

STATE OF NEBRASKA

EQUAL OPPORTUNITY COMMISSION



ANNUAL REPORT

Fiscal Year 2023/2024

neoc.nebraska.gov

Table of Contents

Public Education and Outreach.....	1
Table 1: Case Summary	5
Table 2: Charges Filed (Intake)	6
Table 3: Basis of Charges Filed by Statute	7
Table 4: Issues in Employment and Public Accommodations Charges Filed	8
Table 5: Issues in Housing Charges Filed.....	9
Table 6: Complainant Characteristics	9
Table 7: Charges Taken by County.....	10
Table 8: Charges not Docketed.....	11
Table 9: Assistance to the Public	11
Table 10: Commission Determinations.....	12
Table 11: Commission Initial Determinations by Statute (Closed Cases).....	13
Table 12: Lack of Jurisdiction Bases	13
Table 13: Comparative Cause/Settlement Figures	14
Table 14: Alternative Dispute Resolution (ADR).....	15
Table 15: Non-Monetary Relief	16
Table 16: Monetary Relief by Law	17
Table 17: Number of People Benefiting	17
Table 18: Total Monetary Relief Obtained	18
Table 19: Average Case Processing Time	19
Table 20: Average Days per Investigation.....	19
Table 21: From Filing to Assignment and Determination, Average Days—Cause/No Cause only.....	19
Table 22: Cause Cases	19
Table 23: Conciliation Time per Case	19
Table 24: Reasonable Cause Cases by Statute.....	20
Table 25: Reasonable Cause Cases by Basis	20
Table 26: Reasonable Cause Cases by Issue.....	20
Table 27: Conciliation Summary	21
Table 28: Conciliations	21

Table 29: Successful Conciliation Detail	22
Table 30: Public Hearings	23
Table 31: Public Hearing Disposition	23
Table 32: Public Hearing Ordered; Not Held	24
Table 33: Public Hearing Ordered; Complaint Not Signed by Complainant.....	24
Table 34: Public Hearing Held; No Recommended Order Yet Issued by the Hearing Examiner.....	24
Table 35: Civil Action Disposition	24
Hearing Disposition Summary.....	24
Cases Sent to Public Hearing in the Past Five Years.....	25

Public Education and Outreach

Under the Rules and Regulations of the Fair Employment Practice Act and the Nebraska Fair Housing Act, the Nebraska Equal Opportunity Commission (NEOC) is statutorily required to engage in education and outreach activities for the purposes of educating the public about the anti-discrimination laws of the state. The NEOC consults with local officials and persons in the employment and housing community, and we engage in dialogue with consumers directly.

It is an essential responsibility for the NEOC to continue to conduct Technical Assistance programs for the housing and employment industries in all areas of the state. This includes Scottsbluff/Gering, Grand Island, North Platte, South Sioux City, Lincoln, and Omaha, as well as the areas surrounding these population bases. We are responsive to requests for outreach and training from any county or community in Nebraska. These sessions often consist of voluntary participation and have been hosted and/or sponsored by a variety of entities, including groups of realtors, public housing providers, large and small employers, unions, profession-specific organizations, government agencies, and local advocacy groups. The most frequently covered educational topics for housing providers include reasonable accommodations and modifications, service and companion animals, occupancy standards, accessibility in housing, retaliation, harassment, national origin issues, and training for renting to families with children. Topics most frequently covered for employers include workplace harassment, sexual harassment, non-discriminatory hiring and firing procedures, waivers, reasonable accommodations for disability and religious practices, English-only rules, criminal background checks, pregnancy discrimination, and how to conduct an internal investigation.

Beyond participating in conferences and other voluntary educational programs, the NEOC conducts training with mandatory participation as dictated by the terms of settlement and conciliation agreements made pursuant to our enforced statutes. In these instances, the Respondents alleged to have committed discriminatory acts agree that their management, owners, and/or staff should receive training in anti-discrimination laws. Though these sessions are generally attended by smaller groups, they tend to focus on the specific discriminatory issues of a filed charge. Such training sessions allow the NEOC to target trouble areas specifically experienced within individual housing providers or employers, potentially resolving not only the reported situation but also furnishing the housing provider or employer the tools and knowledge they need to prevent similar incidents in the future.

The NEOC continues to utilize technologies such as Webex and Zoom to provide high-quality presentations, outreach, and education whenever needed or requested throughout the state, while being efficient with taxpayer dollars and flexible with scheduling and time. These technologies are scalable and suitable for smaller audiences such as individual housing providers and employers. It also works to provide larger-size webinars and e-conferences to groups of up to dozens or even hundreds of participants across the state. Online platforms allow the NEOC to reach the far corners of the state

instantaneously to provide outreach to remote locations that previously took days of travel to attend. Furthermore, these platforms allow those we educate and partner with to save money and time themselves as they do not need to travel to a specific central location to attend. This allows any number of participants from multiple cities or offices statewide, out of state management, or even remote workers in-state, to view and interact with a presentation at the same time. Of course, the NEOC continues to provide in-person education and outreach as well, as individual situations/groups may require or prefer.

In 2023/2024, the NEOC was excited to have the opportunity to take part in the 2023 Nebraska State Fair in Grand Island. Utilizing federal grant money, the NEOC had a table and recorded over 2,500 contacts with fairgoers. Staff was able to interact with attendees, hand out pamphlets, provide contact information, as well as receive contacts for possible complaints. This year also saw multiple collaborations with federal agencies directly assisting under-represented populations, as the NEOC partnered with EEOC and US Department of Labor to reach out to the Omaha Tribe and work with its TERO office. The NEOC also partnered with EEOC, US DOL, and others to work with immigrant and refugee communities in central Nebraska. Additionally, the NEOC utilized federal funding to execute radio ads on tribal radio; television commercials aimed at educating the public about housing discrimination issues; and a billboard in central Nebraska reaching out to Spanish-speaking Nebraskans.

