STATE OF NEBRASKA

EQUAL OPPORTUNITY
COMMISSION

ANNUAL REPORT

Fiscal Year 2011/2012

www.neoc.ne.gov

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Public Education and Outreach

The Nebraska Equal Opportunity Commission (NEOC) was created August 1965, with Legislative Bill 656 enacted by the people of Nebraska to establish in writing a public policy and practice against employment discrimination under the Nebraska Fair Employment Practice Act. The decision to enforce anti-discrimination laws was a furtherance of the actions of the people of this country to assure equal protection of human and civil rights beginning with the United States Constitution and amendments, the Bill of Rights, and the civil rights movement. The State of Nebraska inhabitants, as individuals and businesses, are strengthened as a result of these core values modeled in the five laws enforced through the NEOC. These core values include allowing individuals to work, live, and enjoy the public and private benefits of the state regardless of their protected class membership. In practice, the existence of the NEOC means that one person, believing that he or she has not received fair treatment, may file a charge of discrimination against an employer; a housing provider; a labor organization; a state or local government entity; or against a business providing goods and services to the general public. Both parties to the charge shall receive a neutral handling of the charge - without bias or influence. The neutrality of the NEOC means that a person who has actually suffered from a discriminatory practice should realize a remedy for the harm. The entity filed against is also made aware of the violation of the law.

The enforcement and protection of these laws means the NEOC has a duty to collaborate with groups to provide education about the laws. Though larger and larger strides are made in our state towards assuring equal protection and opportunity, the need for education continues because of social and economic changes created in businesses and communities. Without cost to over 2,000 recipients, the NEOC offered speakers who provided technical training for employers and housing industry professionals. Some of the resources used include current court decisions and federal and state legal instructions which provide guidelines for best practices. The NEOC is set-up to help the public by answering telephone inquiries as well as providing information on the website. In general, the NEOC addressed employee and housing consumer issues through participation in seminars and other outreach settings.

Through collaborations with other agencies, the NEOC developed a cooperative working relationship with our partners in the employment and housing enforcement communities to ensure that anti-discrimination laws are enforced. As an example of a partnership, the NEOC partnered with realtors in providing technical training on issues of housing discrimination for which the realtors obtained 3 C.E.U. credits through the Nebraska Real Estate Commission. The trainings were conducted in the cities of Chadron, Gering, Norfolk, and Nebraska City, to name a few. Persons traveled over 50 miles to attend,

coming from Alliance, Gordon, South Sioux City, and Battle Creek. On the average, over 100 persons participated this year in this training without a cost to the realtors.

Staff regularly attended quarterly realtor association meetings to exchange information related to types of complaints filed and changes in housing laws. Tenants and prospective tenants have attended training on the Nebraska Landlord and Tenant laws to learn their rights and responsibilities. NEOC is frequently asked to present to professional colleagues at regional meetings to cover employment and housing issues. Again, this is provided without cost to participants.

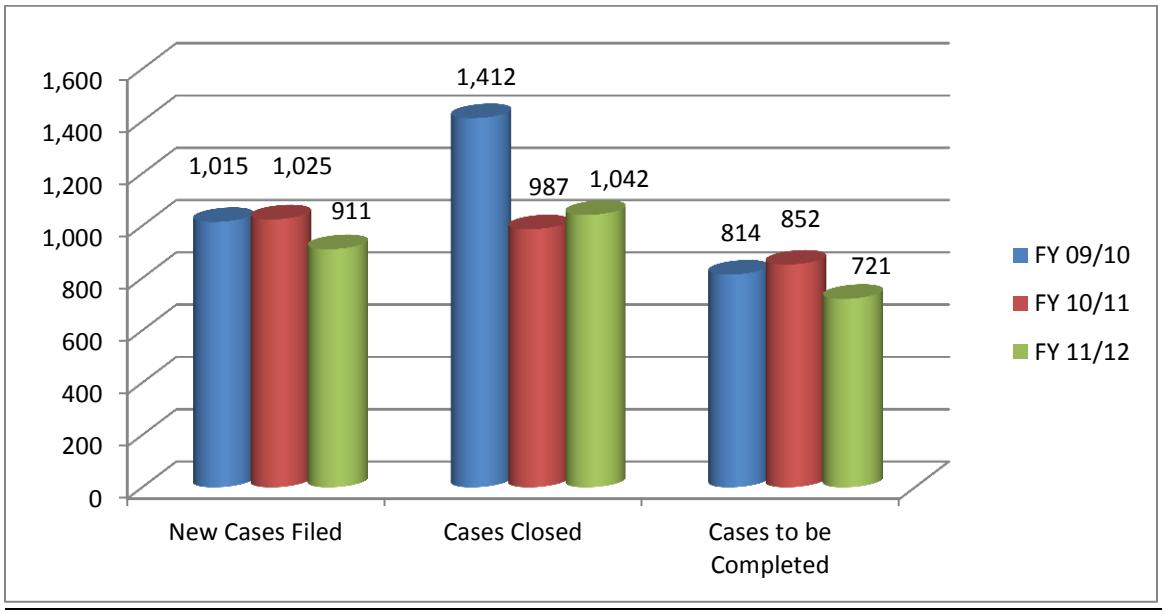
The NEOC conducted training pursuant to NEOC, EEOC and HUD settlement agreements. The number of attendees for a session related to mandatory training is generally smaller; although, some businesses have required their entire staff participate. One business required all 700 plus employees attend. In some instances there may only be one or two persons in attendance, but the impact is enormous because persons attending the smaller sessions are usually decision-makers who turn around and establish a policy or practice for the entire business. Professional organizations and law offices have asked the NEOC to present to its members and clients. The topics of interest generally cover current discrimination issues such as interpretation of the ADA Amendments Act of 2008 and workplace harassment.

