

STATE OF CONNECTICUT COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES



Regular Commission Meeting Minutes Wednesday, January 10, 2024 2:00 p.m. Via Microsoft TEAMS

Commissioners Present

Nicholas Kapoor, Chairperson
Edward Mambruno, Secretary
Sujata Gadkar-Wilcox
Lisa Giliberto
Andrew Norton
Edith Pestana
Joseph Suggs
Tamara Titre

Commissioners Absent

Alex Harris

Staff Present

Tanya Hughes, Executive Director
Kimberly Jacobsen, Managing Director
Jose-Michael Gonzalez, Regional Manager
Jonathan Sykes, HRO Attorney
Cassandra Bretones, HRO Attorney
Michael Roberts, HRO Attorney
Megan Graefe, HRO Attorney
Neva Vigezzi, AA Supervisor, (TWR)
Gary Madison, HRO Representative
Jase Olavarria, HRO Trainee
Ana Mitchell, Outreach Coordinator
Kristen Parker, Executive Secretary
Leigh Russo, Secretary 2

Cheryl Sharp, Deputy Director
Michelle Dumas Keuler, Managing Director
Shawn Burns, Regional Manager
Spencer Hill, HRO Attorney
Jo Keogh, HRO Attorney
Catherine Spain, HRO Attorney
Jody Walker-Smith, HRO Attorney
James Murray, HRO Representative
Suzanne Westhaver, HRO Representative
Sunasha Nixon, HRO Trainee
Darian Pitts, Executive Secretary
Aubri Petersen, Legal Secretary
Laura Thurston, Asst. Attorney General

I. CALL TO ORDER

Chair Nicholas Kapoor called the meeting to order at 2:02 PM.

II. CHAIRPERSON'S REPORT

Commissioner Kapoor welcomed and wished everyone a Happy New Year. He noted that 8 Commissioners were present, a quorum had been reached; Commissioner Harris was absent.

III. APPROVAL OF MINUTES

Secretary Mambruno entertained a motion to approve the Minutes of the December 13, 2023, Regular Commission Meeting as presented.

To Approve the Minutes of the December 13, 2023, Meeting:

Motion: J. Suggs
Second: E. Pestana
Discussion: None

Vote:

Yes: 7 (Gadkar-Wilcox, Giliberto, Mambruno, Norton, Pestana, Suggs, Titre)

No: 0

Abstain:0

Absent: 1 (Harris)

Did not vote: 1 (Kapoor)

IV. AFFIRMATIVE ACTION RECOMMENDATIONS – VOTE REQUIRED

Presented by Deputy Director Cheryl Sharp

Department of Emergency Services and Public Protection

Staff representing Department of Emergency Services and Public Protection were Commissioner Ronnell Higgins, Jennifer Taplin, Fendi Bently Samuels, Ashley Burke, and Jordan Kubik.

This plan was recommended for approval based on compliance with the following: The plan does contain all elements required by Sections 46a-68-78 through 46a-94. The agency has demonstrated every good faith effort to achieve goals and despite these efforts has been unable to do so. The agency had no deficiencies in the prior plan review and therefore, is in compliance with the (b)(4) standard.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 36 out of 57 or 63.2%
- Promotional Goal Achievement: 11 out of 16 or 68.75%
- Program Goal Achievement 2 out of 2 or 100%

The five-year approval history is as follows: 2022 Approved; 2021 Approved; 2020 Approved; 2019 Approved; 2018 Approved.

To Approve the Affirmative Action Plan for The Department of Emergency Services and Public Protection and to Retain its Annual Filing Status:

Motion: L. Giliberto
Second: E. Mambruno
Discussion: None

Vote:

Yes: 7 (Gadkar-Wilcox, Giliberto, Mambruno, Norton, Pestana, Suggs, Titre)

No: 0

Abstain: 0

Absent: 1 (Harris)

Did not vote: 1 (Kapoor)

Department of Public Health

Staff representing The Department of Public Health were Commissioner Juthani Manisha, Deputy Commissioner Lisa Michelle Morrissey, Deputy Commissioner Jody Terranova, and Chief of Staff Adelita Orefice.

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 demonstrated every good faith effort to achieve goals and despite these efforts has been unable to do so. The agency had no deficiencies in the prior plan review and therefore is in compliance with the (b)(4) standard.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 44 out of 70 or 62.8%
- Promotional Goal Achievement: 17 out of 33 or 51.5%
- Program Goal Achievement 1 out of 1 or 100%

The five-year approval history is as follows: 2022 Approved; 2021 Approved; 2020 Approved; 2019 Approved; 2018 Approved.

