

**MINUTES OF THE REGULAR MEETING OF THE
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES
LEGISLATIVE OFFICE BUILDING – ROOM 1B
HARTFORD, CT 06106
WEDNESDAY, APRIL 11, 2012
2:00 P.M.**

COMMISSIONERS PRESENT

Andrew Norton, Chairperson
Edward Mambruno, Secretary
Cheryl Lynn Clarke (telephonically)
Dawn Niles
Tracey Gove
Edith Pestana
Lyn May
Patricia Wrice

COMMISSIONERS ABSENT

Suzanne Tirado

STAFF PRESENT

Robert J. Brothers, Jr., Executive Director
David Teed, Assistant Attorney General
James O'Neill, Legislative Liaison
Cheryl Sharp, Human Rights Attorney III
Kimberly Jacobsen, Human Rights Attorney III
Alix Simonetti, Human Rights Attorney III
Alvin K. Bingham, Supervisor, Affirmative Action/Contract Compliance
Valerie Kennedy, Human Rights & Opportunity Representative
Susan Hom, Human Rights & Opportunity Representative
Neva E. Vigezzi, Affirmative Action Program Analyst
Heather Petit, Administrative Assistant
Margaret Peters, Secretary II

I. CHAIRPERSON

Chairperson Andrew Norton convened the Wednesday, April 11, 2012 regular monthly meeting of the Commission on Human Rights and Opportunities to order at 2:11 p.m. Chairperson Norton confirmed that Commissioner Clarke was attending the meeting telephonically. Chairperson Norton announced which Commissioners were in attendance and also stated that for the purposes of an agency project the meeting would be videotaped.

II. SECRETARY

Secretary Mambruno requested approval of the corrected minutes of the Wednesday, February 8, 2012, Regular Commission Meeting. A motion was made by Commissioner Gove to approve the corrected February 8, 2012, minutes as presented which was seconded by Commissioner May. The motion was approved unanimously. Commissioner Wrice abstained from the motion. Chairperson Norton did not vote on the motion.

Secretary Mambruno then requested a motion for the approval of the minutes of the Wednesday, March 14, 2012, Regular Commission Meeting. A motion was made by Commissioner Wrice to approve the March 14, 2012, minutes as presented which was seconded by Commissioner Gove. The motion was approved unanimously. Chairperson Norton did not vote on the motion.

III. GUEST SPEAKER – Pooja Kondabolu, Law School Intern

Ms. Kondabolu previously earned her Master's Degree in Social Policy and Development and is currently a student at the University of Connecticut School of Law. She has been an intern at the Commission for approximately ten weeks. She stated that her experience thus far has been the most substantive and invaluable that she has had as a law student as she has been offered a wide range of opportunities.

On April 10, 2012, she was able to assist Attorney Kimberly Jacobsen with facilitating a Default Hearing and went through the whole process from writing different memoranda to picking out and entering evidence. She is looking forward to assisting with a mediation next week. Ms. Kondabolu stated that the internship at the Commission sets itself apart from other internships. Ms. Kondabolu will continue to intern this summer assisting with the intern program which will consist of around fifteen students.

Ms. Kondabolu reported that CHRO has a great reputation with UCONN Law School as CHRO sets itself apart. UCONN has a Semester in DC program which she is hoping to get into and her experience at CHRO has been a great stepping stone in working with state agencies. Ms. Kondabolu is very interested in public service law as she has worked for the Clinton Foundation and in Uganda and India.

Next week she will be assisting with a mediation. She thanked her mentor, Attorney Jacobsen, for being so patient, thoughtful and helpful. In addition, she thanked Attorney David Kent, Principal Attorney Charlie Krich, Attorney Cheryl Sharp, Attorney Robin Kinstler Fox and Attorney Alix Simonetti for being so supportive.

Chairperson Norton thanked her, as well as the attorneys at the Commission for being so willing to take time to help as it involves some amount of personal sacrifice as well.

IV. GUEST SPEAKER – Shardae Parker, Civil Rights Fellow

Chairperson Norton stated that Shardae Parker was scheduled to speak at today's Commission Meeting; however, she will speak next month instead.

IV. OUTREACH REPORT - Attorney Cheryl Sharp from the Legal Division

Attorney Cheryl Sharp stated that it is part of the Legal Department's mission to try to train the next generation of civil rights advocates and welcomed Pooja to the ranks. The Legal Department will be having several more interns join them over the course of the summer. The Department of Social Services was kind enough to let the Commission use some of their space to allow the interns a place to sit and work.

