

STATE OF CONNECTICUT
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES

REGULAR COMMISSION MEETING
21 GRAND STREET
HARTFORD, CT 06106

THURSDAY, MARCH 8, 2007
2:11 P.M.

COMMISSIONERS PRESENT:

ANDREW M. NORTON, CHAIRPERSON
LILLIAN BROWN
JIMMIE L. GRIFFIN
CHERYL LYNN CLARKE
EDWARD MAMBRUNO
GLORIA MENGUAL
GEORGE MARSHALL
LARRY CONAWAY
JOHN LOBON

STAFF PRESENT:

RAYMOND P. PECH, EXECUTIVE DIRECTOR
ROBERT BROTHERS, MANAGING DIRECTOR &
COMMISSION ATTORNEY
ALVIN BINGHAM, AA/CC SUPERVISOR
LENA FERGUSON, LEGISLATIVE & REGULATIONS
SPECIALIST
DON NEWTON, CHIEF OF FIELD OPERATIONS

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RE: COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES
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1 . . .Verbatim proceedings of a meeting
2 before the State of Connecticut, Commission on Human
3 Rights and Opportunities, held at the office of the
4 Commission on Human Rights and Opportunities, 21 Grand
5 Street, Hartford, Connecticut, on March 8, 2007 at 2:11
6 p.m. . . .

7
8
9 CHAIRPERSON ANDREW NORTON: Excuse me. Let
10 me first start by apologizing. I thought I could get away
11 with a five-minute lunch and I was wrong. I will convene
12 this March 8th meeting of the Connecticut Commission on
13 Human Rights and Opportunities at 2:11, and the first
14 order of business is the secretary's report. Commissioner
15 Mambruno?

16 MR. EDWARD MAMBRUNO: Thank you, Mr. Chair.
17 I'd like to seek approval for the minutes of the verbatim
18 transcript on February 8, 2007.

19 CHAIRPERSON NORTON: Is there a motion to
20 approve the minutes in the form of a transcript for the
21 February 8th meeting?

22 MS. LILLIAN BROWN: So moved.

23 CHAIRPERSON NORTON: Is anyone seconding
24 that motion?

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1 MR. GEORGE MARSHALL: Second.

2 CHAIRPERSON NORTON: Is there any
3 discussion of that motion or questions? If there isn't,
4 all those in favor of those minutes, say "aye."

5 VOICES: Aye.

6 CHAIRPERSON NORTON: Anyone opposed? Is
7 there anyone abstaining? The minutes are approved.

8 MR. JOHN LOBON: Abstaining.

9 CHAIRPERSON NORTON: Oh, I'm sorry.
10 Commissioner Lobon abstains. All other Commissioners
11 voted aye. Thank you, Commissioner Lobon. Roman Numeral
12 No. III, Division Reports. Give me just a second. You
13 wanted 30 seconds after I convened the meeting, according
14 to this note.

15 MR. RAY PECH: Yes.

16 CHAIRPERSON NORTON: Director Pech?

17 MR. PECH: Two things. The
18 transcriptionist asked before you got here if -- he had
19 some trouble last week identifying which among the
20 Commissioners were speaking, so I'm wondering, at least
21 for today, if one of you speaks, you could identify
22 yourself, because he can't really see behind the row and
23 see your names and associate the voices with the names and
24 so forth.

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1 Second, on a much brighter note, I have two
2 introductions I'd like to make. Both are not new to some
3 of you. First, Sal Marino, who many of you may remember,
4 filled in between Leanne Appleton and Nandi Colon as our
5 fiscal administrative manager. He's a retired FAM from
6 the State Police, and we don't let him retire. We keep
7 bringing him back. But Sal was gracious enough to agree
8 to come for a month or so until we can appoint a new
9 fiscal administrative person so, Sal, could you stand up
10 for the new folks that don't know you? (Clapping)

11 And on a second and more permanent note, I
12 am very happy to introduce Linda Civitillo, who has a long
13 history with this agency. Not that long, Linda says.
14 Going back to when I first came here, which was just the
15 other day, she was the executive secretary to our then
16 assistant director, Angelo Serluco and, most recently, she
17 was the executive secretary for Cynthia Watts-Elder, and I
18 was very fortunate to --

19 I knew, when I assumed this position in
20 December, I knew who I wanted for a secretary. It takes
21 awhile to wend your way through the State system, but I'm
22 very glad that Linda is here, so, Linda, could you stand
23 up for a minute? (Clapping) She will help very much to
24 straighten me out and keep my office neat. It might even

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1 look neat in a month or two when you come in.

2 CHAIRPERSON NORTON: And are you going to
3 introduce the clean-shaven man sitting next to you?

4 MR. PECH: Yeah, I know. Maybe some folks
5 don't recognize him anymore. This is the new and improved
6 Bob Brothers.

7 CHAIRPERSON NORTON: I think a small, well-
8 trimmed beard is attractive, but (laughter). Commissioner
9 Griffin?

10 MR. JIMMIE GRIFFIN: Just quickly. I know
11 it's not on the agenda, but I just wanted to make sure
12 that we acknowledge that today is the International
13 Women's Day for all you women. (Clapping)

14 CHAIRPERSON NORTON: Seems like every day
15 women are (laughter). No. Thank you, Commissioner
16 Griffin, for pointing that out, and we join in the
17 celebration. And, as we go onto our section on Division
18 Reports, the first part being affirmative action plans,
19 I'll remind people that we will have, I guess, Mr. Bingham
20 read out the names of people who are sharing their
21 presence with us from those agencies.

22 If you could just stand up and just give a
23 nod when he does that and you can sit right back down,
24 just so we can put a face to a name, that would be super.

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1 And, so, I am going to entertain a motion to accept staff
2 recommendation for approval for the following four
3 agencies, DPUC, Department of Insurance, Connecticut
4 Mental Health Center and the Department of Correction.
5 You'll see that I've omitted number three, because we will
6 have a recusal for that agency.

7 If someone would move to accept staff
8 recommendations for the DPUC, the Department of Insurance
9 and the Connecticut Mental Health Center and the
10 Department of Correction, that would be great.

11 MR. GRIFFIN: So moved. I'm Commissioner
12 Griffin.

13 CHAIRPERSON NORTON: Commissioner Griffin
14 moves. Is there a second?

15 MR. MARSHALL: Second.

16 CHAIRPERSON NORTON: Sounds like
17 Commissioner Marshall, a second from Commissioner
18 Marshall. Mr. Bingham?

19 MR. ALVIN BINGHAM: Good afternoon. The
20 first agency is the Department of Public Utility Control,
21 and here representing that agency is William Palomba, the
22 Executive Director, and Alicia Nunez, the Affirmative
23 Action Officer.

24 This plan is recommended for approval,

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1 based on Section 46a-68-59(a), the plan that contains all
2 the elements required, and 46a-68-59(b)(2), the agency has
3 met all or substantially all of its hiring and program
4 goals. Goal achievement, short-term goal achievement, two
5 out of four, or 50 percent, long-term goal achievement,
6 one out of one, one for one, or 100 percent, and total
7 goal achievement, three out of five, or 60 percent. The
8 five-year history, the plan has been approved all five
9 years.

10 CHAIRPERSON NORTON: Are you done for that
11 agency? Are there any comments or any questions from any
12 of my colleague Commissioners? This is Chairman Norton
13 speaking. If there aren't, we can move onto the next
14 agency. Mr. Bingham?

15 MR. BINGHAM: The next agency is the
16 Insurance Department, and here representing the Insurance
17 Department would be Patricia Tiberio, Director of Human
18 Resources, and Leah Glende, the Affirmative Action Program
19 Manager.

20 CHAIRPERSON NORTON: Welcome.

21 MR. BINGHAM: This plan is recommended on
22 approval, based on the following, 46a-68-59(a), the
23 proposed affirmative action plan contains all elements
24 required, (b)(3), the agency has demonstrated every good

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1 faith effort to achieve its goals, and, (b)(4), the
2 agency's previous plan was approved by default and,
3 therefore, had no deficient elements. Short-term goal
4 achievement, two out of seven, or 28.6 percent, long-term
5 goal achievement, one out of one, or 100 percent, total
6 goal achievement, three out of eight, or 37.5 percent, and
7 total promotional goal achievement, one out of two, or 50
8 percent. The five-year history, 2002, '03, '04, '05, the
9 plan was approved. In 2006, it was approved by default.

10 CHAIRPERSON NORTON: Are there any
11 questions from any Commissioners or any comments from any
12 Commissioners? If there aren't, would you proceed to item
13 number four, Mr. Bingham?

14 MR. BINGHAM: The Department of Mental
15 Retardation, and here representing them is -- I'm sorry.

16 MR. PECH: You're skipping that right now.
17 We're going to Connecticut Mental Health Center.

18 CHAIRPERSON NORTON: What did I say? I
19 meant to say agenda item number four. What did I say?

20 MR. BINGHAM: Okay. I'm sorry.

21 CHAIRPERSON NORTON: In any case, the
22 Connecticut Mental Health Center is what I'd like to
23 discuss right now.

24 MR. BINGHAM: Okay and here representing

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1 them is Eric Smith, the Affirmative Action Program
2 Manager, Ines Feliciano, the Affirmative Action Officer,
3 Pat Rehmer, the Deputy Commissioner, Fred Ferris, the
4 Director of Human Resources, and Lamar Eberhardt, the
5 Affirmative Action Director.

6 CHAIRPERSON NORTON: Welcome.

7 MR. BINGHAM: This plan is recommended for
8 approval, based on the following, 46a-68-59(a), the plan
9 contains all the elements required, and 46a-68-59(b)(3),
10 the agency has demonstrated every good faith effort to
11 achieve such goals. Short-term goal achievement, six out
12 of 16, or 37.5 percent, total goal achievement was six out
13 of 20, or 30 percent, promotion goal achievement, two out
14 of three, or 66 percent. The five-year history, 2002 and
15 2003, the plan was approved, 2004, approved by default,
16 2005, approved, and 2006, approved by default.

17 CHAIRPERSON NORTON: Well you won't get
18 approved by default this year. Are there any questions or
19 comments? I have a question I'd like to ask. Actually,
20 when I look at the second to last page, there's a whopping
21 and high percentage of black women working at the agency
22 and, in fact, also in the professional class, and I was
23 wondering, which is well beyond the average state agency
24 and maybe higher than any other state agency, which is a

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1 good thing, and I was wondering if we might hear any
2 insight or thoughts, as to why they're able to do that.
3 If there isn't an answer, I'm happy with that, but, if
4 there is, I'd love to know it.

5 MR. ERIC SMITH: Hi, I'm Eric Smith,
6 Affirmative Action Program Manager, Department of Mental
7 Health and Addiction Services.

8 CHAIRPERSON NORTON: For the whole agency?

9 MR. SMITH: Yeah. I work in the central
10 office, but I did prepare the Connecticut Mental Health
11 Center plan. The Director, Selby Jacobs(phonetic), could
12 not be here today. With reference to the black females
13 and the professionals, I don't have a very good answer,
14 other than, being a health care agency facility, we tend
15 to have more females.

