

STATE OF CONNECTICUT COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES



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**Regular Commission Meeting Minutes
Wednesday, October 11, 2023
2:00 p.m.
Via Microsoft TEAMS**

Commissioners Present

Nicholas Kapoor, Chairperson
Edward Mambruno, Secretary
Sujata Gadkar-Wilcox
Lisa Giliberto
Andrew Norton
Joseph Suggs
Tamara Titre

Commissioners Absent

Alex Harris
Edith Pestana

Staff Present

Tanya Hughes, Executive Director
Michelle Dumas Keuler, Legal Managing Director
Jose- Michael Gonzalez, Capitol Region Manager
Timothy Lewendon, HRO Attorney
Gabrella Sandoval, HRO Attorney
Robin Trepanier, HRO Attorney
Robin Kinstler Fox, HRO Attorney
Darcy Strand, Legislative Analyst
Neva Vigezzi, AA Supervisor, (TWR)
Travis Fuller, HRO Trainee
Darian Pitts, Executive Secretary

Kimberly Jacobsen, Legal Managing Director
Jaime Rubin, SW Regional Manager
Robert Aldi, Eastern Regional Manager
Spencer Hill, HRO Attorney
Jo Keogh, HRO Attorney
Libby Renish, HRO Attorney
Megan Graefe, HRO Attorney
Gary Madison, HRO Representative
Jase Olavarria, HRO Trainee
Aubri Petersen, Legal 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 had been achieved with 6 Commissioners present. He noted that Commissioners Gadkar-Wilcox, Harris, and Pestana were currently absent, but that could change as the meeting progressed. He further reminded everyone that municipal

elections would take place on November 7 and to please exercise the right to vote in said election.

III. APPROVAL OF MINUTES

Secretary Mambruno entertained a motion to approve the Minutes of the September 13, 2023, Regular Commission Meeting as presented. Commissioner Giliberto moved the motion to accept the Minutes. Commissioner Norton seconded. There being no discussion the motion to accept the Minutes as written carried. Vote: Yes (5); No (0); Abstentions (1-Titre).

IV. AFFIRMATIVE ACTION RECOMMENDATIONS – VOTE REQUIRED

Presented by HRO Attorney Michelle Dumas Keuler

Western Connecticut State University

Staff representing Western Connecticut State University were Manohar Singh, President, Fred Cratty, Chief Human Resources Officer, Keisha Stokes, Administrative Assistant DEI Office.

This plan was recommended for disapproval based on noncompliance with the following: The workforce, considered as a whole and by occupational category, is in parity with the relevant labor market area; The agency has not met all or substantially met all its hiring goals. Promotional goals and Program goals were substantially met. The agency demonstrated every good faith effort to achieve its goals, but despite these efforts was unable to do so.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 2 out of 15 or 13%
- Promotional Goal Achievement: 8 out of 10 or 80%
- Program Goal Achievement 1 out of 1 or 100%

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

Commissioner Mambruno moved to accept staff recommendation to disapprove Western Connecticut State University's plan and for them to retain annual filing status. Commissioner Suggs seconded. There being no additional discussion the motion carried. Vote: Yes (4); No (0); Abstentions (1-Titre).

*Commissioner Gadkar-Wilcox joined the meeting at 2:35 PM.

Eastern Connecticut State University

Staff representing the Eastern Connecticut State University were Elsa M. Nunez, President Dr. LaMar Coleman, Vice President for Equity & Diversity, Jianguo (Jay) Zhu, Director of Institutional Research/HR Administrator.

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 goals despite these efforts has been unable to do so. The agency had no deficiencies in the prior plan review and therefore they are in compliance with the (b)(2) standard.

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

The Goal Achievement is as follows:

- Hiring Goal Achievement: 17 out of 45 or 38%
- Promotional Goal Achievement: 7 out of 11 or 64%
- Program Goal Achievement 3 out of 3 or 100%

Commissioner Suggs moved to approve the Eastern Connecticut State University Affirmative Action Plan and for them to retain annual filing status. Commissioner Mambruno seconded. There being no additional discussion the motion carried. Vote: Yes (4); No (0); Abstentions (2-Gadkar-Wilcox, Titre).

