

**MINUTES OF THE REGULAR COMMISSION MEETING OF THE COMMISSION ON  
HUMAN RIGHTS AND OPPORTUNITIES  
THURSDAY, OCTOBER 11, 2007, 2:00 P.M.  
21 GRAND STREET, HARTFORD, CONNECTICUT 06106  
LARGE CONFERENCE ROOM**

**COMMISSIONERS PRESENT**

Andrew Norton, Chairperson  
Edward Mambruno, Secretary  
Cheryl Lynn Clarke  
Jimmie Griffin  
John Lobon  
George A. Marshall  
Gloria Mengual (joined the meeting in progress)

**COMMISSIONERS ABSENT**

Larry Conaway

**STAFF PRESENT**

Robert J. Brothers, Jr., Managing Director and Commission Attorney  
Alvin Bingham, Affirmative Action and Contract Compliance Supervisor  
Donald Newton, Chief of Field Operations  
Michelle Provost, Fiscal Administrative Supervisor  
Gloria Sparveri, Affirmative Action Program Manager  
David Teed, Assistant Attorney General  
Linda Civitillo, Executive Secretary

**I. CHAIRPERSON**

**A. Convene Meeting**

Chairperson Andrew Norton convened the October 11, 2007 Regular monthly meeting of the Commission on Human Rights and Opportunities at 2:03 p.m.

Before proceeding with the meeting, Chairperson Norton commented on the recent passing of CHRO Commissioner Lillian Brown of Waterbury, who served as a Commissioner for over a year. He highlighted her many accomplishments and involvement in various organizations. He also commended her commitment to CHRO by attending many of the Regular and Special meetings during her tenure as a Commissioner. Commissioner Jimmie Griffin also commented on the passing of Commissioner Brown and stated it was a distinct privilege knowing both Mr. and Mrs. Brown. He added that she will be missed dearly on the Commission. Commissioner Griffin read a short quote that appeared in the Waterbury Republican-American regarding Commissioner Brown: "Beyond her gentle manners and polite way, Brown also was masterful at reining in meetings that went on too long and getting things done." Commissioner Marshall asked for a moment of silence in memory of Commissioner Brown.

**II. SECRETARY**

A. Review and Approval of Minutes of September 10, 2007 Regular Commission Meeting

Secretary Mambruno requested a motion accepting the minutes of the September 10, 2007 Regular Commission meeting. A motion was made by Commissioner Clarke and seconded by Commissioner Marshall to approve the minutes of the September 10, 2007 Regular Commission meeting. The motion carried with the following Commissioners voting in favor of the motion: Clarke, Mambruno and Marshall. Commissioners Griffin and Lobon abstained and Commissioner Mengual was not present for the vote. Chairperson Norton did not vote and Commissioner Conaway did not attend the meeting.

B. Review and Approval of Minutes of September 18, 2007 Special Telephonic Commission Meeting

A motion was made by Commissioner Marshall and seconded by Commissioner Clarke to approve the minutes of the September 18, 2007 Special Telephonic Commission meeting. The motion carried with the following Commissioners voting in the affirmative: Clarke, Griffin, Mambruno and Marshall. Commissioner Lobon abstained, the Chairperson did not vote and Commissioner Mengual was not present for the vote.

C. Review and Approval of Minutes of September 28, 2007 Special Telephonic Commission Meeting

A motion was made by Commissioner Marshall and seconded by Commissioner Griffin to approve the minutes of the September 28, 2007 Special Telephonic Commission meeting. The motion carried with the following Commissioners voting in favor of the motion: Clarke, Griffin and Marshall. Commissioners Lobon and Mambruno abstained, the Chair did not vote and Commissioner Mengual was not present for the vote. Chairperson Norton explained two Special Commission meetings were held to address some emergency contract compliance exemption issues dealing with the federal government. At the second of the two special meetings, the Commission granted a short-term, but blanket, exemption for contracts with the federal government and executive branch agencies so that the executive branch can move ahead with those necessary contracts. Before the year's end, the Commission will consider whether or not such a blanket exemption merits extension.