16 CHAIRPERSON NORTON: Not just today, but
17 every day.

18 MR. SMITH: Yeah.

19 CHAIRPERSON NORTON: Okay. Do you mind,
20 actually, when you go back, ask? There may be a, you
21 know, long, historical reason, nothing about this year or
22 last, but it would be interesting to know. And it may be
23 all about the particular career path that people take,
24 but, in any case, I'm curious. Thank you very much. Item

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1 number five?

2 MR. BINGHAM: That would be the Department
3 of Corrections. Here representing the agency is Theresa
4 Lantz, the Commissioner, Bob Jackson, Director of Equal
5 Opportunity Assurance, Christian Moore, the Affirmative
6 Action Officer, Melissa Thompson, the Leadership
7 Associate, Tracey Butler, the Assistant Human Resource
8 Director, and Dan Callahan, the Director of Human
9 Resources.

10 CHAIRPERSON NORTON: Welcome.

11 MR. BINGHAM: This plan is recommended for
12 approval, based on compliance with the following. The
13 plan contains all the elements required, and the agency
14 has demonstrated every good faith effort to achieve such
15 goals.

16 Goal achievement. Short-term goal
17 achievement, 138 out of 201, or 68.7 percent. Long-term
18 goal achievement, one out of two, or 50 percent. Total
19 goal achievement, 139 out of 203, or 68.5 percent.
20 Promotion goal achievement, 57 out of 85, or 67 percent.
21 The five-year history would be, 2001, approved, 2002,
22 approved, 2003, approved, '04, disapproved, and 2005,
23 approved.

24 CHAIRPERSON NORTON: Are there any

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1 questions or comments from any of the Commissioners? I
2 have a question I'd like to ask. It's, maybe, two-part. I
3 was looking, also, at black employment in the agency, and
4 there are two things to note, I think.

5 There are, as with most agencies, more
6 white people than black, but you have a high number of
7 black employees relative to what other agencies
8 accomplish, relative to the state's population, and then,
9 in particular, in the protective category of employment,
10 that jumps out.

11 The other thing that jumps out is you have
12 a high percentage of black women, at least in that
13 category. For example, you have about 267 black women in
14 that category and 319 women, white women, slightly more
15 white women. Now black male is about 700. White male is
16 about 22 hundred.

17 Within in the race, you have a pretty
18 healthy representation of black women, and I was wondering
19 if you might describe, if you can, how it is that,
20 particularly in that class, you draw and attract and keep
21 a pretty high number of black people and, in particular,
22 black women, because it sounds like it's a male class.

23 MS. THERESA LANTZ: Hi. I'm Commissioner
24 Theresa Lantz. It's a great question. One of the things

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1 that we've been trying to do is do a tremendous recruiting
2 outreach, and, certainly, African-American women have
3 stepped up to the plate in this business. In fact, if you
4 look nationally, you'll find that there's a very good
5 representation of minority women in the field of
6 corrections.

7 Most of our population comes from the urban
8 environment, and it works out well for us that we can
9 recruit from those areas, as well. The women are stepping
10 up to the plate, and you've got a female Commissioner, so
11 that doesn't hurt either.

12 CHAIRPERSON NORTON: So do you think this
13 other set is part of, if 80 people who work there,
14 eventually word gets out, and here's a place to work, and
15 it's a good place to work, within a community that has a
16 lot of minority women in it, so the word gets out, and
17 this is the place to go find work?

18 MS. LANTZ: Oh, I think so. I think the
19 State is probably the best employer in the entire -- state
20 government is the best employer of women in the entire
21 state when it comes to benefits, when it comes to the
22 hazardous duty, retirement, when it comes to, you know so
23 many of the opportunities that we provide, the different
24 shifts, so you can accommodate child care issues.

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1 So there's a lot of advantages, even
2 though, you know, you think that the Corrections is
3 predominately a male dominated field. It is dramatically
4 opening up to women, because it's a great job with a lot
5 of flexibility and a lot of promotional opportunities.

6 CHAIRPERSON NORTON: Thank you very much.
7 Are there any other questions or comments from
8 Commissioners? Commissioner Brown?

9 MS. BROWN: Yes. I think maybe my
10 experience is that I hear most from the men, who, you
11 know, work with the prisoners, themselves, or something
12 like that. I think that I'm happy to hear that, because
13 one of the key things that you said that it is flexible
14 enough for women to, you know, take care of child care
15 needs, and that's so important with a lot of single
16 families that we have today.

17 MS. LANTZ: Absolutely. I've been in
18 Corrections for over 30 years. I was one of the first
19 women to work in the field in prisons and jails in
20 Washington, D.C., which is where I'm from. Once you get
21 in, you realize that, you know, the work can be
22 challenging, which is not a bad thing, but, at the same
23 time, there's tremendous potential for promotions and
24 everything else.

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1 MS. BROWN: Very good. Thank you.

2 CHAIRPERSON NORTON: Thank you,
3 Commissioner Brown. And, Commissioner Lantz, thank you
4 very much.

5 MS. LANTZ: Thank you. We're always
6 recruiting, so if any of you have anybody, I'm actively
7 recruiting. Thank you very much.

8 CHAIRPERSON NORTON: Thank you.

9 MS. LANTZ: And special thanks to Neva for
10 being such a great analyst in helping us through a lot of
11 trouble spots that we have. I appreciate her. She's
12 terrific.

13 CHAIRPERSON NORTON: Thank you. Thank you
14 very much. Thanks, Neva. So I would entertain -- what we
15 have now is a motion to accept staff recommendations for
16 approval of those four agencies, the Connecticut Mental
17 Health Center, Correction, Insurance and the DPUC. Is
18 there any discussion of that motion? If not, all those in
19 favor, please say "aye."

20 ALL: Aye.

21 CHAIRPERSON NORTON: Is anyone opposed? Is
22 there anyone abstaining? The approval passes unanimously
23 for those four agencies. Commissioner Mambruno is
24 recusing himself from discussion or voting on the next

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1 agency, the Department of Mental Retardation, and so we'll
2 return to item number three, Roman Numeral III.

3 MR. BINGHAM: The Department of Mental
4 Retardation, Commissioner Peter O'Meara. We have the
5 Director of Equal Opportunity Assurance, Rita Kelley. We
6 have Levy Gillespie. We have Len Erazmus. We have Amanda
7 Anduaga-Roberson. That's all we have.

8 CHAIRPERSON NORTON: Thank you, all, for
9 coming. Thank you, Commissioner.

10 MR. BINGHAM: This plan is recommended for
11 approval, based on compliance with 46a-68-59(a), the plan
12 contains all the elements required, 46a-68-59(b)(3), the
13 agency has demonstrated every good faith effort to achieve
14 such goals, and 46a-68-59(b)(4), the agency has corrected
15 all of the deficiencies noted in the prior plan review.

16 Goal achievement, short-term goal
17 achievement, 64 out of 118, or 54.2 percent, long-term
18 goals, 17 out of 52, or 31.5 percent, total goal
19 achievement, 17 out of 81. No, I'm sorry. Eleven out of
20 17, or 47.6 percent. Promotion goal achievement, 36 out
21 of 97, or 37.1 percent. The five-year history from 2002
22 to '04, the plan was approved, 2005, the plan was approved
23 by default, and, 2006, the plan was approved.

24 CHAIRPERSON NORTON: Are there any

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1 questions from any Commissioners? I have one I'd like to
2 throw out there, if I may. I was noticing that, overall
3 in the agency, there's a healthy dose of people who are
4 employed, black men and women, as with most state
5 agencies, more black women than black men, but what I was
6 noticing is that, in the paraprofessional category,
7 there's actually quite a good percentage representation of
8 blacks, both men and women, to whites. It's about two to
9 one white to black, which is a very healthy representation
10 in the State of Connecticut.

11 When you zoom up to the professional
12 category or the technician category, whites outnumber
13 blacks considerably, maybe not even unfairly, but in that
14 paraprofessional category, there's a very high percentage
15 of blacks, but they're not in the professional category,
16 and the specific question I'd like to ask is can you go
17 from a paraprofessional to a professional?

18 I don't even quite know what those jobs
19 are, but can you ascend, either through licensure or
20 promotion, from being a paraprofessional to a
21 professional? It looks like you have a hell of a pool
22 there of black men and women who work for the agency
23 already, who might beef up the upper of the agency if the
24 agency if they can become professionals. How does one go

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1 from being a paraprofessional to a professional, if you
2 can?

3 MS. RITA KELLEY: I'm Rita Kelley. I'm the
4 Director of Equal Opportunity at DMR, Department of Mental
5 Retardation, and your question is a very good one. When
6 you look at the paraprofessional positions, MR worker one,
7 MR worker two, one of the important issues is is that's an
8 ideal position to recruit for, because there are no
9 special requirements.

10 So it's really great, in terms of
11 diversifying the agency, however, one of the stumbling
12 blocks there are, in terms of people promoting from that
13 position, is that because is it a direct care position,
14 there's a lot of overtime opportunities, so a lot of times
15 people get very used to the overtime and, therefore, do
16 not want to be promoted up, because promotion doesn't
17 necessarily mean additional money. It would mean
18 additional responsibility, so that's also a stumbling
19 block.

20 One of the ladder positions that the
21 Department has created is our Case Manager position. If
22 you spend any amount of time within the MR worker series
23 and promote up to the supervising mental retardation
24 worker, you would qualify to be a case manager, which

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1 would be comparable to a social worker in other agencies.

2 It does require an exam, but what we're
3 finding is is that people who are in the paraprofessional,
4 the direct care worker series don't traditionally take the
5 exam. Another problem that we have, in terms of the
6 transition from a paraprofessional to professional, is
7 that when you're talking about the MR worker, or Mental
8 Retardation Worker Series, those positions don't require,
9 as I said before, the special qualifications, however,
10 most of our positions of professional would be positions,
11 such as physical therapists, rehab therapist that require
12 certification.

13 There's a lot of people in the IT series
14 there, so it's really different kinds of jobs, although
15 there are opportunities, and that's always been a
16 challenge to us, in terms of, you know, making people
17 feel, you know, comfortable, in terms of, you know, taking
18 that next step and moving ahead within our career ladders.

19 I hope that answered your question.

20 CHAIRPERSON NORTON: No, it does. So it
21 sounds like you might need more education or training to
22 jump up from, say, paraprofessional to professional, like
23 go out and get some kind of a degree or certificate.

24 MS. KELLEY: Well some people within the

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1 agency, not a large number, will, you know, go back to
2 school and become an LPN or RN. We do have a couple of
3 instances of that, even in this year's plan, but we don't
4 see a great deal of that.

