sexual orientation
C.G.S. Section 46a-81f	Prohibition against discriminatory credit practices by creditors on the basis of sexual orientation.
C.G.S. Section 46a-81h	Requirement of equal employment in state agencies on the basis of sexual orientation. State agencies to promulgate written directives and conduct orientation and training programs.
C.G.S. Section 46a-81i	Non-discrimination in services provided by state agencies on the basis of sexual orientation.
C.G.S. Section 46a-81j	Non-discrimination in job placement activities by state agencies on the basis of sexual orientation.
C.G.S. Section 46a-81k	Non-discrimination in state licensing and charter procedures on the basis of sexual orientation.
C.G.S. Section 46a-81 l	Prohibition against state agencies allowing discriminatory practices in professional or occupational associations, public accommodations, or housing in violation of state anti-discrimination laws regarding sexual orientation.
C.G.S. Section 46a-81m	Non-discrimination in state educational, counseling, apprenticeship, and on-th-job programs on the basis of sexual orientation.
C.G.S. Section 46a-81n	Non-discrimination in allocation of state benefits on the basis of sexual orientation.
C.G.S. Section 46a-82	Discrimination Complaint Filing Procedure
C.G.S. Section 46a-83	Complaint Procedure of CHRO
C.G.S. Section 46a-83a	Right of appeal by complainant. Reconsideration requests by CHRO
C.G.S. Section 46-83b	Alternative Dispute Resolution/ available to address discriminatory practice complains field with CHRO; CHRO can promulgate procedural regulations for ADR.
C.G.S. Section 46a-94a (c)	Concerning the reopening of matters by CHRO.
C.G.S. Section 47-59a	Recognition of equal rights & privileges for resident Indians of State tribes.

CONNECTICUT GENERAL STATUTES

SUBJECT

C.G.S. Section 47-59b (a)	Establishment of Indian Affairs Council to oversee rights of Indians of State tribes.
C.G.S. Section 51-279d	Hate Crimes Advisory Committee
C.G.S. Section 53-37	Fine imposed for ridicule on account of race, creed or color, denomination, nationality or race prohibited.
C.G.S. Section 53-37a	Deprivation of a person's civil rights by a person wearing a mark or hood
C.G.S. Section 53-37b	Deprivation of a person's equal rights and privileges by force or threat
C.G.S. Section 53-40a	Persistent offenders of crimes involving bigotry and bias
C.G.S. Section 53a-181b	Intimidation based on bigotry and bias
C.G.S. Section 54-1m(f)(6)	Municipal and state police prohibited from stopping, detaining or searching a person solely on basis of race, color, ethnicity, age, gender or sexual orientation; African-American Affairs Commission authorized to review reports and make recommendations.

GUIDELINES

SUBJECT

Guidelines prepared by the Committee on Upward Mobility	Upward Mobility Guidelines established in 1978
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PUBLIC ACTS

SUBJECT

Public Act 03-151	An Act Concerning Affirmative Action Officers
Public Act 07-62	An Act Concerning the Deprivation of Rights on Account Of Sexual Orientation
Public Act 07-142	An Act Concerning Procedures for the Hearing of Complaints Against State Contractors and Subcontractors by the Commission on Human Rights and Opportunities and Documentation of Nondiscrimination Policies Adopted by State Contractors
Public Act 07-181	An Act Concerning the Investigation of a Discrimination Complaint Against or By An Agency Head or State Commission or Board

