

**State of Connecticut
Commission on Human Rights and Opportunities
Regular Commission Meeting
450 Columbus Blvd –North Plaza Conference Room C-D
Hartford, CT 06106
Wednesday, February 13, 2019**



2:00 p.m.

Regular Commission Meeting Minutes

Commissioners Present

Cherron Payne, Chair
Edward Mambruno, Secretary
Andrew Norton
Edith Pestana

Lisa Giliberto
Nicholas Kapoor
Joseph Suggs

Commissioners Absent

Shuana Tucker

Staff Present

Tanya Hughes, Executive Director
Cheryl Sharp, Deputy Director

Robin Kinstler Fox, HRO Attorney
Jody Walker Smith, HRO Attorney
Ronald Simpson, Regional Manager
Shawn Burns, Regional Manager
Neva E. Vigezzi, HRO Representative
Monica H. Richardson, Executive Secretary
Emily Melendez, Assistant Attorney General

Brian Festa, HRO Attorney
Jamie Rubin, Regional Manager
Lynda Rizzo Stowe, Reg. Manager
Muriel Carpentier, HRO Representative
Kristen Daniels, Executive Secretary
Darcy Jones, Legislative Analyst

I. Chairperson: Cherron Payne, Presiding

The meeting was convened at 2:13 p.m.

II. Secretary: Edward Mambruno

A motion was made by Commissioner Pestana to approve the minutes of the February 13, 2019. It was seconded by Commissioner Kapoor. The vote: Yes (5), No (1), and Abstentions (0). The motion carried.

III. Affirmative Action Recommendations – Vote Required

The following plans were presented by Deputy Director Cheryl Sharp

Staff Recommendations: **Approval**

1. Department of Energy and Environmental Protection

** Commissioner Pestana recused herself.

Representing the agency was Deputy Commissioner Susan Whalen, Joanne Driver, HR Director and Barbara Viadella, EEO.

The plan was recommended for **Approval**:

The agency did not meet all or substantially meet all of its hiring goals at 37.1%. The promotion goals were met at 50% and the program goals were met at 100% (4 out of 4).

The Contract Compliance Set-Aside Program for FY 2017/2018 showed 2841.30% goal achievement for the SBE and 3243.30% for the MBE.

The filing history is as follows: 2013, 2014, 2015, 2016, and 2017, Approved.

A motion was made by Commissioner Giliberto and seconded by Commissioner Suggs to accept the staff recommendation to **approve** the plan of the **Department of Energy and Environmental Protection** and retain **annual** filing status. The vote: Yes (5), No (0) and Abstentions (1). The motion was unanimous.

2. Central Connecticut State University (CCSU)

Representing the agency was President Zulma Toro, Sara Dodd, Office of Diversity, and Leah Glende.

The plan was recommended for **Approval**:

The agency did not meet all or substantially meet all of its hiring goals at 18.2%. The promotion goals were 33.3% and the program goals were met at 100% (1 out of 1).

The Contract Compliance Set-Aside Program for FY 2017/2018 showed 109.7% goal achievement for the SBE and 73.7% for the MBE.

The filing history is as follows: 2013, 2014, 2015, 2016, and 2017, Approved.

A motion was made by Commissioner Kapoor and seconded by Commissioner Giliberto to accept the staff recommendation to **approve** the plan of **Central CT State University** and retain **annual** filing status. The vote was: Yes (6), No (0) and Abstentions (0). The motion was unanimous.

IV. Request for Reopening:

1. Presented by Attorney Brian Festa
Danny Schofield v. Jeff Zoufaly
CHRO No. **1830662**

Danny Schofield v. Craig Zoufaly

CHRO No. **1830663**

Danny Schofield v. Gabriella Gonzalez

CHRO No. **1830664**

Danny Schofield v. James Mazziotti

CHRO No. **1830665**

Danny Schofield v. Jack Dinuzzo

CHRO No. **1830666**

Following a presentation made by the agency, testimony from the petitioner's attorney (Dan Schneider) and respondent's attorney (Sarah Simeonidis), a motion was made by Commissioner Kapoor and seconded by Commissioner Giliberto to accept the staff recommendation. The request for reopening **denied**. The vote was: Yes (6), No (0) and Abstentions (0). The motion carried.