5 CHAIRPERSON NORTON: Are there any other
6 questions?

7 MS. BROWN: Yes.

8 CHAIRPERSON NORTON: Commissioner Brown?

9 MS. BROWN: Do you recruit professional
10 people as much as you do for paraprofessionals, because,
11 certainly, you need -- I mean like a lot of work in all of
12 these agencies. When will black females or black males
13 move up to decision-making opportunities? Maybe they
14 don't see that. I mean I'm sure they know you have to
15 have additional education, but you find them all on the
16 lower level. I'm interested in moving up the ladder.

17 MS. KELLEY: Right.

18 MS. BROWN: At the table for some decision-
19 making.

20 MS. KELLEY: Well we do a lot of
21 recruitment. All of our positions are recruited through
22 the African-American Affairs Commission and the Latino and
23 Puerto Rican Affairs Commission. We do spend a lot of
24 time out at universities and colleges going to career

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1 fairs, and we go to, also, fairs through the Department of
2 Labor. We attend their fairs.

3 And we also recruit through professional
4 organizations. I think there's a black nurse's
5 association that we recruit through, however, you must
6 bear in mind, with health care positions, there's a lot of
7 competition from other state agencies that use health care
8 positions.

9 Typically, in nursing positions, we hire
10 whoever typically comes through the door, because it's
11 just so hard to find nurses, physical therapists and those
12 kinds of positions. Also, one of the stumbling blocks,
13 too, is that we do use, for a lot of the positions, we
14 have to go by a list, a certified list.

15 The way we get around, you know, the way we
16 address that issue is that if we know a position is going
17 to be posted and there's going to be an exam for it, we do
18 actually let organizations know about the exam process, as
19 well, so we try to look at it in all ways that we can, be
20 as aggressive and as assertive as we can be about it.

21 MS. BROWN: I think I've seen some of those
22 -- I've seen opportunities on my e-mail that these things
23 are available, so I do applaud you.

24 CHAIRPERSON NORTON: Are there any other

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1 questions or comments from any Commissioners? If not, we
2 have a motion to accept staff recommendation for approval.

3 All those in favor of that motion, say "aye."

4 ALL: Aye.

5 CHAIRPERSON NORTON: Is there anyone who is
6 against that? Is there anyone who --

7 MR. GRIFFIN: Did we make a motion on this
8 particular item, or we made a motion on the other four?

9 CHAIRPERSON NORTON: We did. Did I neglect
10 to entertain a motion for approval of this agency?

11 MR. GRIFFIN: Yes, I think so.

12 CHAIRPERSON NORTON: I don't think it was
13 heard. Commissioner Griffin, do you move to accept staff
14 recommendations for approval of the Department of Mental
15 Retardation's plan?

16 MR. GRIFFIN: So moved.

17 CHAIRPERSON NORTON: Then, does anyone
18 second that?

19 MS. CHERYL CLARKE: Commissioner Clarke.

20 CHAIRPERSON NORTON: Commissioner Clarke
21 seconds. All those in favor, say "aye."

22 VOICES: Aye.

23 CHAIRPERSON NORTON: Is anyone opposed? Is
24 there anyone abstaining?

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1 MR. MAMBRUNO: Abstain.

2 CHAIRPERSON NORTON: Of course. And
3 Commissioner Mambruno recuses himself and abstains. The
4 plan is approved. Moving on, is there a motion by a
5 Commissioner to accept staff recommendation for
6 disapproval of the Cedarcrest Hospital Affirmative Action
7 Plan? Does anyone so move, or do you want to discuss it?

8 MR. MAMBRUNO: So moved.

9 CHAIRPERSON NORTON: Commissioner Mambruno
10 moves. Is there a second?

11 MS. CLARKE: Commissioner Clarke.

12 CHAIRPERSON NORTON: Commissioner Clarke
13 seconds. Mr. Bingham?

14 MR. BINGHAM: Here representing Cedarcrest
15 Hospital is Pat Rehmer, Deputy Commissioner, Brenda
16 Thorington, CEO, Lamar Eberhardt, the Affirmative Action
17 Director, Fred Ferris, the Human Resource Director, and
18 Jim Reed, the Affirmative Action Officer.

19 This plan is recommended for disapproval,
20 based on non-compliance with the following. 46a-68-59.

21 CHAIRPERSON NORTON: That's -- I'm sorry.
22 Please proceed.

23 MR. BINGHAM: (b)(1), the workforce is not
24 in parity with the relevant labor market, (b)(2), the

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1 agency has not met all or substantially all of its hiring,
2 promotion and program goals, and, (b)(3) the agency has
3 not demonstrated every good faith effort to achieve such
4 goals.

5 Short-term goal achievement, 17 out of 27,
6 or 63 percent, long-term goal achievement, 13 out of 22,
7 or 59.1 percent, total goal achievement, 30 out of 49, or
8 61.2 percent, total promotion goal achievement, two out of
9 two, or 100 percent. The five-year history, 2002, the
10 plan was approved, 2003, conditionally approved, 2004 and
11 2005, the plan was approved, in 2006, it was approved by
12 default.

13 CHAIRPERSON NORTON: Thank you. I'm going
14 to indulge myself by asking whether Val Kennedy, who I
15 guess is the signer and the reviewer, if you couldn't
16 share just a couple of minutes to flesh out in a little
17 bit of detail the shortcomings, if you're able and free
18 to.

19 MS. VALERIE KENNEDY: Valerie Kennedy, H.R.
20 Rep. Yes, I did review this plan. The biggest problem
21 that I had with this plan, and I think you noticed that in
22 the summary, is, in order to determine either goal
23 achievement or good faith effort, and, again, good faith
24 effort is that all of the goal candidates have been

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1 accounted for when non-goal candidates have been hired for
2 positions, is that the numbers throughout the plan do not
3 coincide, so that the numbers in the utilization analysis,
4 Section 40, are not the same as the numbers used in the
5 employment analysis, and the discussion of the goals
6 analysis was not -- the same numbers were not discussed.

7 It was very difficult to determine exactly
8 which numbers were accurate, and that was the biggest
9 problem, so there was really no way to determine in any
10 concrete way if there was goal achievement and what it was
11 and if there was good faith effort, because of this
12 discrepancy among the numbers and the different parts of
13 the plan.

14 CHAIRPERSON NORTON: Okay. Did we already
15 have an introduction of people from the agencies, and do
16 they want to respond or say anything in response?

17 MS. PAT REHMER: Good afternoon. I'm Pat
18 Rehmer, Deputy Commissioner for the Department of Mental
19 Health and Addiction Services. I'm here on behalf of
20 Commissioner Kirk, who is out of state. He's aware of the
21 results of the review of this plan and asked me to convey
22 that he would work with you all to make the necessary
23 corrections in order to bring the plan into compliance.

24 I'm going to ask the Affirmative Action

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1 Officer and the CEO of Cedarcrest Hospital to speak to any
2 specific questions that you have.

3 MS. BRENDA THORINGTON: Hi. I'm Brenda
4 Thorington. I'm the CEO of Cedarcrest Hospital, and
5 Commissioner Kirk has charged me with the responsibility
6 of developing a comprehensive Affirmative Action Plan, so
7 I will be addressing any deficiencies that have been noted
8 in the plan and making sure that they are corrected. And
9 I'll respond to any technical questions with the
10 assistance of my Affirmative Action Officer.

11 CHAIRPERSON NORTON: Actually, I have a
12 question to start off. You're the CEO?

13 MS. THORINGTON: Yes.

14 CHAIRPERSON NORTON: And, so, how does the
15 Affirmative Action work or support get done? Is it within
16 this division of DMHAS, which is Cedarcrest Hospital, or
17 do you get it from sort of on high, or from the agency as
18 a whole? Do you have a subordinate at the hospital who
19 does affirmative action plan work?

20 MS. THORINGTON: I have my Affirmative
21 Action Officer, who does the affirmative action work at
22 Cedarcrest.

23 CHAIRPERSON NORTON: Okay.

24 MS. THORINGTON: And he reports to the

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1 central office.

2 CHAIRPERSON NORTON: Gotcha. Gotcha. So
3 that cleared that up for me. Are there any other
4 questions from any Commissioners, or any statement you'd
5 like to make, sir, or anyone?

6 MR. JAMES BRANDSON-REED, JR.: May I?

7 CHAIRPERSON NORTON: Yeah, please. Go
8 ahead.

9 MR. BRANDSON-REED, JR.: My name is James
10 Brandson-Reed, Jr. I'm the Affirmative Action Officer at
11 Cedarcrest, and when I saw the recommendation for our
12 plan, as you might imagine, I was not a very happy person.

13
14 If you look at our record, you will see
15 that this is not an accustomed position for us to be in,
16 not having our plans approved, so I tried to think of an
17 analogy to help express what I was thinking and feeling
18 about this, and I am mindful of current events, with a
19 very public trial going on and a conviction recently, and
20 I thought about when a person is convicted of something,
21 they can do an impact statement, and that's what I'm
22 doing, an impact statement, briefly, just to say what I'm
23 thinking about. You heard the statistics about our
24 achievement read by Mr. Bingham. You heard those numbers,

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1 and, okay, but one plan does not a good faith effort make.

2 One plan does not a good faith effort make.

3 You need to look at our record
4 consistently. Our effort to reach our goals has been
5 consistent year, after year, after year. Look at our
6 agency in relationship to the past affirmative action
7 plans. Over the past five years, we've reached 60, 70,
8 75, 80 percent of our goals. Over the past five years, we
9 frequently exceed our MVE and SBE spending goals by more
10 than 200 percent.

11 For the first time in the history of DMHAS,
12 we have an African-American CEO, for the first time in the
13 history. And let me go back and say a qualified African-
14 American CEO for the first time.

15 CHAIRPERSON NORTON: Is the qualified part
16 also a first?

17 MR. BRANDSON-REED, JR.: No. A word about
18 our goals and Cedarcrest. Last November, you heard my
19 colleague here say that nurses are hard for us to get and
20 to keep. We are a hospital. We're a hospital, first and
21 foremost, and a good faith effort for us is put forward
22 every single time we have to make a hire.

23 Last November, under the capable direction
24 of the H.R. Director, Mr. Fred Ferris, we had a job fair

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1 down at CDH. We stayed there from 9:00 in the morning
2 until 7:00 at night. Do you know how many nurses we got
3 who walked in the door? One. One.

4 Nurses can write their tickets. They can
5 go wherever they want to go. The United States is
6 actually sending overseas to bring nurses into this
7 country. That tells you how difficult it is for us. To
8 say that we didn't show a good faith effort, I hope to God
9 none of you are ever visited by illness, or any of your
10 loved ones, but if you are, would it be enough for you to
11 hear that we selected a nurse at a hospital simply because
12 that person was a goal candidate, or because that person
13 was a qualified goal candidate? Wouldn't that make more
14 sense to you?

15 That's what we have to do. We have another
16 thing that we have to care about, also. It's call a JCO,
17 a Joint Commission on accreditation for health care
18 organizations that give us our accreditation. They look at
19 the licensing requirements of all of our professionals.