Many high schools, colleges, and universities of the state have requested and received presentations. Nebraska's youth have benefitted from education on topics covering discrimination and diversity; specifically, interest was shown in preventing workplace harassment and other issues centered around workplaces and shelters. The NEOC also provided education and resources to academic institutions for current and future businesses. The presentations included ethical and non-discriminatory practices for future business pioneers. A training was coordinated by the NEOC, in collaboration with other agencies and groups, geared toward the new immigrant population. New immigrants have been attracted to and afforded holistic orientation into Nebraska culture and its resources.

The NEOC website continues to attract viewers. It serves as a unique source of material for guidance on pressing technical questions related to popular discrimination topics. Perhaps due in part to the persistence of the public to seek information about lawful requirements, and because the reputation of the NEOC is reliable in providing answers regarding labor and housing law, the NEOC website reaches over 400 persons each month.

TABLE 1: CASE SUMMARY

The Commission started using a new charge tracking system October, 2009. Because of the new system, the Commission changed its procedure of assigning case numbers to charges that are filed. In the past, a charge number was assigned for each law cited in a charge. The Commission now assigns one number per charge filed.



Of the 1,042 cases **closed** in FY 11/12, 1,009 were Commission initial actions; 28 were actions on cases in the conciliation stage; 1 was a decision on a case in the public hearing stage; and 4 were pursuant to civil action (housing).

Of the 721 **cases to be completed** in FY 11/12**,** 704 cases are to be investigated; 11 cases are in conciliation; 1 case is in public hearing; and 5 housing cases are in civil action.

TABLE 2: CHARGE INTAKE

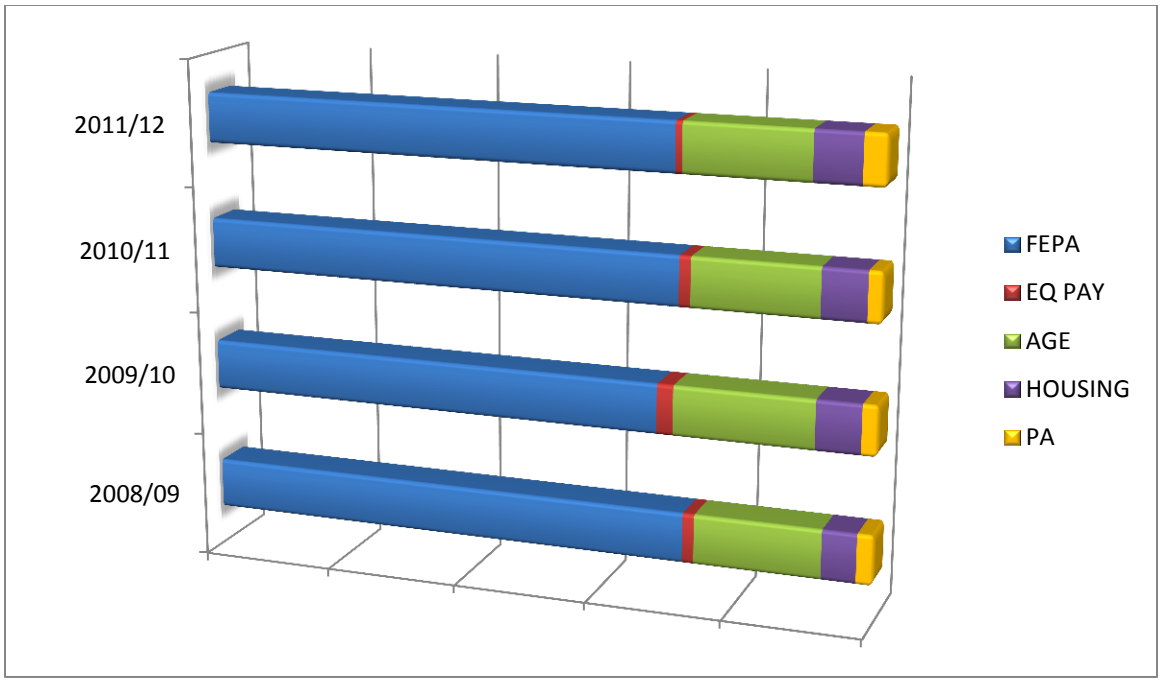
	FY 09/10	FY 10/11	FY 11/12
Omaha	463 (46%)	427 (42%)	380 (42%)
Lincoln	481 (47%)	545 (53%)	476 (52%)
Scottsbluff	71 (7%)	53 (5%)	55 (6%)
TOTAL	1,015 (100%)	1,025 (100%)	911 (100%)

