

STATE OF CONNECTICUT COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES



Regular Commission Meeting Minutes
Wednesday, January 11, 2023
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-Keuler, Managing Director, Legal
Kimberly Jacobsen, Managing, Director, Legal
Neva Vigezzi, Supervisor, AA (TWR)
Timothy Lewendon, HRO Attorney
Jody-Walker-Smith HRO Attorney
Anna-Marie Puryear, HRO Attorney
Renee Vandenwallbake, HRO Attorney
Gary Madison, HRO Representative
Libby Reinish, HRO Representative
Aubri Petersen, Secretary, Legal

Cheryl Sharp, Deputy Director
Ronald Simpson, Regional Manager
Robert Aldi, Regional Manager
Robin Trepanier, HRO Attorney
Jaime Rubin, Regional Manager
Spencer Hill, HRO Attorney
Darcy Strand, Legislative Analyst
Ana Mitchell, HRO Representative
Judith Keogh, HRO Representative
Darian Pitts, Executive Secretary
Kristen Parker, Executive Secretary

I. CALL TO ORDER

Commissioner Nick Kapoor called the meeting to order at 2:01 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 January 11, 2023, 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 (5); No (0); Abstentions (0).

III. CHAIRPERSON'S REPORT

Commissioner Kapoor asked for a moment of silence to remember State Representative Quentin Williams. He thanked everyone for participating and noted Representative Williams' contribution and dedication to the State of Connecticut.

IV. APPROVAL OF MINUTES

Commissioner Mambruno called for a motion to accept the 2022-12-14 Commission meeting minutes as written. Commissioner Suggs moved to accept the minutes. Commissioner Giliberto seconded. The motion carried. Yes (5); No (0); Abstentions (0)

V. AFFIRMATIVE ACTION RECOMMENDATIONS – VOTE REQUIRED

Presented by Deputy Director Cheryl Sharp

Connecticut State Community College Capital- East Region

Staff representing the Connecticut State Community College Capital, East Region were John Maduko, President, Dr. John-Paul Chaisson-Cardenas, VP of Diversity, Equity and Inclusion, Nicholas D'Agostino, Director of Equal Employment Opportunity, Kimberly Carolina, Manager of Equal Opportunity Employment, Dr. Scott Kalicki, Interim VP of Campus Operations, Dr. Nicole Esposito, CEO Manchester Community College, Dr. Duncan Harris, CEO Capital Community College, Dr. Karen Hynick, CEO Quinebaug Valley Community College, Shaylah Carbone, HR Manager Capital East Region.

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 met all or substantially all its hiring, promotion, and program goals. The agency had no deficiencies in the prior plan reviews and follows the (b)(4) standard.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 17 out of 24 or 70.8%
- Promotional Goal Achievement: 14 out of 20 or 70%
- Program Goal Achievement 1 out of 1 or 100%

This is the agency's second filing of the Plan and was approved in 2021.

Commissioner Suggs moved to approve the Connecticut State Community College Capital-East Region Affirmative Action Plan and for them to retain annual filing status; Commissioner Giliberto seconded. The motion carried. Yes (5); No (0); Abstentions (0).

Department of Banking

Staff representing the Department of Banking were Jorge L. Perez, Banking Commissioner, Jennifer Taplin, Statewide Program Manager- Equal Employment Opportunity, Belinda Rivera, HR Generalist 3.

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 all or substantially all its hiring, promotion, and program goals. The agency had no deficiencies in the prior plan review and follows the (b)(4) standard goal achievement.

The goal achievement is the following:

- Hiring Goal Achievement: 3 out of 4 or 75%
- Promotional Goal Achievement: 1 out of 2 or 50%
- Programmable Goal Achievement: 1 out of 1 or 100%

The plan history over the previous five years is as follows: 2013, 2015, 2017, 2019, 2021 the plan was approved.

