

The NEOC In A Capsule

POWERS AND DUTIES

The Nebraska Equal Opportunity Commission (NEOC) is a neutral administrative agency created by statute in 1965 to enforce the public policy of the state against discrimination. The principal function of the NEOC is to receive, investigate and make determinations on complaints of unlawful discrimination occurring anywhere within the State of Nebraska in the areas of:

Employment

Housing

Public Accommodations

The NEOC is also empowered to attempt to eliminate unlawful discriminatory practices through various means of alternative dispute resolution. In addition, the NEOC provides information and assistance regarding civil rights laws to individuals and organizations that request it.

LAWS ENFORCED

The NEOC is authorized to enforce the following state laws:

Nebraska Fair Employment Practice Act (FEPA)

Nebraska Age Discrimination in Employment Act (Age Act)

Nebraska Equal Pay Act

Nebraska Fair Housing Act

Act Providing Equal Enjoyment of Public Accommodations (PA Law)

To prevent duplication of proceedings with federal agencies, the NEOC is authorized to investigate alleged violations of equivalent federal laws while investigating the state allegations. The Federal laws are: Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, the Equal Pay Act, the Americans with Disabilities Act, and the Fair Housing Act.

HOUSING

Discrimination in housing on the bases of race, color, national origin, religion, sex, disability or familial status is prohibited in Nebraska. Covered entities generally include residential property owners, property managers, realtors and multiple listing services. However, exemptions exist for dwellings owned or operated by religious organizations and bona fide private clubs for noncommercial purposes, housing for older persons, and owner-occupied private homes in which no more than three sleeping rooms are rented.

Unlawful housing practices include:

- discrimination in residential property such as in advertisement,
- acquisition (showing, negotiating or transmitting offers for sale or rental);
- financing, and;
- possession (terms, conditions and peaceful enjoyment).

PUBLIC ACCOMMODATIONS

Discrimination in the enjoyment of places of public accommodation is prohibited in Nebraska on the bases of race, color, creed, national origin, ancestry, religion, disability, familial status, or sex. Covered entities generally include any establishment offering goods and services to the general public. Limited exemptions exist for bona fide private clubs and public accommodations owned or operated by religious organizations.

Unlawful practices include:

- withholding or denial of services;
- withholding privileges of facilities of public accommodations, and;
- unlawful segregation in places of public accommodation.

RETALIATION

All of the laws enforced by the NEOC contain provisions barring retaliation. Anyone who has opposed any practice made unlawful by the statutes or who has participated in any manner in any proceeding to enforce the statutes is protected.

THE COMPLAINT PROCEDURE

Allegations of unlawful discrimination in employment, housing or public accommodations must be filed with the NEOC in a timely manner. There is no fee to file, allegations may be filed with any one of the NEOC's three offices. Failure to file in a timely manner will result in the Commission not having jurisdiction to investigate. From the last date of any alleged harm, the time limits for filing with the NEOC are:

Employment – FEPA or Age	300 days
Employment – Equal Pay	4 years
Housing	1 year
Public Accommodations	10 days

(NOTE: Federal filing deadlines may be different.)

Within ten days of filing, the NEOC will serve a copy of each charge upon the entity(s) alleged to have engaged in unlawful discriminatory practices. The NEOC will obtain a response to each allegation filed as well as supporting documentation. Once the investigation is completed, the NEOC will render a determination and each party will be notified of the decision by mail.

Throughout the investigation, and where appropriate, alternative resolutions such as mediation and settlement can be considered.