

STATE OF CONNECTICUT COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES



Regular Commission Meeting Minutes Wednesday, December 14, 2022 2:00 p.m. Via Microsoft TEAMS

Commissioners Present

Lisa Giliberto
Nick Kapoor
Edward Mambruno
Andrew Norton
Edith Pestana
Joseph Suggs

Staff Present

Tanya A. Hughes, Executive Director
Michelle Dumas Kueler, Managing Director, Legal
Kimberly Jacobsen, Managing Director, Legal
Neva Vigezzi, Supervisor, AA (TWR)
Robin Fox, HRO Attorney
Catherine Spain, HRO Attorney
Anna-Marie Puryear, HRO Attorney
Gary Madison, HRO Representative
Aubrey Petersen, Secretary, Legal

Cheryl Sharp, Deputy Director
Shawn Burns, Regional Manager
Robert Aldi, Regional Manager
Robin Trepanier, HRO Attorney
George Welch, HRO Attorney
Spencer Hill, HRO Attorney
Michael Roberts, HRO Attorney
Darian Pitts, Executive Secretary
Kristen Parker, Executive Secretary

I. CALL TO ORDER

Commissioner Nick Kapoor called the meeting to order at 2:02 PM.

II. ELECTION OF CHAIRPERSON PRO TEMPORE

Commissioner Kapoor called for a motion to elect the Chair Pro Tempore. Commissioner Giliberto moved to elect Commissioner Kapoor as Chairperson Pro Tempore for the Wednesday, December 14, 2022, Commission meeting. Commissioner Suggs seconded the motion. Commissioner Kapoor asked for other nominations. There being no other nominations or debate Commissioner Kapoor called for the vote. The motion carried. Yes (4); No (0); Abstentions (0).

III. CHAIRPERSON'S REPORT

Commissioner Kapoor informed there was no report from the Chair today.

IV. APPROVAL OF MINUTES

Commissioner Mambruno called for a motion to accept the 2022-11-9 Commission meeting minutes as written. Commissioner Suggs moved to accept the minutes. Commissioner Pestana seconded. The motion carried. Yes (5); No (0); Abstentions (0)

It was also noted that Commissioner Norton joined the meeting at 2:04 PM.

V. AFFIRMATIVE ACTION RECOMMENDATIONS – VOTE REQUIRED

Presented by Deputy Director Cheryl Sharp

Department of Children & Families

Staff representing the agency were Vanessa Dorantes, Commissioner, Jodi Hill-Lilly, Deputy Commissioner, Jeanette Perez, Monica Rams, Natalie Shipman, and Jenna Fusco.

This plan is recommended for approval based on compliance with the following: the plan contains all the elements required by sections 46a-68-78 through 46a-68-94, inclusive.

The agency has not met all or substantially all its hiring, promotion, and program goals. The agency has demonstrated every good faith effort to achieve its goals, and despite these efforts, was unable to do so. The agency had no deficiencies in the prior plan reviews and follows the B4 standard.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 89 out of 185 or 48.1%
- Promotional Goal Achievement: 21 out of 34 or 61.8%
- Program Goal Achievement: 3 out of 5 or 60%

The agency's five plan history is as follows. In 2017 the plan was disapproved; 2018 it was conditionally approved; 2019, 2020, 2021 the plan was approved.

Commissioner Suggs moved to approve the Department of Children & Families Affirmative Action Plan and for them to retain annual filing status; Commissioner Giliberto seconded. The motion carried. Yes (5); No (0); Abstentions (0).

Office of the Attorney General

Staff representing the Office of the Attorney General were Susan L. Cavanaugh, Director of Human Resources, Antoria Howard, Assistant Deputy Attorney General for Employment and Management.

This plan is recommended for approval based on compliance with the following: the plan contains all elements required by sections 46a-68-78 through 46a-68-94. The agency has met substantially all its hiring and promotion goals. Program goals were not established in the prior filing. The agency had no deficiencies in the prior plan review and follows the B4 standard goal achievement.

The goal achievement is the following:

- Hiring Goal Achievement: 13 out of 16 or 81.3%
- Promotional Goal Achievement: 2 out of 4 or 50%
- Programmable Achievement was not set

The plan history over the previous five years is as follows: 2017-2021 the plan was approved.

Commissioner Norton moved to approve the Affirmative Action Plan for the Office of the Attorney General and to have them continue the annual filing status. Commissioner Mambruno seconded. The motion carried. Yes (5); No (0); Abstentions (0).