Commissioner Giliberto moved to approve the Affirmative Action Plan for the Department of Banking and to have them retain biennial filing status. Commissioner Mambruno seconded. The motion carried. Yes (5); No (0); Abstentions (0).

Department of Emergency Services and Public Protection

Staff representing the Department of Emergency Services and Public Protection were James C. Rovella, Commissioner, Daphne Lewis, Equal Employment Opportunity Specialist 2, Scott Divico, Chief of Staff, Lieutenant Morris, and Sergeant Troy Biggs.

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, promotional, and program goals. 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 (b)(4) standard.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 38 out of 84 or 45%
- Promotional Goal Achievement: 28 out of 60 or 47%
- Program Goal Achievement: 0 out of 2 or 0%

The five-year approval history is as follows. In 2017, the plan was conditionally approved. From 2018 through 2021 the plan was approved.

Commissioner Norton moved to approve the Affirmative Action Plan for the Department of Emergency Services and Public Protection and to have them retain its annual filing status. Commissioner Pestana seconded. The motion carried. Yes (5); No (0); Abstentions (0).

Department of Public Health

Staff representing the Department of Public Health were Manisha Juthani, Commissioner, Adelita Orefice, Chief of Staff, Amanda Anduaga-Roberson, Joanne Yandow, and Carol O' Reagan.

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 promotion goals. Their one program goal was met. The agency has demonstrated every good faith effort to achieve its goals but was unable to do so. The agency had no deficiency in the prior plan review and follows the (b)(4) standard.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 31 out of 48 or 65%
- Promotional Goal Achievement: 13 out of 27 or 48%
- Program Goal Achievement: 1 out of 1 or 100%

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

Commissioner Pestana moved to approve the Affirmative Action Plan for the Department of Public Health and to have it retain its annual filing status. Commissioner Mambruno seconded. The motion carried. Yes (5); No (0); Abstention (0).

VI. REQUESTS TO REOPEN

1. Alesandra Fischetti v. Trumbull Public Schools, CHRO No. 2220142
Presented by HRO Attorney Timothy Lewendon
Staff Recommendation: **Deny**

In attendance were Alesandra Fischetti, the complainant, and Attorney Paul A. Testa, 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 (3); No (0); Abstentions (2) Commissioner Mambruno and Commissioner Pestana.

2. Rodolfo Lopez v. Walgreens, CHRO No. 2230296
Presented by HRO Attorney Robin Trepanier
Staff Recommendation: **Deny**

In attendance were Rodolfo Lopez, the complainant. No representative for the respondent was present.

A motion was made by Commissioner Giliberto to grant the reopening request. Commissioner Suggs seconded. There being no further discussion Commissioner Kapoor called for the vote. The motion carried Yes (3); No (1) Commissioner Norton; Abstentions (1) Commissioner Mambruno.

VII. DIVISION REPORTS

Executive Director's Report, Executive Director Tanya Hughes.

Personnel

- Tanya congratulated and bid Ronald Simpson, HRO Manager Capitol Region, farewell upon his retirement as of February 1st.
- Tanya and Kimberly Jacobsen welcomed and introduced new employees to the CHRO. Na'eelah Bakari, Evelyn Dillon, Jacqueline Elam, Jo Keough, and Libby Reinish.

Administration

- Equity Study has been executed. The first meeting has been held
- The 2019-2020 Audit Report has been released.
- Computer Refresh executed
- An Inventory Management Team has been established consisting of Darian Pitts, Aubri Petersen, Kristen Parker, and Ana Mitchell

Miscellaneous

- Domestic Violence Virtual Training- completed
- Yale Women's Health Research- DEI training, January 9, 2023

Outreach Report, Deputy Director Cheryl Sharp

- MLK Children's March on January 16, 2023, at St. Peter's Church in Cheshire. Children will make posters to march with and speak at the event. Lieutenant Governor, Susan Bysiewicz, and a host of other State Representatives will also be in attendance
- The third year of Kids Court Academy begins on February 21, 2023. There will be bi-weekly sessions held on Tuesdays from 3:45-4:45. An administrative advisor will be

involved in the program this year. A new pilot will be introduced this year to accommodate 4th and 5th graders. A Kids Court competition is planned for early June. Judges are needed.

