

**ORDINANCE NO. 1201 SUPPLEMENTAL
AMENDING CHAPTER 47, PERSONNEL, ARTICLE IV, LABOR STANDARDS AND
RESPONSIBILITIES, SECTION 47-15, COMPLIANCE WITH PROVISIONS**

WHEREAS, Section 47-15 concerns equal employment opportunities and/or prohibited discriminatory practices as applicable to contractors hired by the City of Stamford to perform public or publicly aided construction; and

WHEREAS, 47-15 does not specifically prohibit discrimination based on sexual orientation and gender identity, which is prohibited by state law; and

WHEREAS, it is important to ensure that contractors hired by the City of Stamford will not unfairly treat or discriminate against its employees on the basis of their sexual orientation or gender identity.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Chapter 47, Personnel, Article IV, Labor Standards and Responsibilities, Section 47-15 of the City of Stamford Code of Ordinances shall be amended as follows:

Sec. 47-15. Compliance with provisions.

- A. Every person or employer with three (3) or more persons in his employ, contracting with the City of Stamford for public or publicly aided construction as defined in § 47-16A, shall be deemed to have accepted the provisions of this section, and these provisions shall thereupon become part of the contract documents and shall be incorporated therein. In particular, during the performance of this contract, the contractor shall be deemed to agree as follows:
- (1) The contractor, by itself or its agent, will not discriminate against any employee or applicant for employment because of race, color, religious creed, age, sex, marital status, national origin, ancestry or physical disability, except in the case of a bona fide occupational qualification or need.
 - (2) The contractor will take affirmative action to make known that company's policy in this regard and to recruit and encourage all qualified persons to seek employment based on individual merit and to ensure that all qualified applicants are given employment and that employees are treated equally during employment without regard to their race, color, religious creed, age, sex, marital status, sexual orientation, gender identity or expression, national origin, ancestry or physical disability. Such affirmative action and nondiscrimination shall be in respect to but not limited to the following: employment; terms and conditions of employment; upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices in form to be approved by the Commission on Human Rights of the City of Stamford, setting forth the provisions of this nondiscrimination clause.
 - (3) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religious creed, age, sex, marital status, sexual orientation, gender identity or expression, national origin, ancestry or physical disability.
- B. Each labor organization supplying labor to or having a labor contract with a person covered by Subsection A of this section shall be deemed to have accepted the provisions of this section. In particular, such union shall be deemed to agree as follows:
- (1) The union will not discriminate against any union member or employee or applicant for union membership or employment because of race, color, religious creed, age, sex, marital status, sexual orientation, gender identity or expression, national origin, ancestry or physical disability, unless such action is based on a bona fide occupational qualification.
 - (2) The union will take affirmative action to make known its policy in this regard and to encourage and recruit all qualified persons to seek union membership and employment based on individual merit and to ensure that all qualified applicants are given union membership and employment and that members and employees are treated equally during union membership and employment without regard to their race, color, religious creed, age, sex, marital status, sexual orientation, gender identity or expression, national origin, ancestry or physical disability. Such affirmative action and nondiscrimination shall be in respect to but not be limited to the following: union membership; employment; terms and conditions of employment; upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or

other forms of compensation; selection for training, including apprenticeship; and the benefits of collective bargaining rights. The union agrees to post in conspicuous places, available to employees, its members and applicants for employment or union membership, notices in form approved by the Commission on Human Rights of the City of Stamford, setting forth the provisions of this nondiscrimination clause.

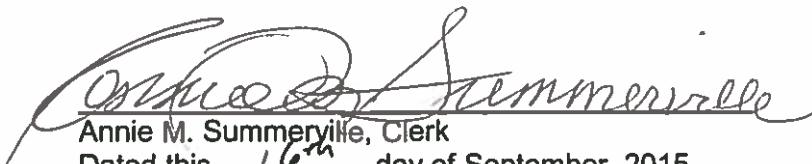
- C. The Commission on Human Rights and/or the Director of Operations ^{5.1} shall have the right to inspect and obtain copies of personnel, employment and other relevant records of contractors and membership and other relevant records of unions subject to this Article for the purpose of investigation to determine compliance.
- D. Upon due notice to a contractor or a union concerning which there is reasonable cause to believe noncompliance has occurred or is occurring, the Commission on Human Rights is empowered to hold a public hearing to determine whether or not any of the provisions of this section have been violated. In the event it is found that a contractor has not complied with this section or with the nondiscrimination and affirmative action clauses of his contract, the Commission on Human Rights may cancel, terminate or suspend such contract in whole or in part and the contractor may be declared ineligible for further city contracts until such time as the Commission shall certify that the contractor is in compliance, and such other sanctions may be imposed and remedies invoked as provided by law or rule or regulation promulgated thereunder. In the event it is found that a union has not complied with this section, the Commission may direct it to take steps to achieve compliance or be disqualified from furnishing labor to contractors subject to this section, or such other sanctions may be imposed and remedies invoked as provided by law or by rule or regulation promulgated thereunder.
- E. The Commission on Human Rights is hereby authorized to adopt, publish, amend and rescind rules and regulations, consistent with and in furtherance of the provisions of this section, to subpoena witnesses and require the production of documents to the same extent as is authorized by Section 31-125 of the Connecticut General Statutes, as the same may be, from time to time, amended.

Randall M. Skigen, President, and Annie M. Summerville, Clerk, do hereby certify that the foregoing Ordinance was approved by a machine vote of 30-3-0 by the 29th Board of Representatives at the Regular Board Meeting held on September 8, 2015.



Randall M. Skigen, President

Dated this 10th day of September, 2015



Annie M. Summerville, Clerk

Dated this 16th day of September, 2015



David R. Martin, Mayor, City of Stamford

Dated this 18th day of September, 2015

EFFECTIVE DATE: September 26, 2015

- cc: Mayor David R. Martin
Michael Handler, Director of Administration
Lee Berta, Assistant Director of OPM
Ernie Orgera, Director of Operations
Thomas Madden, Director of Economic Development
Kathryn Emmett, Esq., Law Department
Ted Jankowski, Director of Public Safety, Health & Welfare
Donna Loglisci, Town Clerk