



State of Nebraska

EQUAL OPPORTUNITY COMMISSION

NEBRASKA EQUAL OPPORTUNITY COMMISSION MEETING OF FEBRUARY 16, 2024

Commissioner Arnold called the meeting to order in Omaha, Nebraska at 9:01 a.m. on February 16, 2024. It was established, after a roll call, there was a quorum.

I. ROLL CALL

Commissioners Present

John Arnold, Chairperson
Patrick Borchers

Arla Jo Meyer, Vice Chair
Tyeisha Kosmicki

We have a quorum.

Staff Present

Paula Gardner, Executive Director
Brandie Hinkle, Investigator III

Ben Watson, Unit Director
Andrea Berry, Unit Director
Rebekka Hergenrader, Admin Tech
Donnita Brown, 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 January 19, 2024. Commissioner Borchers seconded the motion.

IV. ADDITIONS OR CORRECTIONS

V. PUBLIC INPUT (Non-Case)

Potso Byndon addressed a few concerns he had with the NEOC website. He noticed that budget reports and statistics haven't been posted for a while, along with nothing about outreach events have been posted for the public to see.

NEOC

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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 2-23/24-7-53581

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

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

- A. EMPLOYMENT Respondent was present
NEB 2-23/24-7-53596

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

ROLL CALL: Ayes: Arnold, Meyer, Kosmicki
 Naves: Borchers
 Abstained:
 Motion Doesn't
 Carry

- A. EMPLOYMENT Complainant was present.
NEB 2-23/24-8-53687

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

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

- B. HOUSING Respondent was present
NEB 2-22/23-12-3775

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

ROLL CALL: Ayes: Kosmicki, Borchers, Arnold, Meyer
 Nayes:
 Abstained:
 Motion Carried

- B. HOUSING Respondent was present
NEB 2-23/24-8-3807

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

ROLL CALL: Ayes: Borchers, Arnold, Meyer, Kosmicki
 Nayes:
 Abstained:
 Motion Carried

- B. HOUSING Respondent provided a written statement
NEB 2-23/24-7-3800

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

ROLL CALL: Ayes: Meyer, Kosmicki, Borchers, Arnold
 Nayes:
 Abstained:
 Motion Carried

- B. HOUSING Respondent provided a written statement
NEB 2-23/24-7-3801

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

ROLL CALL: Ayes: Meyer, Kosmicki, Borchers, Arnold
 Nayes:
 Abstained:
 Motion Carried

A. EMPLOYMENT
NEB 2-22/23-4-53388

Commissioner Borchers stated he had to recuse himself from voting. Due to lack of quorum, no motion was made and Commissioner Arnold indicated the case would be held over until the next meeting.

A. EMPLOYMENT
NEB 2-23/24-7-53051

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

ROLL CALL: Ayes: Kosmicki, Arnold, Meyer, Borchers
 Nayes:
 Abstained:
 Motion Carried

B. HOUSING
NEB 2-22/23-12-3785

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

ROLL CALL: Ayes: Kosmicki, Borchers, Arnold, Meyer
 Nayes:
 Abstained:
 Motion Carried

VIII. SUCCESSFUL AGREEMENTS

NEB 1-22/23-4-53392-RD

Commissioner Arnold moved to adopt the agreement.

Commissioner Borchers seconded the motion.

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

ADMINISTRATIVE ACTIONS

A. WITHDRAWALS

NEB 1-23/24-8-53682-RD

NEB 2-23/24-7-3802-H

Commissioner Arnold moved to administratively close the above cases based on the Complainants withdrawing the charges.

Commissioner Meyer seconded the motion.

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

X. CONCILIATION

None at this time.

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 Meyer seconded the motion.

ROLL CALL: Ayes: Meyer, Kosmicki, Borchers, Arnold
 Nayes:
 Abstained:
 Motion Carried

2. Outreach Report—Unit Director, Ben Watson

Director Watson stated there is a scheduled outreach webinar presentation with US Department of Labor for the Indian Community College. He will be presenting on employment discrimination for the students, faculty, and staff.

Director Watson announced we're close to having NEOC's website finished within the next couple of months. Once it is functional, it will be reviewed with Commissioners and staff. Hurdles were discussed regarding a host for the website that have been resolved.

Director Watson mentioned HUD grant money to translate NEOC documents materials in Spanish.

Director Watson stated there has been very positive feedback on the NEOC's commercial currently airing.

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

Director Gardner introduced Donnita Brown, the new Admin Tech in Omaha. She will be doing the minutes for the Omaha commission meetings.

Director Gardner explained about a meeting coming up to discuss the final steps to move forward with the website. A much clearer picture of when the website will completed will be available after this meeting.

Director Gardner announced two new investigator positions are open in Lincoln. We are currently advertising for the openings, with the plan to interview on March 4th, and a target start date of April 1st.

Director Gardner indicated work continues on the database.

Director Gardner stated the public hearing has been rescheduled. March 27th and 28th. Commissioners were invited to attend the hearing, in order to share with the other Commissioners what happened at the hearing to report back to the other Commissioners as they are responsible for voting on the final order.

Director Gardner asked how the commissioners would like their mileage expense reports sent to them, paper or electronically. It was decided to provide the reports via e-mail.

4. Legislative Update--

Director Gardner stated she testified in a neutral capacity on LB977 that adds military and veteran's status to our laws as a protected class. No one testified in opposition.

Director Gardner reported that she reached out to the senator on LB1240. Unfortunately, no one got back to her in time before she had to submit a statement. She opted to submit a statement in opposition based on the motion in last month's meeting. Neither of the bills have been made priority bills by the senators who introduced them, so she doesn't anticipate any formal action being taken on them.

Director Gardner said she was approached for LB1012, which wants to remove post-secondary education requirements for state employment, absent a necessity. She was notified that the NEOC would be put in charge of compliance/enforcement. She responded that she did not feel that this was necessary as the agency responsible indicated they are able to handle the requirements of the bill and there is already a mechanism for the public to make a complaint through the ombudsman's office. There was also concern about the timeline for completing these investigations as it did not match our current investigative process.

XV. ADJOURNMENT

Commissioner Arnold declared the February 16, 2024, Commission meeting ended at 10:37 a.m.

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Respectfully submitted,



Rebekka Hergenrader
Administrative Technician II

2.22.2024

Date



Paula Gardner
Executive Director

2.22.2024

Date

The Minutes of the Nebraska Equal Opportunity Commission meeting of February 16, 2024, have been corrected and accepted, and henceforth approved on this date.



Chairperson

3/15/2024

Date