State of Nebraska
NEBRASKA EQUAL OPPORTUNITY COMMISSION

NEBRASKA EQUAL OPPORTUNITY COMMISSION
MEETING OF FEBRUARY 19, 2016

Commissioner Drumheller called the meeting to order in Omaha, Nebraska at 9:00 a.m. on February 19, 2016. It was established after a roll call that there was a quorum.

I. ROLL CALL

Commissioners Present

Eric Drumheller, Chairperson
Arnold Nesbitt
Janet Palmtag
Michael Carpenter (Arrived at 9:20 a.m.)
Rita Griess, Vice Chairperson
Kristin Yates
Royce Jeffries

Staff Present

Barbara Albers, Executive Director
Paula Gardner, Unit Director
Shelley Foss, Investigator III
Gretchen Eure, Unit Director
Cindy King, Staff Assistant

II. AFFIDAVIT OF PUBLICATION

The Affidavit of Service from the Lincoln Journal Star was read to show that the public was made aware of the February 19, 2016 Commission meeting.

III. APPROVAL OF MINUTES

Commissioner Griess moved to approve the January 22, 2016 Commission meeting minutes.
Commissioner Nesbitt seconded the motion.

ROLL CALL: Ayes: Nesbitt, Yates, Jeffries, Griess, Palmtag, Drumheller
Nayes:
Abstained:
Motion Carried

NEOC

MAIN OFFICE:
301 Centennial Mall, South
PO Box 94934
Lincoln, NE 68509-4934
Phone: 402-471-2024
Fax: 402-471-4059
800-642-6112
www.NEOC.nebraska.gov

BRANCH OFFICES:
1313 Farnam-on-the-Mall
Omaha, NE 68102-1836
Phone: 402-595-2028
Fax: 402-595-1205
800-382-7820

505A Broadway Suite 600
Scottsbluff, NE 69361-3515
Phone: 308-632-1340
Fax: 308-632-1341
800-830-8633

IV. ADDITIONS OR CORRECTIONS

Under Section VIII. SUCCESSFUL AGREEMENTS, please add NEB 2-15/16-2-3234-H and NEB 2-15/16-7-45739.

Under Section X. CONCILIATION, please add NEB 1-14/15-6-45950.

V. PUBLIC INPUT (Non Case)

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

None

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

NEB 1-15/16-9-47356 (Respondent was present)
Commissioner Nesbitt moved for no reasonable cause.
Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Palmtag, Nesbitt, Yates, Jeffries, Griess, Drumheller
Nayes:
Abstained:
Motion Carried

NEB 2-15/16-7-45756 (Complainant was present)
Commissioner Yates moved for no reasonable cause.
Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Yates, Griess, Palmtag, Jeffries, Nesbitt, Drumheller
Nayes:
Abstained: Carpenter
Motion Carried

NEB 2-14/15-4-45657 (Respondent was present)
Commissioner Carpenter moved for no reasonable cause.
Commissioner Griess seconded the motion.

ROLL CALL: Ayes: Yates, Carpenter, Jeffries, Nesbitt, Palmtag, Griess, Drumheller
Nayes:
Abstained:
Motion Carried

NEB 1-15/16-7-47022 (Respondent was present)
Commissioner Nesbitt moved for no reasonable cause.
Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Nesbitt, Yates, Palmtag, Griess, Jeffries, Carpenter, Drumheller
Nayes:
Abstained:
Motion Carried

NEB 1-15/16-8-47052 (Complainant was present)
Commissioner Palmtag moved for no reasonable cause.
Commissioner Carpenter seconded the motion.

ROLL CALL: Ayes: Jeffries, Carpenter, Griess, Nesbitt, Palmtag, Yates, Drumheller
Nayes:
Abstained:
Motion Carried

NEB 1-15/16-11-3216-H (Complainant was present.)
Commissioner Nesbitt moved for no reasonable cause.
Commissioner Carpenter seconded the motion.

