

**MINUTES OF THE REGULAR COMMISSION MEETING OF THE COMMISSION ON  
HUMAN RIGHTS AND OPPORTUNITIES  
REGULAR COMMISSION MEETING  
21 GRAND STREET  
HARTFORD, CT 06106  
WEDNESDAY, DECEMBER 9, 2009, 2:00 P.M.**

**COMMISSIONERS PRESENT**

Andrew Norton, Chairperson  
Edward Mambruno, Secretary  
Shelley Copeland  
Alexia E. Cruz  
Cheryl Lynn Clarke  
Milton Johnson  
Edith Pestana

**COMMISSIONERS ABSENT**

Patrice J. Wrice

**STAFF PRESENT**

Robert J. Brothers, Jr., Acting Executive Director  
Alvin Bingham, Affirmative Action and Contract Compliance Supervisor  
James O'Neill, Legislative and Regulations Specialist  
Margaret Peters, Secretary II

**I. CHAIRPERSON**

A. Convene Meeting

Chairperson Andrew Norton convened the December 9, 2009 Regular monthly meeting of the Commission on Human Rights and Opportunities at 2:10 p.m.

**II. SECRETARY**

- A. Motion was made by Commissioner Cruz to delay action on Minutes of November 12, 2009 Commission Meeting. Minutes will be presented at next scheduled Commission Meeting on January 13, 2010. The motion was agreed upon by General Consent.

**III. AFFIRMATIVE ACTION RECOMMENDATIONS – VOTE REQUIRED**

A. Agencies Proposed Affirmative Action Plans

Staff Recommendations: **Approvals**

1. Motor Vehicle Department
2. Department of Agriculture

3. Department of Public Safety

Chairperson Norton requested a motion to accept the staff recommendations for approval for all three Affirmative Action Plans which include Department of Motor Vehicles, Department of Agriculture and Department of Public Safety. He also recommended that we retain their annual filing status. A motion was made by Commissioner Copeland and seconded by Commissioner Cruz to accept the staff recommendations for approval.

1. Department of Motor Vehicles

Mr. Bingham introduced the following individuals in attendance from the Department of Motor Vehicles: William Ramirez, Deputy Commissioner, Natalie Shipman, Equal Employment Opportunity Manager and Richard Cosgrove, Chief Administrative Officer.

The Department of Motor Vehicles Plan was recommended for approval based on compliance with the following: the Plan contain all the elements required and the agency has demonstrated every good faith effort to achieve such goals and despite these efforts has been unable to do so; and the agency has substantially addressed deficiencies noted by the Commission in prior Plan reviews. Goal Achievement: Short Term Goal Achievement was 7 out of 12 or 58%, Long Term Goal achievement was 0 out of 3 or 0%, Total Goal achievement was 7 out of 15 or 47%. Promotion Goal Achievement 3 out of 6 or 50%. Five Year Approval History 2008 Approved, 2007 Approved, 2006 Approved, 2005 approved, 2004 Approved. A brief discussion followed.

2. Department of Agriculture

Mr. Bingham introduced the following individuals in attendance from the Department of Agriculture: Alicia Nunez-Equal Employment Opportunity Specialist and Phillip Prelli, Commissioner.

The Department of Agriculture Plan was recommended for approval based on compliance with the following: the Plan contain all the elements required; the agency has demonstrated every good faith effort to achieve such goals and the agency had no deficiencies in the prior Plan and therefore, is in compliance with (b)(4) standard. Goal Achievement: 1 out of 1 possible short term goals or 50%. There were no long-term goals. Total goal achievement: 1 out of 2 possible total goals or 50%/ In addition, 1 out of 1 possible promotion goals were met or 100% and 3 out of 3 program goals were met or 100%.

3. Department of Public Safety

Mr. Bingham introduced the following individuals in attendance from the Department of Public Safety: Jewel White, EEO Specialist I, Trooper Juan Morales, Selection Unit Recruiter and Deputy Commissioner Tom Davoren, CSP/DPS.

The Department of Public Safety Plan was recommended for approval based on compliance with the following: the Plan contain all the elements required; the agency has demonstrated every good faith effort to achieve such goals and the agency has substantially addressed deficiencies noted by the commission in prior plan reviews. Goal Achievement: 5 out of 15 possible goals or 33.3%. No Long Term goals were set. Total goal Achievement: 5 out of 15 possible total goals or 33.3%. Promotion goal Achievement 49 out of 85 possible goals or 56.5%. Five Year Approval History: 2008 Conditionally Approved, 2007 Approved, 2006 Conditionally Approved, 2005 Approved by Default and 2004 Approved. A brief discussion followed.

