

STATE OF CONNECTICUT COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES



Regular Commission Meeting Minutes Wednesday, August 9, 2023 2:00 p.m. Via Microsoft TEAMS

Commissioners Present

Edward Mambruno, Secretary
Lisa Giliberto
Alex Harris
Nick Kapoor
Andrew Norton
Edith Pestana
Joseph Suggs

Staff Present

Cheryl Sharp, Deputy Director
Michelle Dumas Keuler, Managing Director
Robert Aldi, Regional Manager
Robin Kinstler Fox HRO Attorney
Ethan Cain, HRO Attorney
Margaret Nurse-Goodison, HRO Attorney
Meghan Oates, HRO Attorney
Megan Graefe, HRO Attorney
Neva Vigezzi, Supervisor, AA (TWR)
Jase Olavarria, HRO Trainee
Kristen Parker, Executive Secretary
Tanya DeMattia, Asst. Attorney General

Kimberly Jacobsen, Managing Director
Jaime Rubin, Regional Manager
Shawn Burns, Regional Manager
Timothy Lewendon, HRO Attorney
Spencer Hill, HRO Attorney
Catherine Spain, HRO Attorney
Allison McHorney, HRO Attorney
Darcy Strand, Legislative Analyst
Gary Madison, HRO Representative
Ana Mitchell, Human Rights Investigator
Darian Pitts, Executive Secretary

I. CALL TO ORDER

Commissioner Nick Kapoor called the meeting to order at 2:03 PM.

II. ELECTION OF CHAIRPERSON PRO TEMPORE

Commissioner Kapoor entertained a motion to elect the Chair Pro Tempore. Commissioner Norton moved to elect Commissioner Kapoor as Chairperson Pro Tempore for the August 9, 2023, Commission meeting. Commissioner Pestana seconded the motion. Prior to the vote Commissioner Mambruno asked if the election of the Chair Pro Tempore could be done quarterly instead of at every meeting? Commissioner Kapoor replied the question has been asked of the Assistant Attorney General and the answer is no. The motion carried. Yes (5); No (0); Abstentions (0).

III. CHAIRPERSON'S REPORT

Commissioner Kapoor informed that he had three items to report. Item number one was an acknowledgement of a quorum for the today's meeting; Item number two was a reminder to the commissioners that the Executive Director's evaluation is due by Tuesday, August 15, 2023. He thanked those who had already sent their comments to him. The next step will be to compile all the comments and submit them to the Executive Director for her review and possible discussion during an executive session. Her decision to discuss or not will be communicated during the September 13, 2023, meeting. The third item was to welcome CT-N to the meeting with a note that their coverage would be seen live on the web.

IV. APPROVAL OF MINUTES

Secretary Mambruno entertained a motion to approve the Minutes of the July 12, 2023, Regular Commission Meeting as presented. Commissioner Harris moved the motion to accept the Minutes. Commissioner Giliberto seconded. Prior to the vote Commissioner Norton proposed an amendment to some of the language in Section X: New Business as it concerned the discussions on AAIANHNPI and Lowering College Degree Requirements for State Employment to say "There was a consensus to remove both topics from the agenda and that a strong majority agreed to maintain the status quo concerning both topics." The motion carried to accept the amended minutes. Yes (6); No (0); Abstentions (0).

V. AFFIRMATIVE ACTION RECOMMENDATIONS – VOTE REQUIRED

Presented by Cheryl Sharp, Deputy Director & HRO Attorney Michelle DumasKeuler

Connecticut State Community College North-West Region

Staff representing the Connecticut Community College North-West Region were John-Paul Chaisson-Cardenas, VP of Diversity, Equity, and Inclusion, Michelle Coach, CEO for CT State's Asnuntuck Campus, Lisa Dresdner, CEO for CT State's Naugatuck Valley Campus, Darryl Reome, CEO for CT State's Tunxis Campus, Michael Rooke, President of CT State's Northwestern Campus, Nicholas D'Agostino, Director of Equity and Civil Rights, Kimberly Carolina, Equity and Civil Rights Senior Investigator and Compliance Manager, Rebecca Cannon-Klemenz, Equity and Civil Rights Specialist, Wendy Bovia, Human Resources Manager.

This plan was 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 met all of its hiring and promotion goals. The agency demonstrated every good faith effort to achieve its goals, but despite these efforts was unable to do so. The agency had no deficiencies in the prior plan reviews and therefore is in compliance with the (b)(4) standard.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 26 out of 48 or 54%
- Promotional Goal Achievement: 6 out of 14 or 43%
- Program Goal Achievement 3 out of 3 or 100%

The history of filing is as follows: 2021 Approved (First year filing); 2022 Approved. Commissioner Giliberto moved to approve Connecticut State Community College North-West Region Affirmative Action Plan and for them to retain annual filing status. Commissioner Pestana seconded. The motion carried. Yes (6); No (0); Abstentions (0).

Connecticut Technical Education & Career System

Staff representing the Connecticut Technical Education & Career System were Dr. Ellen Solek, Executive Director, Levy Gillespie, EEO Director, Dr. Justin Lowe, Interim Superintendent of Schools, Ronke Stallings, Chief of Staff, Lawanda Scott, EEO Specialist II, Barbara EO Administrative Assistant, Erin Ryan, HR Business Partner, Susan Scott, Legal Director, Robert Sartoris, Personnel Director.

