



State of Connecticut
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES
OFFICE OF PUBLIC HEARINGS

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Promoting Equality and Justice for all People

MEMORANDUM

To: Sharone Hubert
sharonehubert@gmail.com

Colleen Valentine, AAG
Colleen.valentine@ct.gov

From: Kimberly D. Morris, Secretary II, OPH 

Re: OPH/WBR No. 2021-457 Sharone Hubert v. State of Connecticut, Department of Correction.

Date: August 8, 2022

Enclosed is the Presiding Human Rights Referee's Ruling on Respondent's Motion to Dismiss.

cc.

Jon P. FitzGerald, Presiding HRR

STATE OF CONNECTICUT
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITES
OFFICE OF PUBLIC HEARINGS

Sharone Hubert, Complainant

OPH/WBR 2021-457

v.

State of Connecticut, Department of
Correction, Respondent

OFFICE OF
PUBLIC HEARINGS -CHRO
DATE 8/8/22
TIME 2:00 PM
RECEIVED BY [Signature]

August 8, 2022

Ruling on the respondent's motion to dismiss

On December 27, 2021, Ms. Hubert filed a complaint with the chief human rights referee alleging that the Department of Correction (DOC) violated General Statute 4-61dd. On March 2, 2022, DOC filed a motion to dismiss and/or strike the whistleblower retaliation complaint. On April 4, 2022, and April 19, 2022, Ms. Hubert filed her objections to the motion to dismiss/strike. On May 8, 2022, Ms. Hubert filed an amended complaint. DOC filed a motion to dismiss and/or strike the amended complaint on July 13, 2022. Ms. Hubert filed a motion to proceed without prejudice on the amended complaint on July 19, 2022. DOC then filed a reply on July 20, 2022; and Ms. Hubert filed a request to revise the complaint on July 22, 2022.

The motion to dismiss is granted and Ms. Hubert's request to revise is denied.

General Statute § 4-61dd (e) (2) requires that a complainant file a complaint no later than ninety days after an adverse personnel action has occurred or been threatened. In this case, construing the amended complaint most favorably for Ms. Hubert, the latest possible date that an adverse personnel action occurred was June 1, 2021, when Ms. Hubert retired. Because of the statutory ninety-day mandatory filing deadline, she needed to have filed her complaint on or before August 30, 2021. Because the complaint was not filed until December 27, 2021, the complaint is untimely and the motion to dismiss is granted.

It is so ordered this 8th day of August 2022.

/s/ Jon P. FitzGerald
Hon. Jon P. FitzGerald
Presiding Human Rights Referee

cc.

Sharone Hubert
sharonehubert@gmail.com

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