The NEOC will continue to provide employers and housing providers the support they need through our educational initiatives. Our relationships with other state agencies, municipal agencies, our federal partners, and others throughout the state ensure we will be able to provide educational opportunities to Nebraskans in all corners of the state regarding the protections afforded to them under Nebraska’s civil rights laws. See the following table for specifics on individual outreach events:

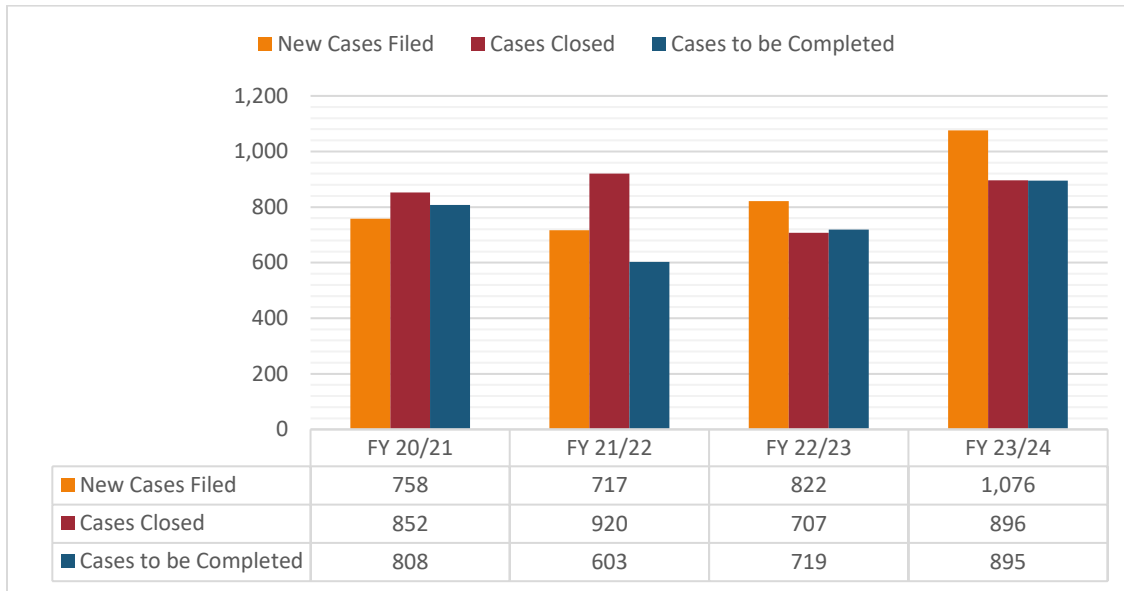
Outreach or Training Activity in Brief	Date	County
Training for housing provider as part of their yearly staff education. General HUD guidance and legal updates.	7/14	Douglas
Outreach table for Disability Pride Nebraska Event and Picnic promoting Commission services to population.	7/22	Lancaster
Radio commercials by and for services for Winnebago and Omaha tribes and played on KWTN "The Big Voice".	8/3-8/31	Thurston, Burt, Cuming
Presentation regarding housing discrimination for CenterPoint counselors who service homeless individuals.	8/9	Lancaster
10x30 billboard in Grand Island in English and Spanish regarding filing complaints of discrimination with NEOC.	8/22-10/3	Hall
11-day Nebraska State Fair booth. NEOC staff met with over 2,500 Nebraskans attending the Fair and provided info.	8/25-9/5	Hall

Outreach or Training Activity in Brief	Date	County
Training for private business regarding harassment and employment discrimination, for settlement.	9/13	Douglas
Training for private business regarding age and disability discrimination, for settlement.	9/26	Douglas
Presentation to "Lincoln Circle" organizational diversity group, arranged by Nebraska Realtors Association.	10/6	Lancaster
Presentation to Heartland Workforce Solutions staff regarding discrimination and issues their clients face in North Omaha.	10/13	Douglas
Presentation at law firm conference for attorneys and clients on NEOC investigations and employment discrimination.	10/24	Douglas
Presentation to Nebraska Public State Agency regarding discrimination in the workplace as part of staff training.	11/2	Lancaster
Joint outreach with Nebraska Appleseed, EEOC, US DOL and Somali refugee/immigrant community in Grand Island.	12/10	Hall
Training for private landlord regarding retaliation in housing, for settlement.	12/14	Douglas
Television commercials featuring tenants facing various types of housing discrimination airing through mid I-80 corridor.	1/22-12/22	Adams, Antelope, Arthur, Boone, Brown, Buffalo, Butler, Cass, Clay, Colfax, Custer, Dawson, Dodge, Douglas, Fillmore, Franklin, Frontier, Furnas, Gage, Garfield, Gosper, Greeley, Hall, Hamilton, Harlan, Hayes, Hitchcock, Holt, Hooker, Howard, Jefferson, Johnson, Kearney, Keith, Keya Paha, Lancaster, Lincoln, Logan, Loup, Madison, McPherson, Merrick, Nance, Nemaha, Nuckolls, Otoe, Pawnee, Perkins, Phelps, Platte, Polk, Red Willow, Rock, Saline, Sarpy, Saunders, Seward, Sherman, Thayer, Valley, Webster, Wheeler, York
Training for private landlord regarding sex and sexual orientation/gender identity discrimination, for settlement.	1/26	Douglas
Joint outreach with Nebraska Appleseed, EEOC, US DOL and Sudanese refugee/immigrant community in Grand Island.	1/31	Hall
Joint presentation with US DOL for Nebraska Indian College faculty, staff and students.	2/23	Thurston

Outreach or Training Activity in Brief	Date	County
Staff training for Nebraska State Agency employees on discrimination in the workplace.	3/26	Lancaster
Stamped mail advertising "Fair Housing Month" during the months of March and April 2024, to all USPS contacts.	4/1-4/30	whole state
Governor Pillen signed a proclamation declaring April as Fair Housing Month in Nebraska.	4/1	whole state
Joint presentation with EEOC to members of the Omaha tribe at tribal community center regarding employment and housing.	5/2	Thurston

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TABLE 1: CASE SUMMARY



The 1076 **new** cases filed in FY 23/24 include: 1008 employment cases; 47 housing cases; and 21 public accommodation cases.

