

STATE OF CONNECTICUT COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES



Regular Commission Meeting Minutes Wednesday, March 8, 2023 2:00 p.m. Via Microsoft TEAMS

Commissioners Present

Lisa Giliberto
Nick Kapoor
Edward Mambruno
Andrew Norton
Edith Pestana
Joseph Suggs

Staff Present

Tanya A. Hughes, Executive Director
Kimberly Jacobsen, Managing, Director, Legal
Michelle Dumas Keuler, Managing Director, Legal
Jody Walker-Smith, HRO Attorney
Robin Trepanier, HRO Attorney
Anna-Marie Puryear, HRO Attorney
Neva Vigezzi, Supervisor, AA (TWR)
Darcy Strand, Legislative Analyst
Kristen Parker, Executive Secretary
Aubri Petersen, Secretary, Legal
Elizabeth Moyse, Durational Attorney
Jase Olavarria, AA HRO Trainee

Cheryl Sharp, Deputy Director
Shawn Burns, Regional Manager
Jaime Rubin, Regional Manager
Catherine Spain, HRO Attorney
Spencer Hill, HRO Attorney
Robin Fox, HRO Attorney
Gary Madison, HRO Representative
Ana Mitchell, HRO Representative
Darian Pitts, Executive Secretary
Chiedza Rodriguez, Durational Attorney
Megan Oates, Durational Attorney
Paul Schiller, CC HRO Trainee

I. CALL TO ORDER

Commissioner Nick Kapoor called the meeting to order at 2:02 PM.

II. ELECTION OF CHAIRPERSON PRO TEMPORE

Commissioner Kapoor entertained a motion to elect the Chair Pro Tempore. Commissioner Giliberto moved to elect Commissioner Kapoor as Chairperson Pro Tempore for the March 8, 2023, Commission meeting. Commissioner Suggs seconded the motion. The motion carried. Yes (3); No (0); Abstentions (0).

III. CHAIRPERSON'S REPORT

Commissioner Kapoor confirmed the status of the quorum with the presence of three commissioners and noted that Commissioners Norton and Mambruno were not present at this time.

IV. APPROVAL OF MINUTES

Commissioner Kapoor, in the absence of Commission Secretary Mambruno, entertained a motion to approve the Minutes of the February 8, 2023, Regular Commission Meeting as

presented. Commissioner Suggs moved the motion to accept the Minutes. Commissioner Giliberto seconded. Commissioner Kapoor asked for discussion. Seeing none he called for a motion to accept the 2023-2-8 Commission meeting minutes as written. The motion carried. Yes (3); No (0); Abstentions (0).

*Commissioner Norton joined the meeting at 2:04 PM.

V. AFFIRMATIVE ACTION RECOMMENDATIONS – VOTE REQUIRED

Presented by Deputy Director Cheryl Sharp

Connecticut Insurance Department

Staff representing Connecticut Insurance Department were Jared Kosky, Deputy Commissioner, Jane Callanan, General Counsel, Mildred Verdejo, HR, Victoria Cruse, HR.

This plan was recommended for approval based on compliance with the following: the plan contains all the elements required by sections 46a-68-78 through 46a-68-94, inclusive.

The agency has demonstrated every good faith effort to achieve its goals, but despite these efforts was unable to do so. The agency had no deficiencies in the prior plan reviews and therefore is in compliance with the (b)(4) standard.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 6 out of 13 or 46%
- Promotional Goal Achievement: 0 out of 3 or 0%
- Program Goal Achievement 1 out of 1 or 100%

The five-year history of approval follows: 2014, 2016, 2018 the plan was approved; 2020, the plan was disapproved due to no plan being filed; 2021, the plan was approved.

Commissioner Giliberto moved to approve the Connecticut Insurance Department Affirmative Action Plan and for them to return to biennial filing status. Commissioner Pestana seconded. The motion carried. Yes (4); No (0); Abstentions (0).

VI. REQUEST TO REOPEN

Ivy Leysa v. Nathaniel Wetherell, CHRO Case No. 2220186

Presented by HRO Attorney Robin S. Kinstler Fox

The parties requested a postponement to the April 12, 2023, Commission meeting.

Commissioner Kapoor entertained a motion to postpone Ivy Leysa v. Nathaniel Wetherell, CHRO Case No. 2220186 to the April 12, 2023, Regular Commission Meeting. Commissioner Suggs offered the motion. Commissioner Giliberto seconded. There being no discussion, the motion carried. Yes (4); No (0); Abstentions (0).

VII. DIVISION REPORTS

Executive Director's Report, Executive Director Tanya Hughes.

Prior to her report Director Hughes offered sincere condolences to Commissioner Norton on the passing of his Father.

Personnel

- Five new employees were introduced by Attorney Kimberly Jacobsen: Elizabeth Moyse-Durational Attorney, Meghan Oates, Durational Attorney, Chiedza Rodriguez, Durational

Attorney, Paul Schiller, Contract compliance HRO Trainee, Jase Olavarria, Affirmative Action HRO Trainee.

- Ongoing recruitment continues. Executive staff are working in tangent to ensure the recruitment process continues to flow.