PUBLIC ACTS

SUBJECT

Public Act 07-245	An Act Concerning Family and Medical Leave for Municipal Employees and the Applicability of Certain Statutory Provisions to Civil Union Status.
Public Act 08-4	Allows permanent full-time state employees and quasi-public agency employees, who are blind or physically disabled, to use up to 15 days of accumulated paid sick leave to take guide dog or assistance dog training.
Public Act 08-45	Prohibits the state from claiming or applying a lien against any money received as a settlement or award in a public accommodation discrimination case by people who have been supported wholly or in part by the state in a humane institution.
Public Act 08-49	Makes it a violation of the Connecticut General Statutes Section 46a-58 to place a noose or simulation thereof on public property or on private property without the consent of the owner with the intent to intimidate or harass.
Public Act 08-166	Establishes a 13 member Asian Pacific American Affairs Commission within the Legislative Department.
Public Act 09-13	An Act Implementing the Guarantee of Equal Protection under the Constitution of the State for same sex couples
Public Act 09-33	An Act Concerning Confidentiality of certain employer data
Public Act 09-44	An Act Concerning Claims against the State of Connecticut
Public Act 09-55	An Act Concerning the Office of Protection and Advocacy for Persons with Disabilities
Public Act 09-70	An Act Concerning updates to the Family and Medical Leave Act
Public Act 09-145	An Act Concerning Technical Changes to the Statutes regarding Persons with Psychiatric Disabilities and Persons with Substance Use Disorders
Public Act 09-158	An Act Concerning certain state contracting nondiscrimination requirements
Public Act 09-191	An Act Concerning penalties for violations of certain personnel files, statutes and equal pay for equal work
Public Act 09-208	An Act making a number of changes regarding consumer credit licensees.
Public Act 11-55	An Act to prohibit discrimination in various contexts on the basis of gender identity and expression.

PUBLIC ACTS

Public Act 14-11

Public Act 15-14

REGULATIONS

Sections 4-66-1 to 4-66-7, inclusive

Sections 4a-52-1 to 4a-52-22, inclusive

Sections 19a-586-1 to 19a-586-3, inclusive

Sections 27-1021(d)-72 to
27-1021(d)-74, inclusive

Sections 31-51d-1 to 31-51d-12, inclusive

Sections 32-9f-1 to 32-9f-3a, inclusive

Sections 32-9f-4a to 32-9f-10a, inclusive

Sections 46a-54-1 to
46a-54-152

Sections 46a-54-200 to
46a-54-207, inclusive

Sections 46a-54-1a – 46a-54-103a

Sections 46a-68-1 to 46a-68-17, inclusive

Sections 46a-68-31 to 46a-74, inclusive

Sections 46a-68j-21 to 46a-68j-43,
Inclusive, Sections 46a-68k –1 to
46a-68k-8, Section 46a-54d-1 to
46a-54(d) 7

Sections 46a-68-1 – 46a-68-17

Sections 46a- 68-32 – 46a-68-74

Sections 46a-68j-21 – 46a-68j43
Sections 46a-68k-1 through 46a68k-8
Sections 46a-56(d)-1 – 46a- 56(d) – 7

SUBJECT

An Act Concerning Sexual Assault, Stalking and Intimate
Partner Violence on Campus

An Act Concerning Excessive Use of Force

SUBJECT

Employment and training opportunities for women in
Connecticut’s work force

State purchasing procedures

Informed consent for and HIV-related testing

Discrimination and sexual harassment of veterans prohibited

Work training standards for apprenticeship and training
programs

Small contractor’s set-aside program

Minority contractor loans

Description of Organizations, Rules of Practices and Personal
Data

Sexual Harassment posting and training requirements

Complaint processing and contested case proceedings
Regulations

Apprenticeship regulations

Affirmative action by state government

Contract compliance regulations re nondiscrimination
in state contracts

Apprenticeship Programs

Agency Affirmative Action Plan Regulations

Contract Compliance Regulations

REGULATIONS

Sections 4-61dd-1 through 4-61dd-21

SUBJECT

Rules of practice for contested case proceedings under the Whistleblower Protection Act

EXECUTIVE ORDERS

Executive Order No. 3,
Governor Thomas J. Meskill

SUBJECT

Requirement that State Contractors file compliance reports with the Commissioner of Labor on their equal employment opportunity practices

