

STATE OF CONNECTICUT COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES



Regular Commission Meeting Minutes Wednesday, February 19, 2025 2:00 p.m. Via Microsoft TEAMS

Commissioners Present

Nicholas Kapoor, Chairperson
Lisa Giliberto
Andrew Norton
Edith Pestana
Joseph Suggs

Commissioners Absent

Edward Mambruno, Secretary
Alex Harris
Tamara Titre

Staff Present

Tanya Hughes, Executive Director
Kimberly Jacobsen, Legal Managing Director
Johnette Tolliver, State Program Manager
Spencer Hill, HRO Attorney
Courtney Shields, HRO Attorney
Jody Walker-Smith, HRO Attorney
Jase Olavarria, HRO Representative
Darian Pitts, Executive Secretary
Tanya DeMattia, Assistant Attorney General

Cheryl Sharp, Deputy Director
Shawn Burns, Regional Manager
Darcy Strand, Legislative Liaison
Robin Fox, HRO Attorney
Stephanie O'Loughlin, HRO Attorney
Jonathan Sykes, HRO Attorney
Gary Madison, HRO Representative
Kellye Hudson, Executive Secretary

I. CALL TO ORDER

Chair Nicholas Kapoor called the meeting to order at 2:06 PM.

II. CHAIRPERSON'S REPORT

Commissioner Kapoor informed a quorum had been achieved with 4 out of 8 Commissioners present. He took a moment to make a brief statement on the state of federal and local level government and noted that the Commission on Human Rights and Opportunities is an independent, non-partisan state agency that follows Connecticut laws. He added that the staff of the Commission on Human Rights and Opportunities constantly monitors developments at all levels of government, local, state and Federal government, and is dedicated to the

mission of eliminating discrimination and prejudice throughout the state of Connecticut.

III. **APPROVAL OF MINUTES**

Chair Kapoor asked Commissioner Pestana to be Acting Secretary and make a motion to approve the January 8, 2025, Minutes as written.

To Approve the 2025-01-08 Commission Meeting Minutes:

Motion: E. Pestana

Seconded: A. Norton

Vote:

Yes: 4 (Giliberto, Norton, Pestana, Suggs)

No: 0

Abstain: 0

Did not vote: 1 (Kapoor)

The motion carried.

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

Presented by Deputy Director Cheryl Sharp.

**Commissioner Pestana recused herself from the discussion and vote on the Department of Energy & Environmental Protection Affirmative Action Plan.

Department of Energy & Environmental Protection

Staff representing the Department of Energy & Environmental Protection were Chief of Staff, Andrew Hoskins, Chief of Legal, Planning, & Regulatory Affairs, Annie Decker, Human Resource Business Partner, Sofia Bonilla, Leadership Associate, EEO, McKenzie Gauthier, and Human Resource Specialist, EEO, Katya Hunt.

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. 46a-68-102(b)(4) OR the agency had no deficiencies in the prior plan review and therefore, is in compliance with (b)(4) standard.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 36 out of 81 or 44%
- Promotional Goal Achievement 8 out of 22 or 36%
- Program Goal Achievement: 1 out of 1 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 The Department of Energy & Environmental Protection and to retain its Annual Filing Status:

Motion: A. Norton
Second: L. Giliberto

Vote:

Yes: 3 (Giliberto, Norton, Suggs)

No: 0

Abstain: 0

Did not vote: 1 (Kapoor)

The motion carried.

Connecticut State Community Colleges

Staff representing the Connecticut State Community College were President, John Maduko, Vice President of Diversity, Equity, & Inclusion, John-Paul Chaisson-Cardenas, Director of Equity and Civil Rights, Nicholas D'Agostino, Vice President Human Resources, Anna Krupitskiy, Senior Investigator and Compliance specialist, Luciano Mastrangeli, Equity & Civil Rights Assistant and Data Specialist, Kailey Baker.

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. 46a-68-102(b)(2), this is the Connecticut State Community Colleges' first filing and therefore is in compliance with (b)(2) standard or 46a-68-102(b)(3) this is the Connecticut State Community Colleges' first filing and hence no goals were established in the prior plan to be evaluated; therefore, the agency is in compliance with the (b)(3) standard and 46a-68-102(b)(4) this is the first filing for the Connecticut State Community Colleges and therefore is in compliance with the (b)(4) standard.

The Goal Achievement is as follows:

- Hiring Goal Achievement: -- out of -- or --%
- Promotional Goal Achievement: -- out of -- or --%
- Program Goal Achievement: -- out of -- or --%

First Filing is 2024.

To Approve the Affirmative Action Plan for Connecticut State Community Colleges and to retain its Annual Filing Status:

Motion: L. Giliberto

Second: E. Pestana

Vote:

Yes: 4 (Giliberto, Norton, Pestana, Suggs)

No: 0

Abstain: 0

Did not vote: 1 (Kapoor)

The motion carried.

Central Connecticut State University

Staff representing the Central Connecticut State University were President, Zulma R. Toro, and Interim Vice President of Equity and Wellbeing, Dr. Michael Russo.

