

# STATE OF CONNECTICUT COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES



**DRAFT**

**Regular Commission Meeting Minutes  
Wednesday, April 10, 2024  
2:00 p.m.  
Via Microsoft TEAMS & In-Person**

**Commissioners Present**

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

**Staff Present**

Tanya Hughes, Executive Director  
Kimberly Jacobsen, Managing Director  
Jose Michael Gonzalez, Regional Manager  
Robert Aldi, Regional Manager  
Jonathan Sykes, HRO Attorney  
Gabriela Sandoval, HRO Attorney  
Cassandra Bretones, HRO Attorney  
Megan Graefe, HRO Attorney  
Ana Mitchell, Outreach Coordinator  
Gary Madison, HRO Representative  
Jase Olavarria, HRO Trainee  
Evelyn Dillon, HRO Trainee  
Kristen Parker, Executive Secretary  
Leigh Russo, Secretary  
Laura Thurston, Asst. Attorney General

Cheryl Sharp, Deputy Director  
Jamie Rubin, Regional Manager  
Shawn Burns, Regional Manager  
Spencer Hill, HRO Attorney  
Robin Trepanier, HRO Attorney  
Courtney Shields, HRO Attorney  
Jody Walker-Smith, HRO Attorney  
Darcy Strand, Legislative Advisor  
Neva Vigezzi, AA Supervisor, (TWR)  
Michael Mitchell, Storekeeper  
Travis Fuller, HRO Trainee  
Darian Pitts, Executive Secretary  
Aubri Petersen, Legal Secretary  
Stephanie O'Loughlin, Secretary

**I. CALL TO ORDER**

Chair Nicholas Kapoor called the meeting to order at 2:05 PM.

**II. CHAIRPERSON’S REPORT**

Commissioner Kapoor welcomed and thanked all for attending. He noted a quorum had been attained with 4 commissioners present in person and 4 commissioners online. Additionally, he congratulated Commissioners Titre, Gadkar-Wilcox, and Harris for getting through their Senate confirmation hearings, and added his confidence that all would go well during their House delegation hearings. He concluded that the official approval would be celebrated during the next commission meeting.

**\*\*Commissioner Harris joined the meeting at 2:07 PM.\*\***

**III. APPROVAL OF MINUTES**

Secretary Mambruno entertained a motion to approve the Minutes of the March 13, 2024, Regular Commission Meeting as presented.

**To Approve the Minutes of the March 13, 2024, Regular Commission Meeting:**

Motion: S. Gadkar-Wilcox  
Second: E. Pestana  
Discussion: None

Vote:

Yes: 8 (Gadkar-Wilson, Giliberto, Harris, Mambruno, Norton, Pestana, Titre, Suggs)  
No: 0  
Abstain: 0  
Did not vote: 1 (Kapoor)

**IV. AFFIRMATIVE ACTION RECOMMENDATIONS – VOTE REQUIRED**

Presented by Deputy Director Cheryl Sharp

**Department of Revenue Services**

Staff representing Department of Revenue Services were Commissioner Mark Boughton, Deputy Commission John Biello, Manager-Equal Employment Opportunity Penny Potter, and HR Business Partner Chris Beloff.

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 not met all or substantially met all of its hiring and promotion goals. No program goals were established. The agency 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: 29 out of 56 or 52%
- Promotional Goal Achievement: 17 out of 29 or 59%
- Program Goal Achievement 0 out of 0 or 0%

The five-year approval history is as follows: 2023 Approved; 2022 Approved; 2021 Approved; 2020 Approved; 2019 Approved.

**To Approve the Affirmative Action Plan for The Department of Revenue Services and retain its Annual Filing Status:**

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

Vote:

Yes: 8 (Gadkar-Wilcox, Giliberto, Harris, Mambruno, Norton, Pestana, Suggs, Titre)  
No: 0  
Abstain: 0  
Did not vote: 1 (Kapoor)

**Department of Developmental Services**

Staff representing the Department of Developmental Services were Commissioner Jordan Scheff, Equal Employment Opportunity Manager Edward Magnano, Equal Employment Opportunity Specialist Tommy Wilson, Communications Director Kevin Bronson.