NOTES/HIGHLIGHTS

Overall total of 911 represents an 11% decrease from FY 10/11 total intake.
Omaha total of 380 represents an 11% decrease from FY 10/11 office intake
Lincoln total of 476 represents a 13% decrease from FY 10/11 office intake.
Scottsbluff total of 55 represents a 3% increase from FY 10/11 office intake.

<u>TABLE 3</u>: CHARGES OF ALLEGED DISCRIMINATION
FILED DURING CURRENT AND PREVIOUS YEARS BY STATUTE

2008/09 – 2011/12



FEPA -FAIR EMPLOYMENT PRACTICE ACT

EQ PAY -EQUAL PAY ACT OF NEBRASKA

AGE -NEBRASKA AGE DISCRIMINATION IN EMPLOYMENT ACT

HOUSING -NEBRASKA FAIR HOUSING ACT

PA -NEBRASKA CIVIL RIGHTS ACT OF 1969 (PUBLIC ACCOMMODATIONS)

Because a person can file under multiple laws, this is not a total of cases received but how many charges are filed under the different laws.

OTHER CASE CHARACTERISTICS:

With our case tracking system, we are able to get an accurate count of the descriptive data for our case intake and production. Some of the data is summarized in the tables that follow:

TABLE 4: BASIS OF CHARGES FILED BY STATUTE

FY 2011/12

	EMPLOYMENT			HOUSING/PUBLIC ACCOM.		
BASIS	**FEPA**	**EQ PAY**	**AGE**	**HOUSING**	**PUBLIC ACCOM.**	**TOTALS**
RACE	213	0	0	21	29	263
COLOR	179	0	0	7	28	214
SEX	173	9	0	10	5	197
SEX-PREGNANCY	34	0	0	0	0	34
AGE (40-70)	0	0	180	0	0	180
RELIGION	17	0	0	1	1	19
NATIONAL ORIGIN/ ANCESTRY	141	0	0	4	6	151
DISABILITY	284	0	0	33	0	317
MARITAL STATUS	9	0	0	0	0	9
FAMILIAL STATUS	0	0	0	12	0	12
RETALIATION	421	1	68	10	5	505
RETALIATION (Whistleblower)	68	0	0	0	0	68

The Public Accommodations Act and Housing Act do not provide coverage in the areas of Marital Status and Age Discrimination.

TABLE 5: ISSUES IN EMPLOYMENT AND PUBLIC ACCOMMODATIONS CHARGES FILED IN FY 2011/12

ISSUE	NUMBER
Discharge	1,283
Harassment	504
Terms and Conditions of Employment	489
Discipline	463
Reasonable Accommodation	370
Failure to Hire	233
Wages	219
Assignment	192
Suspension	182
Constructive Discharge	178
Failure to Train	118
Demotion	91
Failure to Promote	84
Public Accommodation Issue	74
Benefits	57
Sexual Harassment	50
Intimidation	43
Union Representation	41
References Unfavorable	33
Reinstatement	23
Benefits-Insurance	22
Breach of Confidentiality	10
Referral	10
Prohibited Medical Inquiry/Exam	10
Seniority	9
Layoff	7
English Language Only Rule	5
Severance Pay Denied	3
Testing	3
Job Classification	3
Maternity	3
Recall	2
Other	1
Benefits-Retirement/Pension	1
Apprenticeship	1
Retirement-Involuntary	1

TABLE 6: ISSUES IN HOUSING CHARGES FILED
FY 2011/12

ISSUE	NUMBER
Terms, Conditions, Privileges Relating to Rental	52
Discriminatory Acts under Section 818 (coercion, etc.)	20
Failure to Make Reasonable Accommodations	17
Refusal to Rent	9
Terms, Conditions, Privileges, or Services and Facilities	4
Terms/Conditions for Making Loans	2
Refusal to Rent and Negotiate for Rental	1
Other Discriminatory Acts	1
Advertising, Statements and Notices	1
Adverse Action Against an Employee	1
Services and Facilities Relating to Rental	1
Non-Compliance with Design and Construction Requirements	1
Failure to Provide Reinforced Walls for Grab Bars	1