2. Presented by Robin Fox, HRO Attorney

Roberto Muniz v. Aramark

CHRO No. 1810476

Following a presentation made by the agency, testimony from the petitioner and respondent's attorney, Executive Director Tanya Hughes verbally changed staff recommendation to recommend approval in the interest of fairness and justice. A motion was made by Commissioner Giliberto and seconded by Commissioner Pestana to accept the staff recommendation and the request for reopening be **granted**. The vote was: Yes (5), No (1) and Abstentions (0). The motion carried.

V. Division Reports

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

ED Hughes reported that the CHRO's AA plan was due on 1/31 and submitted on Feb 6 due to voluminous errors that needed to be corrected upon receipt of plan from EEO manager, Marla Shiller. The declaratory ruling request received from Mica Notz will be on next month's agenda (March 13). The ED and DD have been visiting the regional offices. An inspection of the SW region office located in Bridgeport was completed by an inspector from DPW. CHRO has been working with the Legislature and new members of the new administration. CHRO meeting with Attorney General Tong was accompanied by Commissioner Giliberto. It revealed plans to "partner" with CHRO on civil rights issues of a national level. The annual legislative breakfast will take place on Feb 14 and it we're partnering with ACLU, Connecticut Legal Rights Project, CWCS, and CEO.

Outreach Report: by Cheryl Sharp, Deputy Director

See detailed report. (attached)

Legislative update: by Darcy Jones, Legislative Analyst

Darcy Jones Strand reported on Senate Bill - SB 3, An act Concerning Sexual Harassment and Sexual assault is being address with the Senate Democrats. This bill was currently in the drafting stage. CHRO is working with the Minority Construction Council on a bill which would require that contractors and subcontractors be paid on time and shorter deadline

(Prompt Payment Bill). The CHRO is working with MCC to require the state to fund and conduct a disparity study.

VI. New Business: N/A

VII. Executive Session

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

Commissioner Kapoor moved to go into Executive session and was seconded by Commissioner Pestana. The vote was: Yes (6), No (0) and Abstentions (0). The motion was unanimous.

Invited into Executive Session with the Commissioners was AAG Emily Melendez, Executive Director Tanya Hughes, Deputy Cheryl Sharp, and Attorney Jody Walker Smith.

Executive session began at 3:35 pm.

Pending Litigation

1. Housing Election Case

Presented by Jody Walker Smith, HRO Attorney
CHRO ex rel. Ashley Weber v. Michael Perugini, et al.
CHRO Case No. 1950057

VIII. Return from Executive Session

Commissioner Kapoor made a motion to resume the meeting at 4:00 p.m. It was seconded by Commissioner Pestana. The vote was: Yes (6), No (0) and Abstentions (0). The motion carried unanimously

IX. Vote on Executive Session Items

(Action May Be Required)

CHRO ex rel. Ashley Weber v. Michael Perugini, et al.
CHRO Case No. 1950057

Commissioner Kapoor moved to have commission legal counsel file this case in the Judicial District of New Britain and seek injunctive relief to the extent necessary, punitive damages, and a civil penalty; it was seconded by Commissioner Pestana. The vote was: Yes (6), No (0) and Abstentions (0). The motion carried unanimously

X. Old Business: N/A

XI. Adjournment

A motion was made by Commissioner Pestana to adjourn the meeting; it was seconded by Commissioner Suggs. The motion to adjourn carried unanimously. The vote was Yes (6), No (0), and Abstentions (0).

The meeting adjourned at 4:06 p.m.

