



State of Nebraska

NEBRASKA EQUAL OPPORTUNITY COMMISSION

NEBRASKA EQUAL OPPORTUNITY COMMISSION MEETING OF January 15, 2021

Commissioner Borchers called the meeting to order via Webex at 9:02 a.m. on January 15, 2021. It was established, after a roll call, there was a quorum.

I. ROLL CALL

Commissioners Present

Patrick Borchers, Chairperson

Eric Drumheller

Arla Jo Meyer

John Arnold, Vice Chair

Kristin Yates

Amber Schuppan

Staff Present

Marna Munn, Executive Director

Shelley Foss, Unit Director

Andrea Berry, Investigator III

Cherryll Batty, Staff Assistant II

Paula Gardner, Unit Director

Ben Watson, Unit Director

Kim Carrera-Bower, Staff Assistant I

II. NOTICE OF PUBLICATION

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

III. APPROVAL OF MINUTES

Commissioner Arnold moved to accept and Commissioner Meyer seconded.

IV. ADDITIONS OR CORRECTIONS

V. PUBLIC INPUT (Non-Case)

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

There was no public input.

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EOE
M

A. EMPLOYMENT (Complainant provided a written statement which was read into the record.)

NEB 1-19/20-9-50781

Commissioner Arnold moved for no reasonable cause.

Commissioner Meyer seconded the motion.

ROLL CALL: Ayes: Drumheller, Meyer, Schuppan, Yates, Borchers,
Arnold

Nayes:

Abstained:

Motion Carried

A. EMPLOYMENT (Complainant provided a written statement which was read into the record.)

NEB 1-19/20-12-51026

Commissioner Borchers moved for no reasonable cause.

Commissioner Arnold seconded the motion.

ROLL CALL: Ayes: Arnold, Schuppan, Borchers, Yates, Drumheller,
Meyer

Nayes:

Abstained:

Motion Carried

A. EMPLOYMENT (Complainant provided a written statement which was read into the record.)

NEB 1-19/20-5-51280

Commissioner Borchers moved for no reasonable cause.

Commissioner Arnold seconded the motion.

ROLL CALL: Ayes: Schuppan, Borchers, Drumheller, Arnold, Meyer,
Yates

Nayes:

Abstained:

Motion Carried

A. EMPLOYMENT (Complainant provided a written statement which was read into the record.)

NEB 1-19/20-7-50657

Commissioner Schuppan moved for no reasonable cause.

Commissioner Arnold seconded the motion.

ROLL CALL: Ayes: Meyer, Drumheller, Yates, Schuppan, Borchers,
Arnold

Nays:

Abstained:

Motion Carried

C. HOUSING (Complainant provided a written statement which was read into the record.)

NEB 2-19/20-1-3574-H

Commissioner Schuppan moved for no reasonable cause.

Commissioner Meyer seconded the motion.

ROLL CALL: Ayes: Yates, Arnold, Meyer, Schuppan, Drumheller,
Borchers

Nays:

Abstained:

Motion Carried

A. EMPLOYMENT

1. NEB 2-19/20-12-51033
2. NEB 1-19/20-2-51132
3. ~~NEB 1-19/20-12-51031~~
4. NEB 1-19/20-3-51190
5. NEB 1-19/20-5-51302
6. NEB 2-19/20-5-51345
7. NEB 2-19/20-1-51063
8. NEB 1-19/20-5-51328
9. NEB 1-19/20-2-51167
10. NEB 1-20/21-8-51500
11. NEB 1-19/20-5-51280
12. NEB 1-19/20-5-51322

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

ROLL CALL: Ayes: Yates, Arnold, Drumheller, Borchers, Meyers,
 Schuppan
 Nayes:
 Abstained:
 Motion Carried