TABLE 7: COMPLAINANT CHARACTERISTICS
FY 2010/11 – 2011/12

MALE	FY 10/11	FY 11/12	FEMALE	FY 10/11	FY 11/12
Race			**Race**		
Black/African American	136	124	Black/African American	143	133
Native Hawaiian/Pacific Islander	0	1	Native Hawaiian/Pacific Islander	4	1
American Indian/Alaska Native	11	8	American Indian/Alaska Native	11	15
Bi-Racial/Multi-Racial	3	9	Bi-Racial/Multi-Racial	7	10
Asian	9	4	Asian	9	6
White	216	174	White	326	313
Ethnicity			**Ethnicity**		
Hispanic/Latino	64	62	Hispanic/Latino	73	71
Not Hispanic/Latino	356	305	Not Hispanic/Latino	482	454
National Origin			**National Origin**		
North America	326	275	North America	470	457
Middle East	16	8	Middle East	5	2
Hispanic	43	52	Hispanic	48	49
Europe	6	5	Europe	3	4
Caribbean	0	0	Caribbean	1	0
Asia	10	6	Asia	8	5
Africa	14	15	Africa	14	4
Unable to obtain info	12	16	Unable to obtain info	30	11

TABLE 8: TOP TEN COUNTIES FOR CHARGES FILED

FY 09/10

COUNTY	NUMBER	PERCENT
1. Douglas	503	49%
2. Lancaster	191	19%
3. Scotts Bluff	41	4%
4. Sarpy	37	4%
5. Hall	26	3%
6. Lincoln	22	2%
7. Dawson	13	1%
8. Platte	11	1%
9. Buffalo	11	1%
10. Dakota	10	1%
TOTAL OF TOP TEN	**865**	**85%**
TOTAL OF ALL CHARGES	**1,015**	**100%**

FY 10/11

COUNTY	NUMBER	PERCENT
1. Douglas	494	48%
2. Lancaster	183	18%
3. Sarpy	38	4%
4. Scotts Bluff	34	3%
5. Hall	31	3%
6. Dodge	24	2%
7. Lincoln	20	2%
8. Buffalo	16	2%
9. Adams	14	1%
10. Madison	12	1%
TOTAL OF TOP TEN	**866**	**84%**
TOTAL OF ALL CHARGES	**1,025**	**100%**

FY 11/12

COUNTY	NUMBER	PERCENT
1. Douglas	422	47%
2. Lancaster	175	19%
3. Hall	50	6%
4. Sarpy	32	4%
5. Scotts Bluff	20	2%
6. Dodge	17	2%
7. Madison	13	1%
8. Platte	13	1%
9. Lincoln	13	1%
10. Adams	12	1%
TOTAL OF TOP TEN	**767**	**84%**
TOTAL OF ALL CHARGES	**911**	**100%**

TABLE 9: CHARGES NOT DOCKETED

In FY 11/12, the Commission conducted a total of 509 intake interviews, or screenings, which did not result in the docketing of a charge of discrimination.

FY 11/12

Reason for Non-Filing	Lincoln	Omaha	Scottsbluff	Totals
1. Respondent has too few employees	25	36	3	64
2. Allegations outside the Statute of Limitations	18	15	3	36
3. Complainant had no standing or basis to file	98	80	26	204
4. Informed of right to file, but declined to file	116	73	16	205
TOTAL NON-DOCKETED	257 (51%)	204 (40%)	48 (9%)	509 (100%)

TABLE 10: TECHNICAL ASSISTANCE TO THE PUBLIC

In addition to conducting screenings which led to no formal action by the Commission, the Commission staff also fielded 2,510 other inquiries from the public in FY 11/12. The inquires received can be broken down as follows:

FY 11/12

Contact Type	Lincoln	Omaha	Scottsbluff	Totals
5. General Questions Answered	242	451	33	726
6. Employer Inquires	497	377	17	891
7. Information Sent	20	5	3	28
8. Referred to an appropriate source of assistance	100	77	28	205
9. Complainant Inquiry	379	222	59	660
TOTALS	1,238 (49%)	1,132 (45%)	140 (6%)	2,510 (100%)
TOTALS - ALL CONTACTS	1,495(50%)	1,336 (44%)	188 (6%)	3,019 (100%)

Along with the above stated data, there were 74,142 hits to the NEOC home page in FY 11/12. The web site is updated at least two times a month. The web site allows people to check upcoming Commission Meeting information, as well as educational information. Individuals also have the opportunity to learn about the Commission, the laws, and how to file a complaint.