The 896 cases **closed** in FY 23/24 include: 886 Commission dismissals (no reasonable cause, pre-determination/mediation settlements, and administrative closures); and 10 post reasonable cause findings including 10 conciliation actions; 0 public hearing actions; and 0 civil actions (housing).

The 895 cases **to be completed** at the end of 23/24 include: 891 cases to be investigated, 3 cases in conciliation, 1 case in public hearing, and 0 cases in civil action.

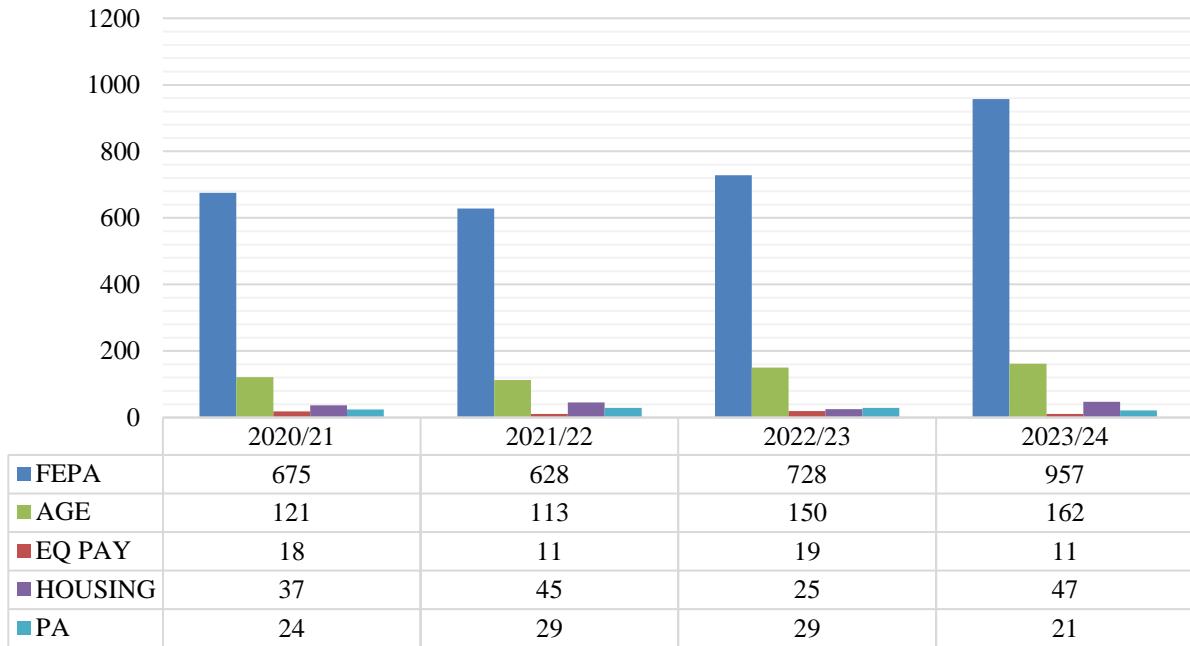
NOTES/HIGHLIGHTS

New charges filed represent a 31% increase from FY 22/23.

Cases closed represent a 26% increase from FY 22/23.

Cases to be completed at the end of the fiscal year represent a 24% increase from FY 22/23.

**TABLE 2: CHARGES OF ALLEGED DISCRIMINATION
FILED DURING CURRENT AND PREVIOUS YEARS BY STATUTE
2020/21 – 2023/24**



NOTE: Because a person can file under multiple laws, this is not a total of cases received but how many charges are filed under the different laws.

FEPA -FAIR EMPLOYMENT PRACTICE ACT

AGE -NEBRASKA AGE DISCRIMINATION IN EMPLOYMENT ACT

EQ PAY -EQUAL PAY ACT OF NEBRASKA

HOUSING -NEBRASKA FAIR HOUSING ACT

PA -NEBRASKA CIVIL RIGHTS ACT OF 1969 (PUBLIC ACCOMMODATIONS)

OTHER CASE CHARACTERISTICS:

Our case tracking system provides an accurate count of the descriptive data for our case intake and production, summarized in the tables that follow:

TABLE 3: BASIS OF CHARGES FILED BY STATUTE
FY 2023/24

BASIS	EMPLOYMENT			HOUSING/PUBLIC ACCOM.		TOTALS
	FEPA	EQUAL PAY	AGE	HOUSING	PUBLIC ACCOM.	
RACE	316			16	13	345
COLOR	71			1	0	72
SEX	273	11		6	2	292
SEX-PREGNANCY	29					29
AGE (over 40)			160			160
RELIGION	47			2	0	49
NATIONAL ORIGIN/ ANCESTRY	156			4	4	164
DISABILITY	384			30	5	419
MARITAL STATUS	10					10
FAMILIAL STATUS				4	0	4
RETALIATION	593	4	45	4	9	655
RETALIATION (Whistleblower)	110					110
WAGE RETALIATION	60					60

Different protected classes have different issues for the laws we enforce. The grayed-out sections do not apply to that law.

