

COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES



At a Glance

TANYA A. HUGHES, Executive Director

Cheryl A. Sharp, Deputy, Director

Established – 1943

Statutory Authority – CGS Chapter 814c

Central office – 450 Columbus Blvd, Suite 2, Hartford, CT 06103

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2020- 2021 Budget: \$10,720,338 (\$6,431,830 in Personal Services; *\$4,288,508 in Other Expenses) Number of positions filled is 82: 75 full-time; 7 Temporary or Durational employees. Authorized positions: 88 full-time.

*\$4,000,000 of this budget is appropriated for the Disparity and Equity Studies. See Legislative description.

Organizational structure: Nine-member commission establishes policy; Executive Director manages/oversees the administrative office, legal department and four regional offices; and independent Human Rights Referees hear contested cases.

Mission

The mission of the Connecticut Commission on Human Rights and Opportunities is to eliminate discrimination through civil and human rights law enforcement and to establish equal opportunity and justice for all within the state through advocacy and education.

Statutory Responsibility

The statutory responsibility of the Commission is to:

Eliminate illegal discrimination in employment, housing, public accommodations and credit transactions through education and law enforcement; Monitor contract compliance laws and small contractor set-aside provisions by state agencies, contractors, and subcontractors; Review and monitor state agency affirmative action plans and compliance with laws requiring affirmative action and equal opportunity in state government; Establish equal opportunity and justice for all persons in Connecticut through education and outreach; and provide sexual harassment prevention training for all residents.

Public Service

The Commission is headed by a policy-making body consisting of nine members. Five of the members are appointed by the Governor and four are appointed by the leadership of the General Assembly. All new appointments require legislative approval through the advice and consent of the House and Senate. The Commission conducts regular monthly meetings on the second Wednesday of the month. The Commission conducts special meetings as it deems necessary.

Six Commissioners were serving at the end of the fiscal year. They were Secretary Edward Mambruno, and Commissioners Andrew Norton, Edith Pestana, Joseph Suggs, Lisa Giliberto, and Nicholas Kapoor. Currently, three vacancies remain unfilled.

An Executive Director appointed by the Commission oversees the operations of the agency. Executive Director Tanya Hughes was appointed Interim Executive Director on July 13, 2013 and appointed to a four-year term on November 17, 2013. She was re-appointed to a second four-year term in November 2017 and her third 4-year term in July 2021. The agency's administrative office, also located in Hartford, houses the Office of the Executive Director, Tanya Hughes, the Office of the Deputy Director, Cheryl Sharp, the Legal Division, headed by two Managing Legal Directors, Attorney Michelle Dumas-Keuler and Attorney Kimberly Jacobsen, the Affirmative Action Unit, the Contract Compliance Unit, the Fair Housing Unit, and the Office of Public Hearings. There are also four regional offices located in Hartford, Bridgeport, Norwich, and Waterbury.

Martin Luther King, Jr Commission:

By statute, the Commission serves as the secretariat for the Martin Luther King, Jr. Holiday Commission (MLK). The State of CT Dr. Martin Luther King, Jr. Holiday Commission was established in 1986 as a statewide Commission is to unify and educate communities within the State of Connecticut and encourage meaningful observations, ceremonies, and activities in commemoration of the federal holiday and state legal holiday honoring Dr. Martin Luther King, Jr. t The MLK Holiday Commission roster is as follows: Donna Campbell, Chairperson; Members: Dr. Stacey Brown, Guy Fortt, Seth Freeman, Dr. Steven Hoffler, Elder Ashley AJ Johnson, Bobby Ramos, Kristen Shorter, Mandy Wenis, Christopher Williams, Jami Williams, and Sherry Woods; Analysts: Yvette Moore, and Lori Stewart.

The MLK Holiday Commission hosted and or partnered three events this year with assistance from the CHRO. They included the Annual Bell Ringing Ceremony on January 17, 2022, which was moved to Urban Hope Refuge Church due to Covid-19. That same day they joined CHRO in the inaugural Children's March at St. Peter's Church in Cheshire, CT. On March 18, 2022, there was a community panel and forum and a Juneteenth event on June 16, 2022. The annual budget for this commission is \$5,977.