Executive Order No. 9,
Governor William A. O’Neill

Affirmative action

Executive Order No. 10,
Governor William A. Weicker

Governor’s Council for Latino and Puerto Rican Affairs

Executive Order No. 11,
Governor Ella T. Grasso

Equal employment opportunity and affirmative action

Executive Order No. 12,
Governor Ella T. Grasso

Governor’s Council on opportunities for the Spanish speaking

Executive Order No. 16,
Governor John G. Rowland

Violence in the Workplace

Executive Order No. 18,
Governor Thomas J. Meskill

Affirmative action

UNITED STATES

CONSTITUTION

SUBJECT

First Amendment

Freedom of speech

Thirteenth Amendment

Prohibits slavery and involuntary servitude

Fourteenth Amendment

Equal protection

Fifteenth Amendment

Prohibits denying voting rights on the basis of race and color

Nineteenth Amendment

Abolishment of voting restrictions on the basis of sex

FEDERAL LAWS

SUBJECT

15 U.S.C. Section 1691

Equal Credit Opportunity Act, prohibiting discrimination by creditors on the basis of race, color, religion, national origin, sex, marital status, age, or as a result of income derived from public assistance.

FEDERAL LAWS

20 U.S.C. Section 1092 (f)

20 U.S.C. Section 1681 (a)

29 U.S.C. Section 206 (d) et seq.

29 U.S.C. Section 501, et seq.

29 U.S.C. Section 621 et seq.

29 U.S.C. Section 701 et seq.

29 U.S.C. Section 795 et seq.

29 U.S.C. Section 2501 et seq.

29 U.S.C. Section 3001 et seq.

31 U.S.C. Section 1221 et seq.

41 U.S.C. Section 701 et seq.

42 U.S.C. Section 1981 et seq.

42 U.S.C. Section 1981 A, et seq.

42 U.S.C. Section 1982

42 U.S.C. Section 1983

42 U.S.C. Section 2000a

42 U.S.C. Section 2000d et seq.

SUBJECT

Clery Act requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses.

Title IX of the Education Amendments of 1972, prohibiting discrimination on the basis of sex, in federally funded educational services and programs.

Equal Pay Act of 1963, prohibiting discrimination in wages on the basis of sex.

Rehabilitation Act of 1973, as amended, requiring affirmative action and prohibiting discrimination in the federal sector and federally funded activities and programs on the basis of disability.

Age Discrimination in Employment Act of 1973

Vocational Rehabilitation Act of 1973

Employment Opportunities for Handicapped Individuals Act

Women in Apprenticeship and Non Traditional Occupations

Assistive Technology for Individuals with Disabilities

State and Local Fiscal Assistance Act of 1972

Drug-Free Workplace Act of 1988

Equal rights under law

Civil Rights Act of 1991, providing additional coverage and remedies under several federal anti-discrimination laws, involving age, disability, race, color, national origin, sex, and religious discrimination, specifically provides for damages in cases of intentional discrimination in employment.

Property rights

Civil action for deprivation of rights

Prohibition against discrimination or segregation in places of public accommodation

Title VI of the Civil Rights Act of 1964, prohibition against exclusion from participation in, denial of benefits of, and discrimination under federally assisted programs on grounds of race, color, or national origin.

FEDERAL LAWS

42 U.S.C. Section 2000e et seq.

42 U.S.C. Section 3601 et seq.

42 U.S.C. Section 6101 et seq.

42 U.S.C. Section 12101 et seq.

PUBLIC LAWS

PL 101-336

FEDERAL REGULATIONS

12 CFR Part 202.1 et seq.

28 CFR Part 36

28 CFR Part 35

29 CFR Part 30

29 CFR Part 32

29 CFR Part 35

29 CFR 1600 through 1699

29 CFR Part 1602

29 CFR Part 1620

29 CFR Part 1627

29 CFR Part 1630

31 CFR Part 51

SUBJECT

Title VII of the Civil Rights Act of 1964, as amended, prohibiting employment discrimination on the basis of race, color, religion, national origin and sex.