**TABLE 4: ISSUES IN EMPLOYMENT AND PUBLIC
ACCOMMODATIONS CHARGES FILED IN FY 2023/24**

<u>ISSUE</u>	<u>NUMBER</u>
Discharge	584
Terms and Conditions of Employment	354
Harassment	346
Wages	203
Reasonable Accommodation	200
Discipline	156
Constructive Discharge	144
Suspension	105
Sexual Harassment	93
Assignment	87
Failure to Hire	74
Failure to Promote	47
Failure to Train	44
Demotion	22
Public Accommodation Issue	19
References Unfavorable	14
Benefits	10
Union Representation	9
Breach of Confidentiality	8
Benefits-Insurance	4
Prohibited Medical Inquiry/Exam	4
Benefits-Retirement/Pension	3
English Only Rule	3
Forced Leave	2
Layoff	2
Retirement-Involuntary	1
Reinstatement	1
Segregated Facilities	1

TABLE 5: ISSUES IN HOUSING CHARGES FILED
FY 2023/24

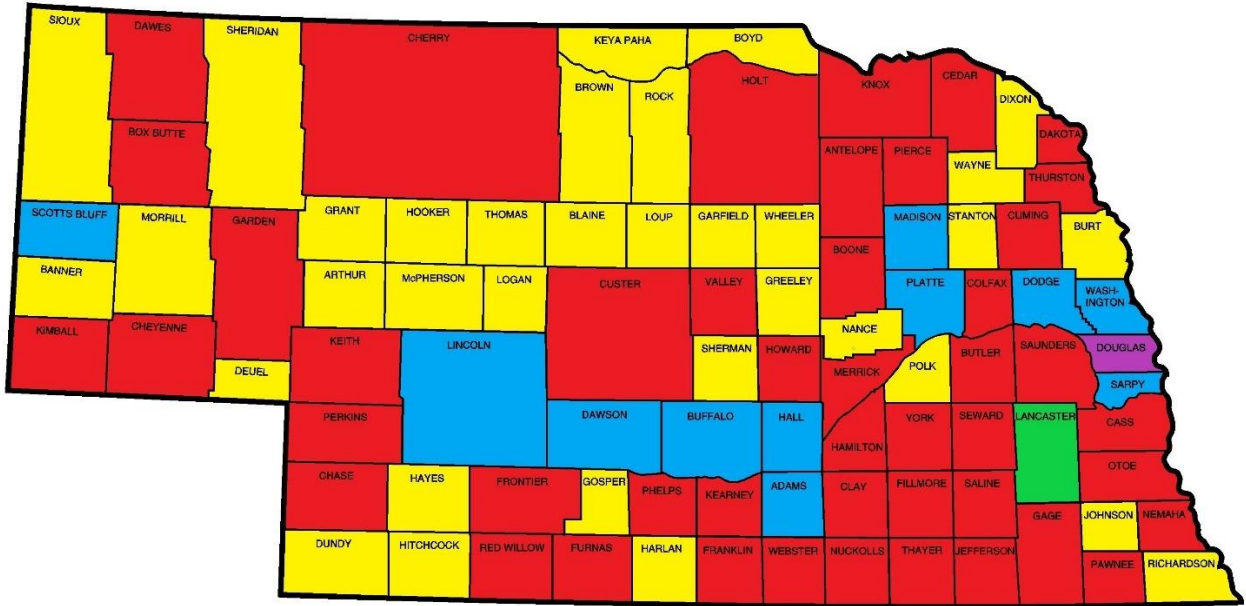
<u>ISSUE</u>	<u>NUMBER</u>
Terms, conditions, privileges, or services and facilities	36
To otherwise make unavailable or deny housing	26
Failure to make reasonable accommodations	16
Discriminatory acts under Section 818 (coercion, etc.)	9
Discrimination in terms, conditions, privileges relating to rental	9
Discriminatory refusal to rent	6
Failure to permit reasonable accommodation	1

TABLE 6: COMPLAINANT CHARACTERISTICS
(for all laws)
FY 2022/23 – 2023/24

MALE	FY	FY	FEMALE	FY	FY
	22/23	23/24		22/23	23/24
Race			Race		
Black/African American	144	160	Black/African American	141	169
Native Hawaiian/Pacific Islander	1	0	Native Hawaiian/Pacific Islander	0	0
American India/Alaska Native	9	9	American India/Alaska Native	9	18
Bi-Racial/Multi-Racial	8	13	Bi-Racial/Multi-Racial	12	19
Asian	8	8	Asian	8	6
White	155	225	White	216	322
Ethnicity			Ethnicity		
Hispanic/Latino	52	55	Hispanic/Latino	64	62
Not Hispanic/Latino	298	383	Not Hispanic/Latino	356	495
National Origin			National Origin		
North America	298	344	North America	369	497
Middle East	2	8	Middle East	5	3
Hispanic	26	35	Hispanic	30	25
Europe	4	5	Europe	2	1
Caribbean	2	3	Caribbean	0	0
Asia	4	4	Asia	4	6
Africa	12	36	Africa	9	25
Unable to obtain info	0	0	Unable to obtain info	3	1

In Fiscal Year 23/24, we had 4 individuals who declined to give us the above information.

TABLE 7: CHARGES TAKEN BY COUNTY FY 2023/24



Adams	15	Deuel	0	Johnson	0	Red Willow	5
Antelope	1	Dixon	0	Kearney	1	Richardson	0
Arthur	0	Dodge	14	Keith	4	Rock	0
Banner	0	Douglas	452	Keya Paha	0	Saline	3
Blaine	0	Dundy	0	Kimball	3	Sarpy	51
Boone	1	Fillmore	1	Knox	2	Saunders	1
Box Butte	2	Franklin	1	Lancaster	222	Scotts Bluff	30
Boyd	0	Frontier	2	Lincoln	22	Seward	3
Brown	0	Furnas	3	Logan	0	Sheridan	0
Buffalo	16	Gage	9	Loup	0	Sherman	0
Burt	0	Garden	1	McPherson	0	Sioux	0
Butler	3	Garfield	0	Madison	11	Stanton	0
Cass	1	Gosper	0	Merrick	1	Thayer	2
Cedar	1	Grant	0	Morrill	0	Thomas	0
Chase	4	Greeley	0	Nance	0	Thurston	4
Cherry	1	Hall	81	Nemaha	1	Valley	2
Cheyenne	6	Hamilton	3	Nuckolls	1	Washington	16
Clay	1	Harlan	0	Otoe	1	Wayne	0
Colfax	3	Hayes	0	Pawnee	1	Webster	1
Cuming	1	Hitchcock	0	Perkins	3	Wheeler	0
Custer	1	Holt	1	Phelps	6	York	8
Dakota	5	Hooker	0	Pierce	1		
Dawes	3	Howard	1	Platte	17		
Dawson	14	Jefferson	4	Polk	0		

