

State of Connecticut
Commission on Human Rights and Opportunities



Regular Commission Meeting Minutes
Wednesday, October 14, 2020
2:00 pm
Via Microsoft TEAMS

Commissioners Present

Andrew Norton
Edith Pestana
Edward Mambruno, Secretary
Lisa Giliberto
Nicholas Kapoor
Neeta Vatti

Commissioners Absent

Cherron Payne
Joseph Suggs

Staff Present

Tanya Hughes, Executive Director

Robin Fox, HRO Attorney	Neva E. Vigezzi, HRO Representative
Michelle Dumas Kueler, HRO Attorney	Michael Roberts, HRO Attorney
Lynda Rizzo Stowe, Regional Manager	Ronald Simpson, Regional Manager
Shawn Burns, Regional Manager	Kristen Daniels, Executive Secretary
Monica H. Richardson, Executive Secretary	Emily Melendez, Assistant Atty. Gen.

I. Chairperson: Andrew Norton, Presiding

The meeting convened at 2:04 p.m.

II. Secretary: Edward Mambruno

A motion was made by Commissioner Kapoor to approve the corrected minutes of the September 9, 2020 regular commission meeting. Commissioner Norton seconded it; Commissioners Ed Mambruno, Edith Pestana and Lisa Giliberto abstained. The vote: Yes (2), No (0), and Abstentions (3). The motion carried.

III. Affirmative Action Recommendations – Vote Required

Deputy Director Cheryl Sharp presented the following plans:

Staff Recommendations: **Approval**

1. Office of the State Comptroller

Representing the agency were Deputy Comptroller Martha Carlson, Bonnie Schlechtweg, HR Generalist 2 and Ginger Frasca, EEO.

The plan was recommended for **Approval**:

The agency did not meet all or substantially meet all its hiring goals at 70%. The promotion goals were met at 42.9% and the program goals were met 100% (2 out of 2).

The Contract Compliance Set-Aside Program for FY 2018/2019 showed 28.1% achievement for the SBE and 120.6% achievement for the MBE.

The filing history is as follows: 2015, 2016, 2017, 2018, and 2019 Approved.

A motion was made by Commissioner Mambruno and seconded by Commissioner Giliberto to accept the staff recommendation to **approve** the plan of the Office of the State Comptroller and retain annual filing status. The vote: Yes (5), No (0) and Abstentions (0). The motion carried.

2. Department of Education

Representing the agency were Commissioner Miguel Cardona, Levy Gillespie-EEO Director Karen Zuboff-HR Administrator, Lawanda Scott- EEO Specialist, Barbara Owens, AA Assistant and Jeffrey Wihbey, Superintendent of CTECS.

The plan was recommended for **Approval**:

The agency has met all or substantially met all its hiring goals at 50.8%. The promotion goals were met at 68.8% and the program goals were met at 66.7%.

The Contract Compliance Set-Aside Program for FY 2019/2020 showed 75.5% achievement for the SBE and 115.1% for the MBE.

The filing history is as follows: 2015, 2016, 2017, 2018 and 2019, Approved.

A motion was made by Commissioner Giliberto and seconded by Commissioner Kapoor to accept the staff recommendation to **approve** the plan of the Department of Education and retain annual filing status. The vote was: Yes (5), No (0) and Abstentions (0). The motion carried.

3. Connecticut State Colleges and Universities

Representing the agency were Alice Prichard, Chief of Staff, Andy Kripp, VP of Human Resources, and Leah Glende, Director of Diversity & Inclusion.

The plan was recommended for **Approval**:

The agency met all or substantially met all its hiring goals at 66.7%. The promotion goals were not established, and the program goals were met at 100% (1 out of 1).

The Contract Compliance Set-Aside Program for FY 2018/2019 showed 4389.8% goal achievement for the SBE and 542.7% for the MBE.

The filing history is as follows: 2012, Approved, 2013, Conditionally Approved, 2014, 2016, and, 2018 Approved.

A motion was made by Commissioner Kapoor and seconded by Commissioner Pestana to accept the staff recommendation to **approve** the plan of the Connecticut State Colleges and Universities and retain biennial status. The vote was, Yes (5), No (0) and Abstentions (0). The motion carried.

4. Eastern Connecticut State University

Representing the agency were Dr. Elsa Nunez, University President, Dr. Stacey Close, Associate Provost/Vice President for Equity and Diversity and Jianguo Zhu, Human Resources Administrator.

The plan was recommended for **Approval**:

The agency met all or substantially met all its hiring goals at 52.6%. The promotion goals were met at 42.9% and the program goals were met at 100% (2 out of 2).

The Contract Compliance Set-Aside Program for FY 2018/2019 showed 825.5% goal achievement for the SBE and 435.3% for the MBE.

The filing history is as follows: 2015, 2016, Approved, 2017, 2018, and 2019 Approved.

A motion was made by Commissioner Giliberto and seconded by Commissioner Mambruno to accept the staff recommendation to **approve** the plan of the Eastern Connecticut State University College and an announcement was made that consolidated filing will begin 01/30/21. The vote was: Yes (5), No (0) and Abstentions (0). The motion carried.

5. Housatonic Community College

Representing the agency were Dr. Tom Coley, Regional President, Dr. Dwayne Smith, CEO, Theresa Eisenbach, Ms. Leah Glende, Director of Diversity and Inclusion, and Nick D'Agostino.

The plan was recommended for **Approval**:

The agency met all or substantially met all its hiring goals at 53.8%. The promotion goals were met at 80% and the program goals were met at 100% (4 out of 4).

