

**State of Connecticut
Commission on Human Rights and Opportunities
Regular Commission Meeting
Legislative Office Building – Rm 1A
Hartford, CT 06106
Wednesday, October 11, 2017
2:00 p.m.**



Regular Commission Meeting Minutes

Commissioners Present

Cherron Payne, Chairperson
Edward Mambruno, Secretary
Lisa Giliberto
Nicholas Kapoor
Andrew Norton
Edith Pestana
Joseph Suggs
Shuana Tucker

Staff Present

Cheryl Sharp, Deputy Director	
Darcy Jones, Legislative Analyst	
Emily Melendez, Assistant Attorney General	Alix Simonetti, Commission Counsel III
Monica H. Richardson, Executive Secretary	Michelle Dumas Keuler, Commission Counsel III
Lynda Rizzo Stowe, Regional Manager	Donna Wilkerson Brilliant, Regional Manager
Ronald Simpson, Regional Manager	Neva Elaine Vigezzi, AA HRO Representative

I. Chairperson: Cherron Payne, Presiding

The meeting was convened at 2:06 p.m. by Chair Cherron Payne.

II. Secretary: Edward Mambruno

A motion was made by Commissioner Tucker to approve the Minutes of the September 13, 2017 Regular Commission Meeting. It was seconded by Commissioner Suggs. The vote was: Yes (6), No (0), and Abstentions (0). The motion carried.

Note: Commissioner Norton joined the meeting at 2:10 p.m.

III. Affirmative Action Recommendations – Vote Required

The following plans were presented by Deputy Director Cheryl Sharp:
Eastern Connecticut State University, Western Connecticut State University, Department of Public Health and Office of the Chief Medical Examiner

A. Staff Recommendations: **Approved**

1. Eastern Connecticut State University

Representing the agency was Dr. Elsa Nunez, President of the University, Dr. Stacey Close, Associate Vice President for Equity and Diversity, and Mr. Jianguo Zhu, University HR Administrator for Recruiting and Reporting.

The plan was recommended for **Approval**:

The agency did not meet or substantially meet all of its hiring goals at 46.2%. The promotion goals were met at 55.6% for this filing period. The program goals were met at 100%.

The Contract Compliance Set-Aside Program for FY2015/2016 showed 267% goal achievement for the SBE and 427% for the MBE.

The filing history is as follows: 2012, 2013, 2014, 2015 and 2016, approved.

A motion was made by Commissioner Giliberto and seconded by Commissioner Suggs to accept staff recommendation and **approve** the plan of Eastern Connecticut State University and retain annual filing status. The vote was: Yes (7), No (0) and Abstentions (0). The motion carried unanimously.

2. Western Connecticut State University

Representing the agency was Dr. John B. Clark, President, Ms. Jesenia Minier-Delgado, Chief Diversity Officer and Mr. Fred Cratty, Chief Human Relations Officer.

The plan was recommended for **Approval**:

The agency did not meet or substantially meet all of its hiring goals at 21.4%. The promotion goals were met at 27.3% for this filing period. The program goals were not met at 0%.

The Contract Compliance Set-Aside Program for FY2015/2016 showed 136.8% goal achievement for the SBE and 342.7% for the MBE.

The filing history is as follows: 2012, 2013, 2014, 2015 and 2016 - Approved.

A motion was made by Commissioner Giliberto and seconded by Commissioner Tucker to accept staff recommendation and **approve** the plan of Western Connecticut State University

and retain annual filing status. The vote was: Yes (7), No (0) and Abstentions (0). The motion carried unanimously.

3. Department of Public Health

Representing the agency was Yvonne Addo, Deputy Commissioner, Amanda Anduaga-Roberson, EEO Manager, Jennifer Borenski, EEO Assistant and Mike Carey, HR Administrator.

The plan was recommended for **Approval**:

The agency did not meet or substantially meet all of its hiring goals at 73%. The promotion goals were met at 47% for this filing period. The program goals were met at 100%.

The Contract Compliance Set-Aside Program for FY2015/2016 showed 322% goal achievement for the SBE and 383% for the MBE.

The filing history is as follows: 2012, disapproved; 2013, 2014, 2015 and 2016, approved.

A motion was made by Commissioner Pestana and seconded by Commissioner Giliberto to accept staff recommendation and **approve** the plan of Eastern Connecticut State University and retain annual filing status. The vote was: Yes (7), No (0) and Abstentions (0). The motion carried unanimously.

B. Staff Recommendations: **Disapproval**

4. Office of the Chief Medical Examiner

Representing the agency were James Gill, M.D., Chief Medical Examiner, Nicole Brown, Human Resources and Lincoln Gordon Administrator.

The plan was recommended for **disapproval** 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 at 58.3%. The promotion goals were not established in the prior filing and the program goals were 0%.

The Contract Compliance Set-Aside Program for FY2015/2016 showed 236.8% goal achievement for the SBE and 232.1% for the MBE.

The five-year filing history is as follows: 2009, 2010, and 2011, 2013, and 2015, approved. They were recommended to rescind their biennial filing status.

A motion was made by Commissioner Pestana and seconded by Commissioner Giliberto to **disapprove** the plan and to **rescind biennial filing status** of the Office of the Chief Medical Examiner. The vote was: Yes (6), No (1) and Abstentions (0). The motion carried.

