**State of Connecticut**

**Commission on Human Rights and Opportunities**

**Regular Commission Meeting**

**Legislative Office Building – Rm 1A**

**Hartford, CT 06106**

**Wednesday, August 12, 2015**

**2:00 p.m.**

**Regular Commission Meeting Minutes**

**Commissioners Present** **Commissioners Absent**

Edward Mambruno Gary Collins, Chair

Edith Pestana

Dawn Niles

Andrew Norton

Shuana Tucker

Joseph Suggs

**STAFF PRESENT**

Tanya Hughes, Executive Director

Cheryl Sharp, Deputy Director

Emily Melendez, Assistant Attorney General

Jim Flynn, Regional Manager Donna Wilkerson- Brillant, Regional Manager
Monica H. Richardson, Executive Secretary         Jim O’Neill, Legislative Liaison

Alix Simonetti, Commission Counsell III Kim Jacobsen, Commission Counsel III

1. Chairperson: Edward Mambruno, Presiding

Commissioner Mambruno convened the meeting at 2:07 p.m.

II.                Approval of the Minutes

 A motion was made by Commissioner Pestana and seconded by Commissioner Tucker to

 approve the Minutes of the July 8, 2015 Regular Commission Meeting. The vote was as follows:

 5 voted yes, and 1 abstained. The motion carried.

III.          Affirmative Action Recommendations – Vote Required

 Commissioner Mambruno asked that the plans be voted on separately.

 The plans were presented by Deputy Director Cheryl Sharp.

1. Staff Recommendations: **Approved**
2. Department of Transportation

Representing the agency were Commissioner James Redeker and Nancy Bryant.

The plan was recommended for **approval** based on compliance with the following: It contained all elements required; the agency demonstrated good faith efforts to achieve its goals; the agency did not meet all or substantially meet all of its hiring goals (38.3%), the promotion goals were met at 32.9% and the program goals were met at 100% for this filing period.   There were no deficiencies in the prior plan review. The five year filing history is as follows: 2010, 2011, 2012, 2013, and 2014, the plans were approved. They will retain their annual filing status.

2.  Asnuntuck Community College

 Representing the Agency were President James Lombella and Cheryl Cyr.

The plan was recommended for **approval** based on compliance with the following: It contained all elements required; the agency demonstrated good faith efforts to achieve its goals; the agency did not meet all or substantially meet all of its hiring goals (33.3%), there were no promotion goals and the program goals were met at 50% for this filing period.   There were no deficiencies in the prior plan review. The five year filing history is as follows: 2008, approved, 2009, disapproved, 2010, 2011 and 2013, the plans were approved. They will retain their biennial filing status.

A motion was made by Commissioner Pestana to accept the staff recommendation to **approve** the plans for Department of Transportation and Asnuntuck Community College. It was seconded by Commissioner Tucker. The vote was unanimous. The motion carried.

1. Staff Recommendation **: Conditional Approval**

3. Norwalk Community College

Representing the agency were President David Levinson and Cheryl DeVonish.

The affirmative action plan for Norwalk CC was recommended for **conditional approval** and change from biennial filing status to **annual filing status**. The recommendation was based on compliance with the following: It contained all elements required; the agency did not demonstrate good faith efforts to achieve its goals; the agency did not meet all or substantially meet all of its hiring goals (41.7%). They met promotion goals at 76.9% and its program goals were met at 100%. There were no deficiencies in the prior plan review. The five year filing history is as follows: 5/30/2009, disapproved, 5/30/2010, disapproved for “Failure to File” and 11/30/2010 disapproved, 5/30/ 2011, disapproved, in 11/30/2011 – approved, and, 5/30/12, approved as well, and finally 5/30/13, approved They retained a biennial filing status.

 A motion was made by Commissioner Suggs to accept staff recommendation for **conditional approval** and **annual filing status**. It was seconded by Commissioner Niles. The vote was unanimous. The motion carried.

 4. Northwestern CT Community College

Representing the agency were President Barbara Douglass and Wendy Bovia.

The affirmative action plan for Northwestern CC was recommended for **conditional approval** and change from biennial status to **annual filing status**. This recommendation was based on partial compliance with the following; it contained all elements required; the agency partially demonstrated good faith efforts to achieve its goals; the agency has not met all or substantially all of its hiring goals at 40%. There were no program goals set. The promotion goals were not met at 0%. The five year filing history is as follows: 2008, 2009, 2010, 2011 were all approved and 2013 a conditional approval.