This plan was 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. This is the agency's first filing and therefore they are in compliance with the (b)(4) standard.

Since this is their first filing the Goal Achievement is as follows:

- Hiring Goal Achievement: 0 out of 0 or 0%
- Promotional Goal Achievement: 0 out of 0 or 0%
- Program Goal Achievement: None

Commissioner Giliberto moved to approve the Connecticut Technical Education & Career System Affirmative Action Plan and for them to retain their annual filing status. Commissioner Norton seconded. The motion carried. Yes (6); No (0); Abstentions (0).

VI. CONTRACT COMPLIANCE REQUEST FOR EXEMPTION

Renewal of the Municipal Paving Exemption

Presented by HRO Attorney Spencer Hill

Attorney Hill informed this is the renewal of the Municipal Paving Exemption. It is the same exemption and has the same requirements as years past. He explained that in 2015, requirements of this program were extended to state-funded public works projects administered by municipalities. Due to the frequency and nature of contracts for street paving, a limited exemption for these contracts was put in place by the Commission that must be renewed yearly. The current exemption must now be affirmatively renewed by the Commission to continue.

Commissioner Giliberto moved to approve that the Municipal Paving Exemption is renewed for a period of one year in accordance with the current exemption requirements. Commissioner Mambruno seconded. The motion carried. Yes (6); No (0); Abstentions (0).

VII. REQUESTS TO REOPEN

1. Gretchen Green v. ESS Northeast, LLC.
CHRO Case No. 1940380
Presented by HRO Attorney Margaret Nurse Goodison
2. Jeffrey Sturm v. Whole Foods Market Group, LLC
CHRO Case No. 2310089
Presented by HRO Attorney Timothy Lewendon
3. Habiba Abdul-Hakeem v. City of New London (Office of the Mayor)
CHRO Case No. 2340213
Presented by HRO Attorney Robin S. Kinstler Fox

In the case of the Gretchen Green v. ESS Northeast, LLC., CHRO Case no. 1940380 Commissioner Mambruno made the motion to deny the request to reopen in this matter. Commissioner

Norton Seconded. There being no further discussion the motion carried. Yes (6); No (0); Abstentions (0).

In the case of the second item Jeffrey Sturm v. Whole Foods Market Group, LLC CHRO Case No. 2310089 Commissioner Manbruno made the motion to deny the request to reopen in this matter. Commissioner Harris seconded. There being no discussion the motion carried. Yes (5); No (0); Abstentions (1), Commissioner Pestana abstained.

In the case of the third item Habiba Abdul-Hakeem v. City of New London CHRO Case No. 2340213 Commissioner Giliberto made the motion to deny the request to reopen in this matter. Commissioner Norton seconded. There being no discussion the motion carried. Yes (5); No (0); Abstentions (1). Commissioner Suggs abstained.

VIII. **DIVISION REPORTS**

Executive Director's Report, Executive Director Tanya Hughes.

Commissioner Kapoor informed that Director Hughes was not present, but her report has been received and was available for all to read. He also noted that if there were any questions to feel free to reach out to Director Hughes.

Outreach Report, Deputy Director Cheryl Sharp

Deputy Director Sharp encouraged the group to review both Director Hughes and the Outreach Reports and get back to her and/or Director Hughes with any questions.

Legislative Update: Legislative and Administrative Advisor, Darcy Strand

Darcy also encouraged the group to review her written reports and get back to her with any questions.

*Commissioner Pestana left the meeting at 4:00 PM.

IX. **EXECUTIVE SESSION**

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

1. Update on Pekah Wallace Matter – Assistant Attorney General Tanya DeMattia

Commissioner Kapoor entertained a motion to go into Executive Session and invite in Deputy Director Sharp, and Assistant Attorney General Tanya DeMattia. Commissioner Harris moved the motion. Commissioner Giliberto seconded. There being no further discussion the motion carried. Yes (5); No (0); Abstentions (0).

Commissioner Suggs left the meeting at 4:29 PM

The Commission and invitees entered Executive Session at 4:29 PM.

Commissioner Kapoor reconvened the Commission in public session at 4:41 PM.

Commissioner Kapoor, Commissioner Norton, Commissioner Mambruno, Commissioner Giliberto, and Commissioner Harris returned after Executive Session.

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

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

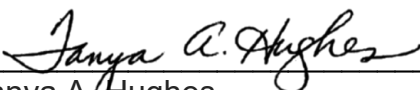
The next Commission Meeting will occur on Wednesday, September 13, 2023, at 2:00 PM via Microsoft Teams.

XI. ADJOURNMENT

Commissioner Kapoor entertained the motion to adjourn. Commissioner Norton moved the motion. Commissioner Mambruno seconded. The motion to adjourn carried. Yes (4); No (0); Abstentions (0). The meeting adjourned at 4:41 PM.

The Minutes of the August 9, 2023, Commission Meeting were approved on September 13, 2023.

Prepared by:



Tanya A. Hughes