State of Nebraska
NEBRASKA EQUAL OPPORTUNITY COMMISSION

NEBRASKA EQUAL OPPORTUNITY COMMISSION
MEETING OF OCTOBER 18, 2019

Commissioner Griess called the meeting to order in Omaha, Nebraska at 9:06 a.m. on Friday, October 18, 2019. It was established, after a roll call, there was a quorum.

I. ROLL CALL

Commissioners Present

Rita Griess, Vice Chairperson
Kristin Yates
Royce Jeffries
John Arnold

Staff Present

Marna Munn, Executive Director
Ben Watson, Unit Director
Tallina Estwick, Staff Assistant
Paula Gardner, Unit Director
Eduardo Jimenez, Housing Inv.
Sara Ascencio Hernandez, Inv.

II. NOTICE OF PUBLICATION

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

III. APPROVAL OF MINUTES

Commissioner Griess declared the minutes of September 20, 2019 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 1-18/19-50107

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

ROLL CALL: Ayes: Griess, Jeffries, Yates, Arnold
Nayes:
Abstained:
Motion Carried:Yes

A. EMPLOYMENT (C was present)
NEB 1-18/19-1-50149

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

ROLL CALL: Ayes: Griess, Jeffries, Yates, Arnold
Nayes:
Abstained:
Motion Carried:Yes

A. EMPLOYMENT (R was present)
NEB 1-18/19-50181

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

ROLL CALL: Ayes: Griess, Jeffries, Yates, Arnold
Nayes:
Abstained:
Motion Carried:Yes

A. EMPLOYMENT (C was present)
NEB 2-18/19-1-50158

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

ROLL CALL: Ayes: Griess, Jeffries, Yates, Arnold
Nayes:
Abstained:
Motion Carried:Yes

A. EMPLOYMENT (R was present)
NEB 3-17/18-6-49697

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

ROLL CALL: Ayes: Griess, Jeffries, Yates, Arnold
Nayes:
Abstained:
Motion Carried:Yes

A. EMPLOYMENT (R was present)
NEB 3-18/19-7-49782

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

ROLL CALL: Ayes: Griess, Jeffries, Yates, Arnold
Nayes:
Abstained:
Motion Carried

A. EMPLOYMENT (C was present)
NEB 2-18/19-1-50175

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

ROLL CALL: Ayes: Griess, Jeffries, Yates, Arnold
Nayes:
Abstained:
Motion Carried:Yes

B. HOUSING (R was present)
NEB 2-18/19-2-3504

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

ROLL CALL: Ayes: Griess, Jeffries, Yates, Arnold
Nayes:
Abstained:
Motion Carried:Yes

B. HOUSING (C was present)
NEB 2-18/19-9-3473

Commissioner Arnold moved to table discussion until next commission meeting.
Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Griess, Jeffries, Yates, Arnold
Nayes:
Abstained:
Motion Carried:Yes

B. HOUSING (C was present)
NEB 2-18/19-11-3487

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

ROLL CALL: Ayes: Griess, Jeffries, Yates, Arnold
Nayes:
Abstained:
Motion Carried:Yes

B. HOUSING (C was present)
NEB 1-18/19-6-3526

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

ROLL CALL: Ayes: Griess, Jeffries, Yates, Arnold
Nayes:
Abstained:
Motion Carried:Yes

B. HOUSING (R was present)
NEB 2-18/19-4-3474

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

ROLL CALL: Ayes: Griess, Jeffries, Yates, Arnold
Nayes:
Abstained:
Motion Carried:Yes

A. EMPLOYMENT (C was present)

1. NEB 1-18/19-1-50184
2. NEB 1-18/19-10-50035
3. NEB 1-18/19-1-50174
4. NEB 2-18/19-11-50094
5. NEB 1-18/19-10-49961
6. NEB 1-16/17-4-48695
7. NEB 1-18/19-2-50236

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

ROLL CALL: Ayes: Griess, Jeffries, Yates, Arnold
Nayes:
Abstained:
Motion Carried:Yes

B. HOUSING
8. NEB 2-18/19-4-3513

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

ROLL CALL: Ayes: Griess, Jeffries, Yates, Arnold
Nayes:
Abstained:
Motion Carried:Yes

VIII. SUCCESSFUL AGREEMENTS

NEB 1-18/19-5-50520
NEB 1-19/20-7-3527-PA
NEB 2-19/20-7-3534-PA
NEB 1-18/19-5-50520
NEB 1-18/19-12-50118
NEB 1-18/19-10-50038

Commissioner Griess moved to adopt the above-listed agreements.
Commissioner Arnold seconded the motion.

ROLL CALL: Ayes: Griess, Jeffries, Yates, Arnold
Nayes:
Abstained:
Motion Carried: Yes

IX. ADMINISTRATIVE ACTIONS

None at this time

X. CONCILIATION

None at this time.

XI. CONCILIATION CASES TO BE CONSIDERED FOR PUBLIC HEARING

NEB 1-17/18-2-49380

Commissioner Griess moved to approve and accept the above case for Public Hearing
Commissioner Yates seconded the motion.

XII. PUBLIC HEARING

None at this time.

