NEBRASKA EQUAL OPPORTUNITY COMMISSION
MEETING OF April 15, 2022

Commissioner Arnold called the meeting to order in Omaha, Nebraska at 9:04 a.m. on April 15, 2022. It was established, after a roll call, there was a quorum.

I. ROLL CALL
Commissioners Present
Patrick Borchers, Chairperson
Eric Drumheller
Arla Jo Meyer
Tyeisha Kosmicki

John Arnold, Vice Chair
Royce Jeffries
Lynn Brennan

Staff Present
Paula Gardner, Executive Director
Shelley Foss, Unit Director
Brandie Hinkle, Investigator III

Ben Watson, Unit Director
Andrea Berry, Unit Director
Kim Carrera-Bower, Investigator I

II. NOTICE OF PUBLICATION

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

III. APPROVAL OF MINUTES

Commissioner Arnold approved the meeting minutes for March 18, 2022.

IV. ADDITIONS OR CORRECTIONS

NEB 2-21/22-7-52150-RD added under IX. A.

V. PUBLIC INPUT (Non-Case)

Limit of 5 minutes per person for a total of a 30-minute session.
VI. **INTRODUCTION TO PUBLIC INPUT (Agenda Cases)**
The cases, wherein a party to the case was present or provided a written statement, were moved
to the front of the agenda under Section VII. **CASE DISPOSITIONS.**

VII. **CASE DISPOSITIONS**

A. **EMPLOYMENT (Respondent was present.)**
   NEB 1-21/22-10-52310-RS

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

**ROLL CALL:**
- Ayes: Kosmicki, Borchers, Arnold, Drumheller, Jeffries,
  Meyer, Brennan
- Nayes:
- Abstained:
- Motion Carried

A. **EMPLOYMENT (Complainant was present.)**
   NEB 1-21/22-10-52288-RD

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

**ROLL CALL:**
- Ayes: Brennan, Kosmicki, Borchers, Arnold, Drumheller,
  Jeffries, Meyer
- Nayes:
- Abstained:
- Motion Carried

A. **EMPLOYMENT (Complainant was present.)**
   NEB 2-21/22-52273-10-RD

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

**ROLL CALL:**
- Ayes: Jeffries, Meyer, Brennan, Kosmicki, Borchers, Arnold,
  Drumheller
- Nayes:
- Abstained:
- Motion Carried
C. HOUSING (Complainant was present; Respondent provided a written statement.)
    NEB 1-19/20-3-3590-H

Commissioner Borchers moved reasonable cause.
Commissioner Arnold seconded the motion.

ROLL CALL: Ayes: Brennan, Kosmicki, Borchers, Arnold, Drumheller, Jeffries, Meyer
Nayes: 
Abstained: 
Motion Carried

A. EMPLOYMENT

    NEB 1-21/22-10-52293-RS
    NEB 2-20/21-2-51854-RD
    NEB 1-21/22-9-52264-RS
    NEB 2-20/21-6-52101-RS

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

ROLL CALL: Ayes: Meyer, Brennan, Kosmicki, Borchers, Arnold, Drumheller, Jeffries
Nayes: 
Abstained: 
Motion Carried

B. PUBLIC ACCOMMODATION

    NEB 2-21/22-2-3708-PA

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

ROLL CALL: Ayes: Jeffries, Meyer, Brennan, Kosmicki, Borchers, Arnold, Drumheller
Nayes: 
Abstained: 
Motion Carried
B. HOUSING

NEB 2-21/22-8-3675-H

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

ROLL CALL: Ayes: Drumheller, Jeffries, Meyer, Brennan, Kosmicki, Borchers, Arnold
            Nayes:
            Abstained:
            Motion Carried

VIII. SUCCESSFUL AGREEMENTS

NEB 1-21/22-7-3668-H

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

ROLL CALL: Ayes: Arnold, Drumheller, Jeffries, Meyer, Brennan, Kosmicki, Borchers
            Nayes:
            Abstained:
            Motion Carried

IX. ADMINISTRATIVE ACTIONS

A. WITHDRAWAL

NEB 2-21/22-7-52150-RD

Commissioner Borchers moved to administratively close the above case based on the case being withdrawn. Commissioner Brennan seconded the motion.

