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## Massachusetts Commission Against Discrimination

### Meeting Minutes

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**Date/Time:** March 28, 2023, 1:00PM  
**Place:** Massachusetts Commission Against Discrimination  
**Tuesday | March 28, 2023 | 1:00PM**  
**HYBRID MEETING - USING YouTube**  
[https://www.youtube.com/channel/UCh\\_wjAthLJTQf-KMgMGv1Yw](https://www.youtube.com/channel/UCh_wjAthLJTQf-KMgMGv1Yw)

The Commission conducted this public meeting in person and remotely utilizing collaboration technology. Use of this technology is intended to ensure an adequate, alternative means of public access to the Commission's deliberations for any interested member of the public.

All documents and presentations related to this agenda will be available for review on the MCAD website.

#### **Commissioners Present:**

Chairwoman Sunila Thomas George  
Commissioner Monserrate Rodríguez Colón  
Commissioner Neldy Jean-Francois

#### **1. Call to Order**

Chairwoman Thomas George called to order today's public meeting of the Massachusetts Commission Against Discrimination and called for a 15-minute recess to address technical difficulties. Following a brief recess, Chairwoman Thomas-George called to order today's public meeting (1:36PM)

Roll call attendance was conducted, Commissioners Rodríguez Colón and Jean-Francois were present.

#### *Roll Call Vote:*

<i>Chair Sunila Thomas George</i>	<i>Aye.</i>
<i>Commissioner Monserrate Rodríguez Colón</i>	<i>Aye.</i>
<i>Commissioner Jean-Francois</i>	<i>Aye.</i>

#### **2. Approval of Minutes - February 15, 2023**

Commissioner Rodriguez Colon motioned to approve the minutes of February 15, 2023; Commissioner Jean Francois seconded.

#### *Roll Call Vote:*

<i>Chair Sunila Thomas George</i>	<i>Aye.</i>
<i>Commissioner Rodríguez Colón</i>	<i>Aye.</i>
<i>Commissioner Jean-Francois</i>	<i>Aye.</i>

*The motion passed unanimously*

### 3. Commissioners' Update.

Commissioner Rodríguez Colón reported that she has been nominated to co-chair the Board of Directors of the UMass Amherst Women into Leadership for the next 2 years.

Chairwoman Thomas George spoke about MCAD's new public hearing/public meeting space created for in-person public hearings and meetings. She thanked everyone involved in designing the room and making sure the technology runs smoothly.

### 4. Interim Executive Director's Update

Interim Executive Director Michael Memmolo apologized for the late start of this meeting and for the technical difficulties. He recognized the month of March being Women's History Month and thanked Director of Human Resources Shirani Jiminez for the recent celebratory activities she put together for the staff to celebrate the many confident, strong women of history and at our own agency.

He reported that on March 7, 2023, he met with the Worcester Human Rights committee to talk about the future of the Worcester office and his upcoming meeting with the EEOC on Friday, March 31, to discuss our intake process and kiosk technology. He continued with an update on the Worcester Bar Association Round Table taking place on March 28<sup>th</sup> in which Hearing Officer Simone Liebman and Commission Counsel Wendy Cassidy and Deputy Chief of Investigations Andrew Espinosa will attend with him. The agency will also be hosting the EEOC's regional training from May 9 to 11. Director of Training Alison Caton, Chief of Investigations Ken Callahan, and Deputy Andrew Espinosa, together with fourteen other MCAD employees will be attending. He will supply more information as the date draws closer.

Interim Executive Director Memmolo gave an update on the CMS procurement. He stated the RFR was issued on January 3<sup>rd</sup> and bids were due on March 20<sup>th</sup>. The Commission received numerous responses. Director of Information Technology Paul Lantieri is collaborating with the vendor to review the responses. A selection committee will be created to select a new case management system (CMS) program. This Committee will stay on and assist the vendor with the creation and finalization of the new program.

Interim Executive Director Memmolo provided an update on office hiring and retention. He reported that new employees are onboarding and training this week. He introduced the new Records Access Officer/Deputy Clerk Ruthy Barros, Investigator Sabrina Drumond, Investigator Brandon Coimbra, Investigator Alex Crittenden, Investigator Kevin Earl and Trainer Dax Bayard-Murray; as well as newly promoted Emma Wolters as Acting Investigations Supervisor. He thanked Chief of Investigations Ken Callahan and Deputy Andrew Espinosa for their work in facilitating these hirings. He reported that between December 2022, and February 2023, the agency lost one Commission Counsel and three investigators. He stated that the agency is experiencing a time of rebuilding and things may be difficult, but urged the staff to continue to work with him with the understanding that these hiring efforts are going in the right direction. He noted that interviews are underway for a law clerk position and the Commission Counsel position has been posted. He thanked General Counsel Hosler and Chief Callahan for expediting these hires.

5. Recommendation by Legal Division to formally rescind 2020 MCAD pandemic tolling policy.

General Counsel Deirdre Hosler reported that in response to Covid-19 pandemic, MCAD implemented Covid-19 temporary emergency processes and procedures which included an equitable tolling policy and procedure allowing tolling due to pandemic-related obstacles to filing, applied on a case-by-case. The information has been posted on the MCAD website for three years and is recommending the page be archived.

Chairwoman Thomas George commented that extending a filing deadline (tolling) and granting a motion requesting an extension will be determined on a case-by-case basis through each individual Investigating Commissioner.

*Roll Call Vote to rescind 2020 MCAD pandemic tolling policy as posted on MCAD website:*

*Chair Sunila Thomas George                      Aye.*

*Commissioner Rodríguez Colón                      Aye.*

*Commissioner Jean-Francois                      Aye.*

*The motion passed unanimously*

6. Report by Interim Executive Director on the archiving of information on MCAD webpage regarding COVID-19 protocols.

Interim Executive Director Memmolo reported that the Covid-19 protocols have been updated several times since 4/2020. The National Public Health Emergencies will come to an end on May 11, 2023, and he believes it is a good time to archive this informational page. He will work with staff to remove and archive the Covid-19 resource page.

7. Other Business - Reserved for matters the Chair did not reasonably anticipate at the time of posting. None.

8. Next Meeting Date: TBD

9. Adjournment

Motion to adjourn by Commissioner Jean-Francois. Seconded by Chairwoman Commissioner Rodriguez-Colon

*Roll Call Vote:*

*Chairwoman Sunila Thomas George                      Aye.*

*Commissioner Rodríguez Colón                      Aye.*

*Commissioner Jean-Francois                      Aye.*

*The motion passed unanimously*