

# STATE OF CONNECTICUT COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES



## Regular Commission Meeting Minutes Wednesday, September 13, 2023 2:00 p.m. Via Microsoft TEAMS

### Commissioners Present

Nicholas Kapoor, Chair  
Edward Mambruno, Secretary  
Sujata Gadkar-Wilcox  
Lisa Giliberto  
Alex Harris  
Andrew Norton  
Edith Pestana  
Tamara Titre

### Commissioners Absent

Joseph Suggs

### Staff Present

Tanya Hughes, Executive Director  
Michelle Dumas Keuler, Legal Managing Director  
Robert Aldi, Eastern Regional Manager  
Jose-Michael Gonzalez, Capitol Regional Manager  
Michael Roberts, HRO Attorney  
Gabrella Sandoval, HRO Attorney  
Meghan Oates, HRO Attorney  
Libby Renish, HRO Attorney  
Robin Kinstler Fox, HRO Attorney  
Neva Vigezzi, AA Supervisor, (TWR)  
Jase Olavarria, HRO Trainee  
Ann Galer, HRO Investigator  
Aubri Petersen, Legal Secretary  
Darian Pitts, Executive Secretary  
Jeri Beckford, EEO Specialist (DOL)

Kimberly Jacobsen, Legal Managing Director  
Jaime Rubin, SW Regional Manager  
Shawn Burns, WC Regional Manager  
Diane Carter, HRO Housing Supervisor  
Spencer Hill, HRO Attorney  
Robin Trepanier, HRO Attorney  
Jo Keogh, HRO Attorney  
Darcy Strand, Legislative Analyst  
Gary Madison, HRO Representative  
Ana Mitchell, Outreach Coordinator  
Leigh Russo, AA Secretary II  
Laura Roxbury, HRO Representative  
Kristen Parker, Executive Secretary  
Laura Thurston, Asst. Attorney General

#### I. CALL TO ORDER

Chair Nicholas Kapoor called the meeting to order at 2:02 PM.

#### II. CHAIRPERSON'S REPORT

Commissioner Kapoor informed a quorum was present and that Commissioner Suggs was not present. He took a moment to publicly thank Governor Lamont for appointing him Chair of the CHRO Commission. He added that he is excited to continue his work with the Commission as it moves into a new era of protecting and enforcing civil rights in the state. He welcomed and acknowledged the new Commissioners noting they were also appointed by Governor Lamont. He concluded by asking them to introduce themselves and give brief background information.

### III. **APPROVAL OF MINUTES**

Secretary Mambruno entertained a motion to approve the Minutes of the August 9, 2023, Regular Commission Meeting as presented. Commissioner Giliberto moved the motion to accept the Minutes. Commissioner Pestana seconded. There being no discussion the motion to accept the Minutes as written carried. Yes (5); No (0); Abstentions (0). Chair Kapoor noted that Commissioners Gadkar-Wilcox and Titre, would only vote on procedural motions and not on motions of content until their training is complete.

### IV. **AFFIRMATIVE ACTION RECOMMENDATIONS – VOTE REQUIRED**

Presented by HRO Attorney Michelle Dumas Keuler

#### **Office of the Chief Medical Examiner**

Staff representing the Office of the Chief Medical Examiner were Dr. Maura DeJoseph, Deputy Chief, Jamie Sanz, Human Resource Officer, Diana Robitaille, HR Generalist.

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 not met all or substantially met all its hiring goals. Promotional goals were not established in prior filing. The Program goals were met. The agency 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: 1 out of 6 or 16%
- Promotional Goal Achievement: 0 out of 0 or 0%
- Program Goal Achievement 2 out of 2 or 100%

The five-year approval history is as follows: 2021 Approved; 2019 Approved; 2018 Approved; 2017 Disapproved; 2015 Approved.

Commissioner Giliberto moved to approve the Office of the Chief Medical Examiner Affirmative Action Plan and for them to retain biennial filing status. Commissioner Mambruno seconded. There being no additional discussion the motion carried. Yes (5); No (0); Abstentions (2).

#### **Connecticut State Department of Education**

Staff representing the Connecticut State Department of Education were Charlene Russell-Tucker, Commissioner; Jordan Kubik, HR Associate- Equal Employment Opportunity; Judith Vaillette, HR Generalist; Kathy Dempsey, Chief Financial Officer.

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. This is the agency's first filing and therefore they are in compliance with the (b)(2) standard. There are no deficiencies in the prior plan review and no five-year history because they are first time filers.