TABLE 11 COMMISSION DETERMINATIONS

		FY 09/10	FY 10/11	FY 11/12
Reasonable Cause	NEOC (moved to conciliation)	50	39	28
	Adopted (moved to conciliation)	7	1	4
No Reasonable Cause	NEOC	981	628	739
	Adopted	118	78	77
Pre-Determination Settlement	NEOC	70	48	60
	Adopted	24	12	12
Mediation	NEOC	27	15	9
	Adopted	1	0	0
Withdrawal With Settlement	NEOC	18	13	25
	Adopted	5	0	5
Withdrawal Without Settlement	NEOC	20	13	22
	Adopted	5	4	1
Failure to Locate	NEOC	0	0	0
	Adopted	0	0	1
Failure to Cooperate	NEOC	2	4	2
	Adopted	0	0	0
Lack of Jurisdiction	NEOC	35	28	23
	Adopted	2	1	2
Complainant Filing/Filed in Court	NEOC	18	96	14
	Adopted	8	10	12
Other	NEOC	8	7	4
	Adopted	3	0	1

Table 11: COMMISSION DETERMINATIONS (continued)

		FY 09/10	FY 10/11	FY 11/12
Conciliations	Successful Conciliations	27	11	12
	Successful Conciliations – Adopted	7	1	4
	Unsuccessful Conciliations - Dismissals	11	8	5
	Unsuccessful Conciliations - Complainant Filing/Filed in Court	11	6	7
	Other - Adopted	0	0	0
	Unsuccessful Conciliations to Public Hearing or Civil Action	12	8	2
Public Hearings	For Complainant	1	0	0
	For Respondent	2	1	0
	Negotiated Settlement	1	1	1
	Failure to Cooperate	0	0	0
	Complainant Filing/Filed in Court	1	0	0
	Other	0	0	0
	Adopted	0	0	0
Civil Action (Housing)	Negotiated Settlements	5	1	2
	Other	1	0	2
	Dismissal	0	1	0

TABLE 12: COMMISSION INITIAL DETERMINATIONS BY STATUTE (CLOSED CASES)

FAIR EMPLOYMENT PRACTICE ACT	AGE	EQUAL PAY	HOUSING	PUBLIC ACCOMM.
832	219	26	70	34

TABLE 13: LACK OF JURISDICTION BREAKDOWN

REASON FOR LACK OF JURISDICTION	FY 09/10
Not Enough Employees	20
No Employer/Employee Relationship	6
No Service Denied	4
Untimely Filed	2
Religious Exemption	2
Wrong Respondent Named	1
Private Membership Club	1
Issues Don't Fall Under the Law	1
TOTAL	37

REASON FOR LACK OF JURISDICTION	FY 10/11
Not Enough Employees	14
Wrong Respondent Named	5
No Employer/Employee Relationship	4
Untimely Filed	1
No Service Denied	1
Respondent No Longer in Business	1
Complainant is Not an Aggrieved Person Under the Law	1
Other	1
TOTAL	28

REASON FOR LACK OF JURISDICTION	FY 11/12
Not Enough Employees	7
No Employer/Employee Relationship	4
Untimely Filed	4
No Service Denied	4
Harms Occurred out of State	3
Other	1
Respondent Not an Employer Under the Law	1
Complainant is not an Aggrieved Person Under the Law	1
TOTAL	25

TABLE 14: COMPARATIVE CAUSE/SETTLEMENT FIGURES

FY 05/06 – 11/12

Fiscal Year	Cause & Settlements Percent of Initial Determinations	Combined Number of Cases
05/06	15.7	212
06/07	17.5	204
07/08	15.7	201
08/09	13.6	181
09/10	14.4	202
10/11	12.8	128
11/12	13.7	143