Administration

- Equity Study Public meetings have begun. Three meetings have taken place thus far. Positive and informative feedback has been received.
- Testimony on Bills occurring. Meetings with Legislators and Legislative Committees ongoing.
- Meetings also being held with EEOC Officiates. CHRO has vouchered for several grant funds totaling around \$30K in the last month.
- The computer refresh is underway with very tight protocols in place. Darian Pitts, Aubri Petersen, and Kristen Parker are moving the project forward.
- The audit for FY 2021 and 2022 has been initiated.

Outreach Report, Deputy Director Cheryl Sharp

- The third year of Kids Court Academy has begun. The second session has taken place. Judge Donna Maria Wilkerson was the guest speaker. There is also a Connecticut Kids Court writing competition for middle and high school students who are interested in Civil rights.
- Another Children's March is being planned in conjunction with Juneteenth to be held in New Haven.
- Outreach activities continue around the State.
- Cheryl is being honored by the Connecticut Bar Association on Wednesday, May 3 from 5:30 PM – 10:00 PM.
- Work continues with the Department of Justice, Education Working Group, and the State Department of Education.

*Commissioner Mambruno joined the meeting at 2:23 PM.

Legislative Update, Legislative and Administrative Advisor, Darcy Strand

Disparity Study Update

- Griffin & Strong continue to work on the data assessment and information gathering. They are currently finalizing the data assessment report. They have also begun sending out the first data requests to state agencies.

Equity Study Update

- Faulkner Consulting Group and the CHRO has held a series of public meetings to introduce the equity study to the public. The recordings will be available on the CHRO's website. They are also working on setting up interviews with an initial set of executive branch agencies to start analyzing state programs and policies.

Legislative Update

- The CHRO agency Bill HB 6638, An Act Revising the State's Antidiscrimination Statutes was heard at Judiciary Public Hearing on Friday, March 3. There are two components to the Bill: Adding "age" to the list of unprotected class in CGS Section 46a-58 and modernizing the definition of "sexual orientation" to remove references to criminal statutes and to "preference."

*Commissioner Suggs left the meeting at 2:46 PM.

VIII. EXECUTIVE SESSION

It requires a two-thirds vote of Commissioners present and voting staff and guests invited to attend must be noted.

Commissioner Kapoor entertained a motion to go into Executive Session and invite in: Executive Director Tanya Hughes, Deputy Director Cheryl Sharp, HRO Attorney Michelle Dumas Kueler, HRO Attorney Kimberly Jacobsen, Assistant Attorney General Tanya DeMattia, and Assistant Attorney General Shawn Rutchick for items #1 - #4 per the agenda. Only Assistant Attorneys General Tanya DeMattia and Shawn Rutchick are invited in for item #5. Commissioner Pestana offered the motion. Commissioner Giliberto seconded. The motion carried. Yes (4); No (0); Abstentions (0). The Commission entered Executive session at 2:47 PM.

The Commission meeting reconvened at 3:12 PM. Commissioner Kapoor, Commissioner Giliberto, Commissioner Mambruno, Commissioner Pestana, and Commissioner Norton returned after Executive Session.

Commissioner Kapoor noted that no actions or votes were taken during the Executive Session and that, per the motion, Executive Director Hughes, Deputy Director Sharp, HRO Attorney Dumas Kueler, and HRO Attorney Jacobsen left the Executive Session at the conclusion of the discussion on Item #4. Additionally, Assistant Attorney General Rutchick also left the meeting before discussion on Item #5 commenced.

IX. VOTE ON EXECUTIVE SESSION

1. Lydia Mele v. Gateway Estates, et al, CHRO Case No. 2250191

Presented by HRO Attorney Michelle Dumas Kueler

2. Lydia Mele v. Shaar Realty, LLC, CHRO Case No. 2250192

Presented by HRO Attorney Michelle Dumas Kueler

Commissioner Kapoor noted that although the cases are labeled separately, they are, in fact, being addressed as one single case with regard to the case filing. He then entertained a motion from Commissioner Giliberto to have the cases filed in Hartford Superior Court and to seek injunctive relief, punitive damages, and civil penalty. Commissioner Pestana seconded. There being no further discussion the motion carried. Yes (4); No (0); Abstentions (0).

Commissioner Norton asked if it would be proper for him to add discussion topics to the agenda of next Regular Commission meeting scheduled for April 12, 2023. Commissioner Kapoor advised that he could add topics labeled as New Business. The two topics are: Discussion on reclassifying/renaming the AAIANHNPI (Asian, American Indian, Alaska Native, Native Hawaiian, Native Pacific Islander) category and on lowering the number of college degree requirements for State employment.

Commissioner Kapoor agreed to add the topics to the next agenda under "New Business."

X. ANNOUNCEMENT OF TIME AND DATE OF NEXT MEETING

The next Commission Meeting will occur on Wednesday, April 12, 2023, at 2:00 PM via Microsoft Teams.

XI. ADJOURNMENT

A motion was made by Commissioner Mambruno and seconded by Commissioner Pestana to adjourn the Meeting. The motion to adjourn carried. Yes (4); No (0); Abstentions (0). The meeting adjourned at 3:17 PM.