

**State of Connecticut
Commission on Human Rights and Opportunities
Regular Commission Meeting
Legislative Office Building – Rm 1A
Hartford, CT 06106
Wednesday, August 10, 2016
2:00 p.m.**



Regular Commission Meeting Minutes

Commissioners Present

Cherron Payne, Chair
Dawn Niles
Edith Pestana
Andrew Norton

Commissioners Absent

Edward Mambruno, Secretary
Joseph Suggs
Shuana Tucker
Lisa Giliberto

Staff Present

Charles Krich, Principal Attorney

Emily Melendez, Assistant Attorney General	Brian Festa, Commission Counsel I
Robin Fox, Commission Counsel III	Michael E. Roberts, Commission Counsel I
Monica Richardson, Executive Secretary	

I. Chairperson, Cherron Payne, Presiding

The meeting convened at 2:05 p.m.

II. Secretary, Edith Pestana for Edward Mambruno

A motion was made by Commissioner Norton to approve the Minutes of the July 13, 2016 Regular Commission Meeting. It was seconded by Commissioner Edith Pestana. The motion carried with 1 abstention.

III. Affirmative Action Recommendations – Vote Required

The following plans were presented by Principal Attorney Charles Krich: Department of Transportation, Housatonic Community college, and Norwalk Community College.

A. Staff Recommendations: **Approval**

1. **Department of Transportation**

Representing the agency were James Redeker, Commissioner, and Nancy Bryant, EEO Manager.

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 had not met or substantially met all of its hiring goals at 31.4%, promotion goals were met at 31% and 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 227.9% for the SBE Goal achievement and 273.2% for the MBE.

The five year filing history is as follows: 2011, 2012, 2013, 2014, and 2015, they were approved. They were recommended for approval and to retain their annual filing status.

A motion was made by Commissioner Andrew Norton and seconded by Commissioner Dawn Niles to **approve** the plan and retain the annual filing status of the Department of Transportation. The motion carried unanimously.

2. **Housatonic Community College**

Representing the college was Steve Weinberger, Vice President for HR of CT State colleges and universities

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 all of its hiring goals at 65.0%. The promotion goals were met at 50% and the program goals were 100% met for this filing period. There was one deficiency in the prior plan review and

The Contract Compliance Set-Aside Program for FY 2014/2015 showed 206% goal achievement for the SBE and 297% for the MBE.

The five year filing history is as follows: 2009 and 2010, approved, 2011, approved by default, 2012 and 2014 were approved. 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 the biennial filing status of the Housatonic Community College. The motion carried unanimously.

B. Staff recommendation: **Disapproval**

7. Norwalk Community College

Representing the Agency were Cheryl C. DeVonish, Esq., Chief Diversity Officer and Therese Marrocco, Director of HR.

The plan was recommended for **disapproval**. While it contained all elements required, the agency demonstrated non-compliance in several instances.

The agency did not demonstrate good faith efforts to achieve its goals: the agency did not meet all or substantially meet all of its hiring goals with 3 out of 10 hiring goals or 30%; promotion goals were set and 33.3% of program goals were met for this filing period.

There were deficiencies in the prior plan review that were not substantially addressed. A Letter of Commitment was sent.

The Contract Compliance Set-Aside Program for FY 2014/2015 showed 83.9% goal achievement for the SBE and 26.0% for the MBE.

The filing history is as follows: 2010 and 2011 disapproved, 2011, 2012 and 2013, approved and 2015, conditionally approved. They are recommended for disapproval and to retain annual filing status.

A motion was made by Commissioner Norton and seconded by Commissioner Pestana for disapproval of the proposed affirmative action plan for the Norwalk Community College and to move to annual filing status. The motion for **disapproval** was carried by unanimous vote.

IV. Division Reports

Executive Director's Report: presented by Charles Krich, Principal Attorney

Attorney Charles Krich reported on behalf of Executive Director Hughes who was away on vacation. He reported that this last fiscal year (2015-16) has been the best in the lifetime of the Commission. In 1987 1700 cases were closed and this year we closed over 2700. Over 100 more cases were closed than were closed 30 years ago. We had 117 employees in 1987 and presently we have about 74 employees. He stated, "The agency has made amazing strides in getting speedier justice to people in these matters."

A detailed report was provided.

Outreach Report: presented by Charles Krich, Principal Attorney

Attorney Charles Krich reported on behalf of Deputy Director Sharp who was away at the International Association of Official Human Rights Agencies Conference.

Future events include:

- IAOHRA conference – Cheryl Sharp and Michelle Dumas Keuler attending
- Ms Foundation for Woman – Executive director Hughes and Deputy Director Sharp are attending
- Racial Profiling Advisory Board

Successes/ past events included:

- FOX News Appearance - Cheryl Sharp appeared on July 27 and spoke about disparities in Health Care and equal access to health and human services
- CHRO interns have completed their summer assignments with CHRO.

A detailed report was provided.

V. Executive Session

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

Commissioner Andrew Norton moved to go into executive session. The motion was seconded by Commissioner Edith Pestana. The motion carried by unanimous vote.

Invited into executive session were: Attorney Charles Krich, Attorney Brian Festa, Attorney Michael Roberts and Assistant Attorney General Emily Melendez.

1. CHRO ex rel. Kimberly Johnson v. Jessica Figueroa, et al
CHRO Case No.1550201

2. CHRO ex rel. Kimberly Johnson v. William Raveis Real Estate, et al
CHRO Case No. 1550202

Presented by, Brian Festa, Attorney, CHRO

3. CHRO ex rel. Glen Liou v. The Travelers Indemnity, et al
CHRO Case No. 1550261

Presented by: Michael E. Roberts, Attorney, CHRO

VI. Return from Executive Session

Commissioner Dawn Niles moved to resume the meeting following executive session at 3:54pm. The motion was seconded by Commissioner Edith Pestana. The motion carried unanimously.

1. CHRO ex rel. Kimberly Johnson v. Jessica Figueroa, et al
CHRO Case No.1550201

2. CHRO ex rel. Kimberly Johnson v. William Raveis Real Estate, et al
CHRO Case No. 1550202

Commissioner Niles moved to accept staff's recommendation to file in Danbury Court for damages. The motion was seconded by Commissioner Pestana. The motion carried unanimously.

3. CHRO ex rel. Glen Liou v. The Travelers Indemnity, et al
CHRO Case No. 1550261

Commissioner Pestana moved that Counselor Roberts provide more details regarding the referenced job announcement and moved to not accept (deny) staff's recommendation. The motion was not seconded.

Commissioner Norton moved to accept staff's recommendation to join the complaint on behalf of Mr. Liou. The motion was seconded by Commissioner Niles. The motion carried.

Commissioner Niles will sign the amended complaint for the Commission.

VII. New Business: Water Public Schools

CHRO reported that it received several thousand pages of discovery from the City of Waterbury. On September 2, 2016, CHRO is scheduled to meet with Attorney Peter Havilland, from the State Department of Education.

VIII. Old Business

IX. Adjournment

A motion was made by Commissioner Dawn Niles to adjourn the meeting and seconded by Commissioner Andrew Norton. The motion to adjourn carried unanimously. The meeting ended at 4:05 p.m.