20 Yes, we have instances where there are goal
21 candidates in the pool, and we cannot select those
22 candidates, because they don't have the qualifications
23 necessary. Yes, that's true. But in every single case,
24 we try to select the best candidate, mindful of our

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1 obligations here.

2 Ladies and gentlemen, I do not take lightly
3 doing the affirmative action plan. I work five months of
4 my life on that plan, trying to make sure that it was
5 right, that we did a good job. My tech support person,
6 Eric Smith over there, I ran it by him. I ran it by my
7 boss over there. We try every conceivable way to make
8 sure that we were delivering a quality product here.

9 Lastly, to my CHRO colleagues, I don't have
10 any ill will. I truly do not. I understand that what you
11 are trying to do is help us to comply with the laws. We
12 are colleagues. You want us to comply within the
13 regulations. I understand that.

14 For you, ladies and gentlemen, you have a
15 very difficult job. I said that I saw the analogy of a
16 trial. The deed is done. The plan is handed in. It's
17 been reviewed. A recommendation has been given, and you
18 will sit in judgment on that. You will finally decide if
19 the plan is disapproved, or conditionally approved, or
20 what have you, but I say to you, please do so with an open
21 mind, mindful of the fact that we gave this our very best,
22 and that any errors that were found in computation, which
23 it appears to be, that I've not had a real chance to look
24 at what's wrong yet, will be corrected immediately.

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1 I did note that, in a weakness of the plan,
2 it was something like we needed to include language, a
3 language on protected classes. Well that will take 30
4 seconds to do. Just put another page. So what I'm saying
5 to you is, I take this very seriously. I take this work
6 very seriously. I didn't take this job to get rich and be
7 liked, because, quite frankly, we're not.

8 The job that we have is not a very pleasant
9 job. We always have to end up dealing with the underbelly
10 of people's characters, and that's the job we wanted, and
11 we do it because we believe in it, because we know it's
12 right to make things fair, and because I can smile every
13 once in awhile when I go past the CEO's office and I see
14 her sitting in there. I know it's all worthwhile. Thank
15 you.

16 CHAIRPERSON NORTON: Thank you.

17 MR. LARRY CONAWAY: I have a question.
18 Could you tell me about --

19 CHAIRPERSON NORTON: Commissioner Conaway.

20 MR. CONAWAY: Commissioner Conaway
21 speaking. Now you said there's a statistical problem. Is
22 that accurate? The staff said that the numbers do not
23 match up. Well how are we going to make those numbers
24 match up, so to make the statistical issue go away?

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1 MR. BRANDSON-REED, JR.: What I want to do,
2 Mr. Commissioner, as I have not really had a chance to
3 examine the critique, because I didn't get it until late
4 yesterday, what I want to do is take a look at it, to make
5 sure that it goes away, to make sure that it does not
6 occur again.

7 As I've said earlier, I'm not accustomed to
8 this position. I don't like being here with my plan not
9 being approved. I have pride in what I do, and I do not
10 like letting down the CEO or my other colleagues or
11 professionals. So, yes, we will look at that.

12 CHAIRPERSON NORTON: Are there any other
13 questions from Commissioners?

14 MS. BROWN: Yes.

15 CHAIRPERSON NORTON: Commissioner Brown?

16 MS. BROWN: I certainly feel your passion
17 for what you do, and I understand the embarrassing
18 situation that you're in. I think we all are aware that
19 nursing shortages in the U.S. is just paramount, and we're
20 bringing people from -- people came from Johannesburg,
21 from Asia, from wherever they can get qualified nurses.
22 What I'm looking at are just simple errors that didn't
23 have to happen.

24 MR. BRANDSON-REED, JR.: Yes. Again, I

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1 have not had a chance to look at that yet. Part of what
2 we do is we have the Excel program that we use for
3 formulas, and we use the formula transfers from one sheet
4 to the next. Sometimes we find that that may be the
5 problem.

6 I have not looked at it yet, but I assure
7 you I will. I assure you I will correct it and make sure
8 that, you know, if there's something else I could have
9 done, I would have done to make sure that those simple
10 errors would not have been there.

11 MS. BROWN: Will go away.

12 MR. BRANDSON-REED, JR.: Absolutely.

13 MS. BROWN: Also, the person, the staff who
14 was reviewing this, can only -- there are certain rules
15 and regulations, and it's only on what you have.

16 MR. BRANDSON-REED, JR.: I understand.
17 That's why I said there's no animosity. I understand. I
18 understand completely, but I think, looking at us in
19 total, what we've attempted to do and the success that
20 we've had is also a fair request.

21 MS. BROWN: I'm sure you will correct it.

22 MR. BRANDSON-REED, JR.: I will.

23 MS. BROWN: I also want to congratulate the
24 CEO. It's the first time I've seen a woman on top of

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1 that, black woman CEO of anything in a long time, so I'm
2 very pleased.

3 MS. CLARKE: And qualified.

4 MS. BROWN: I don't think you should always
5 say, "and qualified." The assumption, that she's a CEO,
6 means she's qualified. (Clapping) I don't like that.
7 Just say this is a person, and you don't have to say.

8 CHAIRPERSON NORTON: Don't argue.

9 MS. BROWN: Unless, truly, this is the
10 first qualified.

11 CHAIRPERSON NORTON: Commissioner Mambruno,
12 did you have your hand up?

13 MR. MAMBRUNO: Yes.

14 CHAIRPERSON NORTON: Commissioner Mambruno?

15 MR. MAMBRUNO: I notice that the last
16 year's plan was defaulted upon. Did you have a chance to
17 go back and look at that plan to see if, you know, you got
18 a free pass, and whether or not there were any mistakes
19 that corresponded with what was made this year?

20 MR. BINGHAM: We never reviewed the plan
21 last year, due to some staff being put out on leave, so
22 it's not fair for him to review it, because it wasn't
23 critiqued.

24 MS. KENNEDY: What I did do, though, was I

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1 looked at the plan that was submitted in 2004. I'm
2 Valerie Kennedy. Sorry. I did look at the plan that was
3 submitted in 2004 and the review of that, and that did
4 raise some concerns, because there were those same
5 statistical errors commented on in 2004, so I think we
6 need to readjust the Excel program to make sure that
7 there's consistency throughout those documents.

8 I'd also like to say I think this is a
9 prime example of one of the problems we have. I would
10 recommend if we can come up with another term for the good
11 faith effort piece. It seems that every Commission
12 meeting we're discussing what good faith effort means, and
13 I think we need another term for that.

14 We're not denying that in the generic
15 sense. All of these agencies do their very, very best,
16 and they have great programs, and they're confronted with
17 a lot of difficulty, and they do try to hire the most
18 qualified people.

19 But in terms of what we, as reviewers, need
20 to do, we need to make sure that you have accounted for
21 all of those goal candidates that were not hired for
22 whatever reason. As long as you explain it to us, then
23 you're demonstrating good faith effort. You do not have
24 to hire a goal candidate if they're not qualified. That

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1 goes without saying, but you need to let us know that they
2 weren't qualified and why they weren't qualified, and
3 that's where the good faith piece comes in.

4 And if anyone has a suggestion for how we
5 can change that term and have the legislature put that
6 into our regulations, so we don't have this confusion. I
7 don't think any of the reviewers have a problem with the
8 programs that these agencies have. It's that piece of
9 explanation that's --

10 CHAIRPERSON NORTON: That's a good idea.
11 Maybe we can set some good legal or poetic minds on that.
12 Are there any other questions from any Commissioners?

13 MR. GRIFFIN: No.

14 CHAIRPERSON NORTON: And I will just put
15 out as an aside that your agency does have a phenomenally
16 high, especially compared to other State agencies, but
17 somewhat similar to your sister hospital here today,
18 phenomenally high percentage of women in the workforce,
19 blacks in the workforce, Hispanics in the workforce, which
20 speaks to the whole issue of good faith effort. It's
21 there, but is it documented? Is it verified? That's
22 where, I guess, fault has been found.

23 We have a motion to accept that
24 recommendation for disapproval. Is that the motion people

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1 want to stick with? Does anyone want to change it? Do we
2 want to vote? Any comments, questions? Then the motion
3 is to accept the staff recommendation for disapproval of
4 this agency. All those in favor, say "aye."

5 VOICES: Aye.

6 CHAIRPERSON NORTON: Is there any
7 opposition?

8 MR. LOBON: Opposed.

9 CHAIRPERSON NORTON: Opposed, Commissioner
10 Lobon was that?

11 MR. LOBON: Yup.

12 CHAIRPERSON NORTON: And is there any
13 abstention? So Commissioner Lobon opposed this, every
14 other Commissioner is a yes, and it is disapproved. And,
15 at this point in time, we'd like to let you all just --
16 oh, I'm sorry. Commissioner Mambruno?

17 MR. MAMBRUNO: That's fine. I think they
18 all want to get out of here.

19 CHAIRPERSON NORTON: So we'll just take a
20 momentary break for people to leave who have other
21 business to tend to.

22 (Off the record)

23 CHAIRPERSON NORTON: Back to order. And,
24 so, the next item on the agenda is the Fiscal Report, if I

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1 read it correctly. Welcome.

2 MR. SAL MARINO: My name is Sal Marino, and
3 I'm --

4 CHAIRPERSON NORTON: Can you pull the mike
5 closer to you?

6 MR. MARINO: Oh, I'm sorry.

7 CHAIRPERSON NORTON: You don't need to lean
8 in. If you can just bend it closer to you?

9 MR. MARINO: I'm Sal Marino in the Fiscal
10 Office, and I'm here to temporarily replace Nandi Colon. I
11 just have a short report this month for the fiscal year
12 2006/2007 and the month ending February 2007. In the
13 Personal Services Account, we have a protected surplus in
14 the amount of 390,000 dollars. In the other expense
15 account, we have a protected surplus in the amount 155,000
16 dollars.

17 CHAIRPERSON NORTON: Where am I looking on
18 the pages that we have? Okay.

19 MR. MARINO: And the protected surplus in
20 the other expense account is 155,000 dollars, but the
21 surplus in the other expense account is earmarked to be
22 used when the Bridgeport office is moved.

23 CHAIRPERSON NORTON: And OPM is saying that
24 they will allow a carry forward?

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1 MR. MARINO: It's been carried forward, I
2 think, from our previous years.

3 CHAIRPERSON NORTON: Oh, already in the
4 proposed budget?

5 MR. MARINO: Right.

6 CHAIRPERSON NORTON: Okay.

7 MR. MARINO: That's it. Thank you.

8 CHAIRPERSON NORTON: Okay. Thanks for
9 helping us out in a bad time, or not bad time, but in a
10 pinch.

11 MR. MARINO: You're welcome.

12 CHAIRPERSON NORTON: Then, next, we have
13 the Field Operations Report.

14 MR. DON NEWTON: Good afternoon. My name
15 Don Newton, Chief of Field Operations, and I apologize for
16 you getting my report at a late time, but, unfortunately,
17 I was out the week that it normally would have been
18 prepared.

