

**MINUTES OF THE REGULAR COMMISSION MEETING OF THE COMMISSION ON
HUMAN RIGHTS AND OPPORTUNITIES
WEDNESDAY, AUGUST 12, 2009, 2:00 P.M.
LEGISLATIVE OFFICE BUILDING – ROOM 1E
HARTFORD, CONNECTICUT 06106**

COMMISSIONERS PRESENT

Andrew Norton, Chairperson
Edward Mambruno, Secretary
Shelley Copeland
Alexia E. Cruz
Milton Johnson
Patricia Wrice

COMMISSIONERS ABSENT

Cheryl Lynn Clarke
John Lobon

STAFF PRESENT

Robert J. Brothers, Jr., Acting Executive Director
Alvin Bingham, Affirmative Action and Contract Compliance Supervisor
James O'Neill, Legislative and Regulations Specialist
Michelle Provost, Fiscal Administrative Supervisor
Gloria Sparveri, Affirmative Action Program Manager
Linda Civitillo, Executive Secretary

I. CHAIRPERSON

A. Convene Meeting

Chairperson Andrew Norton convened the August 12, 2009 Regular monthly meeting of the Commission on Human Rights and Opportunities at 2:10 p.m.

II. SECRETARY

A. Review and Approval of Minutes of July 8, 2009 Regular Commission Meeting

Secretary Mambruno requested a motion approving the minutes of the July 8, 2009 Regular Commission meeting. A motion was made by Commissioner Johnson and seconded by Commissioner Cruz to approve the minutes of the July 8, 2009 Regular Commission meeting as presented. There was no discussion. The motion carried unanimously. Chairperson Norton did not vote on the motion.

III. AFFIRMATIVE ACTION RECOMMENDATIONS

A. Agencies Proposed Affirmative Action Plans

Staff Recommendations: **Approvals**

1. Gateway Community College
2. Housatonic Community College
3. Office of State Ethics
4. Teachers' Retirement Board
5. Department of Transportation

Chairperson Norton requested a motion to accept the staff recommendations for approval of Gateway Community College, Housatonic Community College, Office of State Ethics, Teachers' Retirement Board and the Department of Transportation, including retention of annual filing status for all of the agencies with the exception of the Office of State Ethics which will retain biennial filing status. A motion was made by Commissioner Mambruno and seconded by Commissioner Wrice to accept the staff recommendations for approval and retention of annual filing status for the four noted agencies and approval and retention of biennial filing status for the Office of State Ethics.

Mr. Bingham provided a brief statement regarding Northwestern Connecticut Community College which had not been reviewed due to a shortage of staff and time constraints. Northwestern Connecticut Community College was not on the August 12, 2009 agenda. The Agency's plan shall be deemed approved by default based on statute and required no vote.

1. Gateway Community College

Mr. Bingham introduced Dr. Dorsey L. Kendrick, President, and Dr. Vincent P. Tong, AAO/Institutional Research Director, from Gateway Community College. The plan was recommended for approval based on compliance with the following: the plan contained all of the elements required, the agency demonstrated every good faith effort to achieve its goals and the agency substantially addressed deficiencies noted by the Commission in the prior plan review. Goal achievement: there were no short term goals. Long term goal achievement was 6 out of 16 or 37.5%, total goal achievement was 6 out of 16 or 37.5%, and promotion goal achievement was 1 out of 5 or 20%. The plan was approved in 2004, disapproved in 2005, approved in 2006 and 2007 and conditionally approved in 2008. A brief discussion followed.

2. Housatonic Community College

The following individuals represented Housatonic Community College: President Anita Gliniecki and Brenda Alexander, Human Resources and Affirmative Action Officer. The plan was recommended for approval based on compliance with the following: the plan contained all of the elements required, the agency

demonstrated every good faith effort to achieve its goals and the agency substantially addressed deficiencies noted by the Commission in the prior review. Short term goal achievement was 5 out of 5 or 100%, long-term goals were 4 out of 11 or 30%, total goal achievement was 9 out of 16 or 56% and promotion goal achievement was 1 out of 2 or 50%. The plan was approved in 2004 and 2005, disapproved in 2006, conditionally approved in 2007 and disapproved in 2008. No questions or comments followed.