IV. Exemption Request.

Presented by Alix Simonetti, Commission Counsel

1. University of Connecticut Health Center – Certain Grant Based – Collaborative and Consulting Agreements.

*Chair Payne recused herself, Commissioner Pestana was designated acting Chair.

A motion was made by Commissioner Giliberto and seconded by Commissioner Suggs to accept staff recommendation to **extend the previously granted Blanket exemption to November 15, 2018 with conditions**. The vote was: Yes (7), No (0) and Abstentions (0). The motion carried unanimously.

2. CT Department of Transportation – Bureau of Engineering and Construction, Right Way Real Property Leases

A motion was made by Commissioner Kapoor and seconded by Commissioner Giliberto to accept staff recommendation to **conditionally grant the exemption**. The vote was: Yes (7), No (0) and Abstentions (0). The motion carried unanimously.

*Chair Payne returned to the meeting.

V. Division Reports

Executive Director's Report: presented by Cheryl Sharp, Deputy Director

- Continuous updates and adjustments to forms and process as new situations arise. Also, consulting with EEOC about utilizing the company they are using (Oracle).
- Maintaining minimum aged inventory
- Speaking engagements and Meetings:
 - EEOC Regional Conference – October 25-27, Saratoga Springs, NY
 - Minority Construction Council – Expo and matchmaker event, October 5
 - Diversity & Inclusion Summit – October 26, Hartford
 - Agency Wide Training Meeting – January 9, 2018

A detailed production report was provided.

Outreach Report: presented by Cheryl Sharp, Deputy Director

Future Outreach Activities

- Legal Rights of Working Parents: Making it Work at Home and on the Job, Oct 30
- Leaders and Legends Award Ceremony November 16,
- Contract Compliance Round Table, Oct. 11
- Sexual Harassment Training for Women's Family Center, Oct. 6

Outreach Successes

- NAACP Anniversary Dinner, *Attendees: 250*
- Minority Construction Council, *Attendees: 75-100*
- Farmer's Market Outreach, $\frac{3}{4}$ regions, Attendees: Varies
- Fair Housing, Robin Trepanier, Richard Rothstein, the author of "The Color of Law: A forgotten History of How Our Government Segregated America" at Yale Law School, *Attendees: 100*
- Fair Housing and Capitol Region Farmer's market at Statehouse Square in Hartford; Attendees: 20-30 people
- Eastern region GNACC Business After Hours
- West Central, Farmers Market, Anti Bullying Rally, Diversity Week participants
- Southwest Region : Farmers Market, diversity in Greater Bridgeport

A detailed report was provided.

Legislative Report: presented by Michelle Dumas Keuler, Commission Counsel

The state of Connecticut remains without a budget. The state continues to operate under executive order. The CHRO remains funded at a decreased level, creating problems for the agency which is already critically understaffed.

A detailed report was provided.

VI. New Business:

CT NAACP – Department of Mental Health and Addiction Services

Jason Teal, President of the Meriden-Wallingford NAACP, Scot X. Esdaile, President of the State branch of NAACP, requested that CHRO hear complaints of employees from DMHAS at a Public Forum and that the CHRO initiate a complaint alleging a pattern or practice of discrimination at DMHAS. CHRO Attorneys, Michelle Dumas Keuler and David Kent are assigned to this matter.

***Commissioner Tucker left the meeting at 3:25 pm.*

Commissioner Norton moved to add to the Agenda to discuss NAACP/DMHAS in Executive session and was seconded by Commissioner Suggs. The vote was: Yes (6), No (0) and Abstentions (0). The motion was carried by unanimous vote.

VII. Executive Session

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

Commissioner Pestana moved to go into Executive session and was seconded by Commissioner Suggs. The vote was: Yes (6), No (0) and Abstentions (0). The motion was carried by unanimous vote at 3:27 pm.

Invited into Executive session were Deputy Director Cheryl Sharp and Attorney Michelle Dumas Keuler.

Assistant Attorney General Emily Melendez recused herself from Executive session; she is state appointed counsel for DMHAS.

*** Commissioner Norton exited the meeting during Executive Session at 3:45 p.m.*

VIII. Return from Executive Session

Commissioner Suggs made a motion to resume the meeting following Executive Session at 4:05 p.m. and it was seconded by Commissioner Pestana. The vote was: Yes (4), No (0) and Abstentions (0). The motion carried unanimously.

*** Commissioner Kapoor exited after Executive Session*

IX. Vote on Executive Session Items: N/A

Chair Payne announced to employees of DMHAS that in order to file their complaint with CHRO, it must be filed within 180 days from the last incident and if it is beyond 180 days, then you can file up to 300 days with the EEOC if it meets the criteria. She stated that the next commission meeting will be Wednesday, Nov 8. And that at this meeting the staff of CHRO will have reviewed the cases and make a recommendation to the Commissioners.

X. Adjournment

A motion was made by Commissioner Giliberto to adjourn the meeting and was seconded by Commissioner Pestana. The motion to adjourn carried unanimously. The vote was Yes (4), No (0), and Abstentions (0). The meeting adjourned at 4:24 p.m.