

STATE OF CONNECTICUT COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES



Regular Commission Meeting Minutes
Wednesday, December 11, 2024
2:00 p.m.
Via Microsoft TEAMS

Commissioners Present

Nicholas Kapoor, Chairperson
Edward Mambruno, Secretary
Lisa Giliberto
Alex Harris
Andrew Norton
Edith Pestana
Tamara Titre

Commissioners Absent

Sujata Gadkar-Wilcox
Joseph Suggs

Staff Present

Tanya Hughes, Executive Director	Cheryl Sharp, Deputy Director
Kimberly Jacobsen, Legal Managing Director	Shawn Burns, Regional Manager
Michelle Dumas Keuler, Legal Managing Attorney	Spencer Hill, HRO Attorney
Stephanie O'Loughlin, HRO Attorney	Jonathan Sykes, HRO Attorney
Michael E. Robert, HRO Attorney	Renee Vanden Wall Bake, HRO Attorney
Margaret Nurse-Goodison, HRO Attorney	Libby Reinish, HRO Attorney
Darcy Strand, Legislative Liaison	Darian Pitts, Executive Secretary
Kellye Hudson, Executive Secretary	Tanya DeMattia, Assistant Attorney General

I. CALL TO ORDER

Chair Nicholas Kapoor called the meeting to order at 2:03 PM.

II. CHAIRPERSON'S REPORT

Commissioner Kapoor informed a quorum had been achieved with 6 out of 9 Commissioners present. He noted that Commissioners Gadkar-Wilcox and Suggs were absent, and Commissioner Pestana would join the meeting in 30 minutes. He noted with congratulatory praise Commissioner Gadkar-Wilcox's win as State Senator-elect for the 22nd District of Trumbull, Monroe, and Bridgeport. He further noted her 18 months of service to the Commission, and impending resignation.

In conclusion, he informed the agenda was full and encouraged everyone to keep comments concise and to the point.

III. APPROVAL OF MINUTES

Secretary Mambruno asked for a motion to approve the 2024-11-13 Commission Meeting Minutes as written.

To Approve the 2024-11-13 Commission Meeting Minutes:

Motion: L. Giliberto

Seconded: A. Norton

Vote:

Yes: 5 (Giliberto, Harris, Mambruno, Norton, Titre)

No: 0

Abstain: 0

Did not vote: 1 (Kapoor)

The motion carried.

IV. AFFIRMATIVE ACTION RECOMMENDATIONS – VOTE REQUIRED

Presented by Deputy Director Cheryl Sharp.

UCONN Health Commission

Staff representing the UCONN Health Commission were Chief Executive Officer, Andrew Agwunobi, M.D., M.B.A, Chief Diversity Officer, Jeffrey Hines, M.D., Vice President and Chief Human Resources Officer, Lakeesha Brown.

This plan was recommended for approval based on compliance with the following: 46a-68-102(a) 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 has substantially addressed deficiencies noted by the Commission in the prior plan review.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 131 out of 368 or 35.6%
- Promotional Goal Achievement 46 out of 93 or 49.5%
- Program Goal Achievement: 3 out of 3 or 100%

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 UCONN Health Commission and to retain its Annual Filing Status:

Motion: A. Norton

Second: E. Mambruno

Vote:

Yes: 5 (Giliberto, Harris, Mambruno, Norton, Titre)

No: 0

Abstain: 0

Did not vote: 1 (Kapoor)

The motion carried.

Department of Motor Vehicles

Staff representing the Department of Motor Vehicles were Human Resources Associate-EEO, Jordan Kubic, Human Resources Associate-EEO, Jeniaya Petteway, Chief of Staff, Tiffany Hardwick, DMV Human Resources Business Partner, Dorane Smith.

This plan was recommended for approval based on compliance with the following: 46a-68-102(a) 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. Program goals were not established in 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 prior plan review and therefore is in compliance with the (b)(4) standard.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 22 out of 43 or 51%
- Promotional Goal Achievement: 11 out of 28 or 39%
- Program Goal Achievement: --out of--or --%

The five-year approval history is as follows: 2023 Approved; 2022 Disapproved for failure to file; 2021 Approved; 2020 Approved; 2019 Approved.