- Outreach to the community continues by way of social media, regional trainings, and via radio and television. Ana Mitchell acknowledged for the outreach efforts

Legislative Update, Legislative and Administrative Advisor, Darcy Strand

Disparity Study Update

- Griffin & Strong continue to work on the data assessment report. They are also engaging with state personnel as needed to finalize the report.

Equity Study Update

- The State of Connecticut has contracted with Faulkner Consulting Group to conduct the study. FCG, CHRO, OPM, and DAS met on January 5th to begin the first steps of gathering information from executive branch agencies. FCG is finalizing its work plan for the months moving forward.

Legislative Update

- The 2023 legislative session began on January 4th. The CHRO will submit an agency bill with specific areas of focus.

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, HRO Attorney Michelle Dumas-Keuler, HRO Attorney Kimberly Jacobsen, HRO Attorney Jody Walker-Smith, HRO Attorney Anna-Maria Puryear, and Assistant Attorney General Tanya DeMattia. **Also included but inadvertently omitted from the invite was Deputy Associate Attorney General Daniel Shapiro.* Commissioner Giliberto moved to go into Executive Session and Commissioner Norton seconded. The motion carried. Yes (5); No (0); Abstentions (0). The Commission entered Executive session at 4:22 PM.

The Commission meeting reconvened at 4:47 PM. Commissioner Kapoor, Commissioner Giliberto, Commissioner Suggs, Commissioner Giliberto, Commissioner Norton, and Commissioner Pestana returned after the Executive Session.

Commissioner Kapoor noted that no actions or votes were taken during the Executive Session. He also noted for the record that Deputy Associate Attorney General Daniel Shapiro had been inadvertently left off the invite list to the Executive Session. He added that the Minutes should reflect that DAAG Shapiro's presence in the executive session was vital to the items presented.

IX. VOTE ON EXECUTIVE SESSION ITEMS

Rayner Walters v. Barnett Brodie, Riley group DE, LLC and Reichman Brodie Areal Estate, Inc.,
CHRO No.2250029

Presented by HRO Jody Walker-Smith

Commissioner Giliberto moved that the Commissioners instruct counsel to file the case in the judicial district of New Haven and seek injunctive relief, punitive damages, and a civil penalty. Commissioner Suggs seconded the motion. The motion carried Yes (5); No (0); Abstentions (0).

Daniel Bergeron v. Catherine Villanueva, CHRO No. 2250100
Presented by HRO Attorney Anna-Marie Puryear

Commissioner Giliberto moved that the Commission on Human Rights and Opportunities instruct counsel to file the case in the judicial district of Litchfield at Torrington and seek injunctive relief, punitive damages, and a civil penalty. Commissioner Suggs seconded the motion. The motion carried Yes (5); No (0); Abstentions (0).

X. ANNOUNCEMENT OF TIME AND DATE OF NEXT MEETING

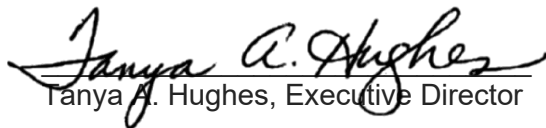
The next Commission Meeting will occur on Wednesday, February 8, 2023, via Microsoft Teams.

XI. ADJOURNMENT

A motion was made by Commissioner Suggs and seconded by Commissioner Giliberto to adjourn the Executive Meeting. The vote was: Yes (5); No (0); Abstentions (0). The motion carried. The Executive Meeting was adjourned at 4:50 PM.

The minutes of the Regular Commission Meeting dated January 11, 2023, were approved on February 8, 2023.

Prepared by:


Tanya A. Hughes, Executive Director