TABLE 8: CHARGES NOT DOCKETED

The Commission reviewed and processed 624 inquiries that did not result in formalized charges for the following reasons:

<u>Reason for Non-Filing</u>	<u>2021/22</u>	<u>2022/23</u>	<u>2023/24</u>
Respondent has too few employees	50	42	55
Allegations outside the Statute of Limitations	19	23	32
Complainant had no standing or basis to file	282	281	359
Informed of right to file, but declined to file	172	184	178
TOTAL NOT DOCKETED	523	530	624

TABLE 9: OTHER ASSISTANCE TO THE PUBLIC

In addition to screening and setting 1,570 appointments, and conducting initial interviews, the Commission staff also fielded 5,837 other inquiries from the public in FY 23/24. The inquiries received can be categorized as follows:

<u>Contact Type</u>	<u>2021/22</u>	<u>2022/23</u>	<u>2023/24</u>
General Questions Answered	780	652	662
Employer Inquiries	843	843	1,110
Information Sent	9	27	7
Referred to an appropriate source of assistance	227	247	219
Complainant Inquiries	1,785	1,785	3,839
TOTAL OTHER ASSIST	3,644	3,554	5,837

The NEOC website is regularly updated. Upcoming Commission Meeting information, as well as educational information, are available to assist the public. Individuals can also gain valuable information about the Commission, the laws we enforce, and how to file a complaint. In FY 23/24, there were 15,336 website hits to the NEOC home page.

TABLE 10: COMMISSION DETERMINATIONS

		FY 21/22	FY 22/23	FY 23/24
Reasonable Cause	NEOC (moved to conciliation)	30	11	9
	Adopted (moved to conciliation)	0	0	0
No Reasonable Cause	NEOC	665	511	582
	Adopted	43	15	98
Pre-Determination Settlement	NEOC	78	65	58
	Adopted	3	0	1
Mediation	NEOC	4	16	17
Withdrawal With Settlement	NEOC	17	18	16
	Adopted	5	3	6
Withdrawal Without Settlement	NEOC	26	17	21
	Adopted	2	1	3
Failure to Locate	NEOC	0	0	0
	Adopted	0	0	0
Failure to Cooperate	NEOC	0	0	1
	Adopted	0	0	0
Lack of Jurisdiction	NEOC	20	22	31
	Adopted	1	0	5
Complainant Filing/Filed in Court	NEOC	8	7	9
	Adopted	0	2	2
Other	NEOC	11	9	16
	Adopted	17	6	20
Conciliations	Successful Conciliations	8	8	5
	Successful Conciliations – Adopted	0	0	0
	Unsuccessful Conciliations - Dismissals	12	5	5
	Unsuccessful Conciliations - Complainant Filing/Filed in Court	0	0	0
	Other - Adopted	0	0	0
	Unsuccessful Conciliations to Public Hearing or Civil Action	3	1	0
Public Hearings	For Complainant	1	0	0
	For Respondent	0	0	0
	Negotiated Settlement	0	0	0
	Other	1	0	0
Civil Action (Housing)	For Complainant	0	0	0
	For Respondent	0	0	0
	Negotiated Settlements	0	2	0
	Other	0	0	0
	Dismissal	1	0	0

TABLE 11: COMMISSION DETERMINATIONS BY STATUTE
(CLOSED CASES)
FY 2023/24

FAIR EMPLOYMENT PRACTICE ACT	AGE	EQUAL PAY	HOUSING	PUBLIC ACCOMM.
804	137	26	30	17

TABLE 12: LACK OF JURISDICTION BASES
(3 years)

REASON FOR LACK OF JURISDICTION	FY 2021/22
No Employer/Employee Relationship	6
Not Enough Employees	6
Other	5
Untimely Filed	3
TOTAL	20