To Approve the Affirmative Action Plan for the Department of Motor Vehicles and to retain its Annual Filing Status:

Motion: A. Norton
Second: E. Mambruno

Vote:

Yes: 5 (Giliberto, Harris, Mambruno, Norton, Titre)

No: 0

Abstain: 0

Did not vote: 1 (Kapoor)

The motion carried.

Office of the Chief State's Attorney-Division of Criminal Justice

Commissioner Lisa Giliberto recused herself from discussing and voting on this item.

Staff representing the Office of the Chief State's Attorney-Division of Criminal Justice were Deputy Chief State's Attorney, John J. Russotto, Equal Employment Opportunity Director, Janice DuFrend.

This plan was recommended for approval based on compliance with the following: 46a-68-102(a) 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. Program goals were not established in 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 prior plan review and therefore is in compliance with the (b)(4) standard.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 13 out of 37 or 35%
- Promotional Goal Achievement: 6 out of 10 or 70%
- Program Goal Achievement: -- out of -- or --%

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

**Prior to the vote Commissioner Norton noted a correction to the "Hiring Goal Achievement" needed to be corrected from 49% to 35%. The correction has been made within these minutes. **

To Approve the Affirmative Action Plan for the Office of the Chief State's Attorney-Division of Criminal Justice and to retain its Annual Filing Status

Motion: A. Norton

Second: E. Mambruno

Vote:

Yes: 4 (Harris, Mambruno, Norton, Pestana)

No: 0

Abstain: 0

Did not vote: 1 (Kapoor)

The motion carried

***Commissioner Pestana joined the meeting at 2:31 PM. ***

Office of the Attorney General

Staff representing the Office of the Attorney General were Attorney General, William M. Tong, Assistant Deputy Attorney General, Antoria D. Howard, Chief of Staff, Cara Passaro, Director of Human Resources, Sue Cavanaugh.

This plan was recommended for approval based on compliance with the following: 46a-68-102(a) 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. Program goals were not established in 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 prior plan review and therefore is in compliance with the (b)(4) standard.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 12 out of 27 or 44.4%
- Promotional Goal Achievement: 12 out of 16 or 75%
- Program Goal Achievement: -- out of -- or --%

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

Prior to the vote discussion ensued on the fact the agency received a conditional approval, were given the opportunity to file late and to resubmit the plan. Both Deputy Director Sharp and Executive Director Hughes informed a late filing was not an unusual occurrence as it is within the confines of the law. This plan is no more burdensome than any other plan submitted late albeit within the required filing period. The unusual issue with this plan is that it was withdrawn and resubmitted. A conditional approval was issued on the resubmission as the plan still contained some subjective language. Technical assistance was given by the CHRO reviewer to make sure the Attorney General's Office was conveying their intent objectively and appropriately.

To Conditionally Approve the Affirmative Action Plan for the Office of the Attorney General and to retain its Annual Filing Status:

Motion: A. Harris
Second: T. Titre

Vote:

Yes: 4 (Giliberto, Harris, Norton, Titre)

No: 1 (Mambruno)

Abstain: 1 (Pestana)

Did not vote: 1 (Kapoor)

The motion carried.

V. EXEMPTION REQUESTS

1. Surface Works, LLC – Scovill Mill Remediation Project
Presented by HRO Attorney Spencer Hill
2. CT Environmental and Demolition, LLC – Scovil Mill Remediation Project
Presented by HRO Attorney Spencer Hill

RECOMMENDATION: Approval

Chair Kapoor noted the Commissioners were in receipt of the Executive Director's letters to the first selectman of Haddam, Mr. Robert McGarry, dated November 19, 2024, regarding Surface Works, LLC contract value \$72,200 and the CT Environmental and Demolition, LLC contract value \$115,000 acknowledging the exemption requests.

