



# State of Nebraska

## EQUAL OPPORTUNITY COMMISSION

### NEBRASKA EQUAL OPPORTUNITY COMMISSION MEETING OF September 15, 2023

Commissioner John Arnold called the meeting to order in Lincoln, Nebraska at 9 a.m. on September 15, 2023. It was established, after a roll call, there was a quorum.

#### I. ROLL CALL

##### *Commissioners Present*

John Arnold, Chairperson  
Tyisha Kosmicki  
Eric Drumheller

Arla Jo Meyer, Vice Chair  
Royce Jeffries

##### *Staff Present*

Paula Gardner, Executive Director  
Shelley Foss, Unit Director  
Brandie Hinkle, Investigator III

Ben Watson, Unit Director  
Andrea Berry, Unit Director  
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 Arnold approved the meeting minutes for July 2023. Commissioner Drumheller seconded the motion.

#### IV. ADDITIONS OR CORRECTIONS

Section VIII. NEB 2-22/23-10-53020-RS, Section IX. NEB 1-23/24-8-3804-PA, and Section X. NEB 2-20/21-6-3666-H

#### V. PUBLIC INPUT (Non-Case)

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

EOE  
MFE  
N

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#### ONLINE:

Website:  
[NEOC.nebraska.gov](http://NEOC.nebraska.gov)

Facebook:  
<https://fb.me/NeEOC>

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.

VII. CASE DISPOSITIONS

- A. EMPLOYMENT Respondent was present  
NEB 3-22/23-1-53185

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

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

- A. EMPLOYMENT Respondent was present  
NEB 3-22/23-1-53190

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

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

- B. PUBLIC ACCOMMODATION Respondent was present  
NEB 2-22/23-2-3780

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

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

- A. EMPLOYMENT Respondent provided a written statement  
NEB 1-22/23-2-53273

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

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

- A. EMPLOYMENT Respondent provided a written statement  
NEB 3-22/23-1-53247

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

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

- A. EMPLOYMENT Complainant provided a written statement  
NEB 2-22/23-1-53245

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

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

- C. HOUSING Complainant provided a written statement  
NEB 2-22/23-4-3783

Commissioner Jefferies moved for no reasonable cause on the above cases.  
Commissioner Arnold second the motion.

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

A. EMPLOYMENT

NEB 1-22/23-3-53337  
NEB 3-22/23-1-53208  
NEB 2-21/22-5-52698  
NEB 2-22/23-8-52888  
NEB 1-22/23-3-53368  
NEB 1-22/23-10-53012  
NEB 2-21/22-4-52615  
NEB 2-21/22-2-52536

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

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

B. PUBLIC ACCOMMODATION

NEB 2-22/23-2-3781  
NEB 1-22/23-5-3792

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

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

B. HOUSING

NEB 2-22/23-11-3766  
NEB 2-22/23-9-3759

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

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

VIII. SUCCESSFUL AGREEMENTS

NEB 2-22/23-1-53224-RD  
NEB 2-22/23-10-53020-RS

Commissioner Arnold moved to adopt the agreements.  
Commissioner Kosmicki seconded the motion.

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

ADMINISTRATIVE ACTIONS

A. WITHDRAWALS  
NEB 1-22/23-11-53106-RD  
NEB 1-22/23-3-53326-RD  
NEB 1-23/24-8-3804-PA

Commissioner Arnold moved to administratively close the above cases based on the Complainant withdrawing the charge.  
Commissioner Drumheller seconded the motion.

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

B. COMPLAINT FILED IN COURT  
NEB 2-22/23-1-53219-RS

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

Commissioner Drumheller seconded the motion.

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

C. EEOC  
NEB 1-21/22-11-52336-RD  
NEB 1-21/22-4-52612-RD  
NEB 1-22/23/-7-52802-RD  
NEB 1-22/23-5-53433-RD

Commissioner Arnold moved to administratively close the above cases based on adoption of the findings of the EEOC.

Commissioner Jefferies seconded the motion.

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

X. CONCILIATION

NEB 2-20/21-6-3666-H

Commissioner Arnold moved to administratively close the above case based on recommendation of the Director of Conciliation.

Commissioner Meyer seconded the motion.

ROLL CALL:           Ayes:     Kosmicki, Arnold, Drumheller, Jeffries, Meyer  
                          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 Arnold moved to approve and accept the previous General Ledger report.  
Commissioner Jefferies seconded the motion.

ROLL CALL:           Ayes: Meyer, Kosmicki, Arnold, Drumheller, Jeffries  
                          Nays:  
                          Abstained:  
                          Motion Carried

2. Outreach Report—Unit Director, Ben Watson

Director Watson talked about our involvement with the Nebraska State Fair. The NEOC had a booth at the Fair from August 25- September 4<sup>th</sup>, where it was estimated that around 1600 people visited the booth. Staff was able to hand out jar grippers and share information about the agency. Director Watson recognized the staff that helped staff the booth as it was a coordinated effort to ensure coverage.

Director Watson discussed HUD's Fair Housing Leadership Conference in Denver that he and Director Gardner attended. The conference had a lot of great information including discriminatory home appraisals, and use of AI, especially with advertising.

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

Director Gardner introduced Brett Ekstrum as the newest investigator and Megan McCaul as Lincoln's Office Specialist to the commissioners.

Director Gardner announced that on October 4, 2023 the NEOC will be holding an all staff meeting in Omaha, at the Chalco Hills NRD Office. The agenda will cover Pregnant Workers Fairness Act, recent Supreme Court ruling, and Agency updates. The Commissioners were invited to stop by anytime from about 9:30 am – 3:00 pm..

Director Gardner stated that the NEOC is preparing to post Kathy Bogenreif's position. She explained that the plan is to hire someone in November, so Kathy can help train for her position before she retires.

Director Gardner notified the commissioners of Nebraska's recent Executive Order. After some examination, she reported that current practices comply with the Order.

Director Gardner asked Commissioners about the mailing of their commission packets after realizing they arrived much later than anticipated. She reminded them of the access they have to the case files on the Sharepoint website and how to access cases from there. There was discussion about other options to view the information online, including possibly using secured Share File or a portal with the new website still be built.

XV. ADJOURNMENT

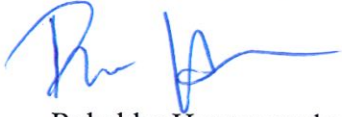
Commissioner Arnold declared the September 15, 2023, Commission meeting ended at 9:59 a.m.



Commission Meeting Minutes

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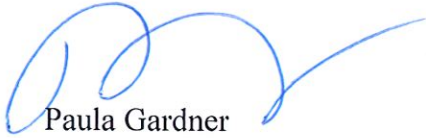
Respectfully submitted,



Rebekka Hergenerader  
Administrative Technician

10-2-2023

\_\_\_\_\_  
Date



Paula Gardner  
Executive Director

10-2-2023

\_\_\_\_\_  
Date

The Minutes of the Nebraska Equal Opportunity Commission meeting of September 15, 2023 have been corrected and accepted, and henceforth approved on this date.

Chairperson

\_\_\_\_\_  
Date