

**MINUTES OF THE REGULAR COMMISSION MEETING OF THE COMMISSION ON
HUMAN RIGHTS AND OPPORTUNITIES
WEDNESDAY, NOVEMBER 12, 2009, 2:00 P.M.
21 GRAND STREET - LARGE CONFERENCE ROOM
HARTFORD, CONNECTICUT 06106**

COMMISSIONERS PRESENT

Andrew Norton, Chairperson
Edward Mambruno, Secretary
Alexia E. Cruz
Milton Johnson
Patricia Wrice (by telephone)
Edith Pestana

COMMISSIONERS ABSENT

Cheryl Lynn Clarke
Shelley Copeland

STAFF PRESENT

Robert J. Brothers, Jr., Acting Executive Director
Alvin Bingham, Affirmative Action and Contract Compliance Supervisor
Michelle Dumas Keuler, Human Rights Attorney III
Margaret Peters, Secretary 2

I. CHAIRPERSON

A. Convene Meeting

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

II. SECRETARY

A. Review and Approval of Minutes of October 14, 2009 Regular Commission Meeting

Secretary Mambruno requested a motion approving the minutes of the October 14, 2009 Regular Commission meeting. A motion was made by Commissioner Mambruno and seconded by Commissioner Wrice to approve the minutes of the October 14, 2009 Regular Commission meeting as presented. Commissioner Pestana and Commissioner Cruz abstained. The minutes were approved.

III. AFFIRMATIVE ACTION RECOMMENDATIONS – VOTE REQUIRED:

A. Agencies Proposed Affirmative Action Plans

Staff Recommendations: **Approvals**

1. Connecticut Siting Council

Chairperson Norton requested a motion to accept the staff recommendations for approval of all four Affirmative Action Plans: the Connecticut Siting Council, Southern Connecticut State University, Workers' Compensation Commission and Freedom of Information Commission. A motion was made by Commissioner Wrice and seconded by Commissioner Cruz to accept the staff recommendations for approval.

The Connecticut Siting Council and Freedom of Information Commission recommendation includes bi-annual filing status.

Mr. Bingham introduced the following individuals in attendance from the Siting Council: Laura Guilmartin, EEO and Derek Phelps, Executive Director.

The Siting Council plan was recommended for approval based on compliance with the following: the Plan contained all the elements required, the agency met all or substantially all of its hiring and program goals and the agency has substantially addressed deficiencies noted by the Commission in the prior Plan reviews. Goal Achievement: Short Term Goal Achievement was 1 out of 2 or 50%, no Long Term Goal achievement, Total Goal achievement was 1 out of 2 or 50%. New Agency – 2007 approved (First biennial filing). A brief discussion followed.

2. Southern Connecticut State University

Mr. Bingham introduced the following individuals in attendance from Southern Connecticut State University: Dr. Cheryl Norton, President, Marcia Smith Gasper, Director of Diversity & Equity Programs, Paula Rice, Associate Director of Diversity & Equity Programs.

The Southern Connecticut State University Plan was recommended for approval based on compliance with the following: Short Term Goal Achievement: 16 out of 22 possible goals or 72.7%, No long Term Goals were set Total Goal Achievement 16 out of 22 possible goals or 72.7%, Promotion Goal Achievement 14 out of 28 or 50%. The five year history is: 2008 approved, in 2007 approved, 2006 conditionally approved, 2005 conditionally approved, and 2004 the Plan was approved. A brief discussion followed.

3. Worker's Compensation Commission

Mr. Bingham introduced the following individuals in attendance from the Worker's Compensation Commission: John A. Mastropietro, Chairman, Sandra C. Cunningham, Principal Human Resources Specialist and Peter Miecznikowski, Associate Research Analyst.

The Workers' Compensation Commission Plan was recommended for approval based on compliance with the following: the Plan contained all the elements required, the agency met all or substantially all of its hiring and program goals and the agency has substantially addressed deficiencies noted by the Commission in the prior Plan reviews. Goal Achievement: Short Term Goal achievement: 2 out of 3 possible goals or 67%, no Long Term Goal achievement, Total Goal Achievement was 2 out of 3 possible total goals or 67%. No Promotion Goal achievement. The five year history is: 2008 approved, 2007 approved, 2006 approved, 2005 approved and 2004 approved. A brief discussion followed.

4 Freedom of Information Commission

Mr. Bingham introduced the following individuals in attendance from the Freedom of Information Commission: Colleen Murphy, Executive Director and General Counsel and Kathleen Ross, Commission Counsel and Affirmative Action Officer

The Freedom of Information Commission Plan was recommended for approval based on compliance with the following: the Plan contained all the elements required, the agency met all or substantially all of its hiring and program goals and the agency has substantially addressed deficiencies noted by the Commission in the prior Plan reviews. Goal Achievement: Short Term Goal achievement: 1 out of 2 possible goals or 50%, no Long Term Goal achievement, Total Goal Achievement was 1 out of 2 possible total goals or 50%. No Promotion Goal achievement, 5 out of 5 program Goals were met or 100%. The two year history is: New Agency – 2007 approved (First biennial filing). A brief discussion followed.