Office of the Chief State's Attorney

Staff representing the Chief State's Attorney Office were Janice duFrend, Equal Employment Opportunity Director, John Rossotto, Deputy Chief State's Attorney

Prior to the plan presentation Commissioner Giliberto recused herself from the proceedings.

This plan is recommended for approval based on compliance with the following: the plan contains all elements required by sections 46a-68-78 through 46a-68-94. The agency has not met all or

substantially all its hiring goals, and promotional goals. There were no program goals established. The agency has demonstrated every good faith effort to achieve its goals, but despite these efforts, was unable to do so. There were no deficiencies in the prior plan review, therefore follows the B4 standard.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 12 out of 25 or 49%
- Promotional Goal Achievement: 5 out of 8 or 63%
- Program Goal Achievement was not set

This agency has a five-year approval history from 2017 through 2021.

Commissioner Mambruno moved to approve the Affirmative Action Plan for the Chief State' Attorney's Office and to retain its annual filing status. Commissioner Pestana seconded. The motion carried. Yes (4); No (0); Abstentions (0) with Commissioner Giliberto recused.

Office of the State Comptroller

Staff representing the State Comptroller Office were Natalie Braswell State Comptroller, Bonnie Schlechtweg, HR Generalist, and Tara Downes, Assistant Deputy Comptroller.

This plan is recommended for approval based on compliance with the following: the plan contains all elements required by sections 46a-68-78 through 46a-68-94. The agency has demonstrated every good faith effort to achieve goals but was unable to do so. The agency had no deficiency in the prior plan review and follows the B4 standard.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 9 out of 13 or 69%
- Promotional Goal Achievement: 4 out of 6 or 66%
- Program Goal Achievement was not set

The agency has a five-year approval history from 2017-2021.

Commissioner Pestana moved to approve the Affirmative Action Plan for Office of the State Comptroller and to retain its annual filing status. Commissioner Mambruno seconded. The motion carried. Yes (5); No (0); Abstention (0).

UConn Health

Staff representing UConn Health were Bruce T. Liang, Interim Chief, Letissa Reid, Associate Vice President, Jeffrey Hines, Chief Diversity Officer, and Theresa Segar, Affirmative Action Specialist.

This plan is recommended for approval based on compliance with the following: the plan contains all elements required by sections 46a-68-78 through 46a-68-94. The agency has not met all or substantially all its hiring and promotional goals. Both program goals were achieved. The agency had no deficiency in the prior plan review and follows the B4 standard.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 156 out of 387 or 40%
- Promotional Goal Achievement: 37 out of 76 or 49%
- Program Goal Achievement: 2 out of 2 or 100%

The agency has a five-year approval history from 2017-2021.

Commissioner Giliberto moved to approve the Affirmative Action Plan for UConn Health and to retain its annual filing status. Commissioner Suggs seconded. The motion carried. Yes (5); No (0); Abstention (0).

VI. REQUESTS TO REOPEN

1. Heidi Elsinger v. Department of Social Services, CHRO Case No. 2010533

Presented by HRO Attorney George Welch

Staff Recommendation: **Deny**

In attendance were Heidi Elsinger, the complainant and Attorney Matthew Larock, respondent's counsel.

Commissioner Giliberto moved the motion to deny the request to reopen. Commissioner Suggs seconded. There being no further discussion Commissioner Kapoor called for the vote. The motion carried Yes (5); No (0); Abstentions (0)

2. Heidi Elsinger v. State of Connecticut, Office of the Governor, CHRO Case No. 2010534

Presented by HRO Attorney George Welch

Staff Recommendation: **Deny**

In attendance were Heidi Elsinger, the complainant and Attorney Matthew Larock, respondent's counsel.

Commissioner Pestana moved the motion to deny the request to reopen. Commissioner Giliberto seconded. There being no further discussion Commissioner Kapoor called for the vote. The motion carried Yes (5); No (0); Abstentions (0)

Prior to the start of the next agenda item, Commissioner Mambruno informed that he needed to leave the meeting. He excused himself from the meeting at 3:23 PM.

3. Anne Marie Rivera-Berrios v. East Haven Public Schools, CHRO Case No. 2130511

Presented by HRO Attorney Renee Vandenwallbake

Staff Recommendation: **Deny**

In attendance was Anne Marie Berrios, the complainant.

