

**MINUTES OF THE REGULAR MEETING OF THE
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES
LEGISLATIVE OFFICE BUILDING – ROOM 1A
HARTFORD, CT 06106
WEDNESDAY, AUGUST 8, 2012
2:00 P.M.**

COMMISSIONERS PRESENT

Andrew Norton, Chairperson
Edward Mambruno, Secretary
Cheryl Lynn Clarke
Edith Pestana
Lyn May
Dawn Niles
Tracey Gove

COMMISSIONERS ABSENT

Suzanne Tirado
Patricia Wrice

STAFF PRESENT

Robert J. Brothers, Jr., Executive Director
David Teed, Assistant Attorney General
Alvin K. Bingham, Supervisor, Affirmative Action/Contract Compliance
Valerie Kennedy, Human Rights & Opportunity Representative
Neva E. Vigezzi, Affirmative Action Program Analyst
Susan Hom, HRO Representative
Epifanio Carrasquillo, HRO Regional Manager
James J. O'Neill, Legislative Liaison
Heather Petit, Administrative Assistant

I. CHAIRPERSON

Chairperson Andrew Norton convened the Wednesday, August 8, 2012, regular monthly meeting of the Commission on Human Rights and Opportunities to order at 2:05 p.m.

II. SECRETARY

Secretary Mambruno requested a motion for the approval of the minutes of the Wednesday, July 11, 2012, Regular Commission Meeting. A motion was made by Commissioner Niles to approve minutes as presented which was seconded by Commissioner Pestana. The motion was approved unanimously. Chairperson Norton did not vote on the motion.

III. GUEST SPEAKER – Jonathan Weeks, Legislative Analyst, APAAC

Mr. Weeks thanked the Commission for the invitation to the meeting. Mr. Weeks stated he is the new Legislative Analyst with the Asian Pacific American Affairs Commission (APAAC). Mr. Weeks went to Georgetown University where he received his bachelor degree in 2005 and then went on to obtain his law degree from St. Louis University School of Law in 2008. Mr. Weeks is a member of the bar in CT and DC.

Mr. Weeks gave a brief overview of the agency. In early 2000, their current Commissioners came together to form the Asian Pacific Coalition. The Coalition felt that they deserved a Commission through the legislative branch to protect their interests in government and in 2008, with the passage of Public Act 08-166, APAAC was established. Mr. Weeks stated that APAAC is a 21 member bi-partisan commission with two full time permanent staff; himself and Mui Mui Hin-McCormick, Executive Director.

Mr. Weeks stated that PA 08-166 commanded APAAC with seven tasks: 1) ensure all Asian Pacific Americans are healthy, safe, achieve educational success, are economically self-sufficient and free from discrimination, 2) make recommendations to the General Assembly and the Governor to enhance these objectives, 3) review and comment on any proposed State legislation that may affect the Asian Pacific Americans, 4) advise the General Assembly and the Governor concerning the coordination and administration of State programs which may affect Asian Pacific Americans, 5) gather and maintain information regarding the Asian Pacific American community in Connecticut, 6) act as a liaison between the Asian Pacific American population and government agencies and 7) conduct educational and outreach activities to raise awareness of certain issues that affect Asian Pacific Americans.

Commissioner Pestana asked if they were partnering with the Asian Pacific Islander Coalition regarding the current issues in nail salons. Commissioner Pestana stated that some statistics that recently came out warned about chemicals being used in the acrylics, nail polish, etc. California's Environmental Protection Agency took a sample of nail polish that was labeled as being free of toxins but which was found to actually contain those materials. Commissioner Pestana stated that there is a move to get better ventilation, to use alternative chemicals and to lobby the FDA for stricter labeling. Another concern is that a lot of the salons house daycare centers and the children are getting exposed to these chemicals as well. Commissioner Pestana told Mr. Weeks that they could collaborate on this issue if his Commission so desired. Mr. Weeks thanked Commissioner Pestana and stated he would be in touch.

Chairperson Norton asked Mr. Weeks what the geographical definition of Asian Pacific Americans is. Mr. Weeks said it encompasses a broad range of

ethnicities including all Asians and Hawaiians. Mr. Weeks stated that part of his work at the Commission is to research the reason behind the higher suicide rate for East Asian women. It happens often in the United States but a much larger incidence occurs in Japan.

Commissioner Gove asked how many vacancies the Commission has out of the 21 seats. Mr. Weeks stated they have six seats vacant; however, they have three individuals slotted for those seats. Commissioner Gove expressed to the attendees of the meeting the need to have people they know who may be interested in the Commission contact Mr. Weeks.