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. Program goals were not established in the prior filing. 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: 79 out of 190 or 42%
- Promotional Goal Achievement 21 out of 36 or 58%
- Program Goal Achievement 0 out of 0 or 0%

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

**To Approve the Affirmative Action Plan for The Department of Developmental Services and to Retain its Annual Filing Status:**

Motion: A. Norton  
Second: J. Suggs  
Discussion: None

Vote:

Yes: 8 (Gadkar-Wilcox, Giliberto, Harris, Mambruno, Norton, Pestana, Suggs, Titre)  
No: 0  
Abstain: 0  
Did not vote: 1 (Kapoor)

## **Office of the State Treasurer**

Staff representing the Office of the State Treasurer were Chief of Staff Andrea Comer, Senior Legal Counsel Jessa Mirtle, Deputy General Counsel Ginny Kim, Assistant Treasurer of Strategic Planning and Management Services Alex Marcellino, and Human Resources Director Johnette Tolliver.

This plan was recommended for disapproval based on non-compliance with the following: the plan does not contain all the elements required by sections 46a-68-78 through 46a-68-94 inclusive. The workforce, considered as a whole and by occupational category, is not in parity with the relevant labor market area. There were deficiencies in sections centered on availability analysis, utilization analysis, concluding statement, as well as weak sections of internal communications, assignment of responsibility, monitoring, employment analysis, discrimination, complaint process, and goal analysis.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 15 out of 24 or 62.5%
- Promotional Goal Achievement 1 out of 2 or 50%
- Program Goal Achievement 0 out of 0 or 0%

The five-year history is as follows: 2022 Approved; 2020 Approved; 2018 Approved; 2017 Approved; 2016 Disapproved.

Prior to the vote there was some discussion on whether the Office of the State Treasurer should have their biennial filing status rescinded, make it an annual filing, and if the Plan should be conditionally approved due to the Officer of the Treasurer having taken recent steps to correct the deficiencies.

### **A Pending Motion was Made to Conditionally Approve the Affirmative Action Plan for the Office of the State Treasurer and Rescind the Biennial Filing Status:**

Motion: J. Suggs

Second: S. Gadkar-Wilcox

Discussion: Commissioner Pestana questioned the criteria being used to consider issuing a conditional approval and indicated that she would lean more towards the motion if the State Treasurer had been present considering all the deficiencies and discrepancies. Commissioner Giliberto agreed. CHRO staff member, Jase Olavarria explained the recommendations are governed by State Regulation to be approved or disapproved. Conditional approvals can be granted if voted on by the Commissioners.

Chair Kapoor reminded the Commissioners about the motion pending and noted that if the motion failed another motion would need to be called for disapproval.

Motion: A. Norton

Second: J. Suggs

Discussion: None

### **Vote:**

Yes: 3 (Gadkar-Wilcox, Norton, Suggs)

No: 5 (Giliberto, Harris, Mambruno, Pestana, Titre)

Abstain: 0  
Did not vote: 1 (Kapoor)

The motion did not carry.

**The Motion to Disapprove the Affirmative Action Plan for the Office of the State Treasurer and to Rescind the Biennial Filing Status:**

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

Vote:

Yes: 6 (Gadkar-Wilcox, Giliberto, Harris, Mambruno, Pestana, Titre)  
No: 2 (Norton, Suggs)  
Abstain: 0  
Did not vote: 1 (Kapoor)

**V. REQUEST TO REOPEN**

1. Kimberly McIntosh v. Tesla and Solar City  
CHRO Case No. 2230447 & 2230448  
Presented by HRO Attorney Robin S. Kinstler Fox

**To Disapprove the Request to Reopen for CHRO Case # 2230447 & 2230448 – Kimberly McIntosh v. Tesla and Solar City**

Motion: S. Gadkar-Wilcox  
Second: L. Giliberto  
Discussion: None

Vote:

Yes: 8 (Gadkar-Wilcox, Giliberto, Harris, Mambruno, Norton, Pestana, Suggs, Titre)  
No: 0  
Abstain: 0  
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. CHRO v. American Environmental  
CHRO Case No. 2023-006  
Presented by HRO Attorneys Jonathan Sykes & Spencer Hill
2. CHRO ex rel. Sheralyn Colon v. Milford Redevelopment and Housing Partnership  
CHRO Case No. 2250117  
Presented by HRO Attorney Robin Trepanier

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 Kimberly Jacobsen, Attorney Jonathan Sykes, Attorney Spencer Hill, Attorney Robin Trepanier, and Assistant Attorney General Laura Thurston:**

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

Vote:

Yes: 8 (Gadkar-Wilcox, Giliberto, Harris, Mambruno, Norton, Pestana, Suggs, Titre)

No: 0

Abstain: 0

Did not vote: 1 (Kapoor)

Executive Session began at 3:25 PM.

\*\* Commissioner Suggs left the meeting at 3:26 PM.\*\*

Commissioners Kapoor, Gadkar-Wilcox, Giliberto, Harris, Mambruno, Norton, Pestana, and Titre returned after Executive Session at 4:02 PM.

