

**State of Connecticut
Commission on Human Rights and Opportunities
Regular Commission Meeting
Legislative Office Building – Rm 1A
Hartford, CT 06106
Wednesday, June 8, 2016
2:00 p.m.**



Regular Commission Meeting Minutes

Commissioners Present

Cherron Payne, Chair

Lisa Giliberto
Edith Pestana
Joseph Suggs
Andrew Norton

Edward Mambruno
Dawn Niles
Shuana Tucker

Staff Present

Tanya A. Hughes, Executive Director
Emily Melendez, Assistant Attorney General
Yvonne Duncan, Commission Counsel II
Donna W. Brilliant, Regional Manager

Cheryl Sharp, Deputy Director
Alix Simonetti, Commission Counsel III
Michelle Dumas Keuler, Commission Counsel III
Monica Richardson, Executive Secretary

I. Chairperson, Cherron Payne, Presiding

The meeting convened at 2:09 p.m.

II. Secretary, Edward Mambruno

A motion was made by Commissioner Dawn Niles to approve the Minutes of the May 11, 2016 Regular Commission Meeting. It was seconded by Commissioner Joseph Suggs. The motion carried by unanimous vote.

III. Affirmative Action Recommendations – Vote Required

Charter Oak State College, Manchester Community College, and the Office of Early Childhood plans were presented by Deputy Director Sharp.

A. Staff Recommendations: **Approval**

1. Charter Oak State College

Representing the agency were Cliff Williams, Affirmative Action Officer, on behalf of President Ed Klonoski.

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 has met or substantially met all of its hiring goals at 70%, there were no promotion goals and the program goals were 100% met for this filing period. There were deficiencies in the prior plan review; the Charter Oak State College has substantially addressed deficiencies noted by the Commission in the prior plan review.

The Contract Compliance Set-Aside Program for FY 2014/2015 showed 173% for the SBE Goal achievement and 127% for the MBE.

The five year filing history is as follows: 2009, 2010, they were conditionally approved; 2011 approved, 2013 and 2014 they were disapproved.

They were recommended to retain their annual filing status.

A motion was made by Commissioner Edward Mambruno and seconded by Commissioner Dawn Niles to **approve** the plan and retain the annual filing status of the Charter Oak State College. The vote was unanimous. The motion carried.

2. Manchester Community College

Representing the Agency were President Gena Glickman and Leah Glende, Manager of Diversity, Inclusion and Staff Development.

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 at 30.5%. The promotion goals were not met at 33% and the program goals were 100% met for this filing period. There were no deficiencies in the prior plan review.

The Contract Compliance Set-Aside Program for FY 2014/2015 showed 218% goal achievement for the SBE and 552% for the MBE.

The five year filing history is as follows: 2012 (first filing), 2013, and 2014 were approved.

They were recommended to retain their annual filing status.

A motion was made by Commissioner Dawn Niles and seconded by Commissioner Joseph Suggs to **approve** the plan and retain the annual filing status of Manchester Community College. The motion carried by unanimous vote.

B. Staff recommendation: **Disapproval**

4. **Office of Early Childhood**

Representing the Agency were Commissioner Myra Jones-Taylor, Ph.D., and Levi Gillespie, EEO Director.

The plan was recommended for **disapproval** based on the following: While it contained all elements required, the agency demonstrated non-compliance with Sections 46a-68-102, (b)(1), (b)(2) and (b)(4) of the regulations.

The plan is not a viable plan because there were no goals established to address underutilization. The purpose of goal setting is to eliminate underutilization of race/sex groups, the opposite of what was done in this proposed plan.

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 with 2 out of 4 hiring goals or 50%; the promotion goals and program goals were not established in the prior filing, thus no possible program goals were set for this filing period. There were deficiencies in the prior plan review that were not substantially addressed. The following elements remain deficient in the proposed plan: Section 46a-68-84 Availability Analysis and Section 46a-68-85. Further, upon notification of the deficiencies, the Office of Early Childhood failed to submit a Letter of Commitment, as required by Section 46a-68-108. The filing history is as follows: 2015 was the first plan submitted on 3/30/2015 and disapproved on 12/9/2015. **They are recommended to retain their semi-annual filing status.**

The Contract Compliance Set-Aside Program for FY 2014/2015 was not available as the Office of Early Childhood did not submit all of the required reports, forms and correspondence regarding the Set-Aside Program.

A motion was made by Commissioner Edith Pestana and seconded by Commissioner Shuana Tucker for **disapproval** of the proposed affirmative action plan for the Office of Early Childhood and to retain their semi-annual filing status. The motion for **disapproval** carried by unanimous vote.

IV. Division Reports

Executive Director's Report: Tanya Hughes, Executive Director

The ED report was presented by Director Hughes outlining the agency-wide production report, personnel updates, 450 Columbus Avenue relocation updates, Legislative and

Program review and Auditors assessments, EEOC and HUD contract updates and upcoming training events. The executive director applauded the tremendous efforts of staff throughout the agency to achieve our now 2% aged inventory record, high case closure records and stellar settlement results at \$7,568,148 in settlements for FY 2016 to date.

Outreach Report: Cheryl Sharp, Deputy Director

Deputy Director Sharp provided a full report on many outreach activities including:

Successes:

Kids Speak – Phenomenal success – national attention with national and local partners including WZMX, EEOC, HUD, DOJ, DOE and many others.

V. Contract Compliance

Request for Exemption

Municipal Paving Contracts

Commissioner Andrew Norton moved to adopt the staff's recommendation and add an additional eligibility criteria:

1. Municipal public works contracts covered by this exemption must meet the following criteria:
2. The contract must be for street paving, and
3. The contract must be entered into prior to June 30, 2017, and
4. To utilize this exemption for any particular street paving municipal public works contract, prior to issuing any invitation to bid on the contract, the municipality must submit a Paving Contract Exemption Qualification Form to the Commission's Executive Director, Tanya Hughes or the Executive Director's designee.

Further, the street paving contract cannot cover a period of time longer than one year (12months). Also, the contract which must be entered into no later than June 30, 2017 must be completed by or before June 30, 2018.

The motion was seconded by Commissioner Edith Pestana. The motion carried by unanimous vote.

VI. Reopening Request – Withdrawn by complainant.

VII. New Business, Waterbury School District

Attorney Dumas Keuler reported on the status of the two Fact-finding hearings that occurred on May 31 and June 7, 2016 at the Career Academy HS in Waterbury CT. Attorney Dumas-Keuler stated that they had not yet received the request for materials and cannot make a determination as to our next steps until we have had a chance to review said materials. It is anticipated that said review shall occur by the end of July with a staff recommendation to follow for the Commissioners review and action.

VIII. Executive Session:

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

There were no items listed for Executive session. No executive session occurred.

IX. Old Business

X. Adjournment

A motion was made by Commissioner Shuana Tucker to adjourn the meeting and seconded by Commissioner Dawn Niles. The motion to adjourn carried unanimously. The meeting ended at 4:23 p.m.