ROLL CALL: Ayes: Carpenter, Nesbitt, Drumheller
Nayes: Jeffries, Yates, Palmtag, Griess
Abstained:
Motion Failed

Commissioner Drumheller called for any other motions.

Commissioner Griess moved for reasonable cause.
Commissioner Yates seconded the motion.

ROLL CALL: Ayes: Carpenter, Jeffries, Yates, Palmtag, Griess, Nesbitt
Nayes: Drumheller
Abstained:
Motion Carried

NEB 3-14/15-6-45917 (Complainant and Respondent were present)
Commissioner Nesbitt moved for no reasonable cause on age.
Commissioner Yates seconded the motion.

ROLL CALL: Ayes: Yates, Palmtag, Griess, Jeffries, Drumheller, Nesbitt
Nayes:
Abstained: Carpenter
Motion Carried

Commissioner Nesbitt moved for reasonable cause on Retaliation.
Commissioner Yates seconded the motion.

ROLL CALL: Ayes: Yates, Nesbitt
Nayes: Palmtag, Griess, Jeffries, Drumheller
Abstained: Carpenter
Motion Failed

Commissioner Drumheller moved for no reasonable cause on Retaliation.
Commissioner Palmtag seconded the motion.

ROLL CALL: Ayes: Palmtag, Drumheller, Jeffries, Griess
Nayes: Yates, Nesbitt
Abstained: Carpenter
Motion Carried

NEB 2-15/16-10-47107
Commissioner Griess moved for no reasonable cause.
Commissioner Drumheller seconded the motion.

Commissioner Carpenter left the room.

ROLL CALL: Ayes: Jeffries, Yates, Griess, Palmtag, Nesbitt, Drumheller
Nayes:
Abstained:
Motion Carried

NEB 2-15/16-8-3185-H (Respondent was present)
Commissioner Griess moved for no reasonable cause.
Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Nesbitt, Griess, Yates, Palmtag, Jeffries, Drumheller
Nayes:
Abstained: Carpenter
Motion Carried

NEB 1-14/15-5-45905 (Complainant and Respondent were present)
Commissioner Carpenter moved for no reasonable cause.
Commissioner Griess seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Nesbitt, Jeffries, Carpenter, Yates, Drumheller
Nayes:
Abstained:
Motion Carried

Commissioner Jeffries left the room.

NEB 2-15/16-9-3192-PA
NEB 2-14/15-6-45705
NEB 2-15/16-9-47080
NEB 1-15/16-7-47017
NEB 2-14/15-3-45496
NEB 1-15/16-9-47350
NEB 2-14/15-5-45663
NEB 2-14/15-5-45664
NEB 2-15/16-9-3198-H
NEB 2-15/16-10-3209-HM

Commissioner Drumheller moved for no reasonable cause on the above cases.
Commissioner Carpenter seconded the motion.

ROLL CALL: Ayes: Griess, Nesbitt, Palmtag, Jeffries, Carpenter, Yates, Drumheller
Nayes:
Abstained:
Motion Carried

VIII. SUCCESSFUL AGREEMENTS

NEB 2-15/16-10-47109
NEB 2-15/16-10-3208-H
NEB 2-15/16-9-3197-H
NEB 2-15/16-1-3234-H
NEB 2-15/16-7-45739

Commissioner Drumheller moved to adopt the agreements.
Commissioner Yates seconded the motion.

ROLL CALL: Ayes: Yates, Griess, Palmtag, Nesbitt, Carpenter, Drumheller
Nayes:
Abstained:
Motion Carried

IX. ADMINISTRATIVE ACTIONS

A. WITHDRAWALS

NEB 2-15/16-10-47127

Commissioner Drumheller moved to administratively close the above case based on withdrawal by the Complainant.
Commissioner Nesbitt seconded the motion.