The motion to approve the Affirmative Action Plan and retain annual filing status for all three Affirmative Action Plans; the Department of Motor Vehicles, Department of Agriculture and Department of Public Safety was approved. All approved no one opposed. The motion carried unanimously. Chairperson Norton did not vote.

Staff Recommendations: **Conditional Approvals**

4. Department of Administrative Services

Chairperson Norton requested a motion to accept the staff recommendations for conditional approval for the Department of Administrative Services. He also recommended that we retain their annual filing status. A motion was made by Commissioner Clarke and seconded by Commissioner Johnson to do so.

Mr. Bingham introduced the following individuals in attendance from the Department of Administrative Services: Martin Anderson, Deputy Commissioner; Dave Lynn, HR Manager; Steve Caliendo, HR Administrator and Amanda Robertson, EEO Manager

The Plan was recommended for conditional approval based on compliance with the following: The Plan contains all elements required; the agency has demonstrated every good faith effort to achieve such goals; and the agency has substantially addressed deficiencies noted by the commission in prior plan reviews and therefore, is in compliance with the (b)(4) standard.

Goal Achievement: 0 out of 2 possible goals or 0%. There were no Long Term goals. Total goal Achievement: 0 out of 2 possible total goals or 0%. In addition, 3 out of 3 possible promotion goals were met or 100%, 6 out of 6 program goals were met or 100%. Five Year Approval History: 2008 Approved, 2007 Approved, 2006 Approved, 2005 Approved and 2004 Approved. A brief discussion followed.

The motion to conditionally approve the Affirmative Action Plan and retain annual filing status for Department of Administrative Services was approved. All approved, no one opposed. The motion carried unanimously. Chairperson Norton did not vote.

#### IV. **NEW BUSINESS**

##### A. Affirmative Action Duties Performed by Outside State Agencies for non-SmART Agencies

Chairperson Norton asked Department of Public Health why DPH use outside agencies for their Affirmative Action duties since they are such a large agency. A smaller agency may be okay with this, but he found it hard to believe that an agency this size was served well. Katherine Kennelly, Chief Administrative Officer from the Department of Public Health spoke on behalf of the Agency. Her argument for not having EEO Manager on board is because of the hiring freeze. Commissioner Pestana made comment that they should be able to hire an EEO Manager (a required position) even with hiring freeze. Commissioner Copeland tries to get a commitment that they will get more staff on board. Ms. Kennelly says DAS is trading a full time EEO Manager to DPH for a full time Assistant EEO person from them on January 4, 2010. Commissioners did not think one EEO Manager was enough to cover such a vast agency, but Ms. Kennelly stated that the Commissioners should *judge them by their next year Plan. Commissioner Copeland tried to persuade Ms. Kennelly to go to her Commissioner and get a commitment in writing to show good faith, to send to the Commissioners – Ms. Kennelly said she would try.*

##### B. Establishing a 2010 Commission Meeting Schedule

Chairperson Norton entertained a motion to accept the proposed 2010 calendar Recommendation. All meetings will be held at 2:00 p.m. with the exception of September 8, 2010 which will be held at 1:00 p.m. A motion was made by Commissioner Clarke and seconded by Commissioner Cruz. All approved No one opposed. The motion carried unanimously. Chairperson Norton did not vote.

**V. DIVISION REPORTS**

A. Field Operations/Case Processing Report

Robert Brothers, Acting Executive Director reported on number of cases in our inventory. Also spoke on new duties incurred by the elimination of personnel

B. Legislative Report

There was no Legislative Report (Meeting at LOB)

C. Managing Director's Acting Executive Director's Report

**VI. 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, 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**

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.

**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

1. Ginger Jee v. Davis – IGA – CHRO Case No. 0930168 – Staff Recommendation – Deny
2. Carlo Abbamonte v. Davis – IGA – CHRO Case No. 0930169 – Staff Recommendation – Deny

A motion was made by Commissioner Pestana and seconded by Commissioner Cruz to accept the staff recommendations to deny the reopening requests in the matter of Ginger Jee v. Davis – IGA – CHRO Case No. 0930168, CHRO Case No. 0850195 and Carlo Abbamonte v. Davis – IGA – CHRO Case No. 0930169. A motion to deny the reopening requests was entertained. All approved no one opposed. The motion carried unanimously. Chairperson Norton did not vote.

C. Personnel Matters

Any personnel matters as they may arise

**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.