



State of Nebraska

EQUAL OPPORTUNITY COMMISSION

NEBRASKA EQUAL OPPORTUNITY COMMISSION MEETING OF January 17, 2025

Commissioner Meyer called the meeting to order in Lincoln, Nebraska at 9:05 a.m. on January 17, 2024. It was established, after a roll call, there was a quorum.

I. ROLL CALL

Commissioners Present

Arla Jo Meyer, Chairperson
Eric Drumheller

Lynn Brennan, Vice Chair
Royce Jeffries
Tyeisha Kosmicki

We have a quorum.

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 Meyer approved the meeting minutes for November 15, 2024.
Commissioner Jefferies seconded the motion

IV. ADDITIONS OR CORRECTIONS

None

V. PUBLIC INPUT (Non-Case)

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

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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 2-23/24-4-54394

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

ROLL CALL: Ayes: Jeffries, Meyer, Brennan, Kosmicki, Drumheller
 Nayes:
 Abstained:
 Motion Carried

- A. EMPLOYMENT Complainant was present, and Respondent submitted a statement.
NEB 2-23/24-3-54352

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

ROLL CALL: Ayes: Kosmicki, Drumheller, Jeffries, Brennan
 Nayes:
 Abstained: Meyer
 Motion Carried

- A. EMPLOYMENT Complainant was present.
NEB 3-23/24-3-54358

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

ROLL CALL: Ayes: Drumheller, Jeffries, Meyer, Brennan, Kosmicki
 Nayes:
 Abstained:
 Motion Carried

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- A. EMPLOYMENT Complainant and Respondent were present.
NEB 1-23/24-4-54381

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

ROLL CALL: Ayes: Drumheller, Jeffries, Meyer, Brennan, Kosmicki
 Nayes:
 Abstained:
 Motion Carried

- A. EMPLOYMENT Complainant submitted a statement and Respondent was present.
NEB 3-23/24-4-54420

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

ROLL CALL: Ayes: Meyer, Brennan, Kosmicki, Drumheller, Jeffries
 Nayes:
 Abstained:
 Motion Carried

- A. EMPLOYMENT Respondent was present.
NEB 1-23/24-6-54540

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

ROLL CALL: Ayes: Brennan, Kosmicki, Drumheller, Jeffries, Meyer
 Nayes:
 Abstained:
 Motion Carried

- B. PUBLIC ACCOMMODATION Complainant was present.
NEB 1-23/24-2-3844

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

ROLL CALL: Ayes: Drumheller, Jeffries, Meyer, Brennan, Kosmicki
 Nayes:
 Abstained:
 Motion Carried

C. HOUSING Respondent was present.
NEB 2-23/24-7-3798

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

ROLL CALL: Ayes: Drumheller, Jeffries, Meyer, Brennan, Kosmicki
 Nayes:
 Abstained:
 Motion Carried

C. HOUSING Respondent was present.
NEB 2-23/24-2-3833

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

ROLL CALL: Ayes: Jeffries, Meyer, Brennan, Kosmicki, Drumheller
 Nayes:
 Abstained:
 Motion Carried

C. HOUSING Respondent was present.
NEB 1-24/25-10-3889

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

ROLL CALL: Ayes: Drumheller, Jeffries, Meyer, Brennan, Kosmicki
 Nayes:
 Abstained:
 Motion Carried

A. EMPLOYMENT Respondent submitted a statement.
NEB 2-23/24-4-54408

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

ROLL CALL: Ayes: Meyer, Brennan, Kosmicki, Drumheller, Jeffries
 Nayes:
 Abstained:
 Motion Carried

- A. EMPLOYMENT Complainant submitted a statement.
NEB 2-23/24-1-54108

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

ROLL CALL: Ayes: Drumheller, Jeffries, Meyer, Brennan, Kosmicki
 Nayes:
 Abstained:
 Motion Carried

- A. EMPLOYMENT
 - NEB 1-23/24-2-54260
 - NEB 2-23/24-2-54284
 - NEB 3-23/24-3-54323
 - NEB 2-23/24-9-53762
 - NEB 1-23/24-2-54249
 - NEB 3-23/24-2-54264
 - NEB 1-23/24-3-54360
 - NEB 1-23/24-9-53765

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

ROLL CALL: Ayes: Drumheller, Jeffries, Meyer, Brennan, Kosmicki
 Nayes:
 Abstained:
 Motion Carried

- B. PUBLIC ACCOMMODATION
 - NEB 1-23/24-2-3843
 - NEB 3-23/24-4-3853

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

ROLL CALL: Ayes: Kosmicki, Drumheller, Jeffries, Meyer, Brennan
 Nayes:
 Abstained:
 Motion Carried

C. HOUSING

NEB 2-23/24-3-3848

NEB 1-23/24-6-3864

NEB 2-23/24-4-3856

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

Commissioner Kosmicki seconded the motion.

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

VIII. SUCCESSFUL AGREEMENTS

NEB 3-23/24-2-54268-RD

NEB 2-23/24-3-3851-H

NEB 1-24/25-8-3877-H

Commissioner Meyer moved to adopt the Agreements.

Commissioner Jeffries seconded the motion.