Commissioner Giliberto moved to grant the request to reopen Anne Marie Rivera-Berrios v. East Haven Public Schools, CHRO case No. 2130511. Commissioner Suggs seconded the motion. There being no additional discussion Commissioner Kapoor called for a vote. The motion carried Yes (4); No (0); Abstentions (0)

4. Clement Totimeh v. State of Connecticut, CHRO Case No. 2210351

Presented by HRO Attorney Renee Vandenwallbake

Staff Recommendation: **Deny**

In attendance were Clement Totimeh, the complainant and Attorney Steven Bidwell, respondent's counsel.

Commissioner Giliberto moved to deny the request to reopen. Commissioner Suggs seconded. There being no further discussion Commissioner Kapoor called for the vote. The motion carried Yes (4); No (0); Abstentions (0)

5. Veronica Casey v. Diana Miner, Ph.D., CHRO Case No. 2020386

Presented by HRO Attorney Michael Roberts

Staff Recommendation: **Deny**

In attendance were Veronica Casey, complainant.

Commissioner Norton moved to deny the request to reopen. Commissioner Giliberto seconded. There being no further discussion Commissioner Kapoor called for the vote. The motion carried Yes (4); No (0); Abstentions (0).

6. Veronica Casey v. Meriden Board of Education, CHRO Case No. 2030557
Presented by HRO Attorney Michael Roberts
Staff Recommendation: **Deny**

In attendance were Veronica Casey, complainant and Attorney Stuart Johnson, respondent's counsel.

Commissioner Norton made the motion to deny the request to reopen. Commissioner Giliberto seconded. There being no further discussion Commissioner Kapoor called for the vote. The motion carried Yes (4); No (0); Abstentions (0).

7. Cheffetz v. Charter Oak State College, CHRO Case No. 1810253
Presented by HRO Attorney Anna-Marie Puryear
Staff Recommendation: **Deny**

In attendance were Cheffetz, complainant and Attorney Mary Lenehan, respondent's counsel.

Commissioner Giliberto made the motion to deny the request to reopen. Commissioner Suggs seconded. There being no further discussion Commissioner Kapoor called for the vote. The motion carried Yes (4); No (0); Abstentions (0).

VII. **DIVISION REPORTS**

The written reports were received. The verbal reports were tabled due to the time constraints.

VIII. **EXECUTIVE SESSION**

It requires a two-thirds vote of Commissioners present and voting; staff and guests invited to attend must be noted.

Commissioner Kapoor entertained a motion to go into Executive Session and to invite in: Executive Director Tanya Hughes, Deputy Director Cheryl Sharp, Assistant Attorney General Tanya DeMattia, HRO Attorney Anna-Marie Puryear, HRO Attorney Michelle Dumas Kueler, and HRO Attorney Kimberly Jacobsen. Commissioner Suggs moved to go into Executive Session and Commissioner Giliberto seconded. The motion carried. Yes (4); No (0); Abstentions (0). The Commission entered Executive session at 4:49 PM.

The Commission meeting reconvened at 4:54 PM. Commissioner Kapoor, Commissioner Giliberto, Commissioner Suggs, Commissioner Norton, and Commissioner Pestana returned after the Executive Session.

Commissioner Kapoor noted that no actions or votes were taken during the Executive Session.

IX. **VOTE ON EXECUTIVE SESSION ITEMS**

Fuller & Campbell v. Nicole Brown, CHRO Case No. 2250141
Presented by HRO Anna-Marie Puryear

Commissioner Giliberto moved that the Commission on Human Rights and Opportunities instruct counsel to file in Hartford Superior Court and seek injunctive relief, punitive damages, and a civil penalty. Commissioner Suggs seconded the motion. The motion carried Yes (4); No (0); Abstentions (0).

X. **ANNOUNCEMENT OF TIME AND DATE OF NEXT MEETING**

The next Commission Meeting will occur on Wednesday, January 11, 2023, via Microsoft Teams.

XI. **ADJOURNMENT**

A motion was made by Commissioner Suggs and seconded by Commissioner Giliberto to adjourn the Executive Meeting. The vote was: Yes (4); No (0), Abstentions (0). The motion carried. The Executive Meeting was adjourned at 4:56 PM.

The minutes of the Regular Commission meeting dated December 14, 2022, were approved on January 11, 2023.

Prepared by:



Tanya A. Hughes, Executive Director