



State of Nebraska

EQUAL OPPORTUNITY COMMISSION

NEBRASKA EQUAL OPPORTUNITY COMMISSION MEETING OF March 17, 2023

Commissioner Meyer called the meeting to order in Omaha, Nebraska at 9 a.m. on March 17, 2023. It was established, after a roll call, there was a quorum.

I. ROLL CALL

Commissioners Present

Arla Jo Meyer, Vice Chair
Patrick Borchers
Eric Drumheller

Royce Jeffries
Tyeisha Kosmicki

Staff Present

Paula Gardner, Executive Director
Andrea Berry, Unit Director
Brandie Hinkle, Investigator III

Ben Watson, Unit Director
Cathy Fedor, Admin Tech
Rebekka Hergenrader, Admin Tech

II. NOTICE OF PUBLICATION

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

III. APPROVAL OF MINUTES

Commissioner Borchers approved the meeting minutes for January 20, 2023.
Commissioner Meyer seconded the motion.

IV. ADDITIONS OR CORRECTIONS

Under Section VIII - Successful Agreements add case numbers:
NEB 1-22/23-12-3772-PA
NEB 1-22/23-9-52989-RD

V. PUBLIC INPUT (Non-Case)

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

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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.

Commissioner Drumheller moved to have Commissioner Borchers be the signatory on decisions from this meeting.

Commissioner Meyer seconding the motion.

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

VII. CASE DISPOSITIONS

B. PUBLIC ACCOMMODATION (Complainant and Respondent were present)
NEB 1-22/23-8-3752

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

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

A. EMPLOYMENT (Complainant was present)
NEB 1-21/22-7-52163

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

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

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A. EMPLOYMENT (Complainant was present)
NEB 1-21/22-7-52164

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

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

A. EMPLOYMENT (Respondent was present)
NEB 1-21/22-3-52573

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

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

A. EMPLOYMENT (Respondent was present)
NEB 1-22/23-7-52823

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

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

A. EMPLOYMENT (Complainant was present)
NEB 1-21/22-6-52767

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

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

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A. EMPLOYMENT (Respondent was present)
NEB 3-22/23-8-52902

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

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

A. EMPLOYMENT (Respondent was present)
NEB 2-22/23-8-52873

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

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

A. EMPLOYMENT (Complainant was present)
NEB 2-21/22-5-52668

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

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

A. EMPLOYMENT (Complainant and Respondent were present)
NEB 1-22/23-8-52872

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

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

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A. EMPLOYMENT (Respondent was present)
NEB 1-22/23-7-52807

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

ROLL CALL: Ayes: Drumheller, Jeffries, Meyer, Kosmicki, Borchers
 Naves:
 Abstained:
 Motion Carried

A. EMPLOYMENT (Respondent was present)
NEB 1-22/23-8-52882

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

ROLL CALL: Ayes: Jeffries, Meyer, Kosmicki, Borchers, Drumheller
 Naves:
 Abstained:
 Motion Carried

A. EMPLOYMENT (Complainant left the meeting)
NEB 2-22/23-7-52780

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

ROLL CALL: Ayes: Meyer, Kosmicki, Borchers, Drumheller, Jeffries
 Naves:
 Abstained:
 Motion Carried

A. EMPLOYMENT (Complainant left the meeting and Respondent was present)
NEB 1-21/22-3-52565

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

ROLL CALL: Ayes: Kosmicki, Borchers, Drumheller, Jeffries, Meyer
 Naves:
 Abstained:
 Motion Carried

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B. PUBLIC ACCOMMODATION (Complainant was present)
NEB 2-22/23-8-3754

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

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

C. HOUSING (Respondent was present)
NEB 2-21/22-3-3719

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

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

C. HOUSING (Respondent was present)
NEB 2-21/22-10-3690

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

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

C. HOUSING (Respondent was present)
NEB 2-21/22-2-3710

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

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

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A. EMPLOYMENT (Complainant submitted a written statement)
NEB 1-22/23-7-52822

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

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

B. PUBLIC ACCOMMODATION (Complainant submitted a written statement)
NEB 2-22/23-7-3744

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

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

B. PUBLIC ACCOMMODATION (Complainant submitted a written statement)
NEB 2-22/23-9-3755

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

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

A. EMPLOYMENT

NEB 1-21/22-6-52766

NEB 2-22/23-8-52847

NEB 1-22/23-7-52836

NEB 3-21/22-9-52235

NEB 1-22/23-7-52801

NEB 1-21/22-2-52516

NEB 3-21/22-5-52674

NEB 1-21/22-6-52752

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

Commissioner Borchers seconded the motion.