B. PUBLIC ACCOMMODATION

1. NEB 3-20/21-8-3616-PA
2. NEB 2-19/20-4-3597-PA
3. NEB 1-19/20-5-3603-PA

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

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

B. HOUSING

1. NEB 2-19/20-3-3591-H
2. NEB 2-19/20-2-3584-H
3. NEB 2-19/20-3-3595-H

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

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

VIII. SUCCESSFUL AGREEMENTS

NEB 1-19/20-6-51407

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

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

ADMINISTRATIVE ACTIONS

A. WITHDRAWALS

- NEB 2-19/20-51347
- NEB 1-20/21-9-3624
- NEB 1-20/21-7-3612
- NEB 1-20/21-7-3613
- NEB 1-20/21-7-3614
- NEB 1-20/21-7-3615

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

Commissioner Meyer seconded the motion.

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

- B. FILED IN COURT
 - NEB 2-19/20-5-51347
 - NEB 1-19/20-4-51277
 - NEB 1-19/20-5-51341
 - NEB 1-20/21-9-3624
 - NEB 1-20/21-7-3612
 - NEB 1-20/21-7-3613
 - NEB 1-20/21-7-3614
 - NEB 1-20/21-7-3615

Commissioner Borchers moved to administratively close the above case based on the case being filed in court.

Commissioner Arnold seconded the motion.

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

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

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

2. Outreach Report

Director Watson offered an update on the launch of the Commission Facebook page. The Commission is also looking at small radio conglomerates and NET public radio to target underserved communities with ads to raise awareness about the services the Commission provides.

3. Director's Update – Marna Munn

Director Munn informed the Commission that the Lincoln Office move from its current offices at 301 Centennial Mall South to the state office building at 1526 K Street should be completed by March 1.

A new design for the Commission Logo is currently under way and will be unveiled as early as March.

The Commission is researching new Covid policies, including vaccine policies to provide better guidance for the community when we get TA calls on this topic.

Director Munn offered updates on training for staff, including HUD training on litigation and in-house training on summary writing.

All public hearings have been concluded and the hearing officer is preparing her recommendations.

Staff is exploring the Commission request for public dashboards and Staff Assistant Cherryll Batty will be completing on-line training with the goal of creating these dashboards.

4. Legislative Report

Director Munn provide updates on a busy upcoming legislative session.

LB 120 would add sexual orientation and gender identity to the Nebraska Fair Employment Act

LB 196 would regulate the way landlords may ask about the source of income for their tenants under the Fair Housing Act.

LB 230 would add sexual identity and gender identity to Nebraska's Housing and Public Accommodation laws.

LB 249 would ban employers from asking for wage history. The agency will be researching how this bill may impact wage retaliation claims..

LB 309 is a new act that would regulate websites that provide certification of emotional support animals. The agency will research whether this law conflicts with federal laws and any impact it would have on the existing relationship with HUD.

LB 38 would allow for virtual meetings under the Open Meeting Act.

LB 112 would increase the right of the public to speak at meetings under the Open Meetings Act.

The agency is also tracking legislation that would expand time for serves, remove language that triggers and automatic ruling of reasonable cause when respondents fail to submit a response, correct a drafting error in disability by association laws and make the wording more closely reflect federal ADA laws. The agency anticipates that they Crown Act will be reintroduced, protecting natural and cultural hairstyles. The next meeting will be held on March 19, 2021, and the current plan is to hold it in person in Omaha. Director Munn will provide an update on the meeting calendar at that time.

XV. ADJOURNMENT

Commissioner Borchers declared the January 15, 2021, Commission meeting ended at 10:38 am.

Respectfully submitted,



Cherryll Batty
Staff Assistant

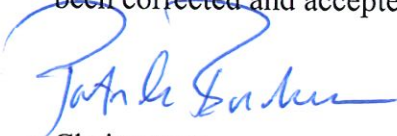
3/10/21
Date



Marna Munn
Executive Director

3/10/21
Date

The Minutes of the Nebraska Equal Opportunity Commission meeting of January 15, 2021 have been corrected and accepted, and henceforth approved on this date.



Chairperson

3/19/21
Date