XIII. CIVIL ACTION

None at this time

XIV. BUSINESS

1. Previous Month's General Ledger Report

Commissioner Griess moved to approve and accept the previous General Ledger report. Commissioner Jeffries seconded the motion.

2. Outreach

Housing Unit Director, Ben Watson and Joe Garcia from Fair Housing Center, recently gave a joint presentation at the casino for Perry Reed, a national property management company. The presentation covered assistance animals and reasonable accommodations. The presentation was just under one hour and there were a large number of property managers from across the U.S. including Arizona.

Ben will be traveling to Kearney in November to speak with small businesses associated with the Crime Commission, who has a grant program for small businesses. The presentation will cover discriminatory hiring practices. Possibly in regard to hiring ex-felons.

In addition, on October 25, 2019, Ben will be presenting to a group of human resource professionals from the state, who meet every month or two for training together.

3. Director's Update

Personnel: Interviews were conducted for the Staff Assistant position vacated by Eddie Jimenez in Lincoln, who is in transitioning to the Housing Investigator position in Omaha. Over 50 applications received, nine were selected for interviews, and reference checks are pending. Hoping to make an offer as soon as possible to get that person on board soon.

The Staff Assistant II position in Lincoln, which will be vacated by Sheryl Hunt on December 31, 2019 was also posted. There was PSL budget in order to bring someone in a bit earlier to get them in and trained prior to Sheryl's departure. Toni Fletcher, Staff Assistant II in Lincoln has been training with Sheryl to take over some of those duties and there are hopes to have the hired individual train to fill some of Toni's duties. Hoping to have the position closed by the 30th of October and interviews targeted for November 6 to hopefully get them on board as soon as possible.

The commission of Commissioners Patrick Borchers and Rita Griess expired in September 2019 and both have agreed to function in holdover capacities. ED Munn has contacted the Governor's office and working with them to have those vacancies filled. Patrick is interested in reappointment, so that will be taken into consideration. Commissioner Drumheller had contact with individuals who may possibly be interested in filling those vacancies. The vacancy announcement is posted on the NEOC website with a link to the Governor's office for interest and/or application.

Eddie volunteered to attend the Commission meeting to help out this morning. Sara Ascencio-Hernandez, the new Omaha Employment Investigator was happy to translate for the commission meeting today and Toni and Sheryl have really stepped up in this transitional phase to make sure the position vacated by Eddie is covered. There is also currently a temp in his position, while he trains. In addition, flex time has been added to the Omaha Staff Assistant position and plans are underway to train Omaha investigators on covering when Tallina is out of the office. Munn stated all the staff has been fantastic.

Policy: Signed the next year's agreement with EEOC. The fiscal year wrapped up in September and everything went smoothly. Received a Performance Assessment Review (PAR from HUD), that used to be done every year, but they haven't been done in two years. It still needs to be fully reviewed, but the gist is that PAR is recommending recertification for NEOC.

Outreach: On October 3, 2019, Executive Director Munn and Paula Gardner attended a hearing in Omaha, held by the Business and Labor Committee of the legislature on the topics of retaliation if someone files under the wage payment collection act, overtime violations, etc. Testimony lasted seven minutes but the hearing was over four hours. Between the Department of Labor and the retaliation law if person files with them, they can still file with NEOC.

October 4, 2019, ED Munn met with the ADA Task Force (which turns 30 next July) and through this work with the task force, they are trying to reach out to others to see what type of events are planned in conjunction with this and having the NEOC be involved where appropriate.

October 8, 2019, ED Munn went to Lincoln Human Resources and Management Association and spoke with about 70 people in Lincoln regarding animals in the workplace and reasonable accommodation. Seemed like it was well-received.

October 11, 2019, ED Munn and UD Watson attended the Bar Association training at their annual meeting and their Diversity section put on a housing training with attorney Scott P. Moore and Palma Strand from Creighton University and Gary Fisher who oversees the umbrella organization of Fair Housing Center, presenting.

October 16, 2091, ED Munn met with Disability Rights Nebraska who is spearheading an effort to potentially update some of the language in our statutes which refer to the word "handicapped" or "disability." As part of that updating the Public Accommodation law which does not explicitly list disability as one of the protected bases, Nebraska is one of a few states that does not have this protection.

October 30, 2019, ED Munn has her final state leadership cohort meeting and should receive a certificate, believes everything has been made-up for what may have been missed. Asked to serve on the ethics and government panel which is the final thing she is required to attend, there will be three cohorts at once…approximately 150 state employee supervisors and feels honor to be asked to do such and she will speak about ethics and government.

Next Meeting: 1) Setting the calendar for next year; 2). Leadership for the Commission next year; 3) Performance Review for ED Munn.

XV. ADJOURNMENT

Commissioner Griess declared the October 18, 2019, Commission meeting ended at 11:46 a.m.

Respectfully submitted,

Tallina S. Estwick
Staff Assistant

10-28-19
Date

Marna Munn
Executive Director

10/28/19
Date

The Minutes of the Nebraska Equal Opportunity Commission meeting of October 18, 2019 have been corrected and accepted, and henceforth approved on this date.

Chairperson

11/15/19
Date