ROLL CALL: Ayes: Borchers, Arnold, Drumheller, Jeffries, Meyer, Brennan, Kosmicki
            Nayes:
            Abstained:
            Motion Carried
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B. LACK OF JURISDICTION
NEB 1-20/21-12-51774-RD

Commissioner Borchers moved to administratively close the above case based on lack of jurisdiction.
Commissioner Jeffries seconded the motion.

ROLL CALL:
Ayes: Borchers, Arnold, Drumheller, Jeffries, Meyer,
      Brennan, Kosmicki
Nayes:
Abstained:
Motion Carried

X. CONCILIATION

1. NEB 2-20/21-7-51475-RS
2. NEB 1-19/20-8-50705-RS
3. NEB 1-19/20-2-51156-RS
4. NEB 1-20/21-8-51531-RS

Commissioner Borchers moved to Adopt the recommendations of the Director of Conciliation.
Commissioner Meyer seconded the motion.

ROLL CALL:
Ayes: Kosmicki, Borchers, Arnold, Drumheller, Jeffries,
      Meyer, Brennan
Nayes:
Abstained:
Motion Carried

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

ROLL CALL: Ayes: Brennan, Kosmicki, Borchers, Arnold, Drumheller, Jeffries, Meyer
Nayes: 
Abstained: 
Motion Carried

2. Outreach Report—Unit Director, Ben Watson

Lincoln Commission of Human Rights will host a training conference April 20, 2022. This training will be held at Innovation Campus in Lincoln, NE.

Director Watson stated the talks continue to discuss and plan a thirty-minute show to be aired on Nebraska Public Media Television. Commissioner Brennan discussed taking the opportunity to discuss what constitutes a "valid complaint" as part of this.

Watson asked for suggestions as to what types of trinkets the commissioners pick up when they attend a conference, as NEOC is looking to acquire some. Suggestions included: sharpies, pens, sticky note pads, clip magnets, and envelope openers.

3. Legislative Update—Executive Director, Paula Gardner

A bill passed affecting the Open Meetings Act which now allows the minutes to be available in either written or electronic formats. The NEOC currently provides minutes in both formats so there will be no change in how the agency handles the posting of minutes.

4. Director's Report – Executive Director, Paula Gardner

Director Gardner announced the hiring of two new investigators, McKenzie Stork-Park and Kim Carrera-Bower. Both are currently in administrative technician positions, one in Lincoln and one in Omaha. With their promotions, those two openings have been posted and interviews have taken place, job offers are expected early next week.

There are two investigator positions open and the agency expects those to be filled by June.
The agency's "measurement period" for the EEOC is May 1-April 30 and the agency is on target for its goal. This measurement period is used to decide following year's contract.

The annual contract year is from October 1-September 30, and we are currently a bit behind in meeting the current contract goal of just over 700 cases. Factors involved in this include staffing and fewer charges, which seem to be an issue at least in the region.

The state will be bargaining for a new labor contract for the next two years (2023-2025) and agencies were given the opportunity to identify wage adjustments. The NEOC took that opportunity and submitted a request to adjust investigator wages. This request was based on the similarity between insurance investigators and EOC investigators in duties, etc. Insurance investigators start at a higher wage. This was the first time agencies have been given a chance to submit this kind of request.

The current case management system used by NEOC is adequate but was created almost a decade ago. The agency is going to meet with the state's information agency (OCIO) to see what options are available to possibly migrate the data to a better, more current system.

XV. ADJOURNMENT

Commissioner Borchers declared the April 15, 2022, Commission meeting ended at 10:35 a.m.
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Respectfully submitted,

Kim Carrera-Bower
Investigator I

4-18-2022
Date

Paula Gardner
Executive Director

4-25-2022
Date

The Minutes of the Nebraska Equal Opportunity Commission meeting of April 15, 2022 have been corrected and accepted, and henceforth approved on this date.

Chairperson

Date