



STATE OF CONNECTICUT
 Department of Mental Health & Addiction Services



Commissioner's Policy Statement and Implementing Procedures

SUBJECT:	Gender Identity and/or Expression Policy- Accommodations for the Protected Class
P & P NUMBER:	Chapter 2.24
APPROVED:	Miriam Delphin-Rittmon, Commissioner Date: 10/15/2015
EFFECTIVE DATE:	October 15, 2015 <i>Miriam Delphin-Rittmon</i>
REVISED:	10/1/2011
REFERENCES:	C.G.S. Sec. 46a-51, 46a-58, 46a-59, 46a-60, 46a-64, 46a-64c, 46a-68, 46a-68c to 46a-68g, inclusive, 46a-70, 46a-71 to 46a-76, inclusive, 46a-81b to 46a-81e, 46a-81g to 46a-81o, Sec. 4a-60, 4a-60a, 4a-60g, as codified by Public Act 11-55.
FORMS AND ATTACHMENTS:	Chapter 2.1 “A Working Plan for Affirmative Action”, Chapter 2.19, “Internal Discrimination Grievance Procedure” Form #AA-100, Affirmative Action Grievance Form Client Grievance Procedure Client Grievance Form

STATEMENT OF PURPOSE: To comply with Connecticut State law protecting individuals on the basis of their gender identity or expression, and establish a procedure for employees and clients to request an accommodation if needed.

POLICY: As defined under Section 46a-51 of the Connecticut General Statutes:
 “Gender identity or expression” means a person’s gender-related identity, appearance or behavior whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person’s physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person’s core identity or not being asserted for an improper purpose.”

The Department of Mental Health and Addiction Services is dedicated to a policy of affirmative action in employment practices which supports the objective of equal employment opportunity. This policy is outlined in Commissioner’s Policy, Chapter 2.1 “A Working Plan for Affirmative Action”. Included in this policy is the statement that *Equal employment opportunity* denotes a system of employment practices under which no one is to be excluded from participation, advancement, or benefits due them, because of protected class status. From the effective date of this policy, that policy of nondiscrimination also applies to *Gender Identity or Expression*.

PROCEDURES: If an employee of the Department of Mental Health and Addiction Services is in need of an accommodation under this protected class, he/she should contact the DMHAS Equal Employment Opportunity Director. The DMHAS Equal Employment Opportunity Director will serve as the Accommodation Coordinator for DMHAS employees to ensure compliance with this State law. If a client of the Department of Mental Health and Addiction Services is in need of an accommodation under this protected class, he/she should contact their facility Clients' Rights Officer who will serve as the Accommodation Coordinator for DMHAS clients, to ensure compliance with this State law. The facility Clients' Rights Officer may handle the situation independently, or may work together with the DMHAS Equal Employment Opportunity Director on the matter.

The employee's or client's Accommodation Coordinator will review what evidence is provided by the employee, ascertain that the evidence presented is not being asserted for an improper purpose, and then work with persons involved to ensure that an appropriate accommodation is granted. The Accommodation Coordinator will notify appropriate agency personnel on a need-to-know basis to include, at minimum, the Commissioner, the facility Chief Executive Officer, and the Agency Human Resources Director. A record will be kept of all accommodations made. Records of accommodations for DMHAS employees will be kept by the DMHAS Equal Employment Opportunity Director, and records of accommodations for DMHAS clients will be kept by the facility Clients Rights' Officers.

Harassment of any DMHAS employee on the basis of gender identity or expression, or any other protected class, may be a violation of the Affirmative Action Policy, Chapter 2.1. Any grievances related to harassment of an employee on the basis of protected class status will be handled through the *Internal Discrimination Grievance Procedure, Chapter 2.19* and by completing *Form #AA-100*.

Clients or employees, who witness harassment of any DMHAS client on the basis of gender identity or expression, should report the incident immediately to appropriate personnel for further action. Depending on the nature of the incident, if it involves client abuse the appropriate persons in the agency or facility should be contacted, if it is an alleged DMHAS work rule violation, it should be reported to DMHAS Labor Relations, if it is a criminal violation it should be reported to agency or local police, if it is a private provider violation it should be reported to the appropriate authorities.