Attorney Hill explained there are two exemption requests, although they are for the same project, they will require separate votes. He added his presentation/explanation would cover both exemption requests. He further explained that both companies have fewer than twenty-five employees. There are no plans for them to hire any staff for this project and the requests fall within the statutory and regulatory permissible exemptions contained within the Connecticut General Statutes.

He concluded based on these representations, the recommendation, is to approve the Exemption Requests.

Commissioner Kapoor entertained a motion to grant the exemption request for Surface Works, LLC.

To Approve the Request for Exemption for Surface Works, LLC as outlined in the November 19, 2024, letter from the Executive Director's Office:

Motion: E. Pestana
Second: L. Giliberto

Vote:

Yes: 6 (Giliberto, Harris, Mambruno, Norton, Pestana, Titre)

No: 0

Abstain: 0

Did not vote: 1 (Kapoor)

The motion carried.

To Approve the Request for Exemption for CT Environmental and Demolition, LLC as outlined in the November 19, 2024, letter from the Executive Director's Office:

Motion: E. Mambruno
Second: L. Giliberto

Vote:

Yes: 6 (Giliberto, Harris, Mambruno, Norton, Pestana, Titre)

No: 0

Abstain: 0

Did not vote: 1 (Kapoor)

The motion carried.

VI. REQUEST TO REOPEN

In the cases below, Commission Counsel, Respondent or their representative, and Complainant or their representative were provided five minutes to provide opening remarks. Questions and answers from commissioners followed these remarks.

1. Rodolfo Lopez v. Catholic Family Services
CHRO Case No. 2330542
Presented by HRO Attorney Libby Reinish

Prior to the vote Commission Chair Kapoor noted, for the record, there was a mistake on the agenda regarding the CHRO case number. The case number was listed as 30542. The case number was corrected to 2330542.

To Deny the Request to Reopen CHRO Case no. 2330542 Rodolfo Lopez v. Catholic Family Services:

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

Vote:

Yes: 6 (Giliberto, Harris, Mambruno, Norton, Pestana, Titre)

No: 0

Abstain:0
Did not vote: 1 (Kapoor)

The motion carried.

2. Francisco Rivera v. City of New Britain
CHRO Case No. 2210124
Presented by HRO Attorney Margaret Nurse-Goodison

To Approve the Request to Reopen CHRO Case no. 2210124 Francisco Rivera v. City of New Britain:

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

Vote:

Yes: 5 (Giliberto, Harris, Norton, Pestana, Titre)
No: 1 (Mambruno)
Abstain:0
Did not vote: 1 (Kapoor)

The motion carried.

3. Charleen Cotton v. Litchfield Community Center
CHRO Case No. 2430057
Presented by HRO Attorney Renee Vanden Wall Bake

To Deny Reopening CHRO Case no. 2430057 Charleen Cotton v. Litchfield Community Center:

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

Vote:

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

The motion carried.

4. Mary McGraw v. State of Connecticut Council on Probate Judicial Conduct
CHRO Case No. 2410477
Presented by HRO Attorney Jonathan Sykes

To Deny the Request to Reopen CHRO Case No. 2410477 Mary McGraw v. State of Connecticut Council on Probate Judicial Conduct:

Motion: L. Giliberto

Second: T. Titre
Discussion: None

Vote:

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

The motion carried.

VII. PETITION FOR DECLARATORY RULING

1. Keli Reyes v. Sacred Heart University

CHRO Case No. 2320136

Presented by HRO Attorney Stephanie O'Loughlin & HRO Attorney Michael E. Roberts

****Commissioner Titre left the meeting at 4:12 PM. ****

After a lengthy discussion regarding the CHRO's administrative process regarding how to handle complaints Commission Chair Kapoor entertained a motion in accordance with CGS 4-167(e)(2).

In accordance with CGS 4-167(e)(2), the Commission order CHRO Case No. 2320136 – Keli Reyes v. Sacred Heart University, Set for the Continuation of Proceedings Consistent with the Commission's Administrative Processing of Complaints:

Motion: A. Harris
Second: L. Giliberto
Discussion: None

Vote:

Yes: 4 (Giliberto, Harris, Norton, Pestana)
No: 1 (Mambruno)
Abstain:0
Did not vote: 1 (Kapoor)

The motion carried.