Improvements/Achievements 2020-2021

The global pandemic dramatically affected the Commission on Human Rights and Opportunities and the way in which we provide services to the community. The COVID-19 pandemic in the U.S. has proven to disproportionately affect people with low socio-economic status, as well as Black, Indigenous, and Latino people, all of whom have experienced higher rates of cases,

hospitalizations, and deaths. We saw racial/ethnic disparities associated with income, employment, and housing as well.

FY 2021-2022, CHRO was allotted a total of \$106,086 in Covid Relief Funds which afforded CHRO the ability to provide regular and frequent updates to its website, provide extensions to critical procedures and provide virtual assistance and trainings via webinars, Outlook TEAMS, telephonic and other forms of electronic services. The CHRO worked closely with OPM/ DAS/ DOL and the Governor's office to ensure that all executive orders and legislative activities were reflective of the work and interests of the agency and its mission.

KEY CASES

In the last year we received two major decisions from the Connecticut Supreme Court: CHRO v. Edge Fitness - we successfully argued that our state public accommodations statute does not contain implied exceptions;

Judicial Branch v. Gilbert - we successfully defended our authority to enforce and adjudicate violations of Conn. Gen. Stat. § 46a-58(a) based on deprivations of rights protected by federal laws such as Title VII, and to award compensatory damages where such violations are found. The CHRO was represented by Attorney Michael Roberts in both of those matters.

At the Appellate Court, Attorney Margaret Nurse-Goodison helped obtain a favorable decision in CHRO ex rel. Cortes v. Valentin, affirming judgment for the complainant in a housing discrimination case. The agency also helped secure a favorable Appellate Court decision in Sokolovsky v. Mulholland; an amicus brief written by Attorneys Kimberly Jacobsen and Michael Roberts was integral to the Court's holding that the 90-day timeframe for bringing a court action after receiving a release of jurisdiction from the CHRO is mandatory subject to tolling and waiver, rather than jurisdictional.

At the Second Circuit Court of Appeals, Attorney Roberts, in collaboration with Gregory Antill, a student at Yale Law School and one of CHRO's Legal Interns, wrote a portion of the principal brief in defense of Connecticut's policy of allowing student athletes to compete in accordance with their gender identity.

REPORTS

Annual reports required by statute including reports on the state of Affirmative Action in state agencies, the contract compliance program, agency case processing trends, and the awarding of attorney fees can also be found on our website. The reports are [published to the website](#) under the "Publications" tab.

LEGISLATION

CHRO, through its legal department assisted in drafting proposed legislation and testimony in support and opposition to over 80 raised bills. Some important legislation we supported which passed that impacts our work includes:

PA 22-82: An Act Concerning Online Dating Operators, the Creation of a Grant Program to Reduce Occurrences of Online Abuse and the Provision of Domestic Violence Training and Protections for Victims of Domestic Violence. It was signed by Governor Lamont and went into effect on May 24. PA 22-82 adds status as a domestic violence victim as a protected class throughout the CHRO statutes (see Sections 7 and 10-21 of the bill). This includes in the areas of employment, public accommodations, housing, state services and programs, credit, and the deprivation of rights.

During the 2021 session, the Connecticut General Assembly provided the CHRO with \$4 million to conduct a disparity study and an equity study. The disparity study, the funding for which the CHRO has been advocating for years, will examine the state's set aside program and analyze whether small and minority owned businesses can fully participate in state contracting without encountering unfair or discriminatory barriers. The enabling legislation placed the CHRO in charge of the study, in consultation with the Department of Administrative Services, and we have contracted with Griffin & Strong, PC, an Atlanta-based firm with extensive experience across the country in conducting disparity studies. We hope that the study will be completed in the next 18 months.

The equity study enabling legislation requires the CHRO to oversee a study of equity in state government programs and actions. The CHRO, in consultation with the Department of Administrative Services and the Office of Policy and Management, will work with a national consultant to conduct a statewide study into programs and policies to determine what equities or inequities exist in state programs and policies, and create recommendations to improve any inequities.