**(Commissioner Mengual joined the meeting)**

### III. AFFIRMATIVE ACTION RECOMMENDATIONS

#### A. Agencies Proposed Affirmative Action Plans

Staff Recommendations: **Approvals**

1. Office of the Attorney General
2. Eastern Connecticut State University
3. Police Officer Standards and Training Council
4. Department of Public Health
5. Secretary of the State
6. Western Connecticut State University

Chairperson Norton requested a motion accepting the staff recommendations for approval of the affirmative action plans for the Office of the Attorney General, Eastern Connecticut State University, Police Officer Standards and Training Council, Department of Public Health, Secretary of the State and Western Connecticut State University. Commissioner Mambruno moved that the above-noted affirmative action plans be approved as recommended by staff. Commissioner Marshall seconded the motion. Alvin Bingham, Affirmative Action and Contract Compliance Supervisor, introduced the state agency representatives in attendance and provided a brief overview regarding the justification for each approval recommendation, including the five-year filing history. Questions and discussion followed regarding the affirmative action plans for the Office of the Attorney General, the Police Officer Standards and Training Council and the Department of Public Health.

Chairperson Norton noted the Attorney General's Office received 10 out of 10 short-term goals, 3 out of 10 long term goals and 13 out of 20 total goals or 65%. He asked if that falls a bit short of the area where we would still want to see good faith effort, but if they were at 70 and we combined both categories they'd become as one – both short-term and long-term goals. He noted for the record that all his questions were answered "yes" by nods of the head from Neva Vigezzi and Paula Ross.

With regard to the Police Officer Standards and Training Council, the Chairperson asked if sworn police officers comprise the professionals in this agency. Ms. Laura Guilmartin, Equal Employment Opportunity Specialist, stated most of the trainers are retired police officers. In response to a question from Commissioner Marshall as to why there were no promotion goals set, Ms. Guilmartin noted it is a very small agency and there is not a lot of room for upward mobility. She explained that the agency trains municipal police officer recruits in classes commencing every six weeks.

Paula Ross, HRO Representative, reported she met with Joseph Teal, the Department of Public Health's Equal Employment Opportunity Manager, on a number of occasions to work on bringing the plan into compliance after being disapproved last year. Mr. Teal described various recruitment efforts undertaken by DPH in response to a question from Commissioner Clarke. He also indicated the agency attends career fairs at Southern Connecticut State University, which offers a public health program, to talk to juniors and seniors about career opportunities in the Department of Public Health. Managing Director and Commission Attorney Robert Brothers noted the five-year history for DPH was inadvertently omitted from the summary provided to the Commissioners in their mailing, but a copy was included in their supplemental packets.

Prior to a vote on this Item, Ms. Guilmartin, from the Police Officer Standards and Training Council, clarified for the record the training classes for police officer recruits commence every 20 weeks, not every six weeks as previously indicated. There was no further discussion on this Item. The motion approving all six affirmative action plans carried with Commissioners Clarke, Griffin, Mambruno, Marshall and Mengual voting in favor of the motion. Commissioner Lobon abstained and the Chair did not vote.

#### **IV. DIVISION REPORTS**

##### **A. Affirmative Action Program Manager's Report**

Gloria Sparveri, Affirmative Action Program Manager, indicated her report was provided to the Commissioners in their mailing. She noted she made the changes recommended at last month's meeting so the report now reflects the current monthly activity, as well as the year-to-date. Ms. Sparveri reported there were no activities to report this month, however, a final report will be provided at the November Commission meeting as CHRO's reporting year closes at the end of October.

Commissioner Griffin stated he finds the report somewhat difficult to follow due to the many abbreviated references. He asked for clarification on several items, including what the asterisk refers to on page one under hiring goals. Ms. Sparveri explained under 2007 Plan Projected Goals, within the Officlas/Administrators section, the asterisk indicates the agency met a goal by hiring a white female. Commissioner Griffin also asked for further elaboration regarding goal establishment. Ms. Sparveri responded the goals are mathematical calculations done by geographic areas (CHRO has four) and the agency goes by the labor market index the Department of Labor puts out. The Labor Department comes up with numbers that the agency then feeds in to and the agency does mathematical calculations based on what our numbers are and

that will show you whether or not you have to have a goal for that. Commissioner Griffin reviewed the breakdown of former and current executive and senior staff by race and sex within the Central Office.

