

# STATE OF CONNECTICUT COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES



## Regular Commission Meeting Minutes Wednesday, July 10, 2024 2:00 p.m. Via Microsoft TEAMS

### **Commissioners Present**

Nicholas Kapoor, Chairperson  
Edward Mambruno, Secretary  
Sujata Gadkar-Wilcox  
Lisa Giliberto  
Alex Harris  
Andrew Norton  
Edith Pestana  
Joseph Suggs  
Tamara Titre

### **Staff Present**

Tanya Hughes, Executive Director  
Kimberly Jacobsen, Managing Director  
Shawn Burns, Regional Manager  
Robin Trepanier, HRO Attorney  
Jonathan Sykes, HRO Attorney  
Cheyanne Clark, HRO Attorney  
Robin Fox, HRO Attorney  
Jody Walker-Smith, HRO Attorney  
Timothy Lewendon, HRO Attorney  
Gary Madison, HRO Representative  
Jessica Kohut, HRO Representative  
Darian Pitts, Executive Secretary  
Kristina Caruso, Legal Secretary  
Stephanie O'Loughlin, Secretary

Cheryl Sharp, Deputy Director  
Michelle Dumas Keuler, Managing Director  
Robert Aldi, Regional Manager  
Cassandra Bretones, HRO Attorney  
Spencer Hill, HRO Attorney  
Megan Oates, HRO Attorney  
Jo Keogh, HRO Attorney  
Courtney Shields, HRO Attorney  
Travis Fuller, HRO Representative  
Jase Olavarria, HRO Representative  
Sunasha Carson, HRO Representative  
Kristen Parker, Executive Secretary  
Leigh Russo, Secretary  
Laura Thurston, Asst. Attorney General

### **I. CALL TO ORDER**

Chair Nicholas Kapoor called the meeting to order at 2:06 PM.

**II. CHAIRPERSON’S REPORT**

Commissioner Kapoor welcomed and thanked all for attending. He noted that there was a quorum with 7 members present and that Commissioners Giliberto and Gadkar-Wilcox would join shortly.

\*\* Commissioner Gadkar-Wilcox joined the meeting at 2:07 PM.\*\*

Chair Kapoor acknowledged the presence of Commissioner Gadkar-Wilcox and updated the quorum number to 8.

He then entertained a motion to amend the agenda to change item number **V** to: **Exemption Request for the Town of Portland.**

**To Amend the Agenda to include as Agenda Item V an Exemption Request from Town of Portland and to Subsequently Renumber the Rest of the Agenda Appropriately:**

Motion: J. Suggs  
Second: T. Titre  
Discussion: None

Vote:

Yes: 6 (Gadkar-Wilcox, Harris, Norton, Pestana, Suggs, Titre)

No: 0

Abstain: 0

Did not vote: 1 (Kapoor)

The motion carried.

**III. APPROVAL OF MINUTES**

Prior to the vote for approval of the minutes, Commissioner Pestana was asked to serve as Acting Secretary due to Secretary Mambruno being temporarily absent. Commissioner Pestana then entertained a motion to approve the Minutes of the June 12, 2024, Regular Commission Meeting as presented.

**To Approve the Minutes of the June 12, 2024, Regular Commission Meeting:**

Motion: A. Norton  
Second: J. Suggs  
Discussion: None

Vote:

Yes: 7 (Gadkar-Wilcox, Harris, Mambruno, Norton, Pestana, Suggs, Titre)

No: 0

Abstain: 0

Did not vote: 1 (Kapoor)

The motion carried.

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

Presented by Deputy Director Cheryl Sharp

**Department of Mental Health and Addiction Services**

Staff representing the Department of Mental Health and Addiction Services were Commissioner Nancy Navarretta, Director of Administration Shannon Wegele, Director of Equal Employment Opportunity Barbara K. Viadella, Equal Employment Opportunity Specialist 2 Michelle Beeckman, Equal Opportunity Specialist 1 Ancy Destin, Equal Employment Opportunity Specialist 1 Keiyana Hairston, Equal Employment Opportunity Specialist 1 Ana Correa, and Equal Employment Opportunity Specialist 1 Kemberly Core.