In the 2021 session, the CGA also passed Public Act 21-2, An Act Creating a Respectful and Open World for Natural Hair. The "CROWN" Act extended the definition of "race" under Connecticut's existing antidiscrimination law to include ethnic traits historically associated with race, including hair texture and protective hairstyles. This legislation made it illegal to discriminate against an individual in the workplace, housing, or any other setting covered by the antidiscrimination statutes due to that individual's hairstyle such as braids, locs, cornrows, etc.

In 2022, the CGA passed Public Act 22-128, An Act Establishing Juneteenth Independence Day as a Legal Holiday. This bill added June 19th, known as Juneteenth Independence Day, as a legal state holiday which will be first legally recognized in 2023. Juneteenth, which commemorates the end of slavery in the United States, is a day of remembrance and should be honored in Connecticut. CHRO was present for the signing of the bill by Governor Ned Lamont in front of the historic Amistad vessel at the New London, CT pier.

SEXUAL HARASSMENT TRAINING

Covid-19 has also impacted the number of sexual harassment complaints filed. This year has shown the continued need for action as we see a 20% increase in the number of sexual harassment complaints filed. Close to 200,000 individuals were issued certificates during 2020-2021 via our online training with hundreds of thousands who were provided this training directly by their employer reflecting millions who have received the training since inception in 2019. For more information visit www.portalct.gov/chro.

INTERNAL TRAINING

CHRO, through its legal department provides extensive two-week legal trainings for all new staff members. Legal division staff conducted numerous IT training and development sessions with agency staff to enable them to work more effectively while being remote and the legal division organized and gave training available to the agency on a recent case the CHRO became involved with as well as on best practices for conducting intake. A full day, agency-wide training was conducted with internal and external presenters where the legal division staff and D&I committee provided various training sessions on June 27, 2022.

EXTERNAL TRAINING, OUTREACH AND EDUCATION

During FY 2021-2022 Ana Maria Mitchell joined the team as a Human Rights Trainee and Outreach Coordinator. Ms. Mitchell has spearheaded a campaign to increase awareness in the Hispanic community. She was instrumental in introducing a statewide billboard campaign and radio campaign with *Connoisseur - Ferocious Media* highlighting the various services offered by CHRO on WYBC. Along with Attorney Darcy Jones Strand, they developed an Ambassador Program, utilizing employees of all titles to go out into the community to all corners of the state.

The legal department provides a team of attorneys who have a radio segment which provides information on a variety of issues on WICC on the “Melissa in the Morning Show” every Monday morning at 8:08 a.m. Staff from every unit in the agency contributes to various forms of outreach, education, and training activities such as: Training Sessions, Public Appearances, Collaborations, Committee Meetings, Informational Sessions, and Public Outreach.

The CHRO serves as an advocate for civil rights in Connecticut and as a source of education for the public about human and civil rights issues and laws, and the services provided by the agency. CHRO sponsors various programs to raise the consciousness of youth regarding civil and human rights issues such as *Connecticut Kids Court and Kids Speak and the CT Kids Court Academy*. The CHRO also serves as a resource providing sexual harassment and civil rights law training to businesses, municipalities, housing authorities, housing providers and non-profits throughout the state, under its Business Training Institute. The CHRO builds coalitions with non-governmental agencies, federal agencies, state agencies, private businesses, and community organizations to reduce prejudice and to promote equality and fairness throughout the state.

Kids Court Academy Year 2

This Program is an outgrowth or expansion of the *CT Kids Speak* and *CT Kids Court* Programs. *CT Kids Court Academy* is a free, 15-week attorney and social justice pipeline program for middle school and high school students. Tens of thousands of students have participated in Kids Court and the hope is that thousands of additional students will benefit from this pipeline program - KCA. We are proud to partner with *Real Art Ways* for Year 2 of *Kids Court Academy*.

