

**STATE OF CONNECTICUT
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES
REGULAR COMMISSION MEETING
LEGISLATIVE OFFICE BUILDING – ROOM 1D
HARTFORD, CT 06106
WEDNESDAY, November 13, 2013
2:00 P.M.**



MINUTES

Regular Commission Meeting

COMMISSIONERS PRESENT

Gary Collins, Chairperson
Edward Mambruno, Secretary
Cheryl Lynn Clarke
Tracey Gove
Cesar A. Noble
Andrew Norton
Edith Pestana
Dawn Niles

COMMISSIONERS ABSENT

Patricia Wrice

STAFF PRESENT

Tanya A. Hughes, Interim Executive Director

David Teed, Assistant Attorney General
Jim Flynn, Regional Manager
Neva Vigezzi, AA Program Analyst
Patrick Kilby, AA/CC Asst.
Valerie Kennedy, HRO Representative
Monica Hammie-Richardson, Executive Secretary
Michelle Dumas Keuler, HRO Attorney III
Donna Wilkerson Brilliant, Regional Manager

Charles Krich, Principal Attorney
Cheryl Sharp, HRO Attorney III
Alvin Bingham, AA/CC Supervisor
Yvonne Duncan, HRO Attorney
Sue Hom, HRO Representative
Alix Simonetti, HRO Attorney III
Robin Fox, HRO Attorney III
Margaret Nurse-Goodison, Atty III

I. CHAIRPERSON: Gary H. Collins, Presiding

Chairperson Gary Collins convened the Wednesday, November 13, 2013, Regular Commission meeting of the Human Rights and Opportunities to order at 2:01 p.m.

Chairperson Collins welcomed all and thanked them for attending this meeting. Chairman Collins indicated that the agenda needed to be amended to include an item under section VIII,b. vote Executive Session items regarding the Executive Director Search committee. Commissioner Norton moved to add this section. It was seconded by Commissioner Gove. The vote was unanimous. The motion carried.

II. SECRETARY: Edward Mambruno

Secretary Mambruno requested a motion to approve the minutes for the August 14, 2013 meeting. The motion was made by Commissioner Gove and seconded by Commissioner Pestana. The vote was unanimous. Secretary Mambruno next requested a motion to accept the minutes from the September 17, 2013 meeting. Commissioner Gove made the motion to approve the September minutes and it was seconded by Commissioner Noble. The vote was unanimous. Both motions carried.

III. AFFIRMATIVE ACTION RECOMMENDATIONS – VOTE REQUIRED:

A. Staff Recommendations: Approved

- (1) Worker's Compensation Commission
- (2) Metropolitan District Commission
- (3) Department of Motor Vehicles
- (4) Department of Administrative Services

Presiding Chairman Collins asked for staff recommendations for approval of four Affirmative Action plans listed above. He recognized all representatives from each agency by name and title and thanked them for coming. Alvin Bingham was called upon to present each plan.

1. Worker's Compensation Commission

Representing the Agency were John Mastropietro, Chairman, Sandra Cunningham, Director of Human Resources and Peter Miecznikowski. The Worker's Compensation plan was recommended for approval based on compliance with the following: it contained all elements required; the agency has met all or substantially all of its hiring and program goals. They demonstrated good faith efforts by having met all of its goals; no deficiencies were noted in the prior plan review, thus no letter of commitment was required. The only noted weak section was in reporting the Worker's Compensation Commission's compliance in the sexual harassment training mandate. The five year history of prior plans revealed their plans were approved in 2007-2011. No 2012 plan was filed because this agency went to biennial filing after 2011.

There were no questions or comments from the Commissioners.

2. Metropolitan District Commission

Representing the agency were John Zinzarella, Chief Financial Officer, Erin Ryan, Director of Human Resources, Chris Stone, Assistant Legal Officer and Rita Kelley, Affirmative Action Officer.

The Metropolitan District Commission (MDC) plan was recommended for approval based on compliance with the following: it contained all the elements required; it did not meet or substantially meet all of its hiring and promotion goals. All program goals were met. The MDC substantially addressed the deficiencies noted in the prior plan review in the areas of hiring/promotion goals and they are no longer deficient. In 2011 the Metropolitan District Commission was recognized as a new agency. In 2011 and 2012 they were approved.

There were no questions or comments from the Commissioners.

3. Department of Motor Vehicles

Representing the agency were Commissioner Melody Currey, Daniel Callahan, HR Administrator, and Natalie Shipman, EEO Manager.

The Department of Motor Vehicles plan was recommended for approval based on compliance with the following: all elements required were present; good faith efforts were shown in its goal achievements and there were no deficiencies from the previous plan. The agency has not met all or substantially all of its hiring and promotion goals. The only noted weak section was in the area regarding timeframes for filing, processing and resolution of internal complaints. The five year history of previous plans is as follows: 2008- 2012 were approved. Chair Collins asked if there were questions or comments.

There were no questions or comments from the Commissioners.

4. Department of Administrative Services

Representing the agency was Renee' LaBarge, Alicia Nunez, David Lynn, and Brenda Abele

The Department of Administrative Services plan was recommended for approval based on compliance with the following: all elements required were present; good faith efforts were shown in its goal achievements. There were no deficiencies in the prior plans. The five year history of previous plans is as follows: In 2008 it was approved, 2009 –conditionally approved, and 2010, 2011, and 2013 were approved.

There were no questions or comments from the Commissioners.

The motion to accept the four plans was made by Commissioner Mambruno and seconded by Commissioner Clark. It was approved unanimously.