A motion was made by Commissioner Mambruno and seconded by Commissioner Pestana to accept the staff recommendations regarding filing status of all four Affirmative Action Plans. All approved, no one abstained. Chairperson Norton did not vote on the motion.

Staff Recommendations: Conditional approval

1. Department of Labor

Mr. Bingham introduced the following individual in attendance from the Department of Labor: Neil Griffin, Principal HR Specialist.

The Plan was recommended for conditional approval based on compliance with the following: Short Term Goal achievement was 9 out of 19 possible goals or 47.4%, No Long Term Goal, Total Goal Achievement was 9 out of 19 or 47.4%, Promotion Goal achievement was 9 out of 22 or 40.9%. The five year approval

history is as follows: 2008 approved, 2007 approved, 2006 approved, 2005 disapproved and 2004 conditionally approved. A brief discussion followed.

A motion was made by Commissioner Mambruno and seconded by Commissioner Pestana to accept staff recommendation for Conditional Approval and retention of annual filing status for the Department of Labor. All approved, no one abstained. Chairperson Norton did not vote on the motion.

2. State Elections Enforcement Commission

Mr. Bingham introduced the following individuals in attendance from the State Elections Enforcement Commission: Albert P. Lenge, Executive Director & General Counsel, Kathleen Skomro, Fiscal Administrative Supervisor, Hy Ly, Fiscal Administrative Officer and Shauna Khang, CT Careers Trainee/Fiscal Administrative Officer.

This Plan is recommended for conditional approval based on noncompliance with the following: The Plan contains all elements required, the agency has demonstrated good faith effort to achieve such goals and has substantially addressed deficiencies noted by the Commission in the prior Plan. Goal Achievement: Short Term Goal achievement was 0 out of 2 possible goals or 0%, Long Term Goals were 1 out of 5 or 20%, Total Goal achievement: 1 out of 7 possible total goals or 14.3%. In addition no promotion goals were set during this reporting period. The two year approval history is: New Agency – 2008 approved and 2007 approved.

A motion was made by Commissioner Pestana and seconded by Commissioner Cruz to accept staff recommendation for conditional approval and retention of annual filing status for the State Elections Enforcement Commission. All approved, no one abstained. Chairperson Norton did not vote on the motion.

IV. NEW BUSINESS

A. Affirmative Action Duties Performed by Outside State Agencies (DPH)

No one was present from the Department of Public Health. The discussion was postponed to the next meeting.

B. Contract Compliance Exemption Requests

1. Request for Contract Compliance Blanket Waiver by the University of Connecticut Health Center for Grant or Sponsored Program Related Subcontracts was granted.

2. Request for an Exemption for New England Transportation Consortium was granted.
3. Request for a Blanket Waiver for All Agreements involving an Interest in Real Property the by the Office of Policy and Management was granted.

Robert Brothers, Acting Executive Director commented that it is the staff's recommendation to approve the Requests for Contract Compliance Blanket Waiver by the University of Connecticut Health Center for Grant or Sponsored Program Related Subcontracts, Request for an Exemption for New England Transportation Consortium and the Request for a Blanket Waiver for All Agreements involving an Interest in Real Property by the Office of Policy and Management. Subject to the conditions noted in the recommendations.

Chairperson Norton entertained a motion to accept staff recommendation for granting of waivers requested by the Department of Transportation and Connecticut Community Colleges. A motion was made by Commissioner Mambruno and seconded by Commissioner Johnson to accept staff recommendation that approvals be granted. The vote passed unanimously. Chairperson Norton did not vote.

V. DIVISION REPORTS

A. Affirmative Action Program Manager's Report

There was no Program Manager's Report

B. Fiscal Report

There was no Fiscal Manager's Report

C. Field Operations/Case Processing Report

A statistical case processing report was provided to the Commissioners in their mailing packet.

D. Legislative Report

There was no Legislative Report

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

Robert Brothers, Acting Executive Director gave an update on the budget. Further explained the loss of several positions and how such functions are now performed by DAS SmART Unit.

VI. 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 Wrice that the Commission adjourn into Executive Session, 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.

VII. RETURN TO REGULAR SESSION

At 3:57 p.m. Commissioner Norton entertained a motion to return to Regular Session. A motion was made by Commissioner Mambruno and seconded by Commissioner Pestana 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.

VIII. 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

There were no Reopening requests.

C. Personnel Matters

There was no discussion concerning personnel matters.

IX. ADJOURNMENT

There being no further business to come before the Commission, it was moved by Commissioner Wrice, seconded by Commissioner Mambruno to adjourn the meeting at 4:00 p.m. The motion carried unanimously. Chairperson Norton did not vote.