

**State of Connecticut
Commission on Human Rights and Opportunities
Regular Commission Meeting
Legislative Office Building – Rm 1A
Hartford, CT 06106
Wednesday, May 11, 2016
2:00 p.m.**



Regular Commission Meeting Minutes

Commissioners Present

Cherron Payne, Chair

Lisa Giliberto
Edith Pestana
Joseph Suggs
Andrew Norton

Edward Mambruno
Dawn Niles
Shuana Tucker

Staff Present

Cheryl Sharp, Deputy Director
Emily Melendez, Assistant Attorney General
Brian Festa, Commission Counsel 1
Donna W. Brilliant, Regional Manager

Robin Fox, Commission Counsel III
Kim Jacobsen, Commission Counsel III
Monica H. Richardson, Executive Secretary

I. **Chairperson**, Cherron Payne, Presiding

The meeting convened at 2:07 p.m.

II. **Secretary**, Edward Mambruno

A motion was made by Commissioner Pestana to approve the Minutes of the May 11, 2016 Regular Commission Meeting. It was seconded by Commissioner Norton. The vote was 5 – Yes, 0 – No, and 1 abstention. The motion carried.

III. **Affirmative Action Recommendations – Vote Required**

The Department of Consumer Protection, the Department of Energy and Environmental Protection, the Department of Veteran's Affairs, and the Department of Social Services plans were presented by Deputy Director Sharp.

A. Staff Recommendations: **Approval**

1. **Department of Consumer Protection**

Representing the agency were Commissioner Harris and Alicia Nunez, EEO Director (DAS).

The plan was recommended for **approval** based on compliance with the following: It contained all elements required; the agency demonstrated good faith efforts to achieve its goals; the agency has not met or substantially met all of its hiring goals at 50%, the promotion goals were met at 33.3% and the program goals were 100% met for this filing period. There were no deficiencies in the prior plan review.

The Contract Compliance Set-Aside Program for FY 2014/2015 showed 54% for the SBE Goal achievement and 125.4% for the MBE.

The five year filing history is as follows: 2009, 2010, 2011, 2012, and 2014 were approved. **They were recommended to retain their annual filing status.**

A motion was made by Commissioner Niles and seconded by Commissioner Norton to **approve** the plan and retain the annual filing status of the Department of Consumer Protection. The vote was unanimous. The motion carried.

2. **Department of Energy and Environmental Protection**

Representing the Agency were Deputy Commissioner Susan Whalen and EEO Officer, Barbara Vidella.

The plan was recommended for **approval** based on compliance with the following: It contained all elements required; the agency demonstrated good faith efforts to achieve its goals; the agency did not meet all or substantially meet all of its hiring goals at 43.2%. The promotion goals were met at 50% and the program goals were 100% met for this filing period. There were no deficiencies in the prior plan review.

The Contract Compliance Set-Aside Program for FY 2014/2015 showed 41.9% goal achievement for the SBE and 47.5% for the MBE.

The five year filing history is as follows: 2012 (first filing), 2013, and 2014 were approved. **They were recommended to retain their annual filing status.**

A motion was made by Commissioner Mambruno and seconded by Commissioner Norton to **approve** the plan and retain the annual filing status of the Department of Energy and Environmental Protection. The vote was 5 – yes and 1 –abstention. The motion carried.

3. Department of Veteran's Affairs

Representing the Agency were Commissioner Sean Connolly, Noreen R. Sinclair, HR, and Michael Clark.

The plan was recommended for **approval** based on compliance with the following: It contained all elements required; the agency demonstrated good faith efforts to achieve its goals; the agency did not meet all or substantially meet all of its hiring goals at 42.9%. There were no promotion goals established or accurate program goals to report for this filing period. There were no deficiencies in the prior plan review.

The Contract Compliance Set-Aside Program for FY 2014/2015 showed 11.5% goal achievement for the SBE and 14.9% for the MBE.

The five year filing history is as follows: 2009, approved, 2010, conditionally approved, 2011, 2012, approved and 2014 approved by default.

They were recommended to retain their biennial filing status.

A motion was made by Commissioner Niles and seconded by Commissioner Pestana to **approve** the plan and retain their biennial filing status of the Department of Veteran affairs. The vote was unanimous. The motion carried.

B. Staff recommendation: **Conditional Approval**

4. Department of Social Services

Representing the Agency were Deputy Commissioner Kathy Brennan, Astread Ferron-Poole, AA administrator, and Terri-Lyn Johnston, AA manager.

The plan was recommended for **conditional approval** based on the following: It contained all elements required; the agency partially demonstrated good faith efforts to achieve its goals; the agency did not meet all or substantially meet all of its hiring goals at 52.9%, and the promotion goals were met at 62.5%. The program goals were met at 100% for this filing period. There were no deficiencies in the prior plan review. The five year filing history is as follows: 2011 and 2012, approved, 2013, approved by default, 2014 and 2015, approved. **They are recommended to retain their annual filing status.**

The Contract Compliance Set-Aside Program for FY 2014/2015 showed 290% goal achievement for the SBE and 516% for the MBE.