B. Staff Recommendations: Disapproved

a. Southern CT State University

Subsequent to posting the agenda for the meeting, the agency notified the Commission that it had received notice of the recommendation and meeting late. Chairman Collins entertained a motion to postpone discussion and action on the Southern Connecticut State University Plan until a later date by special Commission meeting. This plan was recommended by Commission staff for a disapproval of their plan. The motion to table was made by Commissioner Mambruno and seconded by Commissioner Gove. The vote was unanimous. Motion carried. The reason this was tabled was due to the late notice to the agency.

IV. CONTRACT COMPLIANCE REQUIREMENTS

**A. University of Connecticut Request for Exemption,
Alix Simonetti, Human Rights Attorney III**

Attorney Alix Simonetti explained the Request for Exemption for UCONN Health Center. The request is for extending the blanket exemption which currently expires on November 13, 2013 for one year, until November 13, 2014.

Chairman Collins called for a motion. Commissioner Pestana made the motion to grant the request for exemption. It was seconded by Commissioner Clark. The vote was unanimous. Motion carried.

V. DECLARATORY RULING:

Marjorie Arnold v. Valley Emergency Medical Services

Valley Emergency Medical Services (VEMS) is currently a Respondent in a discrimination complaint filed by Marjorie Arnold which is currently being litigated in a public hearing before a CHRO Referee. At the Public Hearing, VEMS had filed a Motion to Dismiss on the grounds that CHRO had no authority to withdraw a release of jurisdiction. The Referee had denied that Motion to Dismiss. VEMS then filed this Request for a Declaratory Ruling with the nine member Commission pursuant to Conn. Gen. Stat. 4-176 on exactly the same grounds. VEMS and Marjorie Arnold and CHRO were all represented by counsel at this Commission meeting. The CHRO legal department recommended that this matter be set for specified proceedings pursuant to

Conn. Gen. Stat. 4-176 (e)(2). The attorney for VEMS disagreed and asked the Commissioners to issue a declaratory ruling on the issue. Commissioner Norton made a Motion to Postpone the decision on the Request until the December 2013 Commission meeting and Commissioner Noble seconded that Motion. VOTE: 3 Commissioners voted in favor of the Motion and 4 voted against it, so the Motion failed. Commissioner Noble then made a Motion to decide not to issue a Declaratory Ruling, pursuant to Conn. Gen. Stat. 4-176(e)(5), for the reason that this issue had already been decided at the public hearing by the Referee. Commissioner Norton seconded the Motion. VOTE: 4 Commissioners voted in favor of the Motion, and 3 voted against it, so the Motion carried.

VI. DIVISION REPORTS:

A. Executive Director's Report: Tanya Hughes, Interim Executive Director

The ED report was presented by interim ED, Tanya Hughes. It included the HUD grant award totaling \$227,000 to conduct housing related testing and the addition of new employees and interns.

Regional Manager Jim Flynn was available to provide an update on CHRO's Complaint Tracking System (CTS). Updated information was also shared about recent training opportunities with EEOC as well as media attention on our racial profiling activities.

AED Hughes announced the development of a CHRO strategic enforcement plan and requested the input and feedback from the commissioners regarding the SWOT analysis (strengths, weaknesses, opportunities and threats).

A holiday training retreat is being planned for December 20. All Commissioners are invited and encouraged to attend.

B. Outreach Report: Cheryl Sharp, Human Rights Attorney 3

Attorney Cheryl Sharp highlighted a list of 20 items related to education and outreach including, the racial profiling update, the Town Hall meeting on November 20 to be held at Career HS in New Haven, the UCONN Law School Medical Marijuana conference was attended by CHRO Housing representatives, Facebook and Twitter, and Operation All Hands on Deck, which explains our ELI –Early Intervention Process. CHRO received a \$227,000 grant from HUD. An enlightening array of education and outreach was presented.

C. Legislative Report:

a. Affirmative Action Regulations Review and vote

The Legislative report was presented by Jim O'Neill. He informed the commission that he is currently working with agency staff and external

stakeholders to solidify our 2014 legislative package. A more detailed report will be provided in December.

VII. EXECUTIVE SESSION:

Chairperson Collins asked for a Motion to go into Executive Session and to include CHRO Attorney Margaret Nurse-Goodison and Assistant Attorney General David Teed. Such a Motion was made by Commissioner Mambruno and seconded by Commissioner Clark. The Motion was approved unanimously.

At 4:05pm the Commission returned to Regular Session from Executive Session and Chairperson Collins noted that no votes were taken in Executive Session.

VIII. VOTE ON EXECUTIVE SESSION ITEMS:

A. Reopening Request:

Chukwuemeka “Bill” Okwuosa v. Open Door Shelter – A Motion was made by Commissioner Norton to deny the request to reopen in this case. Commissioner Mambruno seconded the Motion. The Motion was approved unanimously.

B. Executive Director Search Committee Decision - A Motion was made by Commissioner Mambruno to appoint Tanya Hughes to a four year term as Executive Director of the CHRO. Commissioner Pestana seconded the Motion. The Motion was approved unanimously. Chair Collins explained there was a nationwide search for applicants to lead the Nation’s oldest Civil Rights organization in the country. All the candidates were exceptionally talented in civil rights and the pool was narrowed down to four applicants. Tanya Hughes was given the position and maximum of 4 years to be the permanent Director. The Commissioners have the utmost confidence in her abilities based on what she had accomplished in the short time she had been the Interim Director. They were “blown away” by what had been accomplished by her and the staff at CHRO from the time she began and offered one hundred percent of their support. Commissioner Noble emphasized the unanimous vote of all the Commissioners for her appointment. Mrs. Hughes was congratulated by all the Commissioners and applause was made by the public present. Pictures were taken.

C. Litigation Report – no motion made or vote taken

IX. ADJOURNMENT

A motion was made to adjourn by Commissioner Clark and seconded by Commissioner Gove. The vote was unanimous. The meeting was adjourned at 4:17pm.