This month is National Fair Housing month and the Commission, along with the Governor's Prevention Partnership, will be hosting a Housing Fair at the State Capitol on April 16, 2012. Attorney Sharp reminded the Commissioners that they can receive credit hours towards their training if they attend this event. The Fair Housing Association will also be conducting training in cooperation with HUD and the CT Fair Housing Center and they will be having several trainings across the state.

Attorney Sharp and Executive Director, Robert Brothers, sit on an advisory board to look at the issue of racial profiling in the State. The advisory board co-sponsored a police community session on March 28, 2012, which over 50 Chiefs of Police attended. There will be four additional informational sessions across the State. Northeastern University gave a presentation about the effects of racial profiling; i.e. how data is collected, what is done with that data, etc. There will be several smaller working groups to see what issues the communities are facing and how they relate to police and community relations.

There is an issue with proposed legislation as individuals who were filing discrimination complaints with police departments were not always told that our statutes require them to file with CHRO within 180 days of the discriminatory act. They are not able to file if they are not noticed. The proposed legislation would include trying to have information on the back of tickets, etc. about filing a complaint with CHRO if an individual feels discriminated against.

Commissioner Gove stated that he attended this informational session and commended Cheryl on doing a great job and representing the Commission so well. Commissioner Gove also complimented Cheryl on keeping an open mind as it is a delicate issue between the committee and law enforcement. He is very glad she is involved in the process.

The question of police departments being penalized for not referring discrimination complaints arose. Executive Director, Robert Brothers, stated that the Alvin Penn Act has been in place for several years; however, the problem is that not all the data is collected in the same manner and the data is now filed with the African American Commission who does not have adequate staff to cull the data and try to interpret it. The new proposal is detailed language that mandates uniformity in policing. At this time the Commission is trying to amend the bill and working on the possibility of penalties but it is still in the process of amendment.

Attorney Kimberly Jacobsen and Attorney Sharp will conduct a training on October 16, 2012, for teachers regarding diversity, bullying and discrimination issues and will also address the psychological effects of bullying. The training will be held at WestConn and they will be inviting all student teachers, civic organizations, etc. to attend the three hour training.

Attorney Sharp and Attorney Alix Simonetti will be doing a presentation at the Transgender Live Conference. They will be discussing how gender identity and gender expression are now a protected class and also discuss the new legislation. The Conference is at the UCONN Health Center in Farmington on October 28, 2012. Their presentation is from 10-1pm.

Attorney Sharp asked the Commissioners to hand in the questionnaires that were handed out at last Commission Meeting. Commissioner Gove handed in his questionnaire.

V. AFFIRMATIVE ACTION RECOMMENDATIONS – VOTE REQUIRED

A. Staff Recommendations: *Approvals*

1. Department of Revenue Services
2. Department of Veterans' Affairs
3. Office of the State Treasurer

Chairperson Norton asked for a motion to accept staff recommendations for approval of three Affirmative Action Plans: Department of Revenue Services, Department of Veterans' Affairs and Office of the Treasurer. Such a motion was made by Secretary Mambruno and seconded by Commissioner Wrice. Chairperson Norton noted that the motion also proposes that the agencies be

able to maintain their annual filing status as in the case of Department of Revenue Services and bi-annual filing status as in the case of Department of Veterans' Affairs and the Office of the State Treasurer.

1. Department of Revenue Services

The Department of Revenue Services' plan was recommended for approval based on compliance with the following: the plan contains all elements required; the agency has demonstrated every good faith effort to achieve its goals; and the agency had no deficiencies in the prior plan review.

Secretary Mambruno commended the Department of Revenue Services as being one of the few state agencies that has a successful program for students with disabilities and gave them credit for their progressive and proactive approach.

Chairperson Norton inquired as to what extent the protocols credit employers who hire persons with disabilities. Neva Vigezzi, Affirmative Action Program Analyst, stated there are no set goals at this time for people with physical disabilities due to the fact that there is no comparative data upon which to establish the goals. However, the agency does make note of an agency's participation in the Governor's program for students with disabilities.

Commissioner Kevin Sullivan, Department of Revenue Services, stated he appreciates the partnership between DRS and CHRO. Commissioner Sullivan stated he was also proud that DRS has been obtaining promotional goals in upward mobility positions.

2. Department of Veterans' Affairs

The Department of Veterans' Affairs plan was recommended for approval based on compliance with the following: the plan contains all elements required; the agency has demonstrated good faith effort to achieve goals; the agency has substantially addressed deficiencies noted by the Commission in prior plan reviews.

Chairperson Norton stated that he was pleased to see that the Department of Veterans' Affairs is at 10% in regard to hiring black males as this area is often underrepresented. He stated that the DVA is better than average in this area and that they are actually at 21% in regard to leadership at the agency.

Commissioner Linda Schwartz stated that there is a need for certain requirements to be changed in regard to the hiring of veterans as they are often not even offered interviews as their work/time in the military is overlooked or not noted as significant work experience.