Chairperson Norton thanked Mr. Weeks for agreeing to come and speak to the Commissioners.

IV. OUTREACH REPORT – Cheryl Sharp, Human Rights Attorney 3

Attorney Sharp reported that tomorrow, August 9, 2012, the agency would be holding a Civil Rights and Anti-Bullying Leadership Summit. Over 150 people have responded to the invitation, many of whom include teachers, legislators, members of Congress, and police departments, along with community organizations such as, ACLU, EEOC, HUD, CCSU, Gay & Lesbian Advocates and Defenders, AAAC, CT Healthy Workplaces, QUELF, Anti-Defamation League, OPA, GPP, CT Sexual Assault Crisis Center, etc. The purpose of the summit is to educate the public on the devastating impact of discriminatory bullying in schools and in the workplace.

Attorney Sharp stated the agency held training for the State Police and Municipalities on the Americans with Disabilities Act at the Police Training Center. In addition, Attorney Sharp reported that CHRO and the FBI will be partnering in regard to outreach. Attorney Sharp stated she will be meeting with the FBI next week to collaborate on various projects.

Attorney Sharp stated that she meets with members of the Governor's Prevention Partnership every other Friday to identify federal and foundation grants and to apply for them.

The documentary film about CHRO will be completed this fall and the agency will have a showing. Attorney Sharp stated that the film will also be submitted to the film festival as well as CT Public Television. The agency created two children's books on civil and human rights. One book focuses on the harmful effects of the exposure to lead paint and is based on a young girl who has a disability stemming from such an exposure.

Attorney Sharp then showed the Public Services Announcements that were produced using funds from the FHAP grant that the agency was awarded.

V. AFFIRMATIVE ACTION RECOMMENDATIONS – VOTE REQUIRED

A. Staff Recommendations: ***Approvals***

1. Norwalk Community College
2. Housatonic Community College
3. Gateway Community College
4. Department of Transportation

Chairperson Norton asked for a motion to accept staff recommendations for approval of four Affirmative Action Plans: Norwalk Community College, Housatonic Community College, Gateway Community College and the Department of Transportation. Such a motion was made by Commissioner May and seconded by Commissioner Gove. The motion included that Norwalk Community College change to an annual filing status, Housatonic Community College and Gateway Community College retain their biennial filing status and the Department of Transportation retain its annual filing status.

1. Norwalk Community College

Representing the college were Dr. David Levinson, President, Virginia DellaMura, HR Director and Leah Glende, Affirmative Action Officer.

Alvin Bingham reported that the Norwalk Community College's plan was recommended for approval based on compliance with the following: the plan contains all elements required; the agency has met all or substantially all of its hiring, promotion and program goals; and the agency substantially addressed deficiencies noted by the Commission in prior plan reviews.

Commissioner Niles congratulated the college on the recommendation for approval. Dr. Levinson thanked Dr. Valerie Kennedy and Lea Glende and Virginia DellaMura for their help in the successful plan. Dr. Levinson stated that they have always taken affirmative action very seriously and that he is sorry that it may not have been reflected in the past. Dr. Levinson said he is delighted that they have complied with regulations and have corrected their presentation of the work they do at Norwalk Community College.

2. Housatonic Community College

Representing the college were Dr. Anita Glinieck, President, and Theresa Eisenbach, Acting Director of Human Resources/Equal Employment Opportunity Officer.

Mr. Bingham reported that Housatonic Community College'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 its goals; and the agency substantially addressed deficiencies noted by the Commission in prior plan reviews.

3. Gateway Community College

Representing the agency were Dr. Dorsey Kendrick, President, Lucille Brown, Director of Human Resources, and Dr. Vincent P. Tong, Director of Institutional Research/Affirmative Action Officer.

Mr. Bingham reported that Gateway Community College's plan was recommended for approval based on compliance with the following: the plan contains all elements required; the agency met all or substantially all of its hiring and promotion goals; and demonstrated every good faith effort to achieve its goals.

Dr. Kendrick explained to the Commission that Mr. Tong will be stepping out of the role of Affirmative Action Officer and Ms. Shelby Brown will be the new Affirmative Action Officer for Gateway Community College. Dr. Kendrick thanked both of them for their hard work and stated that they will be working collaboratively during the transition.

4. The Department of Transportation

Representing the agency were Cheryl Malerba, Director of Strategic Planning and Organizational Development, Vicky Arpin, Director of Human Resources, and Renee LaBarge and Lorna Reid, EEO Specialists.