Commissioner Lobon asked if, based on law and based on the statistical data that's used to determine who gets a particular position within any agency, because it seems to be reflective of the state itself and its affirmative action, that if you use labor market statistic data, based on that particular data in order to make a determination of who will become a goal candidate, you have to have a large percentage of numbers within that in order to be able to fulfill that. Based on statistical data, Commissioner Lobon asked if this is an okay organization based on the number of individuals who fill these particular slots. For a minority to, or a person of color to be able to be a part of the administration aspect the likelihood is unlikely based on what formulas are being used to make that determination. Ms. Sparveri added and how many people respond to the job openings.

For the purposes of clarification, Commissioner Clarke requested Ms. Sparveri's summary include the job titles within each of the categories, along with the incumbent and their race and gender. The Chairperson agreed that incorporating the changes requested by Commissioner Clarke and removing some of the abbreviations from the report would address Commissioner Griffin's concerns and aid the reader.

B. Fiscal Report

Michelle Provost, Fiscal Administrative Supervisor, reported there were no significant activities to report from last month. She noted the three positions the agency was authorized to establish by the Legislature have been established as HRO Representatives.

C. Field Operations Report

Donald Newton, Chief of Field Operations, indicated the Commissioners received the statistical report in their mailing. Commissioner Mambruno commented on the percentage of pending cases in the Capitol Region as being lower than those of the other regions. Mr. Newton explained this might be attributed to the fact that the Capitol Region has had a fairly stable workforce, whereas the other regions, particularly Southwest and West Central, have experienced more turnover. Until staff is replaced, cases can go unassigned and unprocessed for a period of time.

D. Managing Director's Report

Attorney Brothers reported the caseload in the Legal Division remains at about 90 active cases. Of those, 37 are housing cases, of which 65% are court elected cases. There are currently 64 pending reconsideration requests. This figure represents a slight increase from what was previously reported. All reconsideration requests are now received in the Legal Division and assigned among the staff attorneys and Assistant Attorney General Teed. There has been an increase in the number of reopening requests -- two requests are on today's agenda for action by the Commission -- and there are three other requests pending that are being reviewed. Attorney Brothers added that paperwork pertaining to the Special Commission meeting held on September 28 for a contract compliance exemption from the Office of Policy and Management was included in the Commissioners' supplemental packet.

At the request of Executive Director Pech, Attorney Brothers asked if there was interest on the part of Commissioners in holding a second training segment to cover the other areas of the Commission's responsibility -- affirmative action, contract compliance, Commission-initiated complaints -- not covered in the case processing training segment. Commissioners Clarke, Griffin and Mambruno expressed an interest in participating in a second training session. Attorney Brothers said he would communicate this information to the Executive Director, staff could poll the Commission again and a second session could be scheduled in the late morning on the same day as a Commission meeting.

E. Executive Director's Report

The Executive Director's written report was provided in the Commissioners' supplemental packet.

V. **NEW BUSINESS**

A. Request for Contract Compliance Exemption Between the New England Transportation Consortium and the Connecticut Department of Transportation Regarding a Contract for Project No. 03-2

Attorney Brothers addressed this Item. Information related to the contract compliance request was included in the Commission mailing. The Department of Transportation made the request, which deals with a study that is being done regarding transportation within the New England states. The study is being done outside of Connecticut by the University of Massachusetts. There is a current contract for this work. This request represents an extension of that current contract, which runs through the end of the year. Staff has analyzed the request and is recommending the request be granted. Attorney Brothers noted a

representative from the Department of Transportation was in attendance at the meeting. There was no additional discussion. A motion was made by Commissioner Mambruno and seconded by Commissioner Marshall to grant the Request for Contract Compliance Exemption Between the New England Transportation Consortium and the Connecticut Department of Transportation Regarding a Contract for Project No. 03-2. The motion carried unanimously. Chairperson Norton did not vote.