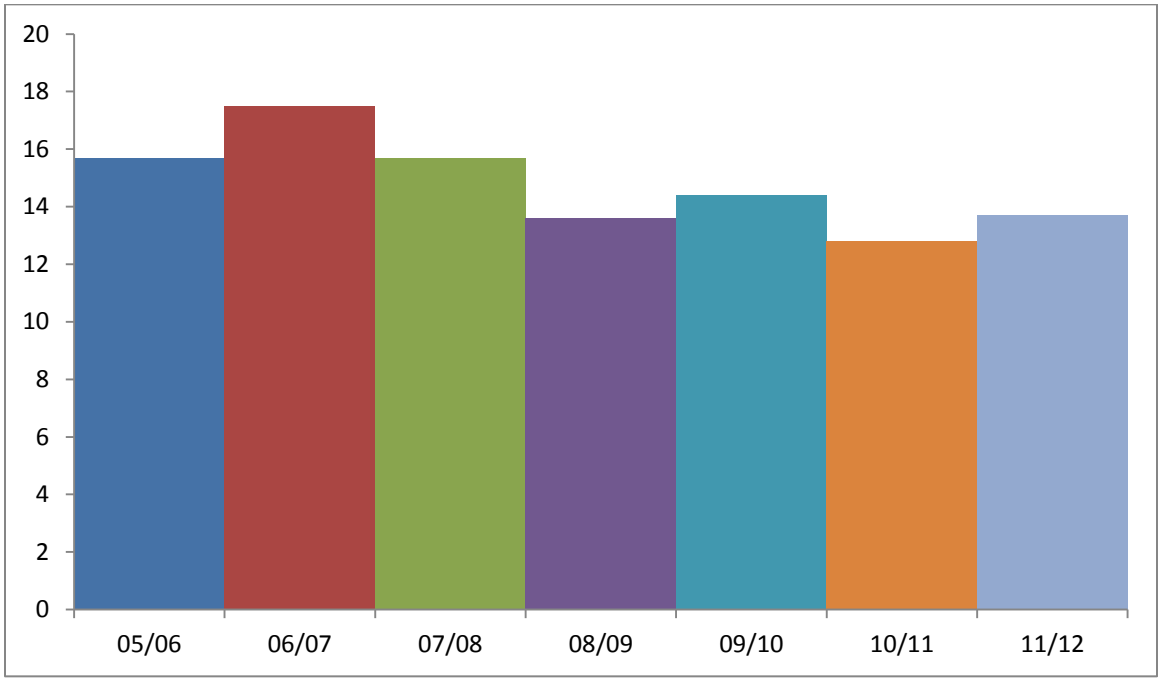


TABLE 15: ALTERNATIVE DISPUTE RESOLUTION (ADR)
Employment and Public Accommodation Cases

	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 11/12
Sent to ADR	68	60	57	55	64
Successful Mediation	26	20	27	15	9
Successful Pre-Determination Settlement	21	13	18	15	21
Withdrawal with Settlement	6	2	3	3	2
Failed ADR (either Mediation or PDS)	14	15	7	11	8
No Longer Wanted to Pursue ADR	1	8	3	15	20
Pending	8	10	9	5	9

In 2004/2005 the NEOC developed the Alternative Dispute Resolution (ADR) program. The focus of ADR is to resolve pending employment and public accommodation cases prior to an investigation and determination being issued by the Commission. There are two options available in the ADR program: mediation and pre-determination settlement. **Mediation** typically involves the parties meeting face-to-face with a mediator to discussion resolution; whereas, **pre-determination settlement** involves discussion of resolution between the parties as relayed (usually via telephone) by the mediator.

Participation in the program is done on a voluntary basis. As the table indicates, when parties actively participate in the program there is a high rate of successful resolution. However, there are times when the parties indicate an interest in the ADR program, but after an initial discussion, determine they no longer want to participate in the process and request an investigation. These discussions are not considered unsuccessful as the parties never fully engaged in the process.

HIGHLIGHTS….

In addition to the ADR program, the NEOC attempts to resolve employment and public accommodation cases during an investigation prior to the NEOC issuing a determination. In FY 11/12 the NEOC resolved 22 cases during the investigative stage.

The NEOC also endeavors to resolve housing cases. Discussions regarding resolution are an on-going process throughout the investigation for all housing cases. In FY 11/12 the NEOC settled 17 housing cases.

TABLE 16: TOTAL MONETARY RELIEF OBTAINED

	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12
Pre-Determination Settlements	$145,378	$248,087	$162,688	$ 432,873	$151,305	$330,037
Mediation	108,550	242,935	154,925	302,692	126,363	84,091
Withdrawals with Settlement*	115,385	221,450	93,360	40,272	78,736	274,288
Conciliation	383,480	125,791	219,569	281,486	122,000	127,700
Public Hearing	202,997	73,946	78,745	0	23,502	35,000
Litigation**	0	0	0	2,400	0	885
TOTAL	$955,790	$912,209	$709,287	$1,059,723	$501,906	$852,001

* The benefits on some of the Commission's withdrawals with settlement are not known. The parties keep the terms of settlement confidential.

**These settlements were achieved by the Attorney General's Office on cases sent to their office for civil action/litigation.