Since this is their first filing the Goal Achievement is as follows:

- Hiring Goal Achievement: 0 out of 0 or 0%
- Promotional Goal Achievement: 0 out of 0 or 0%
- Program Goal Achievement: 0 out of 0 or 0%

Commissioner Norton moved to approve the Connecticut State Department of Education Affirmative Action Plan and for them to retain annual filing status. Commissioner Pestana seconded. There being no additional discussion the motion carried. Yes (5); No (0); Abstentions (2).

### **The Department of Transportation**

Staff representing the Department of Transportation were Laoise King, Deputy Commissioner; Eric Smith, Equal Employment Opportunity Director; Jackie Primeau, Director of Organizational Development.

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. The agency has demonstrated every good faith effort to achieve goals and despite these efforts has been unable to do so. There are no deficiencies in the prior plan review and therefore is in compliance with the (b)(4) standard.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 89 out of 278 or 30%
- Promotional Goal Achievement: 53 out of 212 or 43.8%
- Program Goal Achievement 4 out of 4 or 100%

The five-year approval history is as follows: 2022 Disapproved; 2021 Approved; 2020 Approved; 2019 Approved; 2018 Approved.

Commissioner Giliberto moved to approve the Department of Transportation Affirmative Action Plan and for them to retain annual filing status. Commissioner Harris seconded. There being no additional discussion the motion carried. Yes (5); No (0); Abstentions (2).

## **V. REQUESTS TO REOPEN**

1. Robert Glaspy v. Yale New Haven Hospital  
CHRO Case No. 2130259  
Presented by HRO Attorney Gabriela Sandoval

In the case of Robert Glaspy v. Yale New Haven Hospital., CHRO Case no. 2130259 Commissioner Mambruno made the motion to deny the request to reopen in this matter. Commissioner Harris seconded. There being no further discussion the motion carried. Yes (5); No (0); Abstentions (2).

## **VI. DIVISION REPORTS**

**Executive Director's Report**, Executive Director Tanya Hughes.

Director Hughes briefly highlighted her report and noted that the Commissioners should have received the CHRO Annual Report. Once the update to the CHRO website is completed the Report can be found there. She also noted that the Commissioners would be highlighted on the websites' new informational page and requested them all to submit a one-page bio and picture, if possible. She went on to note her excitement at having, for the first time, a full roster of

commissioners on board. She then updated the group on personnel, administrative, and other items and encouraged everyone to review her written report. She further highlighted the hiring of the new Capital Region Manager, Jose-Michael Gonzalez, the updating of the networks at the Bridgeport and Norwich offices, the completion of the HUD PARS Audit resulting in a vouchered and received \$521,828.00, and receipt of additional grants from HUD, which will allow the extension of some of the durational positions.

She noted the continuance of the Kids Court Academy and welcomed the Commissioner's interest and participation. She further noted her attendance at the CT Racial Profiling Advisory Board meeting and directed the group to get additional information from the press release included in the meeting materials.

**Outreach Report**, Outreach Coordinator, Ana Mitchell.

Ana gave a brief overview of the outreach activities for the months of August and September 2023. She highlighted the Executive Interns' Summer Symposium, entitled "Charting the Future of CT Educational Reform: Navigating the Post Affirmative Action Landscape."

She also noted her and other CHRO staff's attendance at the IAOHRA conference August 13-17, acknowledged Legal Director, Michelle Dumas Keuler's presentation on Back to School and Bullying done on the WICC's Melissa in the Morning show, Executive Director Hughes' joining with Lt. Governor Susan Bysiewicz and other CT women leaders to commemorate Women's Equality Day at the State Capital on 8/28, Outreach at the Hartford Yard Goats for a back to school program and hiring event, the Veteran Stand Down scheduled for 9-22, and the Hispanic Heritage Business Expo. She concluded by encouraging everyone to review her written report and to contact her for additional information on any events of interest.

**Legislative Update:** Legislative and Administrative Advisor, Darcy Strand

Darcy informed that work continues on the Legislative Agenda for the next session. She hopes to have updates for the next Commission meeting. She noted that there were a few updates on the Equity and Disparity Studies that includes the scheduling of the virtual Disparity Study Public Hearings, which will take place October 2nd, 3rd, 4th, and 5th. She invited the Commissioners to attend. She further noted that a lot of responses to the Disparity Study survey had been received, thanks in part to the CHRO social media team, and that all the public hearings will be on the disparity study website after completion. She added that everything should be done in March 2024.

She also informed that the Equity Study is also running on schedule and should be complete by November. Once the initial review of the first draft is complete consultation will occur with OPM and DAS to get their thoughts. She encouraged the group to review the written report and get back to her with any questions.