Office of the Secretary of State

Staff representing the Office of the Secretary of State were Stephanie Thomas, Secretary of State of Connecticut, Gabe Rosenberg, Chief of Staff and General Counsel, Anna Dana, Principal Human Resources Specialist

This plan was recommended for disapproval based on non-compliance with the following: The plan does contain all elements required by Sections 46a-68-78 through 46a-94 inclusive; the workforce, considered as a whole and by occupational category, is in parity with the relevant labor market area; The agency has met all or substantially met all its hiring, promotion, and program goals. The agency demonstrated every good faith effort to achieve its goals, but despite these efforts was unable to do so.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 8 out of 12 or 66%
- Promotional Goal Achievement: 1 out of 1 or 100%
- Program Goal Achievement 2 out of 2 or 100%

The five-year approval history is as follows: 2022 Approved; 2021 Disapproved; 2019 Approved; 2018 Approved; 2017 Approved.

Commissioner Mambruno moved to accept staff recommendation to disapprove the Office of the Secretary of State's Affirmative Action Plan and for them to retain annual filing status. Commissioner Giliberto seconded. There being no additional discussion the motion carried. Vote: Yes (4); No (0); Abstentions (2-Title, Gadkar-Wilcox).

*Commissioner Suggs left the meeting at 3:04 PM.

V. CONTRACT COMPLIANCE REQUEST FOR EXEMPTION

Renewal of UCONN Health Center for Certain Grant-Based, Collaborative, and Consulting Agreements.

HRO Attorney Spencer Hill reported the Commission has granted UCHC this exemption since 2008. The fact that they have used it sparingly is the reason that the exemption renewals continue to be considered and recommended for approval. The recommendation is for the exemption to be reapproved based on the same guidelines and criteria previously recommended. UCHC will still have to record any uses of the exemption and provide that information to the Commission.

Commissioner Norton moved to approve the extension with the conditions stated in the September 21st letter. Commissioner Mambruno seconded. There being no further discussion the motion carried. Vote: Yes (3); No (0); Abstentions (2-Gadkar-Wilcox, Titre).

*Commissioner Gadkar-Wilcox left the meeting at 3:30 PM.

VI. REQUESTS TO REOPEN

1. Zamuhua Moreno-Boyle v. City of Groton

CHRO Case No. 2240350

Presented by HRO Attorney Libby Reinish

Commissioner Giliberto moved to deny the request to reopen in this matter. Commissioner Norton seconded. There being no further discussion the motion carried. Vote: Yes (3); No (0); Abstentions (1 Titre).

Chair Kapoor informed that the agenda would be reordered, because there was a minimum quorum present, and two more items were left to vote on. The Division Reports would be heard at the end.

X. NEW BUSINESS

Greenwich Board of Education- Hiring Practice Investigation Report

Presented by HRO Attorneys Megan Graefe and Robin Fox

Attorney Fox informed that during the September 13, 2023, meeting, the Commission voted that the CHRO investigate the hiring practices of Greenwich Public Schools (GPS) as a result of a video that surfaced online via Project Veritas. It was alleged that a former administrator was engaging in discriminatory practices as it applied to hiring at the schools.

CHRO completed its investigation and was not able to substantiate any discrimination in the hiring practices of the schools. The report included 3 recommendations for GPS to institute as best practices while conducting interviews. It was recommended that GPS train both teachers and administrators on how to conduct interviews specifically focusing on the role of implicit bias in the decision-making process on a consistent basis; Develop and provide to all interviewers a rubric or other uniform metric that panelist can assess an interviewee's performance during the hiring process; Explore ways to increase diversity across all protected classes, including but not limited to age and religion, in outreach and recruitment efforts.

Chair Kapoor then accepted a motion to close the investigation into Greenwich Public Schools based on a finding that no discriminatory activity occurred and based upon an agreement that GPS will engage in best practices and to authorize the chair to sign the report on behalf of the Commission. Commissioner Norton moved the motion. Commissioner Giliberto seconded the motion. There being no additional discussion, the motion carried. Vote: Yes (3); No (0); Abstentions (1-Titre).

