

**State of Connecticut
Commission on Human Rights and Opportunities
Regular Commission Meeting
Legislative Office Building – Rm 1A
Hartford, CT 06106
Wednesday, December 10, 2014
2:00 p.m.**



**Minutes
Regular Commission Meeting**

Commissioners Present - All

Gary H. Collins, Chairman
Edward Mambruno, Secretary
Edith Pestana
Dawn Niles
Andrew Norton

Commissioners Absent - None

STAFF PRESENT

Tanya Hughes, Executive Director

Cheryl Sharp, Deputy Director
Monica H. Richardson, Executive Secretary
David Teed, Assistant Attorney General
Alvin Bingham, AA/CC Supervisor
Donna Wilkerson- Brillant, Regional Mgr.
Alix Simonetti, Attorney III
Jim O'Neill, Legislative Liaison

Jim Flynn, Regional Manager
Sue Hom, HRO Rep
Neva Vigezzi, Program Analyst
Jan Papierno, Intern
Danielle Caron, Intern
Kim Jacobsen, Attorney III

- I. **Chairperson:** Gary H. Collins, Presiding
Chairman Collins convened the meeting at 2:00 p.m. He offered remarks concerning the air of frustration regarding racial tension in the country related to racial profiling and subsequent police shootings. He gave accolades to management and staff at CHRO on having a productive year stating he was proud to have been a part of it. During his tenure, he would like to see CHRO continue to excel.

II. **Secretary:** Edward Mambruno

A motion was made by Commissioner Norton to approve the minutes from the November 10, 2014 Regular Commission Meeting. It was seconded by Commissioner Niles. There was an abstention from Commissioner Pestana. The motion carried with a 3-0 vote and one abstention.

III. **Affirmative Action Recommendations – Vote Required**

All plans were presented to the Commissioners by Alvin Bingham.

A. Staff Recommendations: **Approved**

1. **Division of Criminal Justice**

Representing the agency were Kevin Kane, Chief State's Attorney, John Russotto, Deputy Chief, and Ngina Gibson, EEO Specialist.

The Affirmative Action plan of the Division of Criminal Justice was recommended for approval based on compliance with the following: It contained all elements required; the agency demonstrated good faith effort to achieve its goals; the agency has not met all or substantially all of its hiring goals (42.9%). Their promotion goals were met at 50 %. The program goals were 50% achieved. There were no deficiencies in the prior plan review. The five year filing history is as follows: in 2009 the plan was conditionally approved and 2010, 2011, 2012 and 2013 the plans were all approved.

2. **Department of Motor Vehicles**

Representing the agency were Dan Callahan, HR Director and Natalie Shipman, the Affirmative Action and EEO Manager.

The plan for the Department of Motor Vehicles was recommended for approval based on compliance with the following: It contained all elements required; the agency demonstrated good faith effort to achieve its goals; it has not met or substantially met all hiring goals at 29.3%; promotion goals were substantially met at 40%, and program goals were met at 100%. There were no deficiencies in the prior plan review. The five year filing history is as follows: 2009, 2010 they were disapproved. In 2011, 2012 and 2013 they were approved.

Commissioner Norton noted there are more black females than males, especially in the clerical positions. Can more African American men be brought into this category for jobs? The comment made by DMV, was there are not as many applying for clerical positions.

A motion was made by Commissioner Mambruno to accept the staff recommendation to approve the plans for the Division of Criminal Justice and the Department of Motor Vehicles. It was seconded by Commissioner Pestana. The vote was unanimous.

B. Staff Recommendation: **Conditional Approval**

1. Department of Economic and Community Development

Representing the Department of Economic and Community Development were Commissioner Catherine Smith, Cordula, and Irene Baj Wright.

The Department of Economic and Community Development plan was recommended for conditional approval due to the following: (1) the plan was submitted 89 days late, (2) the DECD's MOU with DAS to fulfill the AA plan had ended September 2012 and it remained ambiguous as to who would assume responsibility and (3) there were no established recruitment and outreach efforts outlined in the plan. As far as elements required it did not meet or substantially meet its hiring goals at 36.4%. It met promotion goals at 100% and program goals were not met (0%). They demonstrated good faith effort to achieve their goals. There were no deficiencies in its prior plan. The filing history is as follows: in the years 2008 to 2012, the plans were approved.