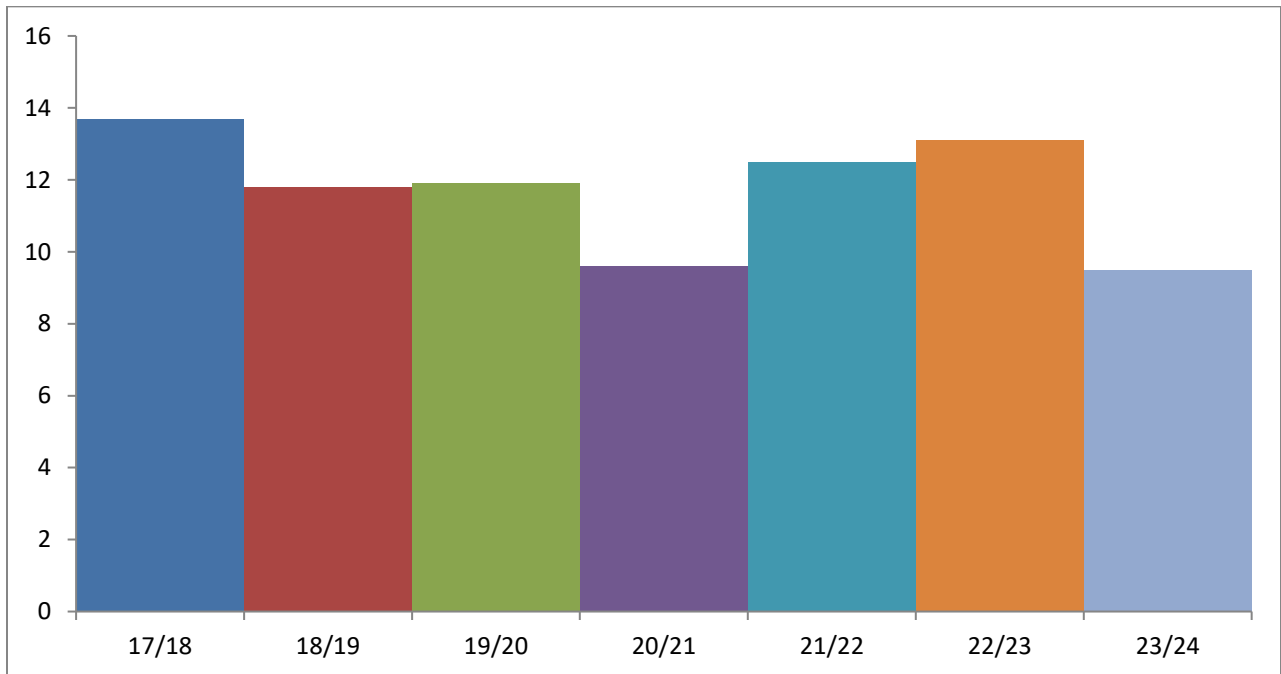
REASON FOR LACK OF JURISDICTION	FY 2022/23
No Employer/Employee Relationship	12
Not Enough Employees	6
Other	2
Untimely Filed	2
TOTAL	22

REASON FOR LACK OF JURISDICTION	FY 2023/24
No Employer/Employee Relationship	17
Not Enough Employees	12
Other	1
Harms Out of State	1
TOTAL	31

TABLE 13: COMPARATIVE CAUSE/SETTLEMENT FIGURES

FY 2017/18 – 2023/24

Fiscal Year	Cause & Settlements Percent of Initial Determinations	Combined Number of Cases
17/18	13.7	110
18/19	11.8	106
19/20	11.9	113
20/21	9.6	81
21/22	12.5	116
22/23	13.1	92
23/24	9.5	85



**TABLE 14: ALTERNATIVE DISPUTE RESOLUTION (ADR)
Employment and Public Accommodation Cases**

	FY 19/20	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Sent to ADR	87	58	49	65	65
Successful Mediation	14	1*	4*	16	17
Successful Pre-Determination Settlement	29	34	22	21	17
Withdrawal with Settlement	2	2	3	3	1
Failed ADR (either Mediation or PDS)	12	16	4	23	9
No Longer Wanted to Pursue ADR	31	12	14	0	6
Pending	20	13	15	17	32

The NEOC's Alternative Dispute Resolution (ADR) program was created to resolve pending employment and public accommodation cases prior to an investigation and determination being issued by the Commission. There are two options available in the ADR program: mediation and pre-determination settlement. **Mediation** typically involves the parties meeting face-to-face with a mediator to discuss resolution, whereas **pre-determination settlement** involves discussion of resolution between the parties as relayed (usually via telephone) by the mediator.

Participation in the program is done on a voluntary basis. As the table indicates, when parties actively participate in the program there is a high rate of successful resolution. However, there are times when the parties indicate an interest in the ADR program, but after an initial discussion, determine they no longer want to participate in the process and request an investigation. These discussions are not considered unsuccessful as the parties never fully engaged in the process.

The flexibility of ADR allows both parties to craft resolutions which involve not only monetary relief but also non-monetary outcomes.

OTHER SETTLEMENTS

In addition to the ADR program, the NEOC attempts to resolve employment and public accommodation cases during an investigation prior to the NEOC issuing a determination. In FY 23/24 the NEOC resolved 34 cases during the investigative stage.

The NEOC also endeavors to resolve housing cases. Discussions regarding resolution are an on-going process throughout the investigation for all housing cases. In FY 23/24, the NEOC settled 2 housing cases which is 6% of the total initial housing decisions by the NEOC.

* Due to Covid 19 restrictions, in-person mediations were suspended. In 21/22, methods were developed to conduct mediations via video conference which we continue to use; although, in-person mediations can be conducted upon request.

TABLE 15: NON-MONETARY RELIEF OBTAINED
FY 2023/24

Employment and Public Accommodations

Adverse Material Removed from File
Neutral Reference
Personal Items Returned
Reasonable Accommodation
Reinstatement
Released from Contract
Training

Housing

Neutral Rental History Given
Reasonable Accommodation
Reasonable Accommodation-Animal
Training

TABLE 16: MONETARY RELIEF BY LAW

FY 2023/24

	EMPLOYMENT	PA	HOUSING	TOTAL
Pre-Determination Settlements	\$ 288,629	\$0	\$4,303	\$292,932
Mediation	298,975	0	0	298,975
Withdrawals with Settlement	340,338	0	0	340,338
Conciliation	132,515	0	0	132,515
Public Hearing	0	0	0	0
Litigation	0	0	0	0
TOTAL	\$1,060,457	\$0	\$4,303	\$1,064,760