CASE COMPLETION SUMMARY TABLES
FY 07/08 – 11/12

TABLE 17: AVERAGE CASE PROCESSING TIME

	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 11/12
Average Hours Worked on Case File	8.7	8.5	8.9	10.8	10.8

♦ ♦ ♦

TABLE 18: AVERAGE DAYS PER INVESTIGATION

	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 11/12
Average Days	98.4	93.4	103.0	133.3	85.1

♦ ♦ ♦

TABLE 19: FROM FILING TO ASSIGNMENT AND DETERMINATION, AVERAGE DAYS -- CAUSE/NO CAUSE ONLY

	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 11/12
Date Filed to Assignment of Investigator	244	196	163	160	208
Date Filed to Cause/No Cause Decision	382	333	304	293	311

♦ ♦ ♦

TABLE 20: CAUSE CASES

	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 11/12
Out of Cause/No Cause Cases, This Percentage went Cause	6%	6%	5%	6%	4%

♦ ♦ ♦

TABLE 21: CONCILIATION TIME PER CASE

	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 11/12
Average Conciliation Hours Worked on Case	7	8	8	5	2
Average Days in Conciliation	79	72	79	59	88

TABLE 22: REASONABLE CAUSE CASES BY STATUTE

FY 11/12

FEPA	AGE	EQUAL PAY	HOUSING	PUBLIC ACCOM
24	6	0	2	1

TABLE 23: REASONABLE CAUSE CASES BY BASIS

FY 11/12

BASIS	CASES	BASIS	CASES
Race	2	Disability	13
Color	2	Religion	1
Sex	8	Marital Status	0
Sex-Pregnancy	2	Retaliation	7
National Origin	1	Retaliation – Whistleblower	1
Age	4	Familial Status	1

TABLE 24: REASONABLE CAUSE CASES BY ISSUE

FY 11/12

ISSUES	CASES	ISSUES	CASES
Discharge	17	Sexual Harassment	2
Reasonable Accommodation	6	Discipline	2
Harassment	4	Promote	1
Conditions of Employment	5	Assignment	1
Hire	4	Failure to Provide Public Accomm.	1
Constructive Discharge	1	Prohibited Medical Inquiry/Exam	2
Layoff	1	Refusal to Rent	2

TABLE 25: CONCILIATION SUMMARY
FY 11/12

Total Conciliations Attempted 30
Successful 16*
Unsuccessful (Forwarded to Hearing) 1
Unsuccessful (Forwarded to Civil Action-Housing) 1
Administratively Closed 12
a. Unsuccessful - Dismissals 5
b. Complainant Filing in Court 7

Total Dollars $127,700

* 4-adopted EEOC's decision

TABLE 26: CONCILIATIONS

FISCAL YEAR	2007/08	2008/09	2009/10	2010/11	2011/12
Cases to Conciliation (Reasonable Cause)	52	68	57	40	32
Cases Pending from Prior Fiscal Year	15	11	14	3	9
TOTAL CASES	67	79	71	43	41
Conciliations Attempted	56	65	68	34	30
Successful Conciliations	15	28	34	12	16
Unsuccessful Conciliations	6	7	12	8	2
Conciliations Administratively Closed	35	30	22	14	12
MONETARY RELIEF	$125,791	$219,569	$281,486	$122,000	$127,700
Conciliation Pending	11	14	3	9	11

TABLE 27: SUCCESSFUL CONCILIATION DETAIL- FY 11/12

DISCRIMINATORY ACT	RELIEF TO COMPLAINANT
Employment and Public Accommodations	
Age, Sex (hiring)	$10,000 back pay; $5,000 lump sum; $500 attorney fees
Disability (reasonable accommodation, constructive discharge)	$18,000; policy change
Sex (sexual harassment, constructive discharge)	$3,000 back pay; $9,000 damages; $6,000 attorney fees
Retaliation (discharge)	$3,500 back pay
Religion (discharge)	$2,200 back pay; training
Religion (discharge)	$13,333.34 lump sum; $6,666.66 attorney fees
Disability, Regarded as Disabled (reasonable accommodation, discharge)	$12,000 damages
Pregnancy (hiring)	$2,500 lump sum; training
Disability (reasonable accommodation, discharge)	$16,667 lump sum; $8,333 attorney fees; training
National Origin (public accommodation)	$1,000; apology; training
Pregnancy (assignment, discharge)	$10,000 (wages); training
Housing	
Disability, Familial Status (refusal to rent and negotiate for rental)	$1,000; apology

PUBLIC HEARINGS

In conformity with the Nebraska Fair Employment Practice Act, Section 48-1119, the Commission may take a case to Public Hearing if reasonable cause is found and attempts at conciliation are unsuccessful. The table below represents the Commission's activity after ordering Public Hearings in fiscal year 2011/2012, and the following tables give a brief composite of those hearings actually conducted during each respective fiscal year.