This plan was recommended for approval based on compliance with the following: The plan does contain all elements required by Sections 46a-68-78 through 46a-94. The agency has demonstrated every good faith effort to achieve goals and despite these efforts has been unable to do so. The agency had no deficiencies in the prior plan review and is in compliance with the (b)(4) standard. There were no Program Goal Achievements established.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 106 out of 278 or 38%
- Promotional Goal Achievement 47 out of 100 or 47%
- Program Goal Achievement --out of -- or --

The five-year approval history is as follows: 2023 Approved; 2022 Approved; 2021 Approved; 2020 Disapproved; 2019 Disapproved.

**To Approve the Affirmative Action Plan for the Department of Mental Health and Addiction Services and retain its Annual Filing Status:**

Motion: A. Harris  
Second: E. Pestana  
Discussion: None

Vote:

Yes: 7 (Gadkar-Wilcox, Harris, Mambruno, Norton, Pestana, Suggs, Titre)

No: 0

Abstain:0

Did not vote: 1 (Kapoor)

The motion carried.

**Department of Aging and Disability Services**

Staff representing the Department of Aging and Disability Services were Commissioner Amy Porter, Deputy Commissioner Suzette DeBeatham-Brown, Human Resources Business Partner Jennifer Napiello, Human Resource Associate Jordan Kubik, and Human Resource Associate Katya Hunt.

This plan was recommended for approval based on compliance with the following: the plan contains all the elements required by sections 46a-68-78 through 46a-68-

94 inclusive. The agency has demonstrated every good faith effort to achieve goals and despite these efforts has been unable to do so. The agency had no deficiencies in the prior plan review and therefore is in compliance with the (b)(4) standard.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 9 out of 33 or 27.27%
- Promotional Goal Achievement 7 out of 11 or 63.63%
- Program Goal Achievement 1 out of 1 or 100%

The five-year approval history is as follows: 2023 Approved; 2022 Approved; 2021 Approved; 2020 Approved; 2019 Approved.

**To Approve the Affirmative Action Plan for The Department of Aging and Disability Services and to Retain its Annual Filing Status:**

Motion: A. Norton  
Second: E. Mambruno  
Discussion: None

Vote:

Yes: 7 (Gadkar-Wilcox, Harris, Mambruno, Norton, Pestana, Suggs, Titre)

No: 0

Abstain: 0

Did not vote: 1 (Kapoor)

The motion carried.

**\*\*Commissioner Giliberto joined the meeting at 2:56 PM.\*\***

**Connecticut Military Department**

Staff representing the Connecticut Military Department were: Major General Francis J. Evon, Jr., Brigadier General Ralph Hedenberg, Major Erich J. Heinonen, Human Resources Director Erica Blackmon, Assistant Fiscal Administrator Maria Morales-Diaz, and Equal Employment Opportunity Officer Selestian Patterson.

This plan was recommended for disapproval based on 46a-68-102(b)(1) the workforce, considered as a whole and by occupational category, is not in parity with the relevant labor market area. The agency has not demonstrated every good faith effort to achieve goals and therefore has been unable to do so.

The Goal Achievement is as follows:

- Hiring Goal Achievement: 10 out of 23 or 42.47%
- Promotional Goal Achievement 1 out of 2 or 50%
- Program Goal Achievement 0 out of 2 or 0%

The five-year approval history is as follows: 2022 Approved; 2021 Approved; 2020 Disapproved; 2019 Disapproved; 2017 Approved.

Prior to the vote Major General Francis J. Evon, Jr. asked the Commission to conditionally approve the Affirmative Action Plan for the Connecticut Military Department. Discussion ensued.

