

**MINUTES OF THE REGULAR MEETING OF THE  
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES  
LEGISLATIVE OFFICE BUILDING – ROOM 1A  
HARTFORD, CT 06106  
WEDNESDAY, NOVEMBER 9, 2011  
2:00 P.M.**

**COMMISSIONERS PRESENT**

Andrew Norton, Chairperson  
Cheryl Lynn Clarke (on phone)  
Edward Mambruno, Secretary  
Edith Pestana  
Dawn Niles  
Tracey Gove

**COMMISSIONERS ABSENT**

Patricia Wrice

**STAFF PRESENT**

Robert J. Brothers, Jr., Executive Director  
David Teed, Assistant Attorney General  
Cheryl Sharp, Human Rights Attorney III  
Margaret Peters, Secretary II

**I. CHAIRPERSON**

Chairperson Andrew Norton convened the November 9, 2011 regular monthly meeting of the Commission on Human Rights and Opportunities to order at 2:15 p.m.

Executive Director Brothers requested that the agenda be amended to include under Other Business a Contract Compliance Exemption Request from the University Of CT Health Center. Chairperson Norton asked for a motion to open the agenda to add an item under Other Business; the Contract Compliance Exemption Request from the University Of CT Health Center. A motion was made to do so by Commissioner Gove and Seconded by Commissioner Mambruno. The motion passed unanimously. The agenda is amended to include this item.

## II. SECRETARY

Chairperson Andrew Norton requested approval of the minutes of Wednesday October 12, 2011 Commission meeting. A motion was made by Commissioner Pestana to approve the October 12, 2011 minutes as presented and seconded by Commissioner Niles. The motion passed unanimously. Minutes are approved as presented. Chairperson Norton did not vote on the motion.

## III. GUEST SPEAKER

None

## IV. OUTREACH REPORT - Attorney Cheryl Sharp from the Legal Division

Attorney Cheryl Sharp from the Legal Division noted that CHRO hosted a civil rights conference on Public Act #11-237 on October 20, 2011. One hundred Attorneys, Human Resources Staff and Management employees were in attendance. CHRO continues to receive requests for training on P.A. 11-237. A second conference will be held in the Spring.

Attorney Cheryl Sharp, Dr. Bill Howe, DOE, Lisa Tregoning, Governor's Prevention Partnership and Caleb Lopez, SRO, South Windsor, trained 2,000 teachers and administrators in New Haven public schools regarding Conn. Gen. Stat. 46a-64 Public Accommodations, 46a-58 Deprivation of rights, the anti-bullying law and the transgender law. CHRO's Executive Director issued a dear colleague letter to all Superintendents in CT regarding discriminatory bullying.

CHRO hosted a workshop for employers to highlight that Civil Rights is good for business. Kia Murrell with the CBIA spoke favorably about the CHRO and discussed forging a partnership with the agency in the future.

The next Kids Speak and Kid's Court competition will be held in May of 2012. The purpose of the competition, which began in 1993, is to raise students' social awareness with respect to civil and human rights issues, to reduce prejudice and discriminatory bullying and to celebrate diversity.

## V. AFFIRMATIVE ACTION RECOMMENDATIONS – VOTE REQUIRED

- A. Staff Recommendations: ***Approvals***
  - 1. Workers Compensation Commission
  - 2. Department of Motor Vehicles
  - 3. Metropolitan District Commission

Chairperson Norton asked for a motion to accept staff recommendations for approval of the three Affirmative Action Plans: Workers Compensation Commission (biannual filing), Department of Motor Vehicles and Metropolitan District Commission and that the motion includes the retention of their annual filing status. Such a motion was made by Commissioner Mambruno seconded by Commissioner Gove, and a discussion began. Alvin Bingham reported the following:

1. Workers Compensation Commission

The Workers Compensation Commission plan is recommended for approval based on compliance with the following: the plan contains all elements required; the agency has met all of its hiring and program goals; and the agency had no deficiencies in the prior plan reviews.

2. Department of Motor Vehicles

The Department of Motor Vehicles plan is recommended for approval based on noncompliance with the following: the plan contains all elements required; the agency has met all program goals; the agency has demonstrated every good faith effort to achieve its goals; and the agency had no deficiencies in the prior plan reviews.

3. Metropolitan District Commission

The Metropolitan District Commission plan is recommended for approval based on compliance with the following: the plan contains all elements required; the agency has met all or substantially all of its hiring, promotion and program goals; the agency had no deficiencies noted by the Commission in the previous plan reviews.

