



# State of Nebraska

## NEBRASKA EQUAL OPPORTUNITY COMMISSION

### NEBRASKA EQUAL OPPORTUNITY COMMISSION MEETING OF Friday, October 16, 2020

GOVERNMENT

Andrea Berry called the meeting to order in Omaha, Nebraska at 9:05 a.m. on Friday, October 16, 2020. It was established, after a roll call, there was a quorum.

#### I. ROLL CALL

##### *Commissioners Present*

Patrick Borchers, Chairperson  
Eric Drumheller  
Kristin Yates

Amber Schuppan  
John Arnold

##### *Staff Present*

Marna Munn, Executive Director  
Shelley Foss, Unit Director

Paula Gardner, Unit Director  
Ben Watson, Unit Director

Tallina Estwick

Andrea Berry

#### II. NOTICE OF PUBLICATION

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

#### III. APPROVAL OF MINUTES

Commissioner Borchers made a motion to approve the minutes

The Commission meeting minutes of September 18, 2020 were approved.

#### IV. ADDITIONS OR CORRECTIONS

None

#### 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 (C was present)  
NEB 1-19/20-12-51019

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

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

- A. EMPLOYMENT (R was present)  
NEB 3-19/20-3-51223

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

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

- A. EMPLOYMENT (C was present)  
NEB 1-19/20-1-51055

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

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

A. EMPLOYMENT (R was present)  
NEB 2-19/20-9-50779

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

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

C. HOUSING (C was present)  
NEB 2-19/20-11-3564

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

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

C. HOUSING (C was present)  
NEB 2-19/20-2-3585

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

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

A. EMPLOYMENT (R written statement)  
NEB 1-19/20-10-50834

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

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

A. EMPLOYMENT (C written statement)  
NEB 1-19/20-2-51116

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

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

A. EMPLOYMENT (C written statement)  
NEB 1-19/20-11-50949

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

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

- A.    EMPLOYMENT
1.    NEB 1-19/20-8-50741
  2.    NEB 1-19/20-12-50995
  4.    NEB 1-19/20-1-51056
  5.    NEB 1-19/20-1-51079
  6.    NEB 3-19/20-3-51211
  7.    NEB 1-19/20-4-51257
  8.    NEB 2-19/20-3-51204
  9.    NEB 2-19/20-3-51218

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

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

A. EMPLOYMENT (C written statement)  
NEB 2-19/20-12-51028

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

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

B. PUBLIC ACCOMMODATION  
NEB 3-19/20-5-3601

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

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

C. HOUSING  
2. NEB 2-19/20-2-3578  
2. NEB 2-19/20-2-3581  
3. NEB 2-19/20-4-3599

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

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

VIII. SUCCESSFUL AGREEMENTS

NEB 2-19/20-2-3580-PA

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

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

IX. ADMINISTRATIVE ACTIONS

A. LACK OF JURISDICTION  
NEB 2-20/21-7-3608-PA  
NEB 2-19/20-2-51115  
NEB 1-19/20-3-51229

Commissioner Borchers moved to administratively close the above cases based on the withdrawal forms.  
Commissioner Drumheller seconded the motion.

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

X. CONCILIATION

NEB 1-18/19-10-50001

Commissioner Borchers moved to adopt the recommendations of the Director of Conciliations.  
Commissioner Arnold seconded the motion.

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

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 Arnold seconded the motion.

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

2. Outreach – Ben Watson, Unit Director

On Thursday, October 22, 2020, Watson will be speaking at Panhandle Housing Conference in Scottsbluff, NE. He will present on Reasonable Accommodation for Assistance Animals. The conference is a good educational programming for landlords and tenants. He will send the link to all the commission staff in case they are interested in attending.

3. Director's Update

Personnel: Tallina, as well Stevie the Lincoln Staff Assistant, have been moved into Investigator positions, starting on the 12<sup>th</sup> and training beginning on October 13<sup>th</sup>. Both are continuing to help with support staff functions.

There were quite a few applicants for the Omaha and Lincoln Staff Assistant positions and they were able to get interviews done quickly and then make offers. Both individuals hired are able to start on Monday, October 19, 2020. Martin Bland will be joining the Lincoln team, with great customer service skills, some computer skills, including some website content; he is also bilingual and has worked several jobs where he has used his Spanish speaking, reading and writing abilities. In Omaha, Kim Carrera-Bower also comes with great customer service experience, worked as legal assistant, warranty administrator, and for a short while as an Executive Director of a local CASA unit. Commission staff will begin seeing her at the commission meetings in Omaha shortly.

Public Hearing: There was a public hearing case set to commence on October 14, 2020, however, due to COVID-related issues the hearing had to be rescheduled for November 23, 2020.

It is likely that for the same reasons, the second half of an employment case set for October 21 and 22 may also be rescheduled. Munn is exploring whether the hearing officer could attend via Webex or Zoom, while the other attendees are gathered in a public location. However, this case may also be postponed, as there may not be enough time to determine whether conducting a Public Hearing in this way would comply with the Open Meetings Act.

The third case involves the complainant representative reviewing the complaint that the charge is written and as soon as they return it would move forward on that one.

EEOC: Fairly quiet as they are wrapping up their federal fiscal year.

Executive Director Review: It is that time of year for the ED's performance evaluation. There will be a survey for staff, unit directors and commissioners to respond to and Commissioner Borchers mentioned that with the help of Commissioner Drumheller, they will compile the responses by the November commission meeting.

The November agenda will include setting the dates for the commission meeting dates for 2021.

Agency move: Munn was contacted to start discussions to potentially physically move the agency from the current location in the state office building into another nearby building. An appointment is scheduled to meeting with DAS and she is taking a team of Kathy, Paula, and Toni, each are long-serving agency employees who have served the agency in different capacities. Depending on how fast things move, she may have more to report at the November meeting. Because of how recently this arose, it has not yet been mentioned to staff, but she will be communicating with them soon. From what information Munn has been able to gather informally, this could happen quite quickly

Commissioner Borchers added that he hopes everyone gets their surveys back in promptly, so they may discuss it in November.



Commission Meeting Minutes

October 16, 2020

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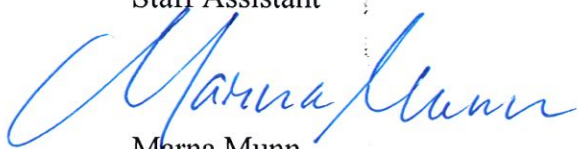
XV. ADJOURNMENT

Commissioner Borchers declared the October 16, 2020 adjourned. The Commission meeting ended at 11:30 p.m..

Respectfully submitted,

Tallina Estwick  
Staff Assistant

11/12/2020  
Date



Marna Munn  
Executive Director

11/12/2020  
Date

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



Patrick Borchers  
Chairperson

11/20/20  
Date