19 The caseloads are running pretty steady.
20 In fact, this month, we are down only five cases from
21 previous levels. Our cases that are considered exceeding
22 the time frames have not dropped from the prior month. In
23 fact, it increased about half a percentage point.
24 However, we have investigators right now in training in

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1 Nashville, Tennessee, some of our new people, five new
2 people, so, hopefully, when they come back, they will be
3 able to pitch in and help us get our numbers down.

4 On March 19th, we'll have advanced training
5 for investigators that EEOC, Equal Employment Opportunity
6 Commission, is providing. That will be held right here in
7 Hartford.

8 CHAIRPERSON NORTON: Is that just for
9 Connecticut?

10 MR. NEWTON: Well we have the majority of
11 people, but there will be two people coming from Rhode
12 Island and two from New Hampshire, but they're basically
13 accommodating our needs by bringing their road show to
14 Connecticut, which we felt very nicely.

15 They also have sent out an inquiry to all.
16 We're called a FEPA, Fair Employment Practice Agency, and
17 we contract with EEOC. They've sent a notice to FEPAs
18 around the country to find out if there's an interest in
19 Connecticut, as well as other FEPA states, sending
20 investigators to a training on race and religious
21 discrimination.

22 I talked to our regional managers today,
23 and they're going to poll their staff and find out what
24 the interest in that would be.

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1 CHAIRPERSON NORTON: Are there a lot of
2 claims brought, based on discrimination of religion?

3 MR. NEWTON: Not all that many, but it's
4 kind of a quirky area, and so it's always good to find out
5 the latest position that the courts have taken around the
6 country in how to analyze cases that are filed over there.

7 Our monetary settlements have to date shot
8 up to 1.4 million dollars, which is pretty good, since
9 we're only about halfway through the fiscal year. And I
10 can give you a little update on our Bridgeport office. I
11 just found out today that finally, after months, and
12 months, and months of going around in circles, basically,
13 on what we're going to do with the location of our
14 Bridgeport office from which we are being forced to move,
15 the landlord of a new facility has a draft lease for their
16 signature. Once that's signed, it will come through this
17 agency to be signed off, so that is moving forward.

18 And we have a hold over lease in place
19 until August, so I'm confident that, by August, we'll have
20 a new and improved facility that will better serve our
21 needs and the needs of the public.

22 CHAIRPERSON NORTON: Will it be bigger than
23 the existing?

24 MR. NEWTON: Yes. We have, I forget the

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1 exact square footage, but it's not an ideal layout. The
2 new office is being designed to fit our needs,
3 specifically, so it will be much more efficient, and staff
4 will be able to better utilize conference rooms, they'll
5 have bigger office areas, and it will be more secure.

6 Security is a big thing now in State
7 government, and it will also be more secure for the staff,
8 as far as it's necessary keeping the public from entering
9 on will. It will be easier to usher them in and out of
10 the facility. I think that's it.

11 CHAIRPERSON NORTON: Where in here is the,
12 or is it, the numbers on the cash settlements? Is that in
13 this report?

14 MR. NEWTON: No. I just got that today.

15 CHAIRPERSON NORTON: And is that divided
16 out among certain regions, or is that sort of an average,
17 or how does that -- was there a big influx just in the
18 last month or two?

19 MR. NEWTON: I can give you, if you want,
20 the numbers for the different offices. This report that
21 our data processing person ran for us runs through the end
22 of February. The Capitol region took in 15,000 dollars
23 worth of settlements, the Bridgeport office, 12,500, the
24 West Central office in Waterbury, 17,171 dollars and 20

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1 cents, Eastern region, 3,000 dollars, and the Fair Housing
2 Unit, which is the smallest unit of our case processing
3 units, brought in 14,250 dollars, so we're getting a lot
4 of settlements on housing cases.

5 CHAIRPERSON NORTON: But that sounds like -
6 - I forget what the number is, 60 or 70,000, but for the
7 year starting July 1, it's been 1.4 million?

8 MR. NEWTON: Yes.

9 CHAIRPERSON NORTON: Not to be critical,
10 but this last month wasn't necessarily a very --

11 MR. NEWTON: Again, it goes up and down.
12 It's based on what cases settle, what's out there, so you
13 might have a run of cases, where they don't lend
14 themselves to settling, or the parties don't voluntarily
15 settle, or we might have cases that, by the circumstances,
16 are much easier to get the parties to come together to a
17 resolution.

18 CHAIRPERSON NORTON: Commissioner Griffin?

19 MR. GRIFFIN: So the figures you're talking
20 about are cumulative, the one million-dollar?

21 MR. NEWTON: 1.4 is for July 1, 2006 to the
22 end of February.

23 MR. GRIFFIN: Okay, so, the report for this
24 year probably won't be until the end of the fiscal year,

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1 is that what you're saying?

2 MR. NEWTON: Yes.

3 CHAIRPERSON NORTON: Any other questions
4 from any Commissioners? Thank you very much. Legislative
5 Report.

6 MS. LENA FERGUSON: Good afternoon. You
7 have a copy of my written report, so I won't read that to
8 you. I will tell you that all three of our bills have had
9 public hearings, and that we presented written and oral
10 testimony on several of those since the last Commission
11 meeting, and that testimony has been provided to you in
12 your meeting materials.

13 I anticipate that one of our bills, which
14 is in the Labor Committee, will be reported out on
15 Tuesday, and that's the investigation of a discrimination
16 complaint against or by an agency head or state commission
17 or board member.

18 The Connecticut Association of Affirmative
19 Action Professionals did raise some concerns about that
20 bill, both in the Labor Committee and the Judiciary
21 Committee. We have met with them, we have resolved our
22 concerns, and they are now fully into court of that bill.
23 And I attached for your information a copy of an e-mail
24 that the present association forwarded to the Labor

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1 Committee members.

2 Ray and I have met with the Appropriations
3 Committee chairs, and we met with the Appropriations
4 Subcommittee on February 26th, and, again, that budget
5 presentation has been provided to you.

6 I do anticipate that, as a result of our
7 meeting with the committee chairs and the Appropriations
8 Subcommittee, that when the budget is reported out by the
9 Appropriations Committee, we will see additional funds for
10 new positions.

11 Ray made a very good case for the need for
12 additional staff people all around the agency, and I also
13 anticipate that we will see funding for a disparity study.
14 We have continued to meet with legislators and others to
15 discuss legislation and resource needs, and just this
16 afternoon, prior to the Commission meeting, I met with the
17 Chair of the Black and Latino Caucus, and, as a result of
18 our work with them, they do intend to have a press
19 conference on Monday that will also involve the African-
20 American Affairs Commission and the Latino and Puerto
21 Rican Affairs Commission, talking about all of the
22 priorities that all three agencies and the caucus need to
23 work on together.

24 And, last, but not least, both

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1 Commissioners Clarke and Brown went before the Executive
2 Legislative Noms Committee, and they were both confirmed
3 by the House and Senate on yesterday. And that's my
4 report.

5 CHAIRPERSON NORTON: Thank you.
6 Congratulations, Commissioner Brown. Congratulations,
7 Commissioner Clarke. Good to have you on board for
8 another, what is it, three years? (Multiple conversations)
9 I'm sorry. Our next item on the agenda is the Managing
10 Director's Report.

11 MR. ROBERT BROTHERS: Good afternoon. I'll
12 just give you an overview, as to what's going on in the
13 Legal Department. We currently have 48 cases that are
14 pending at public hearing, 16 cases that are in Superior
15 Court, housing related, 11 cases that are on appeal,
16 including one that's now before the Supreme Court we're
17 awaiting oral argument on.

18 Just to give you an idea, as to the
19 relation of those numbers, of those cases, 27 cases are
20 court cases, or, currently, it's 35 percent, which is
21 actually down from what we normally run. About 50 percent
22 of all the cases in the office are usually court related.

23 With respect to the housing matters, we're
24 currently running about 54 percent in court, which, again,

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1 is also down. From the time that I've been tracking it,
2 it was running around 75 percent of all the housing cases
3 in court.

4 We have two re-openings that have been
5 prepared for your review today, and if there's anyone
6 here, if you just raise your hand, regarding Finona Corey
7 versus Local 1746, or William Rousseau versus Windsor
8 P.D.? Okay. I will tell you that the normal course of
9 action is that, during Executive Session, the
10 Commissioners will listen to -- the reopening request will
11 be presented to them. It will be up to their discretion,
12 as to whether or not they will have either party present
13 whatever it is that you're here to be able to present to
14 them.

15 At the conclusion, they will come out of
16 Executive Session, they will vote on the reopening
17 request, and you will receive a written confirmation of
18 their decision.

19 CHAIRPERSON NORTON: Just to be clear, from
20 a time management point of view, we just have one side of
21 one of the two cases who are seeking --

22 MR. BROTHERS: It appears to be.

23 CHAIRPERSON NORTON: Okay. Thank you.

24 MR. BROTHERS: The reconsiderations, we've

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1 been working at those. We currently have -- they seem to
2 be coming out of the cracks, because each month, or each
3 week, I actually notice the numbers going up, but I think
4 that we've pretty much flushed most of them out.

5 We currently have six pending. All the
6 attorneys are working on them actively. It's probably
7 going to take us several months before we finally get that
8 number down to zero, as we did with the reopenings over a
9 period of time, and they are now current. As I mentioned
10 before, the two that we have today are the only ones that
11 are currently pending, so we'll turn those out as fast as
12 we get those in.

13 Lena had alluded to the legislative
14 session, which is always a busy time for our office.
15 We've been working with several special interest groups
16 regarding some of the bills that are out there, some of
17 the concerns that they have regarding some of our bills,
18 working out language.

19 I've been working with Ray providing both
20 oral testimony, along with Ray. And that completes the
21 report that I have.

22 CHAIRPERSON NORTON: Thank you very much.
23 Any questions from Commissioners? Hearing none, then we
24 have the Executive Director's report.

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1 MR. PECH: Good afternoon, again. Once
2 again, there's an advantage to going last, because I don't
3 have to say as much as is in my report, but I do want to
4 flesh out a couple of things.

5 First, very preliminary, I want to and I
6 should have said before, which I apologize, most of you
7 got the Affirmative Action Plan for the Department of
8 Correction yesterday by overnight mail, except some of you
9 apparently didn't. We sent it out Tuesday. I apologize
10 for the lateness of that. We had a problem. The reviewer
11 became ill, and then, on the day of final typing, both
12 typists were ill, so we actually had other folks trying to
13 finish that plan in an effort to get it to you before
14 today, because I know it's a burden to read a plan at five
15 of 2:00 on Thursday afternoon.

16 Also, I just want to point out, you may
17 have caught it in the, also, the Department of Correction
18 Plan on the cover sheet, the wrong box was checked. It
19 said retain biannual filing was checked. That should have
20 been retain annual filing. Biannual filing is reserved
21 for those agencies that have 20 or fewer employees.