The Contract Compliance Set-Aside Program for FY 2018/2019 showed 65% goal achievement for the SBE and 88.8% for the MBE.

The filing history is as follows: 2011 Approved by Default, 2012, 2014, 2016, Approved and 2018, Conditionally Approved.

A motion was made by Commissioner Mambruno and seconded by Commissioner Giliberto to accept the staff recommendation to **approve** the plan of the Housatonic Community College and an announcement was made that consolidated filing will begin 01/30/21. The vote was: Yes (5), No (0) and Abstentions (0). The motion carried.

IV. Contract Compliance, Request for Exemption

1. EBI MAP-Works LLC (DBA Skyfactor)
Presented by Attorney Robin Fox

A motion was made by Commissioner Kapoor and seconded by Commissioner Giliberto to accept the staff recommendation to **grant** the exemption to allow the University of Connecticut to obtain and use data reports collected and analyzed by EBI MAP Works to assist the School of Nursing at UCONN, as part of its accreditation, in analyzing student feedback. The vote was: Yes (5), No (0) and Abstentions (0).

2. DAS Purchase of 69 Pavilions Drive, Manchester, CT (Walmart Property)

Presented by Attorney Robin Fox

A motion was made by Commissioner Giliberto and seconded by Commissioner Kapoor to accept the staff recommendation to **grant** the exemption from certain contract compliance requirements so that the State of Connecticut may purchase real property located at 69 Pavilions Drive, Manchester, CT from Walmart, Inc. aka Sam's Real Estate Business Trust (hereinafter "Walmart"). This exemption is to clarify that, for the purpose of this transaction, Walmart will be exempted from any statutory recordkeeping or reporting requirements of Conn. Gen. Stat. §§4a-60 and 4a-60a. The vote was: Yes (5), No (0) and Abstentions (0).

V. Division Reports

Executive Director's Report: by Tanya Hughes, Executive Director

Director Hughes reported on the following: Maintaining continual operations via increased alliances and virtual outreach opportunities; Strong closure numbers; Increased case filings/closures and over \$1.2 million dollars returned in damages. Extremely high number of cases pending at OPH due to COVID. Working with OPH to activate virtual hearings, etc. / training opportunities; IT issues persist; AA unit barely maintaining with only one staff person; CC achieved increased number of closeouts with reports of no aged inventory and high activity/maintenance on CC files; Aged inventory reducing in all units.

Chief Hearing Referee Michelle Mount was invited to the November meeting to address vacant position and current cases pending.

Outreach Report: by Cheryl Sharp, Deputy Director

See detailed report as highlighted by Deputy Director Sharp.

- EEOC FEPA Virtual Training, 9/01-9/02
- CTRP3, 9/03
- Police T&A Taskforce – Logistics subcommittee, 9/08
- CTSAC: COVID in Nursing Homes, 9/10
- Sexual Harassment Training, 9/10
- Veteran's Dept., 9/24

Legislative update: by Michelle Dumas Kueler

Attorney Dumas-Kueler reported on the following: The Legislature did meet in Special Session on September 29, 2020 and for several days following that date. There were no bills related to the work of the Commission. It is unlikely there will be another Special Session given it is an election year and the 2021 session will be a long session.

The legislative committee of the Commission met on September 18, 2020. It was a brainstorming session to see what we would work on for the upcoming session. We are looking at a robust civil rights/ social justice agenda along with technical revisions to our statutes.

VI. Executive Session

(Requires a two-thirds vote of commissioners present and voting – staff and guests invited to attend must be noted)

Commissioner Pestana moved to go into Executive session at 3:59 pm. Commissioner Mambruno seconded it. The vote was: Yes (5), No (0) and Abstentions (0). The motion carried.

Invited into Executive Session with the Commissioners was Assistant Attorney General Emily Melendez.

Pending Litigation:

1. Wallace v. Sharp, et al.
2. Johnson v. Hughes, et al
3. Mica Notz v. CHRO

Return from Executive Session

Commissioner Giliberto moved to return from Executive session at 4:25 pm and Commissioner Kapoor seconded it. The vote was: Yes (5), No (0) and Abstentions (0). The motion carried.

VII. Vote on Executive session items: (Action May Be Required)

No action was taken during Executive session.

VIII. Old Business

Department of Mental Health and Addiction Services

A motion was made by Commissioner Kapoor and seconded by Commissioner Vatti to lift the Certification of non-compliance. The vote was: Yes (5), No (0) and Abstentions (0). The motion carried.

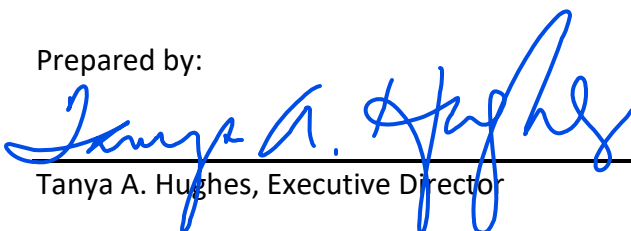
IX. Adjournment

A motion was made by Commissioner Kapoor to adjourn the meeting; Commissioner Pestana seconded it. The vote was: Yes (5), No (0), and Abstentions (0). The vote was unanimous.

The meeting adjourned at 4:42 p.m.

The minutes of the Regular Commission meeting dated October 14, 2020 were approved on November 18, 2020.

Prepared by:



Tanya A. Hughes, Executive Director

