

**STATE OF CONNECTICUT  
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES  
REGULAR COMMISSION MEETING  
LEGISLATIVE OFFICE BUILDING – ROOM 1D  
HARTFORD, CT 06106  
WEDNESDAY, October 9, 2013  
2:00 P.M.**



**MINUTES**

Regular Commission Meeting

**COMMISSIONERS PRESENT**

Gary Collins, Chairperson  
Edward Mambruno, Secretary  
Cheryl Lynn Clark (Via Telephone)  
Tracey Gove  
Cesar A. Noble  
Andrew Norton  
Edith Pestana  
Patricia Wrice

**COMMISSIONERS ABSENT**

Dawn Niles

**STAFF PRESENT**

Tanya A. Hughes, Interim Executive Director

David Teed, Assistant Attorney General  
Jim Flynn, Regional Manager  
Neva Vigezzi, AA Program Analyst  
Patrick Kilby, AA/CC Asst.  
Valerie Kennedy, HRO Representative  
Monica Hammie-Richardson, Executive Secretary  
Michelle Dumas Keuler, HRO Attorney III  
Carolyn Anderson, HRO Attorney

Charles Krich, Principal Attorney  
Cheryl Sharp, HRO Attorney III  
Alvin Bingham, AA/CC Supervisor  
Yvonne Duncan, HRO Attorney  
Susan Hom, HRO Representative  
Alix Simonetti, HRO Attorney III  
Robin Fox, HRO Attorney III

**I. CHAIRPERSON: Gary H. Collins, Presiding**

Chairperson Gary Collins convened the Wednesday, October 9, 2013, Regular Commission meeting of the Human Rights and Opportunities to order at 2:02 p.m.

Chairperson Collins welcomed all and thanked them for attending this meeting. Commissioner Cheryl Lynn Clark attended via telephone and she was connected to the meeting at 2:00 p.m.

**II. SECRETARY: Edward Mambruno**

Secretary Mambruno requested a motion to approve the minutes for the August 14, 2013 meeting. The motion was made by Commissioner Gove and seconded by Commissioner Pestana. The vote was unanimous. Secretary Mambruno next requested a motion to accept the minutes from the September 17, 2013 meeting. Commissioner Gove made the motion to approve the September minutes and it was seconded by Commissioner Noble. The vote was unanimous. Both motions carried.

**III. AFFIRMATIVE ACTION RECOMMENDATIONS – VOTE REQUIRED:**

**A. Staff Recommendations: Approved**

- (1) Secretary of the State
- (2) Western CT State University
- (3) Department of Public Health
- (4) Eastern CT State University

Presiding Chairman Collins asked for staff recommendations for approval of four Affirmative Action plans listed above. He recognized all representatives from each agency by name and title and thanked them for coming. Alvin Bingham was called upon to present each plan.

**1. Secretary of State**

Representing the Agency were Deputy Secretary Spallone and Tina Prakash. The Secretary of State plan was recommended for approval based on compliance with the following: it contained all elements required; not all hiring goals were met, but all program goals were met. They demonstrated good faith efforts; no deficiencies were noted in the prior plan review. The five year history of prior plans revealed their plans were approved in 2008-2011. No 2012 plan was filed because this agency went to biennial filing after 2011.

There were no questions or comments from the Commissioners.

**2. Western CT State University**

Representing the agency were Dr. James Schmotter, President of Western CT State University and Frederic Cratty, Interim Associate VP of Human Resources.

The Western Ct State University plan was recommended for approval based on compliance with the following: it contained all the elements required; it did not meet or substantiate all hiring goals. Promotion and program goals were met. Program goals were substantially met. There were no deficiencies in the prior plan review. In 2008 the plan was approved. In 2009 and 2010, they were disapproved. In 2011 and 2012 they were approved.

Questions or comments from the Commissioners:

Commissioner Mambruno wanted to acknowledge their substantial goal achievement. "For an agency's plan to reach 9 out of 10 promotion goals is a rare achievement," he said as he congratulated them.

### **3. Department of Public Health**

Representing the agency were Commissioner Jewell Mullen, Mike Carey, HR Administrator, and Amanda Anduaga-Roberson, EEO Manager.

The Department of Public Health plan was recommended for approval based on compliance with the following: all elements required were present; good faith efforts were shown in its goal achievements and there were substantial deficiencies from the previous plan. Promotion goals were met. The five year history of previous plans is as follows: 2008, 2009, 2010 and 2011 were approved. In 2012 the plan was disapproved.

Chair Collins asked if there were questions or comments.

Commissioner Noble: "Last year Western was required to provide a letter of commitment – did they meet their commitment or demonstrate good faith efforts?" Alvin Bingham answered – "Yes."

### **4. Eastern Connecticut State University**

Representing Eastern CT State University were Dr. Elsa Nunez, President of Eastern CT State, Dr. Stacey Close, Interim Associate VP for Equity and Diversity, and Mr. Jianguo Zju, Coordinator of IRIS, HRIS and AA Information.

Eastern CT State University was recommended for approval based on compliance with the following: it contained all the elements required; it did not meet all hiring and promotion goals; program goals were not met. They demonstrated good faith efforts. There were no deficiencies in the prior plan review. In 2008, 2009, 2010, and 2012 the plans were approved.

