



# State of Nebraska

## NEBRASKA EQUAL OPPORTUNITY COMMISSION

### NEBRASKA EQUAL OPPORTUNITY COMMISSION MEETING OF September 18, 2020

Commissioner Borchers called the meeting to order in Lincoln Nebraska at 9:00 a.m. on September 18, 2020. It was established, after a roll call, there was a quorum.

#### I. ROLL CALL

##### *Commissioners Present*

Patrick Borchers, Chairperson  
Eric Drumheller  
Arla Meyer  
Amber Schuppan

John Arnold  
Kristin Yates

##### *Staff Present*

Marna Munn, Executive Director Via Web  
Shelley Foss, Unit Director Via Web

Paula Gardner, Unit Director  
Ben Watson, Unit Director Via Web

Cherryll Batty, Staff Assistant

Andrea Berry, Investigator III

#### II. NOTICE OF PUBLICATION

Director Gardner read the dates of publication for the current Commission meeting.

#### III. APPROVAL OF MINUTES

Commissioner Borchers declared the minutes of August, 2020 approved.

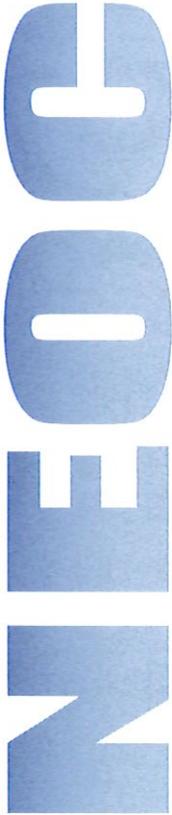
#### IV. ADDITIONS OR CORRECTIONS

None at this time.

#### V. PUBLIC INPUT (Non-Case)

Limit of 5 minutes per person for a total of a 30-minute session.

None at this time.



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VI. INTRODUCTION TO PUBLIC INPUT (Agenda Cases)

The cases, wherein a party to the case was present, were moved to the front of the agenda under Section VII. CASE DISPOSITIONS.

VII. CASE DISPOSITIONS

A. EMPLOYMENT (C & R present)  
NEB 1-19/20-7-50593

Commissioner Arnold moved for no reasonable cause.  
Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Yates, Arnold, Drumheller, Borchers, Meyer, Schuppan  
Nays:  
Abstained:  
Motion Carried

A. EMPLOYMENT (R present)  
NEB 1-19/20-11-50920

Commissioner Borchers moved for no reasonable cause.  
Commissioner Arnold seconded the motion.

ROLL CALL: Ayes: Arnold, Schuppan, Borchers, Yates, Drumheller, Meyer  
Nays:  
Abstained:  
Motion Carried

A. EMPLOYMENT (R present)  
NEB 2-19/20-1-51037

Commissioner Drumheller moved for no reasonable cause.  
Commissioner Schuppan seconded the motion.

ROLL CALL: Ayes: Schuppan, Borchers, Drumheller, Arnold, Meyer, Yates  
Nays:  
Abstained:  
Motion Carried

A. EMPLOYMENT (C & R present)  
NEB 2-19/20-12-50978

Commissioner Borchers moved for no reasonable cause.  
Commissioner Arnold seconded the motion.

ROLL CALL: Ayes: Drumheller, Meyer, Schuppan, Yates, Borchers, Arnold  
Nays:  
Abstained:  
Motion Carried

A. EMPLOYMENT (C & R present)  
NEB 1-19/20-1-51094

Commissioner Arnold moved for no reasonable cause.  
Commissioner Schuppan seconded the motion.

ROLL CALL: Ayes: Borchers, Meyer, Arnold, Drumheller, Schuppan  
Nays:  
Abstained: Yates  
Motion Carried

C. HOUSING (C present)  
NEB 1-19/20-6-3605-H

Commissioner Borchers moved for no reasonable cause.  
Commissioner Schuppan seconded the motion.

ROLL CALL: Ayes: Arnold, Meyer, Schuppan, Drumheller, Borchers  
Nays:  
Abstained: Yates  
Motion Carried

C. HOUSING (C Statement read into the record by Director Munn)  
NEB 1-19/20-6-3556-H

Commissioner Arnold moved for no reasonable cause.  
Commissioner Borchers seconded the motion.

ROLL CALL: Ayes: Meyer, Drumheller, Yates, Schuppan, Borchers, Arnold  
Nays:  
Abstained:  
Motion Carried

A. EMPLOYMENT

1. NEB 1-19/20-8-50722
2. NEB 1-19/20-12-50997
3. NEB 2-19/20-10-50870
4. NEB 2-19/20-12-50978

Commissioner Borchers moved for no reasonable cause on the above cases.  
Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Yates, Arnold, Drumheller, Borchers, Meyer, Schuppan  
Nays:  
Abstained:  
Motion Carried

B. PUBLIC ACCOMMODATION

1. NEB 1-19/20-2-3582-PA
2. NEB 2-19/20-3-3593-PA

Commissioner Borchers moved for no reasonable cause on the above cases.  
Commissioner Schuppan seconded the motion.