22 Lena has already said that we met again
23 throughout the month with several legislative leaders, and
24 we also went back and spoke to some others about issues of

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1 prime concern, just to make sure that we stay on the radar
2 screen with respect to both our bills and some other bills
3 and other issues in which we have an interest.

4 Lena mentioned that we attended a
5 confirmation hearing for Commissioner Brown, and I was
6 amazed that Commissioner Brown is able to stay awake,
7 because she's a very busy lady I found out. And,
8 Commissioner Clarke, I apologize to you for not being
9 there. That was my vacation week. Right after the last
10 meeting, I was off skiing, having a wonderful time. That
11 little ice storm you had on Valentine's Day was 34 inches
12 of snow at our place in Vermont. It made for great
13 skiing.

14 I also want to thank Bob publicly, because
15 he really got me off the hook the last day. Wednesday and
16 Thursday of that week you had your meeting, we got notice
17 that most of our bills were up to be testified on the next
18 week, and, normally, that would be something that I would
19 do, and Bob stepped in and covered that for me, which I
20 really appreciate, not only because it enabled me to be on
21 vacation and stay on vacation, but Bob was also planning
22 to be on vacation that week, but he wasn't going to be far
23 away, so I really need to acknowledge that.

24 MR. BROTHERS: Ray does have the ability to

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1 deny my vacation.

2 MR. PECH: The Appropriations Committee
3 Lena mentioned. The testimonies in there that I provided,
4 the one to the subcommittee, it's in the form of a memo,
5 and you will see parts of it that are bold, if you will,
6 in dark print. That was to show you the responses we gave
7 to some of the questions that were asked, chiefly relating
8 to how many folks I thought we needed to do our job well.

9
10 And the approach that I took was we could
11 get along with fewer people than I ended up asking for. We
12 could just meet the time frame for the investigation. We
13 could just get out the Affirmative Action plans, without
14 having to do any defaults with another person or two, and
15 we could keep up with at least reviewing the stuff we had
16 to do for contract compliance.

17 The attitude that I took is we need to do
18 more than keep up. We have statutory time frames with
19 investigations. I'd like to see us beat those, not just
20 meet them, because even the ones that exist allow more
21 than a year for doing an investigation. That's too long.
22 This is an administrative process. It's supposed to be
23 efficient. It's supposed to be time sensitive.

24 So, to me, 370 days, even though

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1 technically that's what we're permitted and we have some,
2 as you know, as we discussed at the last meeting
3 particularly, that already exceeded that, we shouldn't be
4 just meeting that. We should be under that. We should,
5 with both affirmative action and contract compliance, we
6 should not only be reviewing the plans, but if you look on
7 the affirmative action face sheet, there's a column there,
8 called site visits or something, and it's never entered
9 with any numbers, because we simply don't have the staff
10 to do that. We should be doing that. We should be
11 following up on both contract compliance plans and agency
12 plans, to go out randomly and see these agencies once in
13 awhile, and see these contracting sites, and are you
14 really doing what you're telling us you're doing?

15 Other than what's on the paper, we have no
16 way to verify it. I ended up asking for a total of 22
17 positions, which I am not stupid. We're not going to get
18 22 positions. I mean that's an increase of 20 something
19 percent, but I have some hope that we will get some of it.

20 And what I pointed out to the committee is
21 even if they were to give us the 22 position, we'd still
22 be down 17 from what we were in 1999, and we're doing a
23 lot more work. In that sense, I don't think it was an
24 outrageous demand, and what I felt was better to go

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1 forward and say, look, if you're truly committed to what
2 this agency is supposed to be doing, you need to show it,
3 by giving us the money and the resources to do what we are
4 supposed to do in a timely, efficient and good way, so
5 that the work actually gets done and that we're actually
6 on top of all the stuff we're supposed to be on top of.

7 As Lena mentioned, we met again with the
8 Connecticut Association of Affirmative Action
9 Professionals to work out some issues that came up with
10 respect to one of our bills. I met with the Department of
11 Public Works Friday, the 9th of February, and we'll meet
12 again tomorrow on issues that have come up in this
13 building with respect to the fact that we co-exist with
14 the clinic downstairs and some air quality issues that
15 were raised through an OSHA study that was done last fall.

16
17 Hopefully, we'll be able to come to some
18 accommodation. We are going to get out of here
19 eventually, but, until we do, the reality is we do not
20 live in a very healthy environment in this building, in
21 part because we share it with a hospital type facility.
22 And while the folks that work there may come in prepared
23 to work in a hospital, we don't, and neither do our
24 visitors, you folks, the people that come for a hearing.

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1 They don't know what they're walking into, so we're
2 looking at a number of things to address that, some of
3 which I've delineated.

4 On the 28th of February, I taped an
5 interview with a public radio station down in Fairfield
6 regarding contract compliance issues. I think I said
7 before that's a priority of mine, and I believe it is of
8 yours, and it's something we really need to be at the
9 forefront on.

10 In this interview, we talked about the
11 notion of the municipal exemption, which we discussed
12 before, the notion of a disparity study, and, also, I
13 emphasized the fact, as I think I mentioned last month,
14 that one of the impediments to minority contracting, even
15 assuming that minorities were being called on, in fair
16 representation to the numbers, is a lot of these small
17 companies simply can't put up a performance bond. They
18 don't have the money. So that was one of the other issues
19 we talked about in this interview.

20 And I can't, since it's a local NPR station
21 and I was not near it, I don't know if it has aired, and
22 the gentleman didn't tell me when it was going to air, but
23 it was taped on the 28th of February.

24 At the last meeting, Commissioner Griffin

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1 asked about the situation that had come up at the
2 University of Connecticut Law School, as well as some
3 other law schools, and I looked into it and since written
4 a letter to UConn, to the Dean, very briefly, the week
5 following Martin Luther King weekend.

6 There was apparently a party in a private
7 home attended by a good number of students, which would
8 best be described as racial insensitivity, if not, racial
9 intolerance, in terms of the way people came, the way they
10 dressed, the way they spoke, the way they looked. It was
11 basically a mimicking act of various styles.

12 There was a meeting, a round table
13 discussion they called it, the week following, at which
14 most of the African-American students and staff walked out
15 of, so it wasn't really a dialogue, since only half the
16 table was there.

17 The University said they were going to plan
18 for further things to bring the community together. I've
19 asked and said what are you doing, do you need any help
20 and what happened, to try to get some more detail on that.

21 We have, our staffing situation, we have 17
22 applications for the position vacated by Nandi that Sal is
23 temporarily filling. Sal and Don are in the process of
24 setting up times to interview -- well, first, they're

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1 going to go through and see if all of them qualify. They
2 are all on the DAS list, which is step one, but sometimes
3 you go through the resumes and you find out their
4 background really isn't what we need.

5 They're going to see if all of them are
6 qualified, in terms of their experience, and then schedule
7 the interviews. We have two positions that just closed,
8 in terms of the posting for a rep. in Norwich and a rep.
9 in Bridgeport. When those two are hired, the professional
10 staff in the regions will be at the numbers that you folks
11 were targeting last fall, nine in Waterbury, which
12 currently is, eight in Hartford, which currently is, eight
13 in Bridgeport and Norwich, both of which have seven actual
14 people right now, because they have the vacancies.

15 We also have gone ahead, as I indicated we
16 would last month, with converting the former curriculum
17 manager position into an H.R. rep. position. That was
18 approved. It was posted as a position in Hartford,
19 specifically in Affirmative Action, to help out with the
20 reviews. That is also closed. I think, actually, the
21 interviews are scheduled for that position at the moment.

22 That leaves the half-time clerical position
23 in Norwich. Posting just closed on that. There are 50
24 some applications. The Human Resource Specialist is in

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1 the process of going through those to kind of rank them
2 and see if everybody, in fact, is qualified before we
3 interview.

4 CHAIRPERSON NORTON: Was there a healthy
5 number of applicants for the Bridgeport and Norwich
6 positions and/or for the Affirmative Action?

7 MR. PECH: For some, but not all. There
8 were some duplicates. One person applied for all three
9 vacancies, and I believe it's in Bridgeport, there was the
10 only applicant qualified, the only applicant that was on
11 the list. We get, and I've never quite understood this,
12 the question whether they can actually read, that end up
13 having a lot of people apply for jobs, where, clearly, the
14 application states you must be on a DAS certified list,
15 and they're not. You get these applications, they're not
16 on the list, and it's probably a good thing, because I
17 think I'd probably throw it out for being unable to read a
18 direction.

19 But we had one, and I think it was in
20 Bridgeport. Toni is not here, but I think that was the
21 one office, where there was one application. There were
22 three or four in the other two and another duplication, I
23 think, among them.

24 If we cannot fill all of these three

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1 vacancies, we have been told by DAS that the list is now
2 short enough so that we can request a new list, so people
3 can reapply to DAS to get on the certified list. This
4 list started off with 20 some people six or seven months
5 ago, and we've done a lot of hiring off that list, and now
6 it's down to, I think, eight or nine.

7 The only other positions, obviously, my
8 former position is, Assistant Director, is vacant, and we
9 did have a change, but no net gain. The Governor
10 appointed a new Referee, who will start, well, his
11 confirmation hearing is the 20th, and then he has to be
12 confirmed. He starts after confirmation, and, at the same
13 time, she did not renew the appointment of one of the
14 current Referees, so the net gain is nothing. We will
15 still have six Referees. The other four, whose
16 appointments came up this year, they've all been re-
17 nominated.

18 Two things in the way of -- well, one other
19 thing I want to point out, and Don already mentioned the
20 trainings. I won't go into that. The African-American
21 Affairs Committee holds an event every year. They call it
22 their Classic Awards Program, where they recognize people
23 in the community who have been particularly helpful to
24 issues in the African-American community.

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1 As part of that program, as part of that
2 event, they have a souvenir program for which they seek
3 corporate sponsorship. We were asked if we would take out
4 an ad of some size in that program, and I wanted to put
5 that before you.

6 In my report, you will see it says that,
7 before we decide, I posed a question to the Ethics
8 Commission, as to whether or not that's an appropriate
9 expense, and, at about 1:15 this afternoon, just before
10 the meeting convened, but after my report was written, I
11 was told that it is, that it's not something that would be
12 ethically a problem.

13 So if you all have approved, I would like
14 to take out some sort of an ad in the way of publicity,
15 putting our name out there, and I see Commissioner Griffin
16 has a question about that.

17 MR. GRIFFIN: Yeah. What's the cost?

18 MR. PECH: You can take a --

19 MR. GRIFFIN: A full-page ad.

20 MR. PECH: A full page is like 1,000
21 dollars. I'm not thinking that we maybe want to spend
22 that kind of money, but I think a half-page is 300, 350.
23 And if you folks want to spend 1,000 and Sal tells me we
24 have it, I will.

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1 MS. BROWN: Wouldn't that open us up to
2 every organization?