To Approve the Affirmative Action Plan for The Department of Public Health and to Retain its Annual Filing Status:

Motion: E. Norton

Second: J. Suggs

Discussion: None

Vote:

Yes: 7 (Gadkar-Wilcox, Giliberto, Mambruno, Norton, Pestana, Suggs, Titre)

No: 0

Abstain: 0

Absent: 1 (Harris)

Did not vote: 1 (Kapoor)

Office of Policy and Management

Staff representing the Office of Policy and Management were Secretary Jeff Beckham, Chief Administrative Officer Yvonne Addo, Human Resource Generalist 3 Carolyn Kozak.

This plan was recommended for approval based on compliance with the following: The plan does contain all elements required by Sections 46a-68-78 through 46a-94 inclusive. The agency has met all or substantially met all of its hiring, promotion, and program goals. The agency had no deficiencies in the prior plan review and therefore, is in compliance with the (b)(4) standard.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 19 out of 27 or 70%
- Promotional Goal Achievement: 1 out of 1 or 100%
- Program Goal Achievement 2 out of 2 or 100%

The five-year approval history is as follows: 2021 Approved; 2019 Approved; 2017 Approved, 2015 Approved; 2013 Approved.

To Approve the Affirmative Action Plan for The Office of Policy and Management to Retain its Biennial Filing Status:

Motion: E. Mambruno

Second: E. Pestana

Discussion: None

Vote:

Yes: 7 (Gadkar-Wilcox, Giliberto, Mambruno, Norton, Pestana, Suggs, Titre)

No: 0

Abstain: 0

Absent: 1 (Harris)

Did not vote: 1 (Kapoor)

V. CONTRACT COMPLIANCE REQUEST

Renewal Of Municipal Paving Exemption – Presented by HRO Attorney Spencer Hill

Chair Kapoor noted and asked the record to show that that all the Commissioners were in receipt of Attorney Hill’s memo regarding the renewal of Municipal Paving Exemption through the Office of Executive Director Hughes dated January 10, 2024.

Attorney Hill informed that the contour of the request remains similar to their past requests. However, there is a sizeable state grant for towns to enter into municipal paving contracts and a few of the Towns have asked if this grant will cause issues for the when they need to confirm with the state and enter into contracts. As a result, Municipal Paving has asked that this exemption is renewed early. He further informed there is nothing in the statue preventing an early authorization.

To approve a motion to renew the Municipal Paving Exemption through June 30, 2025, and for them to abide by the requirements as outlined in the memo dated January 10, 2024, by Attorney Spencer Hill:

Motion: L. Giliberto

Second: T. Titre

Discussion: Brief discussion ensued on whether this new grant will only apply to state funding? Attorney Hill responded that this will only apply to state funding.

Vote:

Yes: 7 (Gadkar-Wilcox, Giliberto, Mambruno, Norton, Pestana, Suggs, Titre)

No: 0

Abstain: 0

Absent: 1 (Harris)

Did not vote: 1 (Kapoor)

VI. EXECUTIVE SESSION

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

1. Ambrose v. Rengigas & Abarca v. Rengigas

CHRO case No. 2350143 & 2350144

Presented by HRO Attorney Catherine Spain

2. CHRO v. American Environmental, Inc. Update.

Presented by HRO Attorney Jonathan Sykes and HRO Attorney Spencer Hill

Chair Kapoor entertained the motion to enter Executive session.

To enter Executive Session and to invite into the Executive Session the following individuals: Executive Director Tanya Hughes, Deputy Director Cheryl Sharp, Managing Attorney Michelle Dumas Keuler, Managing Attorney Kimberly Jacobsen, Attorney Catherine Spain, Attorney Jonathan Sykes, Attorney Spencer Hill, and Assistant Attorney General Laura Thurston and/or Assistant Attorney General Tanya DeMattia:

Motion: E. Pestana
Second: L. Giliberto
Discussion: None

Vote:

Yes: 7 (Gadkar-Wilcox, Giliberto, Mambruno, Norton, Pestana, Suggs, Titre)

No: 0

Abstain: 0

Absent: 1 (Harris)

Did not vote: 1 (Kapoor)

Executive Session began at 2:52 PM.

** Commissioner Suggs left the meeting at 2:53 PM.**

Commissioners Kapoor, Gadkar-Wilcox, Giliberto, Mambruno, Norton, Pestana, and Titre returned after Executive Session at 3:04 PM.

Chair Kapoor reconvened the Commission Meeting in public session and noted that no actions or votes were taken during the Executive Session.

VII. VOTE ON EXECUTIVE SESSION ITEMS

1. Ambrose v. Rengigas & Abarca v. Rengigas
CHRO case No. 2350143 & 2350144
Presented by HRO Attorney Catherine Spain

To file the case Caitlin Ambrose and Michael Abarca v. Claudia Rengigas and Michael Rengigas in the Judicial District of New Haven housing session:

Motion: L. Giliberto
Second: T. Titre
Discussion: None

Vote:

Yes: 6 (Gadkar-Wilcox, Giliberto, Mambruno, Norton, Pestana, Titre)

No: 0

Abstain: (0)

Absent: 2 (Harris, Suggs)

Did not vote: 1 (Kapoor)

VIII. NEW BUSINESS

1. Reminder- Upcoming hybrid (In-Person & Virtual) Commission Meetings for March 13, 2024 & April 10, 2024.

Chair Kapoor reminded everyone about the upcoming hybrid commission meetings scheduled for March 13 and April 10. Both meetings are scheduled to take place at 450 Columbus Blvd., Hartford. He added that more information will be forthcoming as the meeting dates approach.