Title VIII of the Civil Rights Act of 1968, as amended, prohibiting discriminatory housing on the basis of race, color, religion, sex, national origin, disability and familial status, specifically provides for fair housing throughout the United States.

Age Discrimination Act of 1975

Americans with Disabilities Act (ADA) of 1990, prohibiting discrimination on the basis of disability in employment, public accommodations, public services and telecommunications.

SUBJECT

Americans with Disabilities Act of 1990

SUBJECT

Equal Credit Opportunity Regulations

Regulations on nondiscrimination towards persons with disabilities by public accommodations and commercial facilities.

Regulations on the basis of disability in state and local government

Nondiscrimination in apprenticeship

Handicap discrimination regulations

Nondiscrimination on basis of disability in state services

Regulations of the Equal Employment Opportunity Commission (EEOC).

EEOC records and reports

Equal Pay Act regulations

ADEA records and reports

Equal employment opportunity for individuals with disabilities

Nondiscrimination by revenue sharing recipients

FEDERAL REGULATIONS

41 CFR Part 60-1
41 CFR Part 60-741
29 CFR Part 1604
29 CFR Part 1605
29 CFR Part 1606
29 CFR Part 1607
29 CFR Part 1608
29 CFR Part 1620
29 CFR Part 1625

SUBJECT

OFCCP regulations
Affirmative action regulations for handicapped workers
Sex discrimination guidelines
Religious discrimination guidelines
National origin guidelines
Uniform Guidelines on Employee Selection Procedures
Affirmative action guidelines
Interpretations of Equal Pay Act
ADEA interpretations

EXECUTIVE ORDERS

Executive Order 10590
President Dwight D. Eisenhower

Executive Order 10652

Executive Order 10952
President John F. Kennedy

Executive Order 11063

Executive Order 11141

Executive Order 11246 and 11375
President Lyndon B. Johnson
Amended by Executive Orders 11375, 11478,
12086 and 12107

Executive Order 11478, as amended
By Executive Order 11590, Executive
Order 12106 and Executive Order 13087

Executive Order 11625

Executive Order 12067
Amended by Executive Order 12107

SUBJECT

Establishment of the President's Committee on Government
Employment Policy as amended by EO10722 and supersede by
EO 11246

Establishment of Equal Opportunity Commission,
amended EO 10773, amended by EO 11051, Revoked by EO
12148.

Establishment of Equal Employment Opportunity Commission
(EEOC).

Establishment of the President's Committee on Equal Opportunity
In Housing, amended by EO 12259, repealed in part by EO 12892.

Age discrimination

Nondiscrimination in Federal Contracts

Equal Employment Opportunity in Federal Government

Developing minority businesses

Providing for Coordination of Federal Equal Employment
Opportunity Programs

EXECUTIVE ORDERS

Executive Order 12138
Amended by Executive Order 12608
President James Carter

Executive Order 12190
Continued by Executive Orders 12258,
12399, 12489, 12534, 12610

Executive Order 12259

Executive Order 12336, as amended
by Executive Order 12355

Executive Order 12432
President Ronald Reagan

Executive Order 12640

Executive Order 12898
President William Clinton

Executive Order 13050

Executive Order 13078

104th Congress

Public Law 104-1

Public Law 104-76

Public Law 104-188

Public Act 104-331

SUBJECT

Women's business enterprises

Establishment of Advisory Committee on Small and Minority
Business Ownership

Leadership and Coordination of Fair Housing in Federal
Programs.

Task force on Legal Equity

Development of Minority Business Enterprise.

Re-establishment of the President's Committee on Employment of
People with Disabilities, See also EO10555.
Environmental Justice

Advisory board on Race

National Task force on Employment of Adults with Disabilities

An Act applying and extending rights and protections (including those under Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Rehabilitation Act of 1973, and Title 1 of the Americans with Disabilities Act of 1990) to the legislative branch of the federal government "Congressional Accountability Act of 1995".