There is a legislative proposal to make veterans a protected class.

3. Office of the State Treasurer

The Office of the State Treasurer's plan was recommended for approval based on compliance with the following: the plan contains all elements required; the agency has demonstrated every good faith effort to achieve such goals; the agency has substantially addressed deficiencies noted by the Commission in prior plan reviews.

Susan Hom, HRO Representative, stated that 70% of short term goals is needed to meet the substantial requirement.

Chairperson Norton credited the Office of the State Treasurer for also having over 10% of their employees being black males.

Deputy Treasurer Harris thanked the Commission.

Chairperson Norton called for a vote on the motion to accept the staff recommendation for approval of the plans of Department of Revenue Services, Department of Veterans' Affairs and Office of the State Treasurer, including retention of their normal filing status. The motion was approved unanimously. Chairperson Norton did not vote on the motion.

VI. OTHER BUSINESS

- A. Request for Exemption from Certain Contract Compliance Requirements for a Contract Between the University of CT Health Center and the Society for Thoracic Surgeons.

The exemption request from UCHC concerning the contract with the Society of Thoracic Surgeons was put forth. Society of Thoracic Surgeons collects data regarding heart operations and procedures and then makes that data available to other medical institutions throughout the nation. It is a renewable contract for just less than \$3,000 annually. After having been reviewed by an attorney in the Legal Division, Executive Director, Robert Brothers, Jr., recommended that the exemption be granted.

Mr. Brothers explained that because there are so many users of the system, they do not have the ability to tap into everyone who uses the system so it is hard for them to say they are compliant with our statutes in good faith. No employees of their agency are actually in Connecticut; they are based out of Chicago, IL.

Chairperson Norton asked for a motion to grant approval of the exemption. Commissioner Pestana made such a motion which was seconded by Commissioner Gove. Chairperson Norton called for a vote on the motion. The motion was approved unanimously.

VII. DIVISION REPORTS

A. Legislative Report

Jim O'Neill's Legislative Report:

Commissioner Gove's appointment was approved by both chambers. Commissioner Tirado and Commissioner May's appointments are through the House and into the Senate and he expects that they will be taken up today. Chairperson Norton's appointment was approved today by the House.

The proposed merger of CHRO with the Office of Protection and Advocacy went away in appropriations version of the budget. There is a proposal to move CHRO into Judicial; however, that will most likely not happen as liaisons from Judicial are opposed to adding CHRO and Worker's Comp as they view Judicial as having a limited role.

HB 455 that CHRO asked judiciary to raise was amended in committee to include a municipal set aside. A number of pieces of the bill have become controversial including that CHRO would mirror the state's 25% small business / 6% minority and female business as it would essentially be brought into that existing statute. There is also concern about the inclusion of veterans and changes to contract compliance; both have run into objections. It was proposed to try to expedite contracts that have already complied with set aside provisions and to increase the set aside that could be withheld from 2% to 5%. There is no objection to the 5% but still some confusion as to what is considered good faith effort.

The Commission continues to follow SB 364, the racial profiling bill regarding traffic stops, with interest.

B. Executive Director's Report

Mr. Brothers reported that since the last Commission Meeting three people have been hired. He introduced Heather Petit, Administrative Assistant, to the Commissioners.

Mr. Brothers thanked Margaret Peters, Secretary II, for her help as she has been assisting him, as well as working in the legal department and attending Commission Meetings. Chairperson Norton thanked Margaret as well.

Two new investigators were hired; one in Waterbury and one in Bridgeport and they are starting next Friday. Currently, we are still in the process of hiring additional HRO Representatives.

Investigator training for all the investigators will be conducted by the Logue Group in May.

In regard to the 25 Sigourney Street garage closure; Mr. Brothers reported that the shuttle buses seem to be working out. There has not been an announcement as to whether or not a decision was made to demolish and rebuild the garage or repair it.

VIII. EXECUTIVE SESSION

Chairperson Norton asked for a motion to go into Executive Session to discuss personnel matters. A motion was made by Commissioner May and seconded by Secretary Mambruno. The motion was approved unanimously.

X. RETURN TO REGULAR SESSION

At 4:13 p.m. the Commission returned to Regular Session from Executive Session. Chairperson Norton noted that no votes were taken in Executive Session.

IX. VOTE ON EXECUTIVE SESSION ITEMS

(Requires a Vote by Commissioners on the Record)

None

XI. ADJOURNMENT

There being no further business to come before the Commission, it was moved by Commissioner May and seconded by Secretary Mambruno to adjourn the meeting at 4:13 p.m. The motion carried unanimously. Chairperson Norton did not vote.