ROLL CALL: Ayes: Arnold, Schuppan, Borchers, Yates, Drumheller, Meyer  
Nays:  
Abstained:  
Motion Carried

C. HOUSING

1. NEB 2-19/20-10-3556-H
2. NEB 2-19/20-12-3568-H

Commissioner Borchers moved for no reasonable cause on the above cases.  
Commissioner Schuppan seconded the motion.

ROLL CALL: Ayes: Schuppan, Borchers, Drumheller, Arnold, Meyer, Yates  
Nays:  
Abstained:  
Motion Carried

VIII. SUCCESSFUL AGREEMENTS

NEB 2-19/20-3-3592-H  
NEB 2-19/20-3-3588-H

Commissioner Borchers moved to adopt the agreement.  
Commissioner Arnold seconded the motion.

ROLL CALL:       Ayes:     Drumheller, Meyer, Schuppan, Yates, Borchers, Arnold  
                  Naves:  
                  Abstained:  
                  Motion Carried

IX. ADMINISTRATIVE ACTIONS

None at this time

X. CONCILIATION

None at this time

XI. CONCILIATION CASES TO BE CONSIDERED FOR PUBLIC HEARING

None at this time.

XII. PUBLIC HEARING

None at this time.

XIII. CIVIL ACTION

None at this time

XIV. BUSINESS

1. Previous Month's General Ledger Report

Commissioner Arnold moved to approve and accept the previous General Ledger report.  
Commissioner Borchers seconded the motion.

ROLL CALL:       Ayes:     Borchers, Meyer, Arnold, Drumheller, Yates, Schuppan  
                  Naves:  
                  Abstained:  
                  Motion Carried

2. Outreach

Ben Watson Reported on a virtual training session he did at UNO with an HR class. The Agency is working on establishing their Facebook and Twitter presence.

3. Director's Update

The Director congratulated Business Manager Kathy Bogenreif on her 45 years of service with the agency.

Staffing Update: The agency had two investigator positions to fill. Interviews have been completed for both positions. The agency is working with the top candidate for the Lincoln position. Tallina Estwick has been offered and accepted the Omaha position. As Tallina is the Staff Assistant in Omaha, the agency has submitted a request to fill that position and expects to advertise it in the near future.

Commissioners: Three commissioners are nearing the end of their terms, and all three have expressed an interest in applying to remain in their current positions. The agency will work to assist the commissioners in reapplying for their positions.

Federal: Director Munn reports that one housing investigator has completed online training with HUD and another is scheduled for the October training. The Agency has signed and executed a new agreement with HUD. The EEOC set higher case number requirements for the agency and the agency is on track to exceed them.

Budget: Thanks to the tireless efforts of Business Manager Bogenreif, the agency was the 3<sup>rd</sup> state agency to submit their biannual budget.

Bostock Ruling (SCOTUS) Updates: Investigator Brandie Hinkle has volunteered to research response to the Bostock Ruling to see how other agencies have changed policies to accommodate new considerations. The Commissioners asked about how the agency would notify the public and how it would impact the agency case load.

Public Hearings:

Public Hearings on existing cases will continue on October 21-22 in Lincoln and October 14 in Columbus. The Commission referred one additional case to Public Hearing and the Agency in the process of scheduling that hearing.

Training: Director Munn recording a training for the American Bar Association on reopening businesses after COVID.

Unit Director Ben Watson and Unit Director Paula Gardner have been recording online training for new Commissioners.

Director Munn recommended on-line trainings in Lincoln and Omaha on Redlining.

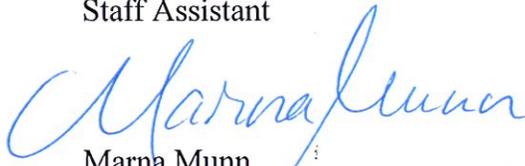
XV. ADJOURNMENT

Commissioner Borchers declared the September 18, 2020, Commission meeting ended at 11:08 am.

Respectfully submitted,

Cherryll Batty  
Staff Assistant

  
Date 10/8/2020

  
Marna Munn  
Executive Director

  
Date 10/8/2020

The Minutes of the Nebraska Equal Opportunity Commission meeting of September 18, 2020 have been corrected and accepted, and henceforth approved on this date.

Chairperson

\_\_\_\_\_  
Date