**\*\*Commissioner Giliberto joined the meeting at 2:56 PM.\*\***

**To Conditionally Approve the Affirmative Action Plan for the Connecticut Military Department and to rescind its Biennial Filing Status:**

Motion: A. Norton  
Second: E. Mambruno  
Discussion: None

Vote:

Yes: 2 (Mambruno, Norton)  
No: 5 (Gadkar-Wilcox, Harris, Pestana, Suggs, Titre)  
Abstain: 1 (Giliberto)  
Did not vote: 1 (Kapoor)

The motion to conditionally approve the plan did not carry.

Chair Kapoor called for another motion.

**To Deny Approval of the Affirmative Action Plan for the Connecticut Military Department and to rescind its Biennial Filing Status:**

Motion: A. Harris  
Second: J. Suggs  
Discussion: None

Vote:

Yes: 6 (Gadkar-Wilcox, Harris, Mambruno, Pestana, Suggs, Titre)  
No: 1 (Norton)  
Abstain: 1 (Giliberto)  
Did not vote: 1 (Kapoor)

The motion carried.

**V. CONTRACT COMPLIANCE REQUEST FOR EXEMPTION**

Town of Portland Exemption Request  
Presented by HRO Attorney Spencer Hill

Chair Kapoor introduced the item indicating that this item was not left off the agenda but has been requested by the Town of Portland on an expedited basis due to an emergency situation in their town. This exemption request began taking shape this morning and Chair Kapoor thanked Commission staff for taking this on so quickly and the Commissioners for allowing it to be heard.

Attorney Hill informed that the Town of Portland is requesting an exemption from the set-aside requirements of the contract compliance program in relation to DEEP

Project number DEPA00019200606, Project name: Jobs Pond Pumping. His recommendation was to grant the exemption.

Commissioner Kapoor requested a motion and that he be allowed to seek assistance from staff with proper wording. The motion follows.

**To grant the exemption requested by the Town of Portland in connection with the Jobs Pond Pumping contract, DEEP Project number DEPA00019200606, in accordance with Connecticut General Statutes Section 46a-56(b) and the Regulations of Connecticut State Agencies Section 46a-68j-29; and for the Commission to authorize the Chairman to consult with agency staff in crafting the motion language for the minutes.**

Motion: E. Pestana  
Second: A. Norton  
Discussion: None

Vote:

Yes:8 (Gadkar-Wilcox, Giliberto, Harris, Mambruno, Norton, Pestana, Suggs, Titre)

No: 0

Abstain: 0

Did not vote: 1 (Kapoor)

The motion carried.

**VI. REQUEST TO REOPEN**

*In all cases below, Commission Counsel, Respondent or their representative, and Complainant or their representative were provided five minutes to provide opening remarks. Question and answers from commissioners followed these remarks.*

1. Sherry Frazier v. ProHealth Physicians of Farmington  
CHRO Case No. 2310352  
Presented by HRO Attorney Jonathan Sykes

\*\*Prior to the vote Commissioner Suggs recused himself. \*\*

**To Approve the Request to Reopen CHRO Case no. 2310352– Sherry Frazier v. ProHealth Physicians of Farmington:**

Motion: L. Giliberto  
Second: S. Gadkar-Wilcox  
Discussion: None

Vote:

Yes: 6 (Gadkar-Wilcox, Giliberto, Mambruno, Norton, Pestana, Titre)

No: 0

Abstain:1 (Harris)

Recused: 1 (Suggs)

Did not vote: 1 (Kapoor)

The motion carried.

**2. Jamie Clout v. Town of Colchester**

CHRO Case No. 2440228

Presented by HRO Attorney Jody Walker-Smith

**To Approve the Request to Reopen CHRO Case no. 2440228– Jamie Clout v. Town of Colchester**

Motion: A. Harris

Second: T. Titre

Discussion: None

Vote:

Yes: 8 (Gadkar-Wilcox, Giliberto, Harris, Mambruno, Norton, Pestana, Suggs, Titre)

No: 0

Abstain: 0

Did not vote: 1 (Kapoor)

The motion carried.