There were no questions or comments from the Commissioners.

Chairman Collins asked for a motion to approve the four plans just presented. Commissioner Pestana made the motion to approve and Commissioner Mambruno seconded the motion. The vote was unanimous for approval of all.

Chair Collins thanked all the agencies for attending and their participation. All were given the opportunity to stay for the remainder of the meeting or depart at that time.

#### **IV. CONTRACT COMPLIANCE REQUIREMENTS**

##### **A. University of Connecticut Request for Exemption, Alix Simonetti, Human Rights Attorney III**

Attorney Alix Simonetti explained the Request for Exemption for UCONN with the University of York in England. The request is for exemption for one year, 2013-2014. It involves one person, Professor Nicola McDonald (Medieval Studies) and a \$40,000 contract.

Chair Collins called for a motion. Commissioner Gove made the motion to grant the request for exemption. It was seconded by Commissioner Pestana. The vote was unanimous.

#### **V. DIVISION REPORTS:**

##### **A. Executive Director's Report: Tanya Hughes, Interim Executive Director**

The ED report was presented by interim ED, Tanya Hughes. It included the Federal Shutdown and its effect on CHRO (none), our new Twitter and Facebook accounts, proposed AA regulations, Racial Profiling notifications, and the CASE briefing.

Chair Collins asked about follow-up with CADEP: "Where are we on AA and where do we want to be?" ED Hughes noted that she would follow up for further report in November.

Commissioner Norton questioned how CHRO plans to handle Racial Profiling calls. ED Hughes said they are closely monitoring this issue to quickly handle these calls through normal complaint processing. Results of the new data collection system are expected to be seen in January 2014. In the interim, regional offices are asked to keep track of the number of inquiries and to track this information on a monthly basis.

Chair Collins applauded the CHRO staff in all their current efforts to keep the Commission informed.

Regional Manager Jim Flynn provided a synopsis of CHRO's Complaint Tracking System (CTS). To date, we are looking at a new system to be applied by BEST. It is a web based program, not Microsoft. The forms to file a complaint are now posted on the website. "This is a stupendous achievement," commented Chair Collins.

### **B. Outreach Report: Cheryl Sharp, Human Rights Attorney 3**

Attorney Cheryl Sharp highlighted a list of 20 items related to education and outreach including, the racial profiling update, the Town Hall meeting on October 16, Facebook, Twitter, and our collaboration with the Yale Education Center – a landmark meeting with two fellows from China. She also reported on the recent sexual harassment training conducted by Attorney Robin Fox.

### **C. Legislative Report:**

#### a. Affirmative Action Regulations Review and vote

The Legislative report was presented by Commissioner Pestana. It included the AA review regulation review process with CHRO. She thanked everyone involved with her on this project: Tanya Hughes, Charlie Krich, Jim O'Neill, Neva Vigezzi and other external stakeholders who participated earlier in the process. Chair Collins thanked all as well.

Commissioner Norton asked if the timetables would change with the revised reg. Neva Vigezzi stated, "No". It would still be 90 days, inclusive of the 30 day period in which agencies can resubmit or revise their plan submissions

A motion was made to approve the AA Regs by Commissioner Norton and seconded by Commissioner Pestana. The vote was unanimous.

## **VI. EXECUTIVE SESSION:**

The meeting went to Executive Session. Invited into executive session were AAG David Teed, ED Tanya Hughes, Attorneys Charles Krich, Robin Fox, Michelle Dumas-Keuler and Cheryl Sharp.

### A. Reopening Request:

- (1) Acevedo v. City of Hartford Public Schools - CHRO No. 1310318, Robin Kinstler Fox, Human Rights Attorney III
- (2) Cynthia Winer v. Best Buy – CHRO No. 1210465, Michelle Dumas Keuler, Human Rights Attorney III

### B. Declaratory Ruling filed by Valley Emergency Medical Services, Inc., Charles Krich, Principal Attorney

### C. Personnel Matters:

- (1) Any Personnel Matters as May Arise

**VII. VOTE ON EXECUTIVE SESSION ITEMS:**

**A. Reopening Request:**

- (1) Acevedo v. City of Hartford Public Schools - CHRO No. 1310318,  
Robin Kinstler Fox, Human Rights Attorney III

A motion was made to approve this request by Commissioner Pestana and seconded by Commissioner Noble. The vote was unanimous.

- (2) Cynthia Winer v. Best Buy – CHRO No. 1210465,  
Michelle Dumas Keuler, Human Rights Attorney III

A motion was made to approve this request by Commissioner Norton and seconded by Commissioner Mambruno. The vote was unanimous.

**B. Declaratory Ruling filed by Valley Emergency Medical Services, Inc.,  
Charles Krich, Principal Attorney**

The above matter before the Commission was continued so that we would have the opportunity to review the appropriate pleadings. The Commissioners were provided with a proposed Ruling on a Petition for a Declaratory Ruling filed by Valley Emergency Medical Services. A vote was delayed to allow appropriate documents for consideration including, but not limited to, the Petition for a Declaratory Ruling, any opposition responses and everything else needed to make an informed decision.

**VIII. ADJOURNMENT**

A motion was made to adjourn by Commissioner Pestana and seconded by Commissioner Gove. The vote was unanimous.