Chair Collins commented that the former Agency (DAS) previously prepared the plan for DECD and should continue to prepare the plan for them. It was noted that these conversations are in place.

A motion was made by Commissioner Mambruno to conditionally approve the plan of Department of Economic and Community Development. It was seconded by Commissioner Pestana. The vote carried unanimously.

A motion was also made to rescind biennial filing to annual filing by Commissioner Norton and seconded by Commissioner Pestana. The vote carried unanimously.

IV. **CONTRACT COMPLIANCE REQUIREMENTS**

A. **Request for Exemption**, Department of Public Health, Vaccination Program.

Attorney Shawn Rutchick and Founder of the CT Vaccines for Children program, Mick Bouldik, were present.

Attorney Alix Simonetti presented a recommendation to grant the exemption for one year. In addition, to the Exemption, there is also a request that CVP and DPH disseminate information to 720 providers, about Connecticut's nondiscrimination language as well as quarterly reports from DPH.

A motion was made by Commissioner Norton to grant the exemption. It was seconded by Commissioner Pestana. The motion carried unanimously.

V. **Division Reports:**

A. **Executive Director's Report**

This report was presented by Executive Director Tanya Hughes. She discussed the Racial Profiling/Prohibition project results after one year showing that Connecticut has been a maverick in this new area of enforcement. The Alvin Penn Act was instrumental in getting this first statewide reporting of racial profiling. There is 100% participation of the police departments in CT. The police are handing out information during their traffic stops. The committee is also pulling data from other states to see how they are compiling results and trying to establish a model for reporting of the data gathered.

The personnel update stated that we were able to fill the Bpt trainee and there is going to be a critical hire request for an office clerk in the Capitol region office. The durational attorney position became a permanent hire. CHRO's space at Central office expanded and was a successful expansion.

The production report was presented with 3 of the 4 regions reporting less than 10% aged inventory. It was a huge undertaking a little over a year ago and now it has proven successful!

CHRO has a new and improved mantra, "One Mission, One Voice, and One Commission"

Results of the Staff survey will be available during our Agency wide training. Director Hughes noted that it was a focused effort by Deputy Sharp to find out what those in the agency are thinking. The results were compiled and presented in an anonymous fashion as were the interviews and placed in a report by our Policy fellows, Danielle Caron and Jan Piperno.

B. **Outreach Report**

This report was presented by Deputy Director Cheryl Sharp. She spoke briefly on assembling and recording the data from the staff survey and thanked the Civil Rights Policy Fellows. She reported on this as part of the next phase of the Strategic Plan for CHRO. She noted that the Contractor's event at the State Capitol was a resounding success; there was a controversial panel discussion regarding the comments made by Amy Wax. We are going to write a counter article to any article authored by Amy Wax and submitted to the CT Public Interest Law Journal for publication that addresses Ms. Wax's views on minorities. The CHRO's discussion will focus on the disparate impact theory of discrimination.

C. **Legislative Report**

Jim O'Neill presented. The Legislative session will begin on January 7, 2015. The regulations will be resubmitted to the Regulation Review in time for their January meeting. A Meet and Greet CHRO has been reserved in the Old Appropriations Committee room from 10-1 pm on

January 21, 2015. Mr. William Tong was named House Chair of the Judiciary Committee. Jim reported that this is positive for CHRO.

VI. **Executive Session:**

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

At 3:19 p.m. a motion was made by Commissioner Mambruno to go into Executive Session for the purposes listed on the Agenda. It was seconded by Commissioner Pestana. The motion carried unanimously. Invited into that session were Director Hughes, Deputy Sharp, Attorney Kim Jacobsen, Attorney Alix Simonetti and Assistant Attorney General David Teed

VII. **Vote on Executive Session:**

The Commissioners came out of Executive Session at 3:49 p.m. and no votes were taken on Executive items.

VIII. **Adjournment**

A motion was made by Commissioner Mambruno to adjourn the meeting and seconded by Commissioner Pestana. The motion to adjourn carried unanimously. The meeting ended at 3:51 p.m.