Mr. Bingham reported that the Department of Transportation's plan was recommended for approval based on compliance with the following: the plan contains all elements required; demonstrated every good faith effort to achieve its goals; and substantially addressed the deficiencies noted by the Commission in the prior plan review.

Cheryl Malerba stated that Shelby Brown is fabulous as she was in their Aspiring Leaders Program and is an outstanding person. Ms. Malerba reported that the DOT Commissioner has gotten approval to appoint two positions at the agency; Anna Barry (WF), who will become their Deputy Commissioner in September and Randall Davis (BM), who will be joining them as an Executive Assistant.

Additionally, they are hiring a female mechanic which is a unique category for them. Ms. Malerba said they are pleased to share these updates with the Commission.

Chairperson Norton asked if there were any questions or discussion; there were none.

Chairperson Norton called for a vote on the motion to approve the plans and their proper filing status. The motion passed unanimously. Chairperson Norton did not vote.

VI. NEW BUSINESS

A. Request for Exemption from Contract Compliance Requirements Concerning a Contract Between the University of Connecticut and InCommon, LLC.

Matthew Smith from UConn stated that the InCommon Federation is a consortium of approximately 300 higher education institutions and 100 technology service providers. Many providers give library and research resources to the institutions. Mr. Smith stated that the federation allows the institutions to interact with the service providers and other institutions on a common technology ground. The technology makes it simpler for everyone to work together and they all agree contractually to use these set of technologies.

Robert Brothers, Executive Director, stated that with the Commissioners permission, he would discuss aspects of the exemption with the representatives from UConn so that the Commissioners could act on his recommendation if they so desired. During discussion between Mr. Brothers and Mr. Smith it was noted that: 1) the company is based out of state, 2) due to the language of the contract, as it involves many institutions/members of various states, InCommon cannot ensure that all members will comply with Connecticut law, 3) the company is a sole source provider, and 4) the contract is for five years. Mr. Brothers recommended to the Commissioners that they grant a conditional waiver for the contract subject to the agency's review and revocation should it be found that there is something in the contract that is not in compliance.

Commissioner Niles moved to accept the Executive Director's recommendation to grant the contract compliance exemption to UConn for the purpose of contracting with InCommon, LLC. Commissioner May seconded the motion. The motion passed unanimously. Chairperson Norton did not vote.

B. Request for Exemption from Contract Compliance Requirements Concerning a Contract Between the State of Connecticut Office of the

Attorney General and the Office of State Treasurer with Reinhart Boener
Van Deuren, S.C.

This request was tabled until the September 12, 2012 Commission Meeting.

VII. DIVISION REPORTS

A. Legislative Report

Jim O'Neill stated that he had previously sent the Commissioners a copy of the draft legislation and summary for 2013. Mr. O'Neill reported that this week they hope to conclude a final draft of the AA regulations for distribution to staff and people that had previously participated. Chairperson Norton stated that the classification of sexual orientation is currently separated from all other protected classes in regard to the statutes and suggested that it be combined with all other protected classes.

B. Executive Director's Report

Mr. Brothers reported that the Department of Labor has now assumed all of the business, human resources and affirmative action responsibilities for the agency with the exception of payroll. Mr. Brothers stated that he cannot thank DOL enough as they have been very supportive and understanding and have done everything they can do to make the transition smooth.

Chairperson Norton asked Mr. Brothers how the office space, or lack thereof, is working out for the agency in regard to the 25 Sigourney Street location. Mr. Brothers stated that they could always use more space but has not heard when this may occur. Mr. Brothers stated that it is a significantly smaller space compared to what they have had in the past.

VIII. EXECUTIVE SESSION

Chairperson Norton asked for a motion to go into Executive Session to discuss litigation as well as personnel matters. Chairperson Norton asked Mr. Brothers and David Teed, Assistant Attorney General, to stay for the session. Such a motion was made by Commissioner Pestana and seconded by Commissioner Gove. The motion was approved unanimously.

IX. RETURN TO REGULAR SESSION

At 4:29 p.m. the Commission returned to Regular Session from Executive Session. Chairperson Norton noted that they were joined in Executive Session by Executive Director, Robert Brothers, Assistant Attorney General, David Teed,

and Commissioner Cheryl Clarke. Chairperson Norton stated that no votes or actions were taken in Executive Session.

X. 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 Clarke and seconded by Commissioner Pestana to adjourn the meeting at 4:30 p.m. The motion carried unanimously. Chairperson Norton did not vote.