3. Office of State Ethics

Mr. Bingham introduced the following individuals from the Office of State Ethics: Carol Carson, Executive Director, Cynthia Isales, Affirmative Action Designee, and George Edelman, Associate Accounts Examiner. The plan was recommended for approval based on compliance with the following: the plan contained all of the elements required, the agency demonstrated every good faith effort to achieve its goals and the agency substantially addressed deficiencies noted by the Commission in prior plan reviews. Short-term goal achievement was 3 out of 6 or 50% and total goal achievement was 3 out of 6 or 50%. This is a new agency and it is on a biennial filing. Its first filing was in 2007 and was approved. No questions or comments followed.

4. Teachers' Retirement Board

The following representatives were in attendance from the Teachers' Retirement Board: Leanne Appleton, Assistant Administrator and Louis Laccavole, Fiscal Administrator/Affirmative Action designee. The plan was recommended for approval based on compliance with the following: the plan contained all of the elements required, the agency substantially addressed all of its hiring, promotion and program goals and the agency has substantially addressed a deficiency in the previous plan. Short-term goal achievement was 3 out of 3 or 100%, total goal achievement was 3 out of 3 or 100% and program goal achievement was 3 out of 3 or 100%. The plan was approved in 2004, 2005 and 2006, conditionally approved in 2007 and approved in 2008. No additional discussion regarding this plan followed.

5. Department of Transportation

Mr. Bingham introduced the following individuals in attendance from the Department of Transportation: Cheryl Malerba, Chief of Staff; Diane Donato, EEO Director, Vicki Arpin, HR Administrator, Cordula, EEO Manager, Nancy Bryant, EEO Specialist 2, and Renee LaBarge, EEO Specialist 1. The plan was recommended for approval based on compliance with the following: the plan contained all of the elements required, the agency met all or substantially all of its hiring and promotion goals, the agency demonstrated every good faith effort to achieve its goals and the agency substantially addressed deficiencies noted by the Commission in the prior plan review. Short term goal achievement was 31 out of 105 or 30%, long term goal achievement was 10 out of 21 or 48%, total goal achievement was 41 out of 126 or 33% and promotion goal achievement was 65 out of 116 or 47%. The plan was approved in 2004 and 2005,

disapproved in 2006, and approved in 2007 and 2008. A brief discussion followed.

Commissioner Cruz complimented Neva Vigezzi on the summary of recruitment efforts.

A motion having been made and properly seconded, the Chair called for a vote. The motion carried unanimously. The Chairperson did not vote on the motion.

Staff Recommendations: Disapprovals

1. Asnuntuck Community College

Mr. Bingham introduced the following individuals in attendance from Asnuntuck Community College: Dr. Martha McLeon, President, Joseph Blercher, Human Resource Director, and Cheryl A. Cyr, Affirmative Action Officer. The plan was recommended for disapproval based on non-compliance with the following: the workforce considered as a whole and by occupation of category is not in parity with the relevant labor market. The agency has not met all or substantially all of its hiring, promotion and program goals. The agency has not demonstrated every good faith effort to achieve such goals. Short term goal achievement 3 out of 9 or 33%, total goal achievement 3 out of 9 or 33%. The plan was approved in 2004, 2005, 2006, 2007 and 2008.

A motion was made by Commissioner Mambruno and seconded by Commissioner Johnson to accept staff recommendation for disapproval and retention of annual filing status for Asnuntuck Community College. The vote was unanimous. The Chairperson did not vote on the motion.

2. Norwalk Community College

Mr. Bingham introduced the following individuals in attendance from Norwalk Community College: Dr. David Levinson, President, Virginia DellaMura, Director Human Resources, and Eleanor Bascom, Acting Affirmative Action Officer. The plan is recommended for disapproval based on noncompliance with the following: The workforce considered as a whole of occupational category is not in parity with relevant labor market. The agency has not met all or substantially all of its hiring, promotion and program goals. The agency has not demonstrated every good faith effort to achieve such goals. Short term goal achievement was 5 out of 15 or 33%, long term goal achievement 0 out of 2 or 0%, total goal achievement was 5 out of 17 or 29%, promotion goals were 3 out of 7 or 43%. The plan was approved in 2004, 2005 the plan was disapproved in 2006, 2007, and 2008. A brief discussion followed.