Act to amend the Fair Housing Act to modify the exemption from certain familial status discrimination prohibitions granted to housing for the older persons "Housing for Older Persons Act of 1995".

Small Business Job Protection Act of 1996.

(same as above) applied to Executive Office of the President "Presidential and Executive Office Accountability Act".

105th Congress

Public Law 105-114

Act amending Title 38, providing for Equal Employment Opportunities for veterans.

Public Law 105-220

“Workforce Investment Act of 1998” Act to consolidate and improve employment, training, literacy and vocational rehabilitation programs in the United States;

Various programs noted, for example:

Title 1, Subtitled Section 166 – Native American Programs,

Section 167 – Migrant and seasonal worker programs,

Section 168 – Veteran’s workforce investment programs

Title IV – Rehabilitation Act Amendments of 1998

Dealing with persons with disabilities.

Public Law 105-255

An Act to establish the Commission on the Advancement of Women and Minorities in Science, Engineering and Technology Development.

106th Congress

Public Law 106-50

An Act to provide technical, financial and procurement assistance to veteran owned small businesses (“Veterans Entrepreneurship and Small Business Development Act of 1999”).

Public Law 106-205

Supporting the Day of Honor 2000 to honor and recognize the Service of minority veterans in the United States Armed Forces during World War II.

110th Congress

Public Law 110-233

An Act prohibiting discrimination on the basis of genetic Information. Genetic Information Nondiscrimination Act of 2008. (GINA)

TO: UConn Health Colleagues

FROM: Andrew Agwunobi, M.D., M.B.A.
Chief Executive Officer, UConn Health
Executive Vice President for Health Affairs

DATE: September 26, 2016

SUBJECT: University of Connecticut Policy Against Discrimination, Harassment and Related
Interpersonal Violence

The University of Connecticut is committed to maintaining a safe and nondiscriminatory learning and working environment. Toward that end, the university has maintained longstanding policies and statements prohibiting discrimination and discriminatory and sexual harassment.

Effective January 1, 2016, the University [Policy Against Discrimination, Harassment, and Related Interpersonal Violence](#) placed into one single University-wide policy all of the University's policies and statements regarding: discrimination, discriminatory harassment, sexual and gender-based harassment, sexual assault, sexual exploitation, intimate partner violence, stalking, complicity, retaliation and inappropriate amorous relationships into one single University-wide policy.

In particular, this new policy replaced the following policies and notice formerly applicable to UConn Health:

1. Prohibition of Sexual Harassment
2. Sexual Assault Response Policy
3. Title IX Notice

This University-wide policy enhances clarity for all members of our community, centralizes reporting information for employees and complainants and more clearly identifies employee reporting obligations and the offices responsible for administering these issues.

Anyone with questions should not hesitate to contact the Office of Institutional Equity's Associate Vice President, Elizabeth Conklin:

Elizabeth Conklin, J.D.
Associate Vice President
Title IX Coordinator & ADA Coordinator
Office of Institutional Equity
UConn Health
16 Munson Road, 4th Floor
263 Farmington Avenue
Farmington, CT 06030-5310
Office: 860-679-3563
Websites: www.equity.uconn.edu & www.titleix.uconn.edu
email: elizabeth.conklin@uconn.edu

UConn HEALTH

POLICY NUMBER 2002-45
September 13, 2016

POLICY: HIV/AIDS NON-DISCRIMINATION

PURPOSE: The purpose of this policy is to provide guidance for dealing with work situations involving employees, who have, or are perceived to be at risk of acquiring any of the following:

- Acquired Immune Deficiency Syndrome (AIDS)
- Human Immunodeficiency Virus (HIV) Infection or HIV-related illness, as defined by the Connecticut General Statutes, Section 19a-581

The term HIV/AIDS as used in this policy, should be understood as encompassing all of the above.