DIVERSITY AND INCLUSION

Under the direction of Attorney Jody Walker Smith, the recently invigorated Diversity and Inclusion Committee has truly soared. Many organizations have come to rely on the educational content, created by the Social Media Team for the agency, and it has consistently increased the agency’s online reach. You can find nearly daily posts to update the public about issues of public interest and how to access our services for assistance. The committee has several subcommittees

designed to provide specialized trainings. There is also a book club and informative newsletter. We can be followed at: facebook.com/ctchro; Instagram @ct_chro; www.portalct.gov/chro.

The CHRO also monitors and enforces compliance with laws requiring affirmative action in state employment and laws requiring contractors and subcontractors doing business with the state to make every effort to implement affirmative action in their employment practices.

TECHNOLOGY COMMITTEE

The committee is responsible for ensuring efficient and effective troubleshooting of IT related issues within the agency or, if necessary, through unit-specific elevation to DAS. The committee is also responsible for training staff on the use of technology, adoption of best practices, intra-agency IT security protocol development, and recommendation of technology purchasing. Each unit has at least one representative on this unit to ensure consistent and accurate application of all agency practices and procedures. For the past, several years this committee has functioned under the guidance of Attorney Spencer Hill.

FEDERAL REVENUE

The CHRO has workshare agreements with both the Equal Opportunity Commission (EEOC) and the US Department of Housing and Urban Development (HUD). For every complaint dual-filed with both the CHRO and either EEOC or HUD, the federal government remits payment to the CHRO to process and investigate the complaint on their behalf. To ensure fair and impartial processing, this money is not contingent on the outcome of the complaint. As a result of this arrangement, approximately 25% of the commission's budget is covered by federal vouchers for case processing. This revenue is directly deposited into the General Fund. In FY 2021-2022, the CHRO contracted for \$1,286,500 from the EEOC for case processing and \$430,289 from HUD for case processing. An additional \$11,000 grant was received from HUD Partnership funds for CHRO to partner with the Connecticut Commission on Women, Children, Seniors, Equity and Opportunity (CWCSEO) to plan a fair housing webinar and video PSA.

We have received hundreds of views on the PSAs we created. We had numerous inquiries on our Covid hotline and mailbox. All the webinars and related materials will continue to be posted on our website so the public can continue to view those. The hotline and email address will continue to stay open.

PUBLIC HEARINGS

The Office of Public Hearings (OPH) conducts contested case proceedings in discrimination cases brought by the Commission and in whistleblower retaliation cases filed with the Chief Human Rights Referee pursuant to CONN. GEN. STAT. § 4-61dd. This division operates autonomously and is slated to consist of three appointed referees. It is significant to note that the Chief referee position and another referee position remained vacant from June 2014 until the Chief Human Rights Referee position was recently filled on November 5, 2021, by Dr. Cherron Payne. Attorney Jon FitzGerald was also appointed on November 1, 2021 as Human Rights referee. Since November, approximately 61 cases have been closed. The referees currently have an active caseload of 142 cases that are being processed.

Chief Referee Payne revised internal policies, proposed revisions, and amendments to state regulations, revised administrative/case forms, and developed recruitment strategies for volunteer attorneys which led to a projected 30% increase in volunteers. Dr. Payne was also selected as the 2022 national fellowship winner for the National Association of Administrative Law Judiciary where she will present at the national conference in New Mexico.

FREEDOM OF INFORMATION

The Commission takes seriously its responsibility to comply with the provisions of the state's Freedom of Information Act. The Legal Division is responsible for responding to all freedom of information (FOI) requests, except those received directly in a regional office requesting a file being processed by that office. The Legal Division also responds to subpoenas for documents and testimony related to agency procedures and documents. Support staff handles most requests; complex requests and hearings are referred to the Executive Director. The Executive Director ensures that all regular and special Commission meetings are properly noticed and filed with the Office of the Secretary of State in accordance with the requirements of the Freedom of Information Act.

Additional Information: Individuals seeking more information about the Commission, the laws it enforces, or its services and programs are encouraged to contact the Commission's website (<http://www.portalct.gov/chro>) or call our toll-free number (800) 477-5737.