TABLE 28: PUBLIC HEARINGS

Fiscal Year	05/06	06/07	07/08	08/09	09/10	10/11	11/12
Numbered Ordered	10	30	4	6	3	2	1
Number Held*	5	21	5	1	3	1	0
Number Carried Over	23	7	6	1	3	1	1
Orders Issued (Final)	26	31	9	4	5	2	1
Pending	7	6	1	3	1	1	1

*A full and complete hearing was conducted.

TABLE 29: PUBLIC HEARING DISPOSITION
JULY 2011 - JUNE 2012

Total Final Orders Issued **1**

Outcome of Final Orders:

Violation found	0
No Violation Found	0
Settlement Prior to Hearing	1
Complainant Filing/Filed in Court	0

TABLE 30: PUBLIC HEARING ORDERED; NOT HELD AS OF JUNE 30, 2012

Complainant	Respondent	Case No.	Hearing Examiner
Brady	Husker Management, Inc. d/b/a Holiday Inn Express	41926	Frost

TABLE 31: PUBLIC HEARING ORDERED; COMPLAINT NOT SIGNED BY COMPLAINANT AS OF JUNE 30, 2012

Complainant	Respondent	Case No.	Hearing Examiner
None			

TABLE 32: PUBLIC HEARING HELD; NO RECOMMENDED ORDER ISSUED BY THE HEARING EXAMINER AS OF JUNE 30, 2012

Complainant	Respondent	Case No.	Hearing Examiner
None			

TABLE 33: CIVIL ACTION DISPOSITION JULY 2011 - JUNE 2012

Settlement	2
Other	2
TOTAL	4

HEARING DISPOSITION SUMMARY
July 1, 2011 through June 30, 2012

NEB 1-09/10-12-41104-RS
Davis vs. Lincoln Public Schools
Disability and Retaliation (Failure to Accommodate, Discipline and Termination)

The Complainant alleged that due to the Respondent not granting him a reasonable accommodation he was disciplined and terminated. The Commission found Reasonable Cause. The case was forwarded to public hearing. Prior to the public hearing the parties entered into a settlement. The Hearing Officer recommended this matter be dismissed based on the fact the parties settled this case. The Commission accepted the Hearing Officer's recommendation and closed this case.

List of Cases Sent to Public Hearing in the Past Five Years					
Case Number	**Complainant**	**Respondent**	**Decision**	**Date Closed**	**Hearing Officer**
2101-H	Coronado	Barney G., Inc.	For Complainant	12/31/2007	C. Scudder
2153-H	Gonzalez	Barney G., Inc.	For Complainant	12/31/2007	C. Scudder
2174-H	Velez	Barney G., Inc.	For Complainant	12/31/2007	C. Scudder
36150	Ferguson	Tri-Con Industries, Ltd	For Respondent	2/15/2008	M. Frost
36476	Jones	InterCon Security Systems, Inc.	Settlement	6/30/2008	D. Gilg
2009-PA	Wilson	Kentucky Fried Chicken	Failure of the Complainant to participate in the process	6/30/2008	T. Crawford
36897	Bartholomew	Vishay Dale Electronic, Inc.	For Complainant	10/17/2008	W. Tringe, Jr.
37309	Laam	Tecumseh Poultry LLC d/b/a MBA Poultry	Settlement	1/16/2009	M. Frost
38324	Gowen	NE Dept. of Health & Human Services	Settlement	2/19/2009	M. Moriarty
38942	McGinnis	Christ The King Church of Omaha	Complainant Filed In Court	2/19/2009	D. Gilg
39566	Austin	Church of the Blessed Sacrament	Complainant Filed In Court	9/18/2009	Not Assigned
2310-PA	Monarrez	HyVee, Inc.	For Respondent	10/16/2009	M. Moriarty
2358-PA	Bauldwin	No Frills Supermarkets	Settlement	11/20/2009	M. Moriarty
39198	Osborn	BNSF Railway Co.	For Respondent	3/19/2010	W. Tringe, Jr.
2383-H	Cortesano	Roger & Judy Duerr	For Complainant	6/18/2010	W. Tringe, Jr.
40730	Hedges	NE Dept. of Motor Vehicles	Settlement	12/17/2010	W. Tringe, Jr.
40216	Murph	Silver Memories, Inc.	For Respondent	4/11/2011	M. Frost
41104	Davis	Lincoln Public Schools	Settlement	8/29/2011	M. Moriarty
41926	Brady	Husker Management, Inc. d/b/a Holiday Inn Express	Case Still Open		M. Frost

NOTES: Case numbers with a "-H" behind them are Housing cases. Case numbers with a "-PA" behind them are Public Accommodations cases. All other case numbers are employment cases.

RECORDS RETENTION: Pursuant to Rules 002-016 and 002-019 of the Nebraska Equal Opportunity Commission's Records Retention Schedule, these records are deleted 5 years from the date of closure.