Chair Kapoor then entertained a motion to enter Executive Session, reminded the group about quorum requirements, and invited Director Hughes, Attorney Dumaskeuler, Attorney Jacobsen, AAG Laura Thurston, and Attorney Timothy Lewendon into the session. Commissioner Giliberto moved the motion. Commissioner Norton seconded. The motion carried as non-debatable. Vote: Yes (4); No (0); Abstentions (0).

The Commission and invitees entered Executive Session at 3:50 PM.

Chair Kapoor reconvened the Commission meeting and resumed public session at 4:04 PM.

Commissioners Kapoor, Norton, Giliberto, Mambruno, and Titre returned after Executive Session.

VII. DIVISION REPORTS

Executive Director's Report, Executive Director Tanya Hughes.

Director Hughes highlighted her report and updated on interactions with DOL, DAS, OPM, the Governor's office, and other pertinent activities happening within the agency. She noted the ongoing recruitment activity the CHRO is experiencing. She then asked Managing Attorney Kim Jacobsen to introduce some of the new staff. Attorney Jacobsen introduced permanent attorneys Liz Moyse, Ethan Cain, and Cassandra Bretones, HRO Southwest Region Trainee Travis Fuller, and Jose-Michael Gonzalez, new Capitol Region Manager. Her written reports were distributed and filed.

Legislative Update: Legislative and Administrative Advisor, Darcy Strand

Equity Study

Darcy informed that a draft of the Equity study is currently being reviewed by CHRO in conjunction with DAS and OPM. She added that thus far, consulting groups are satisfied with the results. The next and final steps prior to full public release will be a community-based listening tour involving underserved communities that contributed to report for their input on Faulkner Consulting Group's conclusions/recommendations. The target date for completion is the end of November. It will then proceed to the Executive Branch and Legislature to put the recommendations into effect.

She reported on working with the Commission on Racial Equity in Public Health and the possibility of holding a joint symposium in January to present the reports.

Disparity Study

Darcy further informed that the Disparity Study is still on track to be completed by March 2024. She added there are 100 anecdotal interviews on track to be completed this fall. Thus far, over 60 interviews have been completed.

Later in October Griffin & Strong will hold five focus groups with businesses in Connecticut to discuss their experiences with State contracting. The hope is to have the results from this by the end of January to be on track to have the study finished up by March.

Legislative Update

Darcy reported that the CHRO is currently firming up its Legislative agenda. One of the major items that the CHRO is pushing is funding for the Civil Rights Museum. Darcy concluded that the challenge will be on balancing all the projects and moving forward in the next month or so.

VIII. EXECUTIVE SESSION

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

*Please see information detailed under **Item VI** for information. *

IX. VOTE ON EXECUTIVE SESSION ITEMS

1. Estate of Katie Bullock and Eugene Bullock v. Benjamin Buchsbaum-Request to Intervene
CHRO case Number 2250130

Presented by HRO Attorney Timothy Lewendon

Chair Kapoor accepted a motion to approve adding the Commission as a complainant in the above matter. The motion was moved by Commissioner Giliberto and seconded by Commissioner Norton. There was no further discussion. The motion carried. Vote: Yes (3); No (0); Abstention (1-Titre).

XI. ANNOUNCEMENT OF TIME AND DATE OF NEXT MEETING

The next Commission Meeting will occur on Wednesday, November 8, 2023, at 2:00 PM via Microsoft Teams.

Prior to adjournment Commissioner Norton asked if it should be a requirement to have a complainant request a reconsideration before they can request a reopening. He also asked questions regarding racial categorization in the affirmative action system for certain groups of people that are not currently represented, such as someone, who for example, is in essence, North African. After some discussion it was noted that most often people will self-clarify their identity or their racial group.

Chair Kapoor suggested that Commissioner Norton's inquiries should be added to the November 8, 2023, Commission meeting agenda.

XII. ADJOURNMENT

Commissioner Kapoor entertained the motion to adjourn. Commissioner Giliberto moved the motion. Commissioner Norton seconded. The motion carried. Vote: Yes (3); No (0); Abstention (0). The motion to adjourn was agreed to without a quorum.

Chair Kapoor thereby adjourned the meeting at 4:29 PM.