Chairperson Norton called for a vote on the motion concerning the three plans. The motion was approved unanimously. Chairperson Norton did not vote on the motion.

B. Staff Recommendations: **Conditional approval**

Chairperson Norton asked for a motion to accept the staff recommendation for conditional approval of the Department of Labor and that the motion include the retention of their annual filing status. A motion was made by Commissioner Pestana and seconded by Commissioner Clarke. Alvin Bingham reported the following:

1. Department of Labor

The Department of Labor plan is recommended for conditional approval based on the following: the plan contains all elements required; the agency has not met all or substantially all of its hiring, promotion and program goals; the agency has demonstrated every good faith effort to achieve its goals; and the agency had no deficiencies in prior plan reviews.

Chairperson Norton called for a vote on the motion to accept the staff recommendation for Conditional approval of the Department of Labor and the retention of their annual filing status. The motion was approved unanimously. Chairperson Norton did not vote on the motion.

C. Staff Recommendations: **Disapproval**

Chairperson Norton asked for a motion to accept the staff recommendation for disapproval of Southern Connecticut State University and that the motion include the retention of their annual filing status. A motion was made by Commissioner Gove seconded by Commissioner Clarke. Alvin Bingham reported the following:

1. Southern Connecticut State University

The Southern Connecticut State University plan is recommended for disapproval based on non-compliance with the following: the workforce, considered as a whole and by occupational category, is not in parity with the relevant labor market area; the agency has not met all or substantially all of its hiring, promotion and program goals; the agency has not demonstrated every good faith effort to achieve such goals.

Chairperson Norton called for a vote on the motion to accept staff recommendation for disapproval of Southern Connecticut State University. The motion was approved with Commissioner Pestana abstaining. Chairperson Norton did not vote on the motion.

**VI. OTHER BUSINESS - Agenda was amended to include Exemption**

Chairperson Norton requested a motion to accept staff recommendations to grant a blanket waiver exemption from certain contract compliance requirements on the following: a request from the University of Connecticut Health Center for grant-based collaborative and consulting agreements. Executive Director Brothers requested that The Health Center would be at a competitive disadvantage with other academic medical research facilities throughout the United States if the exemption were not granted.

A motion was made by Commissioner Mambruno and seconded by Commissioner Pestana to grant a blanket waiver exemption from certain contract compliance requirements for the University of Connecticut Health Center for grant-based collaborative and consulting agreements for one year (Nov. 9, 2011 through Nov. 9, 2012). The motion passed unanimously. Chairperson Norton did not vote on the motion.

## **VII. DIVISION REPORTS**

### **A. Legislative Report**

Executive Director Brothers gave an update on legislative report. During the special session nothing has arisen that concerns the CHRO and CHRO has not yet submitted its proposal to the Legislature.

### **B. Executive Director's Report**

Executive Director Brothers announced good news that three referees are coming on board in the near future and he believes this is in part a result of the letter that went out from the Commissioner's to the Governor's office regarding the appointment of Hearing Referees.

The Executive Director is in the process of moving OPH from 450 Capitol Avenue to 25 Sigourney Street. The office of Public Hearing will be housed on the other side of a wall next to where CHRO is located on the 7<sup>th</sup> floor, this will make it convenient for the public. The Executive Director is sure that by the next Commission meeting all of this will be in place.

As of October 1, 2011 the New Public Act #11-237 became law and we are currently using P.A. #11-237. In reference to Public Act #11-237, it changes the investigative process. The Legal dept. is now involved in mediating cases. The attorneys previously did not get involved until cases were certified to public hearing, now they are involved up front. The cases should move along more quickly with the early intervention of the Legal Dept.

## **VIII. EXECUTIVE SESSION**

Chairperson Norton asked for a motion to go into Executive Session to discuss pending litigation. A motion was made by Commissioner Pestana and seconded by Commissioner Gove. Executive Director Brothers and Assistant Attorney General David Teed were invited into Executive Session for a portion of the Executive Session, for the purpose of discussing pending litigation. The motion passed unanimously. Chairperson Norton did not vote on the motion.

**X. RETURN TO REGULAR SESSION**

At 3:50 p.m. the Commission returned to the regular meeting. The Chairperson reported no votes were taken in the Executive Session.

**IX. VOTE ON EXECUTIVE SESSION ITEMS**

(Requires a Vote by Commissioners on the Record)

None

**XI. ADJOURNMENT**

There being no further business to come before the Commission, it was moved by Commissioner Mambruno and seconded by Commissioner Pestana to adjourn the meeting at 3:55 p.m. The motion carried unanimously. Chairperson Norton did not vote.