



State of Nebraska

NEBRASKA EQUAL OPPORTUNITY COMMISSION

NEBRASKA EQUAL OPPORTUNITY COMMISSION MEETING OF NOVEMBER 15, 2019

Commissioner Eric Drumheller called the meeting to order in Lincoln Nebraska at 9:01 a.m. on November 15, 2019. It was established, after a roll call, there was a quorum.

Recording for the meeting was initially overlooked so did not begin until 9:40 a.m.

I. ROLL CALL

Commissioners Present

Eric Drumheller, Chairperson
Patrick Borchers

Rita Griess, Vice Chairperson
Royce Jeffries

Staff Present

Marna Munn, Executive Director
Shelley Foss, Unit Director

Paula Gardner, Unit Director
Ben Watson, Unit Director

Toni Fletcher, Staff Assistant

Andrea Berry, Investigator III

II. NOTICE OF PUBLICATION

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

III. APPROVAL OF MINUTES

Commissioner Drumheller declared the minutes of October, 2019 approved.

III. ADDITIONS OR CORRECTIONS

In Section VII, CASE DISPOSITIONS, we removed the case number NEB 1-17/18-3-49434. In Section X, CONCILIATION, we added the case number NEB 2-18/19-7-49804.

V. PUBLIC INPUT (Non-Case)

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

None

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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 (R was present)
NEB 1-18/19-2-50251

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

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

- A. EMPLOYMENT (R was present)
NEB 1-18/19-3-50289

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

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

- A. EMPLOYMENT (C and R were present)
NEB 2-18/19-1-50183

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

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

A. EMPLOYMENT (C was present)
NEB 3-18/19-2-50249

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

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

A. EMPLOYMENT (C was present)
NEB 3-18/19-2-50250

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

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

A. EMPLOYMENT (C was present)
NEB 1-18/19-1-50196

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

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

A. EMPLOYMENT (R was present)
NEB 1-18/19-12-50116

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

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

A. EMPLOYMENT (R was present)
NEB 1-18/19-9-49924

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

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

A. EMPLOYMENT (C was present)
NEB 1-18/19-2-50241

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

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

A. EMPLOYMENT (C was present)
NEB 1-18/19-2-50242

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

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

A. EMPLOYMENT (C was present)
NEB 1-18/19-11-50081

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

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

B. PUBLIC ACCOMMODATIONS (C was present)
NEB 1-18/19-6-3524-PA

Commissioner Borchers moved for reasonable cause.
Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Borchers
 Nayes: Drumheller, Griess, Jeffries,
 Abstained:
 Motion did not Carry

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

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

C. HOUSING (C and R were present)
NEB 1-18/19-2-3502-H

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

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

C. HOUSING (R was present)
NEB 2-18/19-8-3464-H

Commissioner Borchers moved for no reasonable cause and withdrew the motion
Commissioner Borchers moved to table the case and withdrew the motion
Commissioner Griess moved for reasonable cause.
Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Drumheller, Griess, Jeffries,
 Nayes: Borchers
 Abstained:
 Motion did not Carry

Commissioner Borchers moved to table the case pending limited additional investigation and further review.

Drumheller seconded the motion.

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

A. EMPLOYMENT
 NEB 1-18/19-11-50101
 NEB 1-18/19-10-49970

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

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

B. PUBLIC ACCOMMODATION
 NEB 1-18/19-6-3525-PA
 NEB 1-19/20-7-3529-PA

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

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

Commission took a brief break.

VIII. SUCCESSFUL AGREEMENTS

NEB 1-18/19-2-50226
NEB 2-18/19-12-50151
NEB 3-18/19-3-50305

Commissioner Drumheller moved to adopt the agreements.
Commissioner Jeffries seconded the motion.

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

IX. ADMINISTRATIVE ACTIONS

A. WITHDRAWALS
 NEB 3-18/19-2-50273

Commissioner Drumheller moved to administratively close the above case based on the withdrawal form.
Commissioner Griess seconded the motion.

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

B. LACK OF JURISDICTION
 NEB 2-19/20-8-3543-PA

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

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

C. EEOC

NEB 1-19/20-8-50701

NEB 2-19/20-7-50621

NEB 1-18/19-9-49898

NEB 1-18/19-9-49901

NEB 1-18/19-3-50329

NEB 1-19/20-10-50874

NEB 1-19/20-10-50875

Commissioner Drumheller moved to adopt the findings of the EEOC.
Commissioner Jeffries seconded the motion.

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

X. CONCILIATION

NEB 2-18/19-7-49804

Commissioner Drumheller moved to adopt the recommendations of the Director of Conciliations.
Commissioner Griess seconded the motion.

ROLL CALL: Ayes: Drumheller, Griess, Jeffries, Borchers
 Naves:
 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 Drumheller moved to approve and accept the previous General Ledger report. Commissioner Borchers seconded the motion.

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

2. 2020 Commission Meeting Dates

The Commission will continue the practice of alternating every other month between Omaha and Lincoln starting with January in Lincoln. Later in the year they may choose to have a meeting somewhere else in the state and would discuss and decide that at a future Commission Meeting. At this time, the meetings will be held the 3rd Friday of each month in 2020.

3. Election of Officers for 2020

Because not all the Commissioners were present or spoken for, the Commission decided to table this discussion until next meeting.

Commissioner Drumheller moved to table the election of officers to the December 2019 meeting. Commissioner Borchers seconded the motion.

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

4. Outreach

Mr. Watson informed the Commission that he has a rough draft written for the social media policy. He will be sharing it with the admin staff at their next meeting to work out more of the details.

Mr. Watson said that he and the director will be taking part in a Round Table discussion with the Department of Justice regarding Sexual Harassment in Housing among other things. He also has a proclamation drafted for April is Fair Housing month so we don't get left off of the schedule again next year. He stated that we can still add to it if the Commissioners want to include anything at this time.

5. Director's Update

Executive Director, Marna Munn, indicated they have offered the Staff Assistant II position to a candidate; however, they have not received the official letter stating the person will take it so at this time, the director is not announcing it. Wednesday, November 20, 2019, has been set aside to do interviews for the Staff Assistant I position.

The Director was also involved with the State of Nebraska leadership program ethics panel and had a lot of follow-up questions directed toward her. It became an Outreach situation.

She has also taken part in an Independent Agency meeting regarding the Legislative Process.

Director Munn let the Commissioners know that the Annual Report has been completed and is out on our Webpage. She will be presenting the Commission with some of the numbers at the December meeting.

6. Closed Session - Personnel

At 12:56 p.m., Commissioner Drumheller moved to go into closed session to discuss the evaluation and job performance of the Executive Director and for that reason, enter into a closed session to prevent needless injury to the reputation of any person. Commissioner Griess seconded the motion.

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

At 1:41 p.m. Commissioner Drumheller made a motion to return from the closed session. Commissioner Griess seconded the motion.

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

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Commission Drumheller made a motion to increase the Executive Director pay to \$87,088 effective December 1, 2019.

Commissioner Griess seconded the motion.

ROLL CALL: Ayes: Drumheller, Griess, Jeffries, Borchers
 Nays:
 Abstained:
 Motion Carried

XV. ADJOURNMENT

Commissioner Drumheller declared the November 15 2019, Commission meeting ended at 1:42 p.m.

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Respectfully submitted,

Toni Fletcher
Staff Assistant

Date

Marna Munn
Executive Director

Date

The Minutes of the Nebraska Equal Opportunity Commission meeting of November 15, 2019, have been corrected and accepted, and henceforth approved on this date.

Chairperson

Date