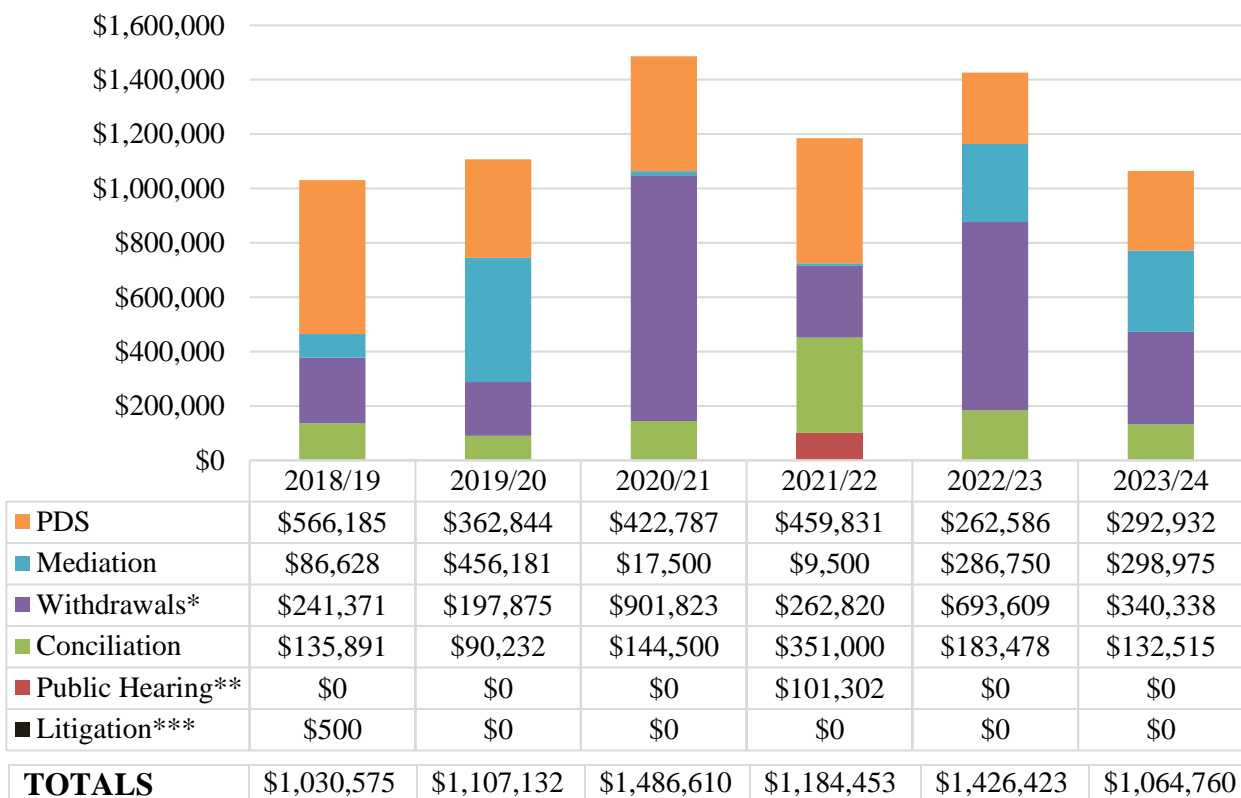
The following chart reflects approximately how many people have benefitted from the different types of settlements available with the NEOC process. Besides the Complainant, others can benefit by attending EEO training and/or a policy or procedural/practice change.

TABLE 17: NUMBER OF PEOPLE BENEFITING

FY 2023/24

	EMPLOYMENT	PA	HOUSING	TOTAL
Pre-Determination Settlements	79	0	436	515
Mediation	27	0	0	27
Withdrawals with Settlement	15	0	0	15
Conciliation	4	0	2	6
Public Hearing	0	0	0	0
Litigation	0	0	0	0
TOTAL	125	0	438	563

TABLE 18: TOTAL MONETARY RELIEF OBTAINED



* The benefits on some of the Commission’s withdrawals with settlement are not known. The parties keep the terms of settlement confidential.

** Any monetary relief received through a settlement prior to the public hearing being held is listed with the conciliation amounts.

*** This monetary relief was achieved by the Attorney General’s Office on cases sent to their office for civil action/litigation.

Note: There were 2 cases litigated in the Fiscal Year of 2022/2023; however, the parties reached a private settlement during litigation.

**CASE COMPLETION SUMMARY TABLES
FY 2019/20 – 2023/24**

TABLE 19: AVERAGE CASE PROCESSING TIME

	<u>FY 19/20</u>	<u>FY 20/21</u>	<u>FY 21/22</u>	<u>FY 22/23</u>	<u>FY 23/24</u>
Average Hours Worked on Case File	15.99	15.93	17	16.75	15

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TABLE 20: AVERAGE DAYS PER INVESTIGATION

	<u>FY 19/20</u>	<u>FY 20/21</u>	<u>FY 21/22</u>	<u>FY 22/23</u>	<u>FY 23/24</u>
Average Days	225.1	283.1	228.1	160.4	167.6

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TABLE 21: FROM FILING TO ASSIGNMENT AND DETERMINATION, AVERAGE DAYS -- CAUSE/NO CAUSE ONLY

	<u>FY 19/20</u>	<u>FY 20/21</u>	<u>FY 21/22</u>	<u>FY 22/23</u>	<u>FY 23/24</u>
Date Filed to Assignment of Investigator	189	151	110	104	119.9
Date Filed to Cause/No Cause Decision	414	434	339	265	288

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TABLE 22: CAUSE CASES

	<u>FY 19/20</u>	<u>FY 20/21</u>	<u>FY 21/22</u>	<u>FY 22/23</u>	<u>FY 23/24</u>
Out of Cause/No Cause Cases, This Percentage went Cause	2%	<1%	4%	2%	1%

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TABLE 23: CONCILIATION TIME PER CASE

	<u>FY 19/20</u>	<u>FY 20/21</u>	<u>FY 21/22</u>	<u>FY 22/23</u>	<u>FY 23/24</u>
Average Conciliation Hours Worked on Case	1	1.5	1.4	1.6	2.43
Average Days in Conciliation	115	196	87	127	213