ROLL CALL: Ayes: Palmtag, Carpenter, Griess, Yates, Nesbitt, Drumheller
Nayes:
Abstained:
Motion Carried

B. HUD

NEB 2-14/15-2-3099-H
NEB 1-14/15-3-3118-H

Commissioner Drumheller moved to adopt the findings of HUD.
Commissioner Nesbitt seconded the motion.

ROLL CALL: Ayes: Yates, Carpenter, Palmtag, Griess, Nesbitt, Drumheller
Nayes:
Abstained:
Motion Carried

C. EEOC

NEB 1-15/16-1-47563
NEB 1-15/16-8-47037
NEB 2-14/15-12-45412
NEB 1-14/15-6-45948
NEB 1-14/15-4-45898
NEB 2-14/15-9-45098
NEB 3-14/15-4-45861
NEB 1-14/15-3-45816

Commissioner Drumheller moved to adopt the findings of the EEOC.
Commissioner Carpenter seconded the motion.

ROLL CALL: Ayes: Nesbitt, Griess, Yates, Carpenter, Palmtag, Drumheller
Nayes:
Abstained:
Motion Carried

X. CONCILIATION

NEB 1-14/15-2-45590
NEB 1-14/15-6-45950

Commissioner Drumheller moved to adopt the recommendations of the Director of Conciliation.
Commissioner Carpenter seconded the motion.

ROLL CALL: Ayes: Palmtag, Griess, Yates, Nesbitt, Carpenter, Drumheller
Nayes:
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. Justice for Our Neighbors-Nebraska

An attorney with the non-profit agency Justice of Our Neighbors – Nebraska presented information to the Commissions about its request for the NEOC to participate as a certifying agency regarding U and T visa certification requests. The Commissioners decided to request an Attorney General's Opinion on the issue.

2. Date and Location for the March Commission Meeting

Commissioner Drumheller moved to hold the March 2016 commission meeting a week earlier than the usual third Friday of the month on March 11, 2016.
Commissioner Carpenter seconded the motion.

ROLL CALL: Ayes: Carpenter, Yates, Griess, Drumheller, Nesbitt, Palmtag,
Nayes:
Abstained:
Motion Carried

3. Up-coming Housing Events

The Unit Director of Housing, Gretchen Eure, announced for the fifth time the NEOC will be hosting a discrimination training event at the Gering, Nebraska, Civic Center on April 5, 2016. The same training will be offered in Norfolk, Nebraska, on April 7, 2016.

4. LCHR Conference, April 19, 2016, at the Lincoln Marriott Cornhusker Hotel, 333 South 13 Street.

Executive Director Albers reminded the Commissioners the LCHR conference this year will be held on April 19, 2016. The conference will offer sections on employment and housing discrimination. If the Commissioners are interested in attending they will need to complete the registration form and submit the form to the Business Manager before April 5, 2016, the deadline for registering. The Commissioners are welcome to bring the completed form to the next commission meeting in March 2016.

5. Legislature Update

Executive Director Albers updated the Commission on LB 586, 983, and 928.

6. Previous Month's Budget Reports

Commissioner Drumheller moved to approve and accept the previous month's budget reports. Commissioner Yates seconded the motion.

ROLL CALL: Ayes: Carpenter, Yates, Griess, Palmtag, Nesbitt, Drumheller
Nayes:
Abstained:
Motion Carried

7. Executive Director Position

Executive Director Albers stated the closing date for the application is February 26, 2016. The Commissioners will review all applications and recommend which applicants to interview at the March 11, 2015 meeting. Interview questions were discussed and interview dates were selected.

XV. ADJOURNMENT

Commissioner Drumheller declared the February 19, 2016 Commission meeting ended at 1:45 p.m.

Respectfully submitted,

Cindy King
Staff Assistant

3/2/2016
Date

Barbara Albers
Executive Director

3/2/2016
Date

The Minutes of the Nebraska Equal Opportunity Commission meeting of February 19, 2016 have been corrected and accepted, and henceforth approved on this date.

Chairperson

Date