VIII. NEW BUSINESS

1. Election of Commission Secretary for 2025.

To Nominate Commissioner Edward Mambruno to Serve as Commission Secretary for Calendar Year 2025:

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

Vote:

Yes: 4 (Giliberto, Harris, Norton, Pestana)
No: 0
Abstain: 1 (Mambruno)
Did Not Vote: 1 (Kapoor)

The motion carried

IX. DIVISION REPORTS

Executive Director's Report

Director Hughes reported that regular meetings with the CHRO's partners are continuing. She happily reported the onboarding of new Program Director, Johnette Tolliver, effective Friday, December 13. Ms. Tolliver will oversee the Affirmative Action Unit and will also bring Human Resources experience that will be very helpful to the agency.

Director Hughes further reported that she attended the Q4 2024 Executive Steering Committee meeting for Business- CT, continues to meet monthly with BITS with an acknowledgement to Suchi Behal for her help with expediting the agency projects concerning IT. She further reported on the upgrades to Core CT, updates to the telework process, the redistribution of some of the agency's complaint cases, initiation of the Writer's Workshop, the increased outreach activities, the agency's attendance at the ACLU town hall meetings, her attendance at the CTRP3 Advisory Board meetings, and her work with the Task Force to Continue to Study Comprehensive Needs of Children.

She concluded by congratulating, in absentia, Commissioner Gadkar-Wilcox on her appointment as State Senator-Elect and noted that the MLK Children's March would be held on January 25 instead of January 20 as noted in her written report.

Outreach Report

Deputy Director Sharp confirmed that the MLK Children's March would be held on January 25, 2025. There are plans to make the march slightly different by adding a marching band. The Dance Company that performed during the Leaders and Legends event will also perform at the march.

She further reported that plans are in place to hold a Youth Summit, hopefully, at UCONN Law School, in May. There will be another Food and a Film event on Wednesday, December 18. Professors from UCONN Law School will be a part of the panel, as well as, a Councilman, and an attorney. The focus will be on International Human Rights and Native American heritage. There are also plans in place for the Affirmative Action Unit to do a training for Commissioners. She entreated everyone to participate.

Legislative Update

Legislative Liaison Darcy Strand, in the interest of time, referred the group to her written report, but did update on two items. She reported on work with a coalition of groups, primarily the ACLU, on a Bill that has been discussed during each of the last four legislative sessions regarding collateral consequences of a criminal record and a housing bill for people with a criminal record. A coalition project with Growing Together Connecticut and Desegregate Connecticut on zoning issues is also taking place.

Legal Update

Legal Managing Director Michelle Dumas Keuler reported on two default cases that occurred during the investigative stage of the complaints. These cases involved liability

assumed and damages awarded. The first case resulted in the complainant receiving \$25,000 in emotional distress damages. The second, a housing case resulted in the claimant receiving \$30,000 in damages and \$25,000 in emotional distress.

X. ANNOUNCEMENT OF TIME AND DATE OF NEXT MEETING

The next Commission Meeting will occur on Wednesday, January 8, 2025, at 2:00 PM. This meeting will be held virtually via Microsoft Teams.

***Commissioner Harris left the meeting at 4:55 PM. ***

XI. ADJOURNMENT

To Adjourn:

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

Vote

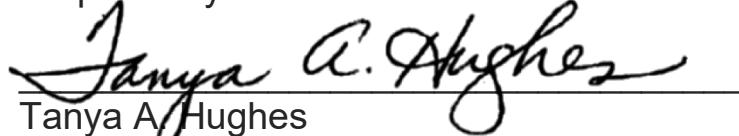
Yes: 4 (Giliberto, Norton, Mambruno, Pestana)
No: 0
Abstain: 0
Did Not Vote: 1 (Kapoor)

The motion carried.

The Chair adjourned the meeting at 4:59 PM.

The Minutes of the Regular Commission Meeting dated December 11, 2024, were approved on January 8, 2025'

Prepared by:



Tanya A. Hughes
Executive Director