TABLE 24: REASONABLE CAUSE CASES BY STATUTE

FY 2023/24

FEP	AGE	EQUAL PAY	HOUSING	PUBLIC ACCOM
9	1	0	0	0

TABLE 25: REASONABLE CAUSE CASES BY BASIS

FY 2023/24

BASIS	CASES	BASIS	CASES
Race	3	Religion	0
Color	0	Marital Status	0
Sex	2	Retaliation	5
Sex-Pregnancy	0	Retaliation – Wage	0
National Origin	0	Retaliation – Whistleblower	0
Age	0	Familial Status	0
Age Retaliation	1		
Disability	4		

TABLE 26: REASONABLE CAUSE CASES BY ISSUE

FY 2023/24

ISSUES	CASES	ISSUES	CASES
Employment & Public Accommodations		Housing	
Accommodations	1	None	0
Advertising	1		
Benefits	1		
Discharge	3		
Hiring	4		
Promotion	2		
Wages	1		

TABLE 27: CONCILIATION SUMMARY
FY 2023/24

Total Conciliations Attempted	10
Successful	5
Unsuccessful	
Forwarded to Public Hearing.....	0
Forwarded to Civil Action-Housing	0
Dismissed.....	5
 Total Dollars	 \$133,515

TABLE 28: CONCILIATIONS

FISCAL YEAR	2019/20	2020/21	2021/22	2022/23	2023/24
Cases to Conciliation (Reasonable Cause)	13	1	30	11	9
Cases Pending from Prior Fiscal Year	7	7	1	7	4
TOTAL CASES	20	8	31	18	13
Conciliations Attempted	13	7	24	14	10
Successful Conciliations	8	5	8	8	5
Unsuccessful Conciliations	2	2	16	6	5
MONETARY RELIEF	\$90,232	\$144,500	\$351,000	\$183,478	\$133,515
Conciliations Pending	13	1	7	4*	3

*This number includes 1 housing case

**TABLE 29: SUCCESSFUL CONCILIATION DETAIL - AFTER A CAUSE FINDING
FY2023/24**

DISCRIMINATORY ACT	RELIEF TO COMPLAINANT
Employment and Public Accommodations	
Disability, Retaliation (hiring)	\$3715.20 (lump sum)
Race, Sex (promotion)	\$60,000 (lump sum), \$12,000 (wages)
Disability, Retaliation (reasonable accommodation, discharge)	\$18,300 (lump sum), \$12,000 (wages), \$14,500 (attorney's fees)
Disability, Retaliation (reasonable accommodation, wages, discharge)	\$4,000 (lump sum), \$4,000 (wages), \$4,000 (attorney's fees)
DISCRIMINATORY ACT	RELIEF TO COMPLAINANT
Housing	
Retaliation (deny housing)	\$1,000 and training

PUBLIC HEARINGS

Per the Nebraska Fair Employment Practice Act, Section 48-1119, the Commission may take a case to Public Hearing if reasonable cause is found and attempts at conciliation are unsuccessful. The table below represents the Commission’s activity after ordering Public Hearings for the past seven fiscal years, and the following tables give a brief composite of those hearings actually conducted during each respective fiscal year.

TABLE 30: PUBLIC HEARINGS

Fiscal Year	17/18	18/19	19/20	20/21	21/22	22/23	23/24
Numbered Ordered	0	0	2	1	0	1	0
Number Held*	0	0	0	2	0	0	1
Number Carried Over	1	0	0	1	2	0	1
Orders Issued (Final)	1	0	0	1	2	0	0
Pending	0	0	2	1	0	0	1

*A full and complete hearing was conducted.

TABLE 31: PUBLIC HEARING DISPOSITION
JULY 2023 - JUNE 2024

Total Final Orders Issued	0
Outcome of Final Orders:	
Violation found	0
No Violation Found	0
Settlement Prior to Hearing	0
Dismissal – Filed in Court	0

TABLE 32: PUBLIC HEARING ORDERED; NOT HELD AS OF JUNE 30, 2024

<u>Complainant</u>	<u>Respondent</u>	<u>Case No.</u>	<u>Hearing Examiner</u>
None			

**TABLE 33: PUBLIC HEARING ORDERED; COMPLAINT NOT SIGNED BY
COMPLAINANT AS OF JUNE 30, 2024**

<u>Complainant</u>	<u>Respondent</u>	<u>Case No.</u>	<u>Hearing Examiner</u>
None			

**TABLE 34: PUBLIC HEARING HELD; NO RECOMMENDED ORDER ISSUED BY
THE HEARING EXAMINER AS OF JUNE 30, 2024**

<u>Complainant</u>	<u>Respondent</u>	<u>Case No.</u>	<u>Hearing Examiner</u>
McWilliams	Union Pacific Railroad	52368	Maurstad

**TABLE 35: CIVIL ACTION DISPOSITION
JULY 2022 - JUNE 2023**

For Complainant	0
Settlement	0
Dismissal	0
<u>TOTAL</u>	<u>0</u>

**HEARING DISPOSITION SUMMARY
July 1, 2023, through June 30, 2024**

None

List of Cases Sent to Public Hearing in the Past Five Years

Case Number	Complainant	Respondent	Decision	Date Closed	Hearing Examiner
3452-H	Jura	Commodore LLC et al.	For Complainant	6/18/2021	Maurstad
49380	Koenig	Veterans' Affairs, Dept. of	For Complainant	8/20/2021	Maurstad
50091	McIntosh	Berliner Group LLC d/b/a Dunkin Donuts	Complainant filed in Court	2/18/2022	Maurstad
52368	McWilliams	Union Pacific Railroad			Maurstad

NOTES: Case numbers with a "-H" behind them are Housing cases. Case numbers with a "-PA" behind them are Public Accommodations cases. All other case numbers are employment cases.

RECORDS RETENTION: Pursuant to Rules 002-016 and 002-019 of the Nebraska Equal Opportunity Commission's Records Retention Schedule, these records are deleted/destroyed 5 years from the date of closure.