**VI. OLD BUSINESS**

**A. Discussion of Transcripts of Future Commission Meetings**

In follow up to a brief discussion at last month's meeting, Chairperson Norton opened a discussion revisiting the decision to maintain transcripts of Commission meetings. Based on the cost to produce a transcript of the September Regular Commission meeting, the Chair indicated the cost of producing transcripts for meetings would be approximately \$14,000 per year. The Chair expressed his view that it is important to have minutes in the standard sense and reiterated that the meetings are taped and the tapes are archived and available for duplication, if needed. Chairperson Norton also expressed his view that \$14,000 could be much better spent on other programs within the agency. Considerable discussion followed regarding the issue. Commissioner Clarke indicated she does not need to have a verbatim record every month provided there is a tape and the tape can be transcribed. Commissioner Mambruno concurred with Commissioner Clarke. Commissioner Lobon expressed a strong, continued interest in having a verbatim record of meetings in the form of a transcript. Commissioner Mengual also expressed an interest in having some form of a word-for-word record of the meeting, either in the form of a transcript or tapes. Commissioner Griffin agreed with Commissioner Mengual, but also suggested having a back-up tape since something on the original tape could be accidentally erased. He conveyed his concern that minutes may not always reflect everything that is said at a meeting. He stated he would be in favor of a transcript or two tapes. Chairperson Norton concluded the lengthy discussion by indicating the Commission would not contract with a reporting service next month and any Commissioner making such a request will be provided with a copy of the tape or tapes of the meeting. In addition, to address concerns raised by Commissioner Griffin, one additional copy of the tape will be made to be stored in a separate location within the agency.

**VII. EXECUTIVE SESSION**

In accordance with Section 1-225(c) of the Connecticut General Statutes, as amended, it was moved by Commissioner Mambruno and seconded by Commissioner Marshall that the Commission go into Executive Session,

including inviting Assistant Attorney General David Teed and Managing Director and Commission Attorney Robert Brothers to make the relevant reports, for the purpose of discussing pending litigation and personnel matters. The motion carried unanimously, with the exception of the Chair who did not vote. All members of the public were excused from the Executive Session.

#### **VIII. RETURN TO REGULAR SESSION**

It was moved by Commissioner Marshall and seconded by Commissioner Griffin to return to Regular Session. The motion carried unanimously. The Chairperson did not vote. Chairperson Norton noted the Commission discussed the items apparent on the agenda in Executive Session. He also noted no votes were taken during Executive Session.

#### **IX. VOTE ON EXECUTIVE SESSION ITEMS**

- A. Report on Pending Claims or Pending Litigation
- B. Personnel Matters

There was no discussion or action taken regarding pending claims or pending litigation and personnel matters.

The Chairperson entertained a motion to reopen the agenda to add the two reopening requests, Judy Harris v. General Dynamics and Marie Brown v. Bridgeport Health Department. It was moved by Commissioner Griffin and seconded by Commissioner Mambruno to open the agenda for this purpose. The motion carried unanimously. Chairperson Norton did not vote.

#### **X. VOTE ON REOPENING REQUESTS**

1. Judy Harris v. General Dynamics Corporation, Electric Boat Division – CHRO Case #6040127

A motion was made by Commissioner Griffin and seconded by Commissioner Mambruno to deny the reopening request in the matter of Judy Harris v. General Dynamics Corporation, Electric Boat Division. The motion carried unanimously with the exception of Chairperson Norton who did not vote. There were no representatives from either party in attendance at the meeting.

2. Marie Brown v. Bridgeport Health Department – CHRO Case #0620217

A motion was made by Commissioner Clarke and seconded by Commissioner Marshall to deny the reopening request in the matter of Marie Brown v. Bridgeport Health Department. The motion carried unanimously. Chairperson

Norton did not vote. There were no representatives from either party in attendance at the meeting.

**XI. ADJOURNMENT**

There being no further business to come before the Commission, it was moved by Commissioner Griffin and seconded by Commissioner Marshall to adjourn the meeting at 4:05 p.m. The motion carried unanimously. The Chair did not vote.