## **VII. VOTE ON EXECUTIVE SESSION ITEMS**

### **1. CHRO v. American Environmental**

CHRO Case No. 2023-006

Presented by HRO Attorneys Jonathan Sykes & Spencer Hill

**To Amend the complaint of CHRO v. American Environmental CHRO Case # 2023-006:**

Motion: L. Giliberto  
Second: S. Gadkar-Wilcox  
Discussion: None

Vote:

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

No: 0

Abstain: 0

Did not vote: 1 (Kapoor)

### **2. CHRO ex rel. Sheralyn Colon v. Milford Redevelopment and Housing Partnership**

CHRO Case No. 2250117

Presented by HRO Attorney Robin Trepanier

**To have Legal Counsel file CHRO ex.rel SHERALYN COLON v. MILFORD REDEVELOPMENT AND HOUSING PARTNERSHIP CHRO Case # 2250117 in New Haven Superior Court and to Seek Injunctive Relief to the Extent Necessary for Damages and Civil Penalty.**

Motion: S. Gadkar-Wilcox

Second: L. Giliberto

Discussion: None

Vote:

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

No: 0

Abstain: 0

Did not vote: 1 (Kapoor)

**\*\*Commissioners Titre and Harris left the meeting at 4:05 PM\*\***

**VIII. NEW BUSINESS**

There was no new business to discuss.

**IX. DIVISION REPORTS**

**Executive Director's Report**

Director Hughes reported that online recruitment activities continue. She then asked Managing Legal Director, Kimberly Jacobsen to introduce and note the new and transferring CHRO employees. She recognized Courtney Shields, a former Investigator in the Southwest region, now a Durational Attorney, Stephanie Chenard, Housing Unit Secretary, Christina Caruso Clerk in Housing and Legal, and Stephanie O'Loughlin, Durational Attorney.

Director Hughes continued and informed that CHRO has been working closely with the Department of Labor, OPM, the Governor's Office, the EEO designee, as well as BITS. Upgrades have been done in the Bridgeport office to include new carpeting and painting. Production is up throughout the regions. Everything is on track for the upcoming Equity Fair scheduled for Wednesday, May 1 at the State Armory. Expectations for the Fair are high as it is being promoted via social media, radio, and word of mouth. There are on-going plans to hold intensive investigator training with a focus on intake.

**Outreach Report**

Deputy Director Sharp reiterated that the Equity Fair would take place on May 1<sup>st</sup> and added the Equity Report will be released and discussed during the Fair. She further informed that there will be 60 plus vendors, state agencies, local and non-governmental agencies who will present their information to the general public. Buses will be coming from towns around the state. This, she continued, will be the biggest event involving access to government. She noted that invites had been sent to the President and Vice President with the hope that some recognition for the Fair would be forthcoming. She informed that Executive Intern, Natarajan Pranathi, who had been a participant in the CHRO's internship program had been selected as one of 25 students in the nation for her work in civil rights, working with autistic students, and creating a technology program specifically for them. She added that on May 22 there will be a celebration of Asian Heritage Month. A film will be shown, and a discussion will take place afterwards. She also updated on the group on the Civil Rights Museum, noting that everything has been put

into place, but because of the politics, additional help is needed to push funding it over the finish line.

### **Legislative Update**

Legislative and Administrative Advisor, Darcy Strand was in attendance at the legislative session and was unable to attend the meeting. Commissioner Kapoor suggested the group review the written Legislative Report for her updates.

### **Legal Update**

Managing Attorney Kimberly Jacobsen informed the group about a reasonable cause finding in a case involving someone who was terminated from a position as a probationary police officer. The case went all the way to the Supreme Court which resulted in a win for the CHRO. The case was sent back to the Office of Public Hearings to get a damage award and ultimately the original damage award was sustained. The award was \$267,139 against the City of Hartford with \$25,672 in attorney fees.

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

The next Commission Meeting will occur on Wednesday, May 8, 2024, at 2:00 PM. This meeting will be virtual via Microsoft Teams.

## **XI. ADJOURNMENT**

### **To Adjourn:**

Motion: L. Giliberto

Second: S. Gadkar-Wilcox

Discussion: None

### Vote

Yes: 5 (Gadkar-Wilcox, Giliberto, Mambruno, Norton, Pestana)

No: 0

Abstain: 0

Absent: 3 (Harris, Suggs, Titre)

Did not vote: 1 (Kapoor)

Chair Kapoor adjourned the meeting at 4:28 PM.