**3. Thomas Rimini v. Connecticut State Police Officer and Training Council & State of Connecticut, Department of Emergency Services and Public Protection**

CHRO Case Nos. 2340175 & 2430176

Presented by HRO Attorney Robin Trepanier

**To Deny the Request to Reopen CHRO Case Nos. 2340175 & 2430176 – Thomas Rimini v. Connecticut State Police Officer and Training Council & State of Connecticut Department of Emergency Services and Public Protection**

Motion: L. Giliberto

Second: J. Suggs

Discussion: None

Vote:

Yes: 5 (Gadkar-Wilcox, Giliberto, Pestana, Suggs, Titre)

No: 3 (Harris, Mambruno, Norton)

Abstain: 0

Did not vote: 1 (Kapoor)

The motion carried.

**\*\*Commissioners Mambruno and Suggs left the meeting at 4:12 PM.\*\***

**VII. EXECUTIVE SESSION**

*This requires a two-thirds vote of Commissioners present and voting; Staff and guests invited to attend must be noted.*

1. CHRO v. Laguna Siding and Exteriors, Inc. and CHRO v. Airseal Insulation Systems, Inc.  
CHRO Initiated Contract Compliance Complaint- Presented by HRO Attorney Jonathan Sykes and HRO Attorney Spencer Hill

Chair Kapoor entertained a motion to enter Executive Session

**To enter Executive Session and to invite the following individuals to join: Tanya Hughes, Cheryl Sharp, Kimberly Jacobsen, Michelle Dumas Keuler, Jonathan Sykes, Spencer Hill and AAG Laura Thurston.**

Motion: E. Pestana  
Second: A. Norton  
Discussion: None

Vote:

Yes: 6 (Gadkar-Wilcox, Giliberto, Harris, Norton, Pestana, Titre)

No: 0

Abstain: 0

Did not vote: 1 (Kapoor)

Two-thirds of those present and voting, the Motion to enter Executive Session was agreed to and Executive Session began at 4:13 PM.

Commissioners Kapoor, Gadkar-Wilcox, Giliberto, Harris, Norton, Pestana, and Titre returned after Executive Session at 4:21 PM.

Chair Kapoor reconvened the Commission on Human Rights and Opportunities into public session and noted no actions or votes were taken.

He entertained a motion to amend the agenda to include as “New Business” the vote on Executive Session matters, item number (1) CHRO v. Laguna Siding and Exteriors, Inc. and item number (2) CHRO v. Airseal Insulation Systems.

**VIII. NEW BUSINESS**

**To Amend the agenda to include as “New Business” the vote on Executive Session item number (1) CHRO v. Laguna Siding and Exteriors, Inc. and item number (2) CHRO v. Airseal Insulation Systems.**

Motion: L. Giliberto  
Second: A. Harris  
Discussion: None

Vote:

Yes: 6 (Gadkar-Wilcox, Giliberto, Harris, Norton, Pestana, Titre)

No: 0

Abstain: 0  
Did not vote: 1 (Kapoor)

The motion carried.

Chair Kapoor entertained a motion:  
**For the Commission to authorize the Chair to file the complaint for CHRO v. Lagunda Siding and Exterior, Inc.**

Motion: L. Giliberto  
Second: A. Harris  
Discussion: None

Vote:

Yes: 6 (Gadkar-Wilcox, Giliberto, Harris, Norton, Pestana, Titre)  
No: 0  
Abstain: 0  
Did not vote: 1 (Kapoor)

The motion carried.