A motion was made by Commissioner Niles and seconded by Commissioner Pestana for an **approval** for the Department of Social Services and to retain their annual filing status. The vote was: 5- yes and 1 – abstention for an **approval**. The motion carried.

IV. Division Reports

Executive Director's Report: Cheryl Sharp, Deputy Director

The ED report was verbally presented by Deputy Cheryl Sharp while Director Hughes was on vacation. The written report was not available for immediate review but was promised within the week. Commissioner Suggs requested advanced receipt of the ED report at each commission meeting along with all other commission materials. The aged case inventory has gone from a 60% backlog (3 years ago) to less than 5% at present. The goal is to reach a zero percent backlog by the end of the fiscal year. There have been some retirements along with the budget crisis which have made case processing more difficult but the regions are working hard to attain the goal.

The Legislative Liaison was one of the positions that went unfilled after Jim O'Neill retired. Several staff members from Legal were deployed during the legislative session this year this has had an effect on the case processing.

Currently, the agency is being investigated by the Legislative Review committee. They have not done a report on CHRO since 1999. They were present at the meeting.

Outreach Report: Cheryl Sharp, Deputy Director

Deputy Director Sharp provided a full report on many outreach activities including:

Future:

Transgender Lives conference, April 30
LERA Presentation, April 29
Fair Housing Law Training, April 12
Kid's Speak, May 24, still need speakers, registration closed- 450 kids

Successes:

Meriden Mosque, session on bullying
What about Faith: Woman Debunking Religious Myths
Safe Schools Climate Coalition

Legislative Update, Michelle Dumas Keuler

There was a legislative session planned for the Senate to vote on the budget the day after the meeting. The Fair Chance employment bill did pass and is waiting for the Governor's signature.

The handout further highlights the bills of interest to CHRO.

{Commissioner Niles left at 3:16}

V. Request to Reopen:

Quentin L. Pitts v Chrysalis Center, Inc.
CHRO No. 1510531

A motion was made by Commissioner Mambruno to accept staff recommendation to deny the reopening request. 5 – yes, 0 –No, 0- abstentions. The motion carried.

VI. New Business, Waterbury School District

There is going to be a Fact finding/ public hearing at the Waterbury Career Academy from 6 to 9:30 on May 31 in the school cafeteria. CHRO has placed a legal notice in the CT law Journal and the Waterbury Republican American. It will also be on Twitter and FACEBOOK.

A motion was made to go into Executive Session by Commissioner Giliberto and seconded by Commissioner Pestana. The motion carried. The vote was unanimous.

Chair Payne asked that, Deputy Director, Cheryl Sharp, Assistant Attorney General Emily Melendez, Commission Attorneys Michelle Dumas Keuler, Kim Jacobsen, and Jodi Walker Smith to join the Commissioners in Executive Session.

VII. Executive Session:

(Requires a two-thirds vote of Commissioners Present and Voting – Staff and Guests Invited to Attend Must Be Noted)

A motion was made to come out of Executive Session at 4:11 pm by Commissioner Norton and seconded by Commissioner Suggs.

VIII. Vote on Executive Session items:

(Action May Be Required)

1. CHRO ex rel. Karen Casper v. CT Metro Holdings I, Corp
CHRO No. 1550231

A motion was made to approve filing this case in court by Commissioner Suggs and seconded by Commissioner Pestana. The vote was 4 – yes. This was unanimous. The motion carried.

2. CHRO ex rel. Karen Casper v. Nubreed Enterprises Inc.
CHRO No. 1550232

A motion was made to approve filing this case in court by Commissioner Pestana and seconded by Commissioner Giliberto. The vote was 4 – Yes. This was unanimous. The motion carried.

3. CHRO ex rel. Janele McKay v. Anthony Fuschetto
CHRO no. 1550256

A motion was made to approve filing this case in court by Commissioner Pestana and seconded by Commissioner Suggs. The vote was 4 – yes. This was unanimous. The motion carried.

4. CHRO ex rel. Theresa Bell v. the Higgins Group, Inc.,
CHRO No. 1550109
Theresa Bell v. 99 Prospect, LLC,
CHRO No. 1550108

A motion was made to approve filing these companion cases in court by Commissioner Pestana and seconded by Commissioner Suggs. The vote was 4 – yes. This was unanimous. The motion carried.

5. CHRO v. City of West Haven,
CHRO No. 1230386

A motion was made to follow staff recommendation and approve the settlement by Commissioner Suggs and seconded by Commissioner Pestana. The vote was 4 – yes. This was unanimous. The motion carried

IX. Old Business

X. Adjournment

A motion was made by Commissioner Pestana to adjourn the meeting and seconded by Commissioner Suggs. The motion to adjourn carried unanimously. The meeting ended at 4:18 p.m.