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, inclusive, and 46a-68-102(b)(2) the agency has not met all or substantially met all of its hiring and promotion goals. Program goals met. 46a-68-102(b)(4) 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: 26 out of 46 or 57%
- Promotional Goal Achievement: 16 out of 31 or 52%
- Program Goal Achievement: 2 out of 2 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 Central Connecticut State University to retain its Annual Filing Status:

Motion: A. Norton

Second: L. Giliberto

Vote:

Yes: 4 (Giliberto, Norton, Pestana, Suggs)

No: 0

Abstain: 0

Did not vote: 1 (Kapoor)

The motion carried

Department of Labor

Staff representing the Department of Labor were Commissioner Danta Bartolomeo, EEO Specialist II, Office of Diversity & Equity Programs, Director Human Resources, Neil Griffin, and Legal Director, Heidi Lane.

This plan was recommended for disapproval based on non-compliance with the following: 46a-68-102(a) the plan does not contain all elements required by Sections 46a-68-78 through 46a-94, inclusive.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 27 out of 42 or 64%
- Promotional Goal Achievement: 27 out of 37 or 73%
- Program Goal Achievement: N/A out of N/A or N/A

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

Prior to the vote a lengthy discussion and opposition from the Department of Labor ensued on the reviewer's recommendation to disapprove based on non-compliance and that the plan does not contain all elements required by the statutes.

As a result of the lengthy discussion, it was decided that additional technical assistance is desirable and would be arranged to work on the weaknesses and deficiencies. It was also decided that the plan should be conditionally approved.

To Conditionally Approve the Affirmative Action Plan for the Department of Labor and for them to seek technical assistance and to retain its Annual Filing Status:

Motion: E. Pestana

Second: A. Norton

Vote:

Yes: 4 (Giliberto, Norton, Pestana, Suggs)

No: 0

Abstain: 0

Did not vote: 1 (Kapoor)

The motion carried.

Prior to hearing the requests to reopen Chair Kapoor used his prerogative as Chair to reorder the agenda and initiate discussion regarding the Petition for Declaratory Ruling and order for Default then go into Executive Session due to the possibility of losing the quorum.

V. PETITION FOR DECLARATORY RULING AND ORDER FOR DEFAULT

1. Susan Galley v. Franklin Templeton Investments
CHRO Case No. 2520036
Presented by HRO Attorney Stephanie O'Loughlin

Prior to the vote Chair Kapoor noted for the record that the Commissioners are in receipt of a confidential attorney work, attorney-client, privileged work product from Attorney O'Loughlin through the office of the Executive Director.

Chair Kapoor entertained a motion that the Commission on Human Rights and Opportunities pursuant to Connecticut General Statutes 4-16E2 proceed with the

administrative processing of CHRO Case No. 2520036 – Susan Galley v. Franklin Templeton Investments.

Motion: J. Suggs
Second: L. Giliberto

Vote:

Yes: 4 (Giliberto, Norton, Pestana, Suggs)

No: 0

Abstain: 0

Did not vote: 1 (Kapoor)

The motion carried.

VI. REQUEST TO REOPEN

In the case(s) 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.

***Commissioner Kapoor left the meeting at 4:00 PM. Commissioner Giliberto continued

running the meeting. **

1. Jehu Mubarek v. Ian Ingersol Cabinet Makers
CHRO Case No. 2530052
Presented by HRO Attorney Jonathan Sykes

To Approve the Request to Reopen CHRO Case no. 2530052 Jehu Mubarek v. Ian Ingersol Cabinet Makers:

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

Vote:

Yes: 4 (Giliberto, Norton, Pestana, Suggs)

No: 0

Abstain: 0

The motion carried.

2. Karen Scott v. State of Connecticut Department of Developmental Services
CHRO Case No. 2430210
Presented by HRO Attorney Courtney Shields

To Disapprove the Request to Reopen for CHRO Case # 2430210 – Karen Scott v. State of Connecticut Department of Developmental Service:

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

Vote:

Yes: 4 (Giliberto, Norton, Pestana, Suggs)

No: 0

Abstain:0

The motion carried.

VII. EXECUTIVE SESSION

This requires a two-thirds vote of Commissioners present and voting; Staff and guests invited to attend must be noted.

1. CHRO ex.rel Amy Pinkerton v. Solomon Vegh-Housing Election

CHRO Case No. 2550011

Presented by HRO Attorney Jody Walker-Smith

At this point discussion ensued on whether to defer the Executive Session item to the March 2025 Commission Meeting due to there not being enough Commissioners to carry a vote. As a result, a motion was entertained.

To Defer the Executive Session Housing Election to the March 12, 2025, Commission Meeting:

Motion: J. Suggs
Second: L. Giliberto
Discussion: None

Vote:

Yes: 4 (Giliberto, Norton, Pestana, Suggs)

No: 0

Abstain:0

The motion carried.

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

VIII. DIVISION REPORTS

The Division Reports were deferred to the March 12, 2025, Commission Meeting.

IX. ANNOUNCEMENT OF TIME AND DATE OF NEXT MEETING

The next Commission Meeting will occur on Wednesday, March 12, 2025, at 2:00 PM. This meeting will be held in-person and virtually via Microsoft Teams.

X. ADJOURNMENT

To Adjourn:

Motion: A. Norton
Second: E. Pestana
Discussion: None

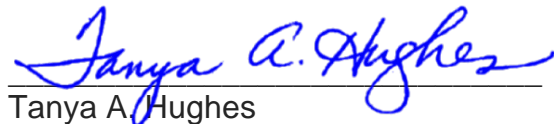
Yes: 3 (Giliberto, Norton, Pestana)
No: 0
Abstain: 0

The motion carried

The meeting adjourned 4:32 PM.

The Minutes of the Regular Commission Meeting dated February 19, 2025, were approved on March 12, 2025.

Prepared by:



Tanya A. Hughes
Executive Director