3 MR. PECH: That's a consideration. We have
4 done it in the past occasionally. It's usually not as
5 large a number, quite honestly, the times that I've been
6 involved. There was once, when I was interim director
7 three years ago, and there was once for the Organization
8 of Black Social Workers a couple of months ago. That was
9 a much smaller figure.

10 MS. BROWN: But I think, once people see
11 it, that this is another source, because it's tough
12 getting ads.

13 MR. PECH: That's true.

14 MS. BROWN: And they will, I mean, all of
15 these likely, Latino, they will all, plus others (multiple
16 conversations) it makes you open. I just didn't know if
17 that was a line item in the budget, and we're already
18 talking about being short.

19 I mean I'm forgiving, but you just need
20 some kind of parameters.

21 MR. PECH: And I, obviously, would need to
22 consult the budget, and I think you raise a good point. I
23 know we get requests with some frequency, not that many,
24 but you're right. If we responded, we may get more.

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1 CHAIRPERSON NORTON: Would it work for us
2 to say, at this point, although I don't know if even
3 motions are in order, but just to express the spirit that
4 -- I'm sorry. This group that you're soliciting for right
5 now is?

6 MR. PECH: The African-American Affairs
7 Commission.

8 CHAIRPERSON NORTON: Why don't we say that
9 those are rather official groups the General Assembly
10 might be under consideration for the purpose of an ad, but
11 anything beyond that, we should second guess? Does that
12 make sense to people, or do you just want to say no flat
13 out, or what?

14 MR. PECH: Just to clarify what
15 Commissioner Norton is saying, he's right, this is a
16 legislative agency, for lack of a better word, just as we
17 are an executive branch agency. The AAAC is a part of the
18 government of the State of Connecticut. Whether that
19 matters or not, I don't know.

20 CHAIRPERSON NORTON: Commissioner Lobon?

21 MR. LOBON: I agree with Commissioner
22 Brown. Once you've opened the door, the door is open. And
23 for you to defend yourself with relationship to what
24 organization will come at you for ads, you do it for one,

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1 you can't defend it.

2 MR. PECH: And that's precisely why I put
3 it before you.

4 CHAIRPERSON NORTON: Are there other
5 thoughts?

6 MR. MARSHALL: I feel the same, but, on the
7 other half, I do want to take a small, half-page ad.
8 (multiple conversations)

9 CHAIRPERSON NORTON: Commissioner Griffin?

10 MR. GRIFFIN: The only question I have is
11 that, within the Commission, don't we have a certain
12 amount of promotional or public relations monies to
13 advertise stuff like that for the agency?

14 MR. PECH: Well we haven't had a position
15 for outreach in a number of years. I don't think we have
16 a line item, per se, that addresses that at this juncture,
17 no.

18 MR. GRIFFIN: You wouldn't have like an
19 advertising budget at all?

20 MR. PECH: I don't believe we do. Is there
21 a line item, Sal?

22 MR. GRIFFIN: There should be an
23 advertising budget.

24 MR. PECH: Sal has better eyes than I.

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1 What's the amount of money in there, or is there any money
2 in there?

3 MS. CLARKE: Zero. Is that zero?

4 MR. PECH: And did we spend any of it? That
5 was the one I referred to with the black social workers.

6 MS. BROWN: Well, besides the money, I mean
7 who is going to make this decision of this request,
8 because I don't want to hear that. You get all these
9 organizations, who want to make these, you know. We'll
10 have to say, unless you make a flat decision, that anybody
11 who applies gets 100 dollars or 250, but with an 800-
12 dollar budget --

13 MR. PECH: That's not going to go very far.

14 MS. BROWN: No.

15 CHAIRPERSON NORTON: It sounds like we
16 should try to bring the price down, even from that half-
17 page price.

18 MS. BROWN: Well they might be able to get
19 it from somebody else.

20 MR. PECH: Well the actual solicitation
21 they sent out is addressed to Our Corporate Sponsor. As I
22 think I point out in my report, we are not a corporation.

23 CHAIRPERSON NORTON: -- before?

24 MR. PECH: They say we did. I know we

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1 didn't last year.

2 MS. BROWN: They have a new person this
3 year, so this is what he did before.

4 CHAIRPERSON NORTON: See if you can do a
5 more modest amount than what even you were proposing.

6 MR. PECH: Well I'm not proposing. I'm
7 simply putting it out there to get some direction. I was
8 asked how much they run. (Multiple conversations)

9 CHAIRPERSON NORTON: Just try and come down
10 off that price, if you can. Is there any other
11 discussion?

12 MR. PECH: On that issue?

13 MS. BROWN: Oh, on that issue?

14 CHAIRPERSON NORTON: Yes.

15 MS. BROWN: My inclination would be that
16 you are opening --

17 CHAIRPERSON NORTON: I understand, but
18 there seems to be, also, some sentiment for being a bit
19 generous. Does anyone else have anything to say?

20 MS. CLARKE: I would just like to ask, this
21 850 dollars that we appropriated, what was that money
22 intended for? I mean do we have certain advertising that
23 we do as a matter of course, and will that money be used
24 up? I mean, if we don't have any pattern and practice of

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1 using this money for the purpose you're talking about, I
2 wouldn't want to have it redirected someplace else on this
3 occasion and then come up short later.

4 CHAIRPERSON NORTON: I'm going to ask if,
5 Mr. Marino, if you wouldn't maybe scour our records in the
6 past, so you can produce to the Executive Director that
7 which we spent in this line item last year to guide him,
8 but I will also say that I think we want to move along.
9 There is sentiment for giving nothing. There's sentiment
10 for giving something. I think a compromise is to say
11 would you invest in giving a modest amount?

12 MR. PECH: Okay and the only two other
13 things I have are in the way of announcements. One is
14 certain. One is tentative. The certain is that the HUD
15 is sponsoring, in the New England region, for the 39th
16 anniversary of the enactment of HUD, which was 1968, on
17 the 23rd of April, Monday, which is a Monday, from 9:30 to
18 1:00 at URI, University of Rhode Island, they are having a
19 celebration from I think I said 9:30 to 1:00.

20 The keynote speaker is Kim Kendrick, who is
21 the Assistant Director there for Fair Housing and Equal
22 Opportunity at HUD, and the primary focus is going to be
23 in the area of mortgage and predatory lending. Anybody
24 who is interested, I can provide more information on that.

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1 And, on the same line EEOC, our regional
2 representative from EEOC, the New York office, have been
3 planning to be here. Originally, it was earlier this
4 month. Now it's we believe it's May 20th. March 20th.
5 Thank you. Two weeks from now.

6 I'm trying to get confirmation. We haven't
7 been able to pin that down, but they said they would be
8 here from 11:00 to 1:00, roughly. They would like as many
9 folks to come as would want to, were able to. Once we get
10 the date pinned, I'm planning to ask Glen Cassis of the
11 African-American Affairs Commission to join us.

12 They would like to talk, among other
13 things, I think it's partly meet and greet, but they would
14 also like to talk about potential systemic complaints,
15 based on race. That's a priority, if you will, for the
16 newly elected chair of the EEOC.

17 So if anybody is interested in that, I will
18 tell you as soon as I have a firm date. The HUD day is
19 firm. That's it. I'm sorry if I took too long.

20 CHAIRPERSON NORTON: No. That's all right.

21 MR. GRIFFIN: Are you still talking about
22 that African-American Affairs Commission?

23 MS. BROWN: No. We're past that.

24 CHAIRPERSON NORTON: If you can say

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1 something really briefly.

2 MR. GRIFFIN: No. I was just going to say,
3 basically, that, you know, when I thought about it, we're
4 both state agencies.

5 MR. PECH: Right.

6 MR. GRIFFIN: And we have similar missions.
7 What sense does it make for us to advertise with them?
8 If we're going to advertise with anybody, we should
9 advertise our side of the agency. It just doesn't make
10 sense to me.

11 MS. CLARKE: And we don't have the money.

12 CHAIRPERSON NORTON: Well, at one point, I
13 heard from Commissioner Marshall, that there was some
14 interest in supporting the effort. Is there not, in fact,
15 any interest in supporting their effort? There's three
16 people who have spoken against it at this point.

17 MR. GRIFFIN: They show up.

18 CHAIRPERSON NORTON: Do you think that
19 would cause a problem if you didn't come forth with
20 anything?

21 MR. PECH: No. The reason I floated it is
22 just that.

23 CHAIRPERSON NORTON: Gotcha. My only task
24 is to get a measure of the sentiments of the nine people

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1 sitting here.

2 MR. CONAWAY: This is Commissioner Conaway.

3 It's not that we don't support the effort. We support
4 the efforts and their mission. What we're trying to fend
5 off ourselves is numerous requests for a budget that we
6 cannot, you know, respond to. We don't have the money.

7 CHAIRPERSON NORTON: I'm not arguing with
8 that.

9 MR. CONAWAY: And I think that's what the
10 issue is, and I do agree with Commissioner Brown. If we
11 do it for the African-American Affairs Commissioner,
12 NAACP, Black Nurses and Fraternities, I mean, you're going
13 to get requests. And I just want to know how do you
14 defend something like that? So I just say don't start.

15 CHAIRPERSON NORTON: Okay.

16 MR. PECH: I got the sentiment, which is
17 what I was looking for, so thank you.

18 CHAIRPERSON NORTON: We have a sense of the
19 membership, that we'd be well advised to hold back. The
20 next is new business, Roman Numeral IV. We have a
21 contract compliance exemption request from DOIT. Would
22 you briefly summarize that request?

23 MR. PECH: I will. The bottom line is, I
24 recommend it should be granted. What this is is a

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1 contract that involves both DOIT and the Department of
2 Banking, but because DOIT is DOIT and it deals with
3 technology and the contract involves software, that's why
4 they're making the request. What they want to do is they
5 want to buy a software program for tracking mortgages that
6 has been developed by the Banking Commission in the State
7 of North Carolina.

8 As I say in my report, this doesn't involve
9 any work in Connecticut. It doesn't involve Connecticut
10 employees. It's a product that North Carolina has
11 developed with the Banking Commission. It's useful for
12 them. So it's not something you do down at Staples, or
13 Best Buy, or something to buy the software. It's been
14 developed specifically for this purpose by the State of
15 North Carolina, therefore, it's a sole source provider
16 type issue, and I don't see any reason why we shouldn't
17 grant it.

18 CHAIRPERSON NORTON: Should we entertain a
19 motion? Is there a motion to grant the exception to our
20 contract compliance rules exemption by the Department of
21 Information Technology?

22 MS. MENGUAL: So moved, Gloria.

23 CHAIRPERSON NORTON: Gloria Mengual moves.
24 Is there a second?

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1 MR. GRIFFIN: Second.

2 CHAIRPERSON NORTON: Commissioner Griffin.

3 All those in favor? Hearing no discussion, all those in
4 favor?

5 ALL: Aye.

6 CHAIRPERSON NORTON: Anyone opposed?
7 Anyone abstaining? The contract compliance exemption is
8 granted. Old business. Commissioner orientation.