A motion was made by Commissioner Mambruno and seconded by Commissioner Wrice to accept staff recommendation for disapproval and retention of annual filing status for Norwalk Community College. The vote was unanimous. The Chairperson did not vote on the motion.

IV. DIVISION REPORTS

A. Affirmative Action Program Manager's Report

Gloria Sparveri, Equal Employment Opportunity Specialist II indicated that the Commission is in a holding pattern for purposes of filling vacant positions due to budget constraints and a hiring freeze.

B. Fiscal Report

Michelle Provost, Fiscal Administrative Supervisor, indicated the Personnel Status Report and Comprehensive Financial Status Report as of July 31, 2009 were provided to the Commissioners in their mailing packet. There were no questions for Ms. Provost regarding either report.

C. Field Operations/Case Processing Report

Acting Executive Director Brothers indicated that a statistical case processing report similar to the one prepared by Donald Newton was provided to the Commissioners in their mailing packet.

D. Legislative Report

James O'Neill, Legislative Liaison shared with the Commission that the African American Affairs Commission was interested in the work of our agency. In particular, they were interested in data regarding the number of cases filed, which cases were dismissed on MAR, the number of race cases, and the number of state employee complaints. A report was sent by Mr. O'Neill to the African American Affairs Commission on August 12, 2009.

Next Mr. O'Neill discussed Public Act 09-214 an act concerning consensus revenue estimates. The Governor vetoed the Bill and that veto was overridden by the legislature. He explained the Appropriations Committee issues a budget based on this public act and the Governor's Office countered with its own budget. The Governor's new budget proposal is an additional \$1.6 million deduction to CHRO. The Governor's current budget proposal eliminates the Eastern Regional Office and the West Central Regional Office.

E. Managing Director's/Acting Executive Director's Report

The Acting Executive Director's Activity Report was provided to the Commissioners in their mailing. A verbal report was not provided.

V. EXECUTIVE SESSION

In accordance with Section 1-225(c) of the Connecticut General Statutes, as amended, it was moved by Commissioner Johnson and seconded by Commissioner Mambruno that the Commission go into Executive Session,
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including inviting Acting Executive Director Brothers for a portion of the Executive Session, for the purpose of discussing pending litigation, the reopening requests and personnel matters as they may arise. The motion carried unanimously. Chairperson Norton did not vote on the motion. All members of the public were excused from the Executive Session.

VI. RETURN TO REGULAR SESSION

It was moved by Commissioner Wrice and seconded by Commissioner Johnson to return to Regular Session. The motion carried unanimously. Chairperson Norton did not vote. The Chairperson reported no votes were taken in the Executive Session.

VII. VOTE ON EXECUTIVE SESSION ITEMS

A. Report on Pending Claims or Pending Litigation

There was no discussion regarding pending claims or pending litigation.

B. Reopening Requests

1. Uchenna Onyeagoro v. Elliott Ward, LLC c/o Agent for Service Michael Grant - CHRO Case No. 0850195
2. Uchenna Onyeagoro v. Housing Consultants, LLC c/o Agent for Service Michael Grant - CHRO Case No. 0850196

A motion was made by Commissioner Wrice and seconded by Commissioner Cruz to accept the staff recommendations to deny the reopening requests in the matter of Uchenna Onyeagoro v. Elliott Ward, LLC c/o Agent for Service Michael Grant, CHRO Case No. 0850195 and Uchenna Onyeagoro v. Housing Consultants, LLC c/o Agent for Service Michael Grant, CHRO Case No. 0850196. Chairperson Norton noted that the Complainant failed to establish that a material mistake of fact or law was made by the Commission which is the standard for granting reopening requests. The motion carried unanimously. Chairperson Norton did not vote.

C. Personnel Matters

There was no discussion concerning personnel matters.

VIII. ADJOURNMENT

There being no further business to come before the Commission, it was moved by Commissioner Johnson and seconded by Commissioner Mambruno to adjourn the meeting at 5:04 p.m. The motion carried unanimously. Chairperson Norton did not vote.