Chair Kapoor entertained a motion:  
**For the Commission to authorize the Chair to file the complaint for CHRO v. the Airseal Insulation Systems, Inc.**

Motion: S. Gadkar-Wilcox  
Second: L. Giliberto  
Discussion: None

Vote:

Yes: 6 (Gadkar-Wilcox, Giliberto, Harris, Norton, Pestana, Titre)  
No: 0  
Abstain: 0  
Did not vote: 1 (Kapoor)

The motion carried.

## **IX. DIVISION REPORTS**

### **Executive Director's Report**

Director Hughes reported on year-end activities as we approach the new program year on July 1. The agency is on target for meeting the EEOC contract and, as reflected in the production report, there has been a great deal of production activity throughout all the units. Regarding the housing unit, they have doubled the number of closings from previous years. The Affirmative Action unit continues working to secure a vendor for the electronic filing project, and recruitment efforts continue towards the refill of the supervisor position.

Regular meetings with partner agencies continue, to include upgrades to offices and phone systems in Bridgeport, Waterbury, and Norwich. Weekly meetings continue with the Legal Directors, and they, in turn meet regularly with the regional

units to assist with trainings. She noted that work is being done to decrease the aged inventory, settlements reflect significant awards, and the Contract Compliance Unit continues to make a large impact with their reviews and close outs.

She concluded by thanking the Commissioners for their help/input with various CHRO events and presentations, especially, Kids Court Academy, and the Lunch and a Film Series.

### **Outreach Report**

Deputy Director Cheryl Sharp noted in recognition of Disability Awareness Month a continuation of the Lunch and a Film Series would take place on Wednesday, July 17 from 11:00 AM – 1:00 PM with a presentation of the film “The Greatest Bond” and a conversation with former KCA student, Alexandra Garvey. She also noted that KCA is currently on hiatus for the summer; a meeting will be scheduled with KCA parents to discuss a planned trip to Washington, DC.

She announced the “Leaders and Legends” event scheduled for November. Nominations for Leaders and Legends and the Equity Award are being sought. A form is being developed and will be distributed. She further noted the 2024 Summer Symposium on Environmental Injustice hosted by the executive interns scheduled for Wednesday, July 31 from 1:00 PM – 3:00 PM, and the need for volunteers to man the CHRO’s information booth during the Greater Hartford Jazz Festival scheduled for July 19 – July 21. She concluded that the Community Engagement Team, led by Darcy Strand and Ana Mitchell are working on various events and the creation of a community calendar.

### **Legislative Update**

Chair Kapoor informed that Legislative and Administrative Advisor, Darcy Strand provided her reports on the Legislative Bills that were passed and signed into law, as well as updates on the Equity and Disparity studies. He encouraged the group to review the reports and reach out to Darcy directly with any questions.

### **Legal Update**

Managing Attorney Kimberly Jacobsen shared information on a default decision from OPH Referee Komla Matrevi. This was a case where the Respondent did not appear, thereby liability is assumed and the issue on default was just damages. The Referee ordered \$6300 in back pay, pre and post judgement interest of 10% and \$10,000 for emotional distress. He also ordered a cease-and-desist order and that Respondent attend a two-hour training session to address and prevent future discrimination and sexual harassment.

## **X. ANNOUNCEMENT OF TIME AND DATE OF NEXT MEETING**

The next Commission Meeting will occur on Wednesday, August 14, 2024, at 2:00 PM. This meeting will be virtual via Microsoft Teams.

## **XI. ADJOURNMENT To Adjourn**

Motion: L. Giliberto  
Second: T. Titre

Discussion: None

Vote

Yes: 6 (Gadkar-Wilcox, Giliberto, Harris, Norton, Pestana, Titre)

No: 0

Abstain: 0

Did Not Vote: 1 (Kapoor)

The motion carried.

The Chair adjourned the meeting at 4:40 PM.

**The Minutes of the Regular Commission Meeting dated July 10, 2024 were approved on August 14, 2024.**

**Prepared by:**



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**Tanya A. Hughes**  
**Executive Director**