 A motion was made by Commissioner Niles to recommend Northwestern CC for **approval** and retain its **biennial filing status**. It was seconded by Commissioner Pestana. The vote was unanimous. The motion carried to approve the plan and to retain biennial filing status.

 C. Staff Recommendation: **Disapproved**

 5. Department of Mental Health and Addiction Services

Representing the agency was newly appointed Commissioner Miriam Delphine-Rittmon and Eric Smith. The affirmative action plan for DMHAS was recommended for **disapproval** and to retain annual filing status. This recommendation was based on the following; it contained all elements required; the agency did not demonstrate good faith efforts to achieve its goals: the agency has not met all or substantially all of its hiring goals at 47%. The promotion goals were at 44.7% and the program goals were met at 75%. The five year filing history was as follows: 2010, 2011, 2012, approved, 2013, conditionally approved and 2014, approved. They retained an annual filing status.

 A motion was made by Commissioner Norton to grant a **conditional approval** and maintain their **annual filing status**. It was seconded by Commissioner Niles. The vote was 3 in favor; 2 opposed. The motion carried.

IV. Petition for Declaratory Ruling:

 Michael and Audrey Minto v. the Country School

 CHRO no.1530513

 Charles Krich, Principal Attorney, CHRO

 Representing the Country School was Attorney John Herrington.

Following oral presentations from the parties, a motion was made by Commissioner Niles to set the matter down for a specified proceeding – in this instance, an investigation, pursuant to the staff recommendation. It was seconded by Commissioner Norton. The motion carried unanimously.

Commissioner Niles made a motion to amend the Agenda by moving Item VI (Request to Reopen) up to item V. It was seconded by Commissioner Norton. The motion carried unanimously.

Commissioner Norton joined the meeting at this time. It was 2:57 p.m.

V. Reopening Request:

Raymond Ostasiewski v.Department of Revenue Services

CHRO no. 1410266

Michelle Dumas Keuler, Attorney III, CHRO

The Complainant, Raymond Ostasiewski, expressed his desire to have his case reopened rather than utilizing the Release of Jurisdiction issued by CHRO.

The Respondent (DRS) was represented by Assistant Attorney General Jill Lacedonia.

A motion was made by Commissioner Pestana to reopen case number. It was seconded by Commissioner Norton.

Commissioner Pestana then withdrew her motion. Commissioner Norton withdrew his second.

A motion was subsequently made by Commissioner Pestana to accept CHRO’s recommendation to let stand the Release of Jurisdiction in case no. 1410266. It was seconded by Commissioner Suggs. The vote was two in favor and two opposed to the motion. Commissioner Mambruno, presiding chairperson, broke the tie by voting in favor of staff recommendation to let stand the Release of Jurisdiction.

Commissioner Mambruno announced that the commissioners had the division reports in their folders and in the interest of time, to skip them and go on to agenda item number VI. Contract Compliance.

VI. Contract Compliance: Request for Exemption

1. The Common Application Inc., UCONN

CHRO, Alix Simonetti, Attorney 3

A motion was made by Commissioner Pestana to accept staff’s recommendation of the exemption, inclusive of four conditions. It was seconded by Commissioner Suggs. The motion carried unanimously.

1. The University of Notre Dame, University of Connecticut Health Center

CHRO, Alix Simonetti, Attorney 3

A motion was made by Commissioner Norton to accept staff’s recommendation of the exemption, inclusive of three conditions. It was seconded by Commissioner Suggs. The motion carried unanimously.

At 4: 15 p.m. Commissioner Mambruno called executive session, inviting the Executive Director, the Deputy Director, AAG Emily Melendez, and Attorney Kim Jacobsen.

VII. Executive Session:

*(Requires a two-thirds vote of Commissioners Present and Voting – Staff and Guests Invited to Attend Must Be Noted*

 CONFIDENTIAL: CHRO ex rel. Brown v. West Haven Police

The commission meeting resumed from Executive Session at 4:35 p.m.

VIII. Vote on Executive Session items:

 *(Action May Be Required)*

No motions were taken during Executive Session.

IX. New Business

X. Old Business

XI. Adjournment

A motion was made by Commissioner Pestana to adjourn the meeting and seconded by Commissioner Suggs. The motion to adjourn carried unanimously. The meeting ended at 4:45p.m.