9 MR. PECH: Yeah. If you recall, I handed
10 out these survey forms at the last meeting, and I've heard
11 now from everybody, except Commissioner Lobon. I still
12 haven't heard from you, sir.

13 Bob and I sat down, and we were trying to
14 figure how best to do this, in terms of everybody's
15 schedules. And I think we talked, a meeting or two ago,
16 about possibly doing it over lunch, kind of a working
17 lunch. And when we talked the other day, we thought would
18 it make sense? We sort of break this down into two broad
19 categories. One has to do with all aspects of complaint
20 filing, and the other has to do with the other things we
21 do, contract compliance, affirmative action, declaratory
22 ruling and so forth.

23 What we wondered, and, obviously, you --
24 want to do it differently, if we simply schedule for two

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1 hours, from 11:30 to 1:30, before the next two Commission
2 meetings, in other words, April 12 I think is the next
3 meeting and May 10th is the meeting after that, and we do
4 one of those groups, either complaint processing in April
5 and then, in the May meeting, we do all the other aspects
6 of things we deal with over a working lunch.

7 There were some topics that were fairly
8 popular, complaint filing, merit assessment, but there
9 were a number where only one or two of you expressed an
10 interest in, and I don't think it makes sense for us to
11 schedule a session for each of those for one person.
12 We'll be doing this for a year.

13 So I don't know if people's schedules are
14 such that you could come early, or am I off the base to
15 think to do it on a Commission day is a good thing. Maybe
16 it's a bad thing, because you're already devoting a piece
17 of your day away from your offices.

18 CHAIRPERSON NORTON: What do people think?

19 MS. CLARKE: Commission day is fine with
20 me.

21 CHAIRPERSON NORTON: Anyone else?

22 MS. BROWN: That would work for me, but I
23 do understand those who are employed.

24 CHAIRPERSON NORTON: Okay. Lillian and

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1 Cheryl say it works. Anyone else? Anyone else think that
2 works well?

3 MR. PECH: Bob and I are here, so we can do
4 it.

5 CHAIRPERSON NORTON: Anyone else?

6 MR. GRIFFIN: I'm flexible.

7 CHAIRPERSON NORTON: Jimmie is flexible.

8 Anyone else? Okay, well, then, let's go with that.

9 MR. PECH: Then let's schedule for now the
10 next meeting, April 12th, from 11:30 to 1:30. We'll do
11 the topics of complaint filing, merit assessment review,
12 full investigation, cause or no cause, reconsideration
13 reopening, the contrasts, public hearing process and
14 appeals. That will be April 12th. Bob will talk fast.

15 CHAIRPERSON NORTON: That's basically every
16 step in the process that a person in --

17 MR. PECH: In a complaint.

18 CHAIRPERSON NORTON: Yup.

19 MR. PECH: That's correct.

20 CHAIRPERSON NORTON: Okay, great. Now we
21 have Executive Session. I would entertain a motion from
22 the Commissioner to move us into Executive Session, with
23 the understanding that we would invite into the Executive
24 Session --

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1 MR. MAMBRUNO: So moved.

2 CHAIRPERSON NORTON: Commissioner Mambruno
3 has made a motion. Anyone second?

4 MS. CLARKE: Commissioner Clarke.

5 CHAIRPERSON NORTON: Commissioner Clarke
6 seconds. All those in favor, say "aye."

7 ALL: Aye.

8 CHAIRPERSON NORTON: Anyone opposed?
9 Anyone abstaining? The motion passes.

10 MR. BROTHERS: For the record, can you just
11 indicate who you want in?

12 CHAIRPERSON NORTON: Yes. I was about to
13 do that. The Commission would invite Mr. Teed(phonetic),
14 Mr. Brothers and Mr. Pech.

15 (Whereupon, the meeting adjourned into
16 Executive Session.)

17 CHAIRPERSON NORTON: Do I hear a motion to
18 come back out of Executive Session?

19 A MALE VOICE: Five of 7:00?

20 CHAIRPERSON NORTON: I meant to say 5:07
21 p.m., post meridian. Commissioner Griffin makes a motion
22 to come out of Executive Session. Is there a second?

23 MR. MARSHALL: Second.

24 CHAIRPERSON NORTON: Second by Commissioner

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1 Marshall. All those in favor?

2 ALL: Aye.

3 CHAIRPERSON NORTON: Anyone opposed?

4 Anyone abstaining? We are out of Executive Session. No
5 votes were taken during the Executive Session. Is there -
6 - I understand there may be a motion from a Commissioner
7 to open the agenda. Is there a motion?

8 MR. CONAWAY: So moved.

9 MR. MARSHALL: Second.

10 CHAIRPERSON NORTON: Commissioner Conaway
11 and Commissioner Marshall seconds the motion to open the
12 agenda for the purposes of the appointment of an Executive
13 Director. All those in favor of opening the agenda,
14 please say "aye."

15 VOICES: Aye.

16 CHAIRPERSON NORTON: Is there anyone
17 opposed?

18 A MALE VOICE: Opposed.

19 CHAIRPERSON NORTON: There's one
20 opposition. Is there any abstention? There's no
21 abstention, so the motion carries by the required two-
22 thirds, seven of eight having voted yes.

23 I understand that there may be another
24 motion. Is that Commissioner Clarke?

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1 MS. CLARKE: Yes, it is.

2 CHAIRPERSON NORTON: And maybe a second by

3 --

4 MS. CLARKE: I make a motion to amend the
5 agenda.

6 CHAIRPERSON NORTON: No, no. We've now
7 amended the agenda. We're ready for a clean motion.

8 MS. CLARKE: Okay.

9 CHAIRPERSON NORTON: I can state the
10 motion.

11 MS. BROWN: Please. Please.

12 CHAIRPERSON NORTON: I'll entertain a
13 motion from a Commissioner that we appoint Ray Pech to be
14 Executive Director of the Commission on Human Rights and
15 Opportunities until August 15, 2008, the natural
16 expiration of the term of the past Executive Director. Is
17 there a motion to that effect?

18 MS. CLARKE: So moved.

19 MR. MARSHALL: Second.

20 CHAIRPERSON NORTON: There's a motion by
21 Commissioner Clarke and a second by Commissioner Marshall.
22 All those in favor of --

23 A FEMALE VOICE: Could you repeat it again?

24 CHAIRPERSON NORTON: Sure. That the

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1 Commission on Human Rights and Opportunities appoints Ray
2 Pech as Executive Director until August 15, 2008, the
3 natural end of the term of the previous Executive
4 Director. That's the end of the motion. And it's been
5 made by Commissioner Clarke, seconded by Commissioner
6 Marshall. Is there any discussion of the motion? All
7 those in favor of the motion, please signify by saying
8 "aye."

9 VOICES: Aye.

10 CHAIRPERSON NORTON: Is there any
11 opposition?

12 MR. LOBON: No.

13 CHAIRPERSON NORTON: Commissioner Lobon
14 says no. Is there any abstentions?

15 MS. MENGUAL: I abstain.

16 CHAIRPERSON NORTON: Commissioner Mengual
17 abstains. The motion passes. And I want to state that,
18 at this point, the Commission will be adding an item to
19 the agenda for next Commission meeting, where we will
20 develop a method for searching -- a replacement for the
21 Assistant Director position, now vacant, by the permanent
22 placement of Mr. Pech as Executive Director, which
23 discussion will involve ascertaining a method for
24 searching for an Assistant Director, the creation of a

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1 search committee among the Commission for an Assistant
2 Director, so that's simply a statement from the Chair.

3 Please make sure that's on our next agenda.

4 And now I've mislaid my agenda. We have no business, I
5 believe, regarding pending claims or pending litigation,
6 Mr. Teed(phonetic), is that correct?

7 A MALE VOICE: That's correct.

8 CHAIRPERSON NORTON: Reopening requests.
9 I'll entertain a motion to accept staff counsel,
10 Commission attorney's recommendation that we do not grant
11 the reopening in the case of Corey v. Local 1746.

12 MR. GRIFFIN: So moved.

13 CHAIRPERSON NORTON: That was Commissioner
14 Griffin who made the motion. Is there a second?

15 MS. CLARKE: Commissioner Clarke.

16 CHAIRPERSON NORTON: Commissioner Clarke
17 seconds. Is there any discussion of the motion? If not,
18 all those in favor of the motion, say "aye."

19 ALL: Aye.

20 CHAIRPERSON NORTON: Is there any
21 opposition? Are there any abstentions? So the reopening
22 request is denied. I'll entertain a motion to accept
23 Commission attorney's recommendation that we do not reopen
24 the case of Rousseau versus Windsor Locks Police

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1 Department. Is there such a motion?

2 MR. MAMBRUNO: So moved.

3 MR. MARSHALL: Second.

4 CHAIRPERSON NORTON: Commissioner Mambruno
5 moves and Commissioner Marshall seconds. Is there any
6 discussion? Hearing none, all those in favor of accepting
7 counsel's recommendation that we do not reopen the case of
8 Rousseau versus Windsor Locks Police Department, say
9 "aye."

10 ALL: Aye.

11 CHAIRPERSON NORTON: Any opposed? Any
12 abstentions? The case is not reopened. We have no
13 discussion of any personnel matters, and I guess we'll --
14 those of you who can make it, we'll be seeing each other
15 at 11:30 on this floor of this building on April 12th for
16 an education of Commissioners on the process -- am I
17 saying that right, April 12th?

18 MR. PECH: Yeah. April 12th is the next
19 meeting.

20 CHAIRPERSON NORTON: From 11:30 to 1:30.
21 If you can't make it, of course still do come to the
22 meeting at 2:00, and there will be some --

23 MS. MENGUAL: 11:30?

24 CHAIRPERSON NORTON: 11:30 to 1:30, and

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1 then just a break in time so people can collect themselves
2 and get ready for the meeting, itself, at 2:00. And they
3 will be giving us a workshop, and what it is a citizen of
4 Connecticut does, or they come to this Commission to fight
5 discrimination against them.

6 MR. GRIFFIN: Make sure they supply lunch
7 for that meeting.

8 CHAIRPERSON NORTON: And make sure that
9 there is pastrami on rye, hold the mustard.

10 MR. PECH: I would provide lunch, but I
11 would ask that folks give us a week notice if you're
12 coming, so that we can have the lunch.

13 CHAIRPERSON NORTON: Okay.

14 MR. PECH: We will provide it, but I don't
15 want to underestimate.

16 CHAIRPERSON NORTON: You can pay for that
17 out of that advertising account we're not spending
18 anything on. (Laughter)

19 Is there any other business that I have
20 forgotten? Is there any other business before the
21 Commission? Seeing none, I'll entertain a motion to
22 adjourn.

23 MS. MENGUAL: So moved.

24 MR. CONAWAY: Second.

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1 CHAIRPERSON NORTON: Commissioner Mengual.

2 Commissioner Conaway seconds. All those in favor, say

3 "aye."

4 ALL: Aye.

5 (Whereupon, the meeting adjourned at 5:15

6 p.m.)