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

B. PUBLIC ACCOMMODATION

NEB 1-22/23-9-3756

NEB 2-22/23-11-3765

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

Commissioner Borchers seconded the motion.

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

C. HOUSING

NEB 2-21/22-4-3728

NEB 1-22/23-9-3758

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

Commissioner Borchers seconded the motion.

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

VIII. SUCCESSFUL AGREEMENTS

NEB 1-22/23-8-52866-RS
NEB 2-21/22-5-52695-RS
NEB 2-22/23-7-3745-HM
NEB 1-22/23-7-52809-RD
NEB 1-22/23-9-3760-H
NEB 1-22/23-12-3772-PA
NEB 1-22/23-9-52989-RD

Commissioner Meyer moved to adopt the agreement.

Commissioner Borchers seconded the motion.

ROLL CALL: Ayes: Drumheller, Jeffries, Meyer, Kosmicki, Borchers
 Naves:
 Abstained:
 Motion Carried

IX. ADMINISTRATIVE ACTIONS

A. WITHDRAWALS

NEB 1-22/23-8-52893-RS
NEB 2-22/23-7-52783-RD

Commissioner Meyer moved to administratively close the above case based on the Complainant withdrawing the charges.

Commissioner Borchers seconded the motion.

ROLL CALL: Ayes: Drumheller, Jeffries, Meyer, Kosmicki, Borchers
 Naves:
 Abstained:
 Motion Carried

X. CONCILIATION

NEB 1-22/23-1-52311-RS

NEB 1-21/22-12-52374-RS

NEB 1-21/22-11-52319-RS

Commissioner Meyer moved to adopt the recommendation of the Director of Conciliation
Commissioner Borchers seconded the motion.

ROLL CALL: Ayes: Jeffries, Meyer, Kosmicki, Borchers, Drumheller
 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. January and February Month's General Ledger Reports

Commissioner Meyer moved to approve and accept the previous General Ledger reports.
Commissioner Borchers seconded the motion.

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

2. Outreach Report—Unit Director, Ben Watson

Director Watson shared that the Nebraska Connects program is in its final editing stage. It is set to air on Nebraska Public Media April 5, 2023, at 7:00 pm. It will also be available on NPM's website and the NEOC will have access to it as well.

Director Watson let the Commission know that he submitted to the governor a proclamation request for Fair Housing month (April), but he has not heard back yet on the status of that request.

The Lincoln Commission on Human Rights is holding its annual conference April 19, 2023. Commissioners are welcome to attend and are to let Director Gardner know if they would like to attend. It was noted that Investigator Sophie Belter was invited to participate on a panel for one of the conference sessions.

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

Director Gardner introduced Investigators Jane Skinner and Lily Saker who are working out of the Omaha office. They both come to us from other state agencies and we are excited to have them join us. In order to accommodate the additional Investigator in Omaha a cube area in Omaha is be reconstructed.

Rebekka Hergenrader has moved into our Administrative Technician position for the Lincoln office. Lexi George was hired to fill Rebekka's open Office Specialist position and is expected to start Monday, March 20, 2023.

There is one more open Investigator position in Lincoln that we have interviewed for with some great applicants. We expect to extend a job offer next week.

Director Gardner mentioned we are still working on updating our database and website.

4. Legislative Update—

Director Gardner reported she has testified in a neutral capacity for the bills previously identified. By testifying neutrally she was able to clarify some issues brought up from other testifiers on various bills since those who testify in a neutral capacity testify last.

The only bill that had any follow up from anyone was on LB169, which amends various statutes, including FEPA, to include gender identity and sexual orientation. The business community is very supportive of this bill and contacted Director Gardner with some questions following the hearing.

Director Gardner will continue to monitor all the bills.

XV. ADJOURNMENT

Commissioner Borchers declared the March 17, 2023, Commission meeting ended at 01:00 p.m.

Respectfully submitted,



Cathy Fedor
Administrative Technician

03.27.23

Date



Paula Gardner
Executive Director

3.27.2023

Date

The Minutes of the Nebraska Equal Opportunity Commission meeting of March 17, 2023, have been corrected and accepted, and henceforth approved on this date.

Chairperson

Date