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

ADMINISTRATIVE ACTIONS

A. WITHDRAWALS

NEB 1-23/24-1-54114-RD

NEB 1-24/25-10-3885-H

Commissioner Meyer moved to administratively close the above cases based on withdrawal by Complainants.

Commissioner Brennan seconded the motion.

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

- B. COMPLAINANT FILED IN COURT
NEB 1-22/23-3-53363-RD
NEB 2-24/25-7-3867-HM

Commissioner Meyer moved to administratively close the above cases based on the Complainants filing in court.

Commissioner Jeffries seconded the motion.

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

- C. EEOC
NEB 1-23/24-2-54238-RD
NEB 1-20/21-9-51557-RD

Commissioner Meyer moved to adopt the findings of the EEOC

Commissioner Kosmicki seconded the motion.

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

- X. CONCILIATION
 NEB 1-23/24-8-3806-HM

Commissioner Meyer moved to adopt the recommendation of the Director of Conciliation.

Commissioner Kosmicki seconded the motion.

ROLL CALL: Ayes: Kosmicki, Drumheller, Jeffries, Meyer, Brennan
 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 Meyer moved to approve and adopt the previous month's General Ledger report. Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Kosmicki, Drumheller, Jeffries, Meyer, Brennan
 Nayes:
 Abstained:
 Motion Carried

2. Outreach Report—Unit Director, Ben Watson

Director Watson announced he has submitted a Proclamation request for Governor Pillen to declare April as Fair Housing Month.

Director Watson indicated he was contacted about a fair housing conference in Scottsbluff, Nebraska in April 2025. If he attends in person, he will try to facilitate additional outreach opportunities in the area.

Director Watson expressed he is still looking into video content for the NEOC website. He stated that he hasn't heard back from HUD about our request for funds but thinks the NEOC can make the videos if it is not funded by HUD. One example Director Watson gave on a video to make is how to file a complaint.

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

Director Gardner announced the 2023-2024 annual report is completed and available on the website. The goal moving forward is to have the report out each fall. The new case management system will hopefully be easier to complete than it had been previously.

Director Gardner stated as she and Cathy Fedor worked on the budget over the course of summer and fall, it became clear the path we're heading down isn't financially sustainable. While the current budget request that is in front of the legislature is one that can be met, Director Gardner will be working with Cathy Fedor and the Unit Directors to see where our federal funds are and where they need to be for the next budget cycle. She will also work with the fiscal analyst assigned to the agency to prepare for the next budget cycle. Federal funds have decreased for a variety of reasons over the past five years, including fewer cases coming during the COVID years, staffing issues during that time affecting the processing of cases, and changes in how the federal agencies provide

funding, etc. have impacted the amount of federal funds available for the budget. Director Gardner reassured that steps are being taken to move the agency in the right direction, including working with investigators for more insight on case processing and adjusting goals. It is ideal to have year's worth of federal funds, which is a little over 1 million dollars due to the differences in federal fiscal years and state fiscal years.

Director Gardner expressed Commissioner Drumheller's commissioner seat is technically vacant. Director Gardner encouraged the Commissioners to refer individuals they believe would be interested in serving and that they can apply online.

4. Legislative Update--

LB 223 Adds source of income as a basis in housing complaints. This is similar to past legislation, including making changes to the PA law as well as housing law. Director Gardner would like to work with the senator's office to see about removing the language from the PA statute and making sure it is included in the proper place in the housing statute. A fiscal note was submitted as having not impact, though language was included to explain the cost of investigating a case should there be a need/cost moving forward. Since it is not a basis under federal law, we would not be reimbursed if this was the only basis on which someone filed. In the past the Commissioners had the Director testify in a neutral capacity.

Commissioner Meyer made motion to work with a senator's office on language and testify in a neutral capacity on LB 223.

Commissioner Kosmicki seconded the motion.

ROLL CALL: Ayes:
 Naves: Kosmicki, Drumheller, Jeffries, Meyer, Brennan
 Abstained:
 Motion Failed

Commissioner Drumheller made motion to testify in a neutral capacity on LB 223.

Commissioner Meyer seconded the motion.

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

LB 361 has been introduced which would add retaliation for filing a Workman's Compensation claim to FEPA and allow a jury trial for civil actions brought under FEPA. This is also similar to legislation brought in 2023. It again adds retaliation in a different place than where retaliation is stated in the statutes, so it would be helpful to work with senator's office to hopefully move it. Last time the Commissioners had the Director testify in a neutral capacity as it should not negatively impact the agency.

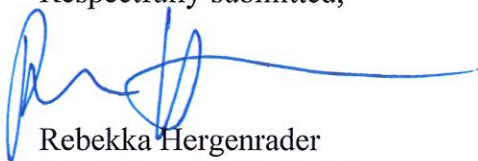
Commissioner Drumheller made motion to testify in a neutral capacity on LB 361. Commissioner Meyer seconded the motion.

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

XV. ADJOURNMENT

Commissioner Meyer declared the January 17, 2025; Commission meeting ended at 11:46 a.m.

Respectfully submitted,



Rebekka Hergenrader
Administrative Technician

1-22-25
Date



Paula Gardner
Executive Director

1-22-2025
Date

The Minutes of the Nebraska Equal Opportunity Commission meeting of January 17, 2025, have been corrected and accepted, and henceforth approved on this date.

Chairperson

Date