**VII. EXECUTIVE SESSION**

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

1. Update on Pekah Wallace Matter – Assistant Attorney General Laura Thurston
2. Potential Commission Initiated Complaint Against Yale University- Attorney Michael Roberts
3. Update on Recent U.S. Supreme Court Affirmative Action Decision Affecting the CHRO's Work – Attorney Spencer Hill

Prior to calling for a motion to go into Executive session Chair Kapoor informed that the Executive Session items would have to be taken out of order. He then entertained a motion to enter Executive session, and to invite into the session to discuss items number 2 and 3, Executive Director Tanya Hughes, Attorney Michelle Dumas Keuler, Attorney Kimberly Jacobsen, Attorney Michael Roberts, Attorney Spencer Hill, and Assistant Attorney General Laura Thurston. He further informed that once items 2 and 3 are heard all invitees except for Assistant Attorney General Thurston can be excused. Commissioner Harris moved the motion. Commissioner Giliberto seconded. There being no further discussion the motion carried. Yes (6); No (0); Abstentions (0).

The Commissioners and invitees entered Executive Session at 3:45 PM.

Commissioner Pestana left the meeting at 3:52PM.

Commissioner Mambruno left the meeting at 4:41 PM.

Commissioner Kapoor reconvened the Commission in public session at 4:41 PM.

Commissioners Kapoor, Norton, Titre, Giliberto, Gadkar-Wilcox, and Harris returned after Executive Session.

#### **VIII. VOTE ON EXECUTIVE SESSION ITEMS**

Prior to the vote Commissioner Kapoor entertained a motion to authorize himself as the Chair to sign/file the complaint titled CHRO v. Yale University. Commissioner Giliberto moved the motion. Commissioner Harris seconded. There being no discussion the motion carried. Yes (2); No (1); Abstentions (2).

#### **IX. NEW BUSINESS**

1. An update on affirmative action plan work to date, plans moving forward, and a tentative timeline.  
Presented by HRO Attorney Spencer Hill

Attorney Hill offered brief background information and encouraged the group to read his memo on the issue. He informed that the State hired a consultant, Augusta Irechukwu, to look at how the affirmative action process works, both from those who create the plans and those who review them, in a bid to come up with a technological solution that would help the process move along more efficiently.

The consultant put together a working group consisting of CHRO, OPM, and DAS staff that meets once a week. A survey was created and sent to many EEO professionals for their feedback. Currently the working group is reviewing the survey results and gathering information on the processes and working systems from other States. The most recent being Massachusetts. The result will see the consultant use the gathered information to create a plan/recommendation for a technological solution. She anticipates the report will be completed by early December.

Commissioner Kapoor asked Attorney Hill to be sure to share a copy of the draft report when completed. He encouraged other members of the Commission to attend some of the meetings. He also informed the topic would be revisited, when necessary, but not remain on the agenda.

2. Discussion on resuming occasional in-person meetings.

Presented by Chair Kapoor

Chair Kapoor asked the group their thoughts on reconvening in-person meetings. Ideally, he would like to hold four meetings per year in-person: March and April in the Spring and September and October in the Fall. He further explained that the September and October meetings could be held at the LOB as the Legislature is out of session and the March and April meetings would have to be held at 450 Columbus Blvd.

After a brief discussion the group agreed that hybrid meetings would be the most appropriate way to conduct the four in-person meetings. There would be accommodations for those who are able to attend in-person and a virtual option would be provided for those unable to attend in person. Commissioner Kapoor suggested March 2024 as the month to start the in-person/virtual meetings at 450 Columbus.

**X. ANNOUNCEMENT OF TIME AND DATE OF NEXT MEETING**

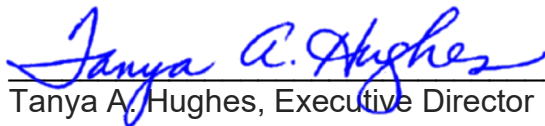
The next Commission Meeting will occur on Wednesday, October 11, 2023, at 2:00 PM via Microsoft Teams.

**XI. ADJOURNMENT**

Commissioner Kapoor entertained the motion to adjourn. Commissioner Norton moved the motion. Commissioner Harris seconded. The motion to adjourn carried. Yes (5); No (0); Absentions (0). The meeting adjourned at 4:57 PM.

The Minutes of the Regular Commission meeting dated September 13, 2023, were approved on October 11, 2023.

Prepared by:

  
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Tanya A. Hughes, Executive Director