**IX. DIVISION REPORTS
Executive Director's Report**

Director Hughes briefly informed that recruitment activity is ongoing and that everyone should have received updates on the status of the open positions. Meetings have been occurring with DOL, OPM, Office of the Governor, the EEO Representative, and HR to discuss recruitment activity. She further informed that everyone should have also received the AA Plan Recommendation Report as well as the agency's responses. Ongoing discussions are taking place as a result of receipt of the draft report. Updates will be provided as they become available. Director Hughes also noted, with regard to the CHRO Audit, that the audit included the agency's responses. She added that the report is only a synopsis of information that the auditors specifically selected. The information that is provided in her monthly reports are more indicative of the voluminous work and offers a much broader view of agency activities. She encouraged the group to ask about any agency activities if further explanation is desired.

Director Hughes also informed that the matters within our control: inventory management and timeliness of case processing is being readily addressed. With respect to the matter of untimely filing of Minutes and agendas, she explained that the finding relates to the MLK Holiday Commission. All CHRO Minutes and agendas are timely filed and submitted. CHRO has designated an employee to assist with the administrative duties related to the MLK Holiday Commission based on our role as secretariat. She has reached out to the Auditors to request they make the requisite changes in reference to the MLK Holiday Commission and the Office of Public Hearings. In conclusion, she informed about the release of the Equity Study scheduled for January 19, and invited all to attend the full day event. She encouraged everyone to review her Status Report for more information regarding agency activities.

Outreach Report

Deputy Director Cheryl Sharp informed that CHRO would host its annual Children's March, celebrating Martin Luther King, Jr. on Monday, January 15, 1:00 PM at St. Peter's Church, Cheshire and invited everyone to join. She also took a moment to acknowledge Ana Mitchell, for diligently working on the event. She further informed that work continues with the agency's federal and state partners, EEOC HUD, the Department of Justice, and the United States Office of Civil Rights. The CHRO is also collaborating with the Commission on Women, Children, Equity, Seniors, and Opportunities. She also noted the accomplishments of the agency's DEI group, pointing out the success of their newsletter. Work continues with the Civil Rights Museum that includes specific legislative officials such as Senator McCrory. She added that funding has been requested to house the Museum at the UCONN campus. She encouraged the group to review the Outreach Report for more details and information.

Legislative Update

Legislative and Administrative Advisor, Darcy Strand informed that the Equity Study is set to be released on January 19, 2024, in conjunction with a planned Equity Symposium with the Commission on Racial Equity in Public Health. She noted that everyone should have received the link to join in their calendar invite and encouraged all to register for the event. She added that a draft of the report will be released the day prior to the actual release date. It will also be available on the CHRO website. There are also plans to release a short summary of the report to the group that can be discussed in more detail during the February Commission meeting.

She informed the Commission that the Disparity study will be completed by March. Evidence gathering amongst a series of focus groups is currently taking place over the next week in a bid to get 5 to 8 businesses to discuss what it is like to do business with the State. Griffin and Strong will be providing draft language for all the chapters. She further informed that meetings have been held with Legislators who want to create legislation around the study.

Legal Update

Managing Attorney Kimberly Jacobsen informed there were three public hearing cases that were decided on in the last month. The first case resulted in the complainant receiving \$40,000 for emotional distress, pre and post judgement interest, and a cease-and-desist order. The second case resulted in the Complainant receiving \$50,000 for emotional distress, \$3000 in back pay, and pre and post judgement interest. The third case was a work-related termination case that had a full hearing, but the CHRO was not victorious.

X. ANNOUNCEMENT OF TIME AND DATE OF NEXT MEETING

The next Commission Meeting will occur on Wednesday, February 14, 2024, at 2:00 PM via Microsoft Teams.

XI. ADJOURNMENT

To Adjourn:

Motion: E. Mambruno

Second: T. Titre

Discussion: None

Vote

Yes: 6 (Gadkar-Wilcox, Pestana, Mambruno, Norton, Titre, Giliberto)

No: 0

Abstain: 0

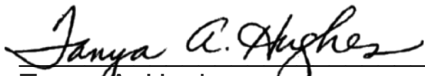
Absent: 2 (Harris, Suggs)

Did not vote: 1 (Kapoor)

Chair Kapoor adjourned the meeting at 3:49 PM.

The Minutes of the Regular Meeting dated January 10, 2024, were approved on February 14, 2024.

Prepared by:


Tanya A. Hughes
Executive Director