STATEMENT:

UConn Health recognizes its obligation to provide a safe and healthy work environment and to assure fair, non-discriminatory treatment of all employees. Therefore, it is the policy of UConn Health that individuals with HIV/AIDS will be treated with the same compassion and consideration given to any other employee with a health problem. No person will be discriminated against in the workplace as a result of having or being at risk of acquiring HIV/AIDS.

Present or prospective employees will not be required to submit to an HIV-related test for the purpose of assessing their ability to be employed or continue to be employed at UConn Health. Any employee with HIV/AIDS has the right to continue working as long as job duties can be performed satisfactorily. Under the guidelines of the Americans with Disabilities Act of 1990, managers and supervisors will make reasonable accommodations in job assignments as necessary and feasible for HIV/AIDS affected employees.

PROCEDURE:

This policy is intended to be consistent with the Connecticut AIDS Testing and Medical Information Law of 1989, C.G.S. Sections 19a-581 through 599, inclusive, as amended. The identity of any employee with HIV/AIDS will remain confidential. HIV/AIDS-related information cannot be disclosed without the written consent of the employee or as otherwise allowed by law.

If any HIV/AIDS-related information (i.e. HIV counseling and testing, HIV/AIDS-related information, records or diagnosis) concerning an employee is received by UConn Health, these records will be maintained in a secure area, apart from the employee's personnel file.

Disclosure of such information will be made only with the explicit authorization of the individual employee and/or in accordance with state and federal law. Any unauthorized disclosure by an employee may result in disciplinary action consistent with collective bargaining agreements and state or federal law and regulations.

ACCOUNTABILITY:

Any questions concerning this HIV/AIDS Policy should be directed to the Office of Institutional Equity at 860-679-3563.

The HIV/AIDS Policy is visibly posted in the institution and is available on the UConn Health Policy web page. Each employee is expected to review this policy and be familiar with it.



Andrew Agwunobi, M.D., M.B.A.
Chief Executive Officer
Executive Vice President for Health Affairs

9/15/16
Date

New Policy: 10/25/01

Revised: 10/30/02, 01/18/07, 04/06/09, 10/30/10, 10/11/11, 10/12/12, 07/18/13, 07/8/14, 9/13/16

Reviewed w/o Changes: 9/8/15

UConn HEALTH

POLICY NUMBER 2002-46
September 13, 2016

POLICY: PERSONS WITH DISABILITIES

UConn Health is committed to achieving equal opportunity in employment, education, and its programs; by encouraging full participation for persons with disabilities. The American with Disabilities Act, (ADA), the provisions of Section 504 of the Rehabilitation Act of 1973 and the Connecticut General Statutes, Section 46a-60 prohibit discrimination against individuals with disabilities. Therefore, this policy is put forth by UConn Health to ensure that no person be subjected to discrimination in any of its services or programs.

A person with a disability must be ensured the same access to programs, opportunities, and activities at UConn Health as all others. There must be ongoing vigilance to ensure that barriers are not erected. Reasonable accommodations will be made to remove existing barriers, whether physical, programmatic, or attitudinal.

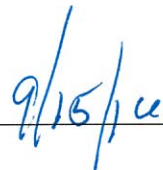
UConn Health's success in accommodating persons with disabilities will be measured against its goal of achieving full participation and integration. The services and programs that promote these benefits for persons with disabilities shall complement and support, but not duplicate, UConn Health's regular services and programs.

Achieving full participation and integration of persons with disabilities at UConn Health requires the cooperative efforts of the deans, directors, department heads, faculty, and staff. To this end, UConn Health will continue to strive for excellence in its services as well as assure these services are appropriately made and equitably delivered to all. Contact: Elizabeth Conklin, Associate Vice President, Office of Institutional Equity, and ADA Coordinator (860) 679-3563, for further assistance.



Andrew Agwunobi, M.D., M.B.A.
Chief Executive Officer
Executive Vice President for Health Affairs

Date



New Policy: 9/30/02

Revised: 10/16/09, 10/30/10, 10/11/11, 10/12/12, 07/18/13, 7/8/14, 09/8/15, 9/13/16