



# State of Nebraska

## EQUAL OPPORTUNITY COMMISSION

### NEBRASKA EQUAL OPPORTUNITY COMMISSION MEETING OF March 15, 2024

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Commissioner Arnold called the meeting to order in Lincoln, Nebraska at 9:05 a.m. on March 15, 2024. It was established, after a roll call, there was a quorum.

#### I. ROLL CALL

##### *Commissioners Present*

John Arnold, Chairperson  
Patrick Borchers  
Eric Drumheller

Arla Jo Meyer, Vice Chair  
Lynn Brennan

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 Arnold approved the meeting minutes for January 2024.  
Commissioner Meyer seconded the motion.

#### IV. ADDITIONS OR CORRECTIONS

#### V. PUBLIC INPUT (Non-Case)

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

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#### ONLINE:

Website:  
[NEOC.nebraska.gov](http://NEOC.nebraska.gov)

Facebook:  
<https://fb.me/NebEOC>

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 2-23/24-7-53596

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

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

- A. EMPLOYMENT Respondent was present.  
NEB 2-22/23-5-53427

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

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

- A. EMPLOYMENT Respondent was present.  
NEB 2-22/23-4-53408

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

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

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- A. EMPLOYMENT Complainant was present.  
NEB 2-22/23-2-53290

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

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

- A. EMPLOYMENT Respondent provided a written statement.  
NEB 1-23/24-7-53593

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

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

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

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

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

- B. PUBLIC ACCOMMODATION Complainant was present.  
NEB 1-23/24-10-3812

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

ROLL CALL:           Ayes:     Borchers, Arnold, Drumheller, Meyer, Brennan  
                          Nays:  
                          Abstained:  
                          Motion Carried

- C. HOUSING Respondent was present  
NEB 2-23/24-8-3808

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

ROLL CALL:           Ayes:     Arnold, Drumheller, Meyer, Brennan, Borchers  
                          Nays:  
                          Abstained:  
                          Motion Carried

- A. EMPLOYMENT  
NEB 2-23/24-8-53652  
NEB 3-23/24-7-53561  
NEB 3-23/24-8-53655  
NEB 1-22/23-11-53073

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

ROLL CALL:           Ayes:     Meyer, Brennan, Borchers, Arnold, Drumheller  
                          Nays:  
                          Abstained:  
                          Motion Carried

B. HOUSING  
NEB 1-22/23-1-3779

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

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

ADMINISTRATIVE ACTIONS

A. WITHDRAWALS  
NEB 1-23/24-10-3814-PA

Commissioner Arnold moved to administratively close the above case based on Complainant withdrawing the charge.  
Commissioner Meyer seconded the motion.

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

B. RIGHT TO SUE  
NEB 3-22/23-5-53428

Commissioner Arnold moved to administratively close the above case based on the issuance of a Right to Sue letter.  
Commissioner Meyer seconded the motion.

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

XIV. BUSINESS

1. Previous Month's General Ledger Report

Commissioner Arnold moved to approve and accept the previous General Ledger report.  
Commissioner Borchers seconded the motion.

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

2. Outreach Report—Unit Director, Ben Watson

Director Watson indicated they were in the process of translating NEOC housing letters, forms, pamphlets and the NEOC poster into Spanish. Due to the cost being less than anticipated, he is looking into translating housing pamphlets into other languages most commonly spoken in Nebraska, including Vietnamese, Sudanese/Arabic, Somali, Karen, and Nepali. Because money for this is from a HUD grant, we will see if we can modify the Statement of Work to include these additional translations.

Director Watson shared that he had a presentation with the faculty, staff and students at the Nebraska Indian Community College alongside US Department of Labor's Office of Federal Contract Compliance Programs.

Director Watson stated that he is doing a training with staff at the Nebraska Workers Compensation Court. This is part of our continuing efforts to do EEO training with other Nebraska state agencies.

April is Fair Housing Month, so we will be stamping outgoing mail with that notice and have requested a Proclamation from the Governor's office.

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

Director Gardner announced that the 2021/2022 Annual report is out with the goal to get the 2022/2023 report out by the May meeting 2024.

Director Gardner stated the NEOC has hired someone for one of the Lincoln investigator positions. Christine Shutzer starts on April 1, 2024. We have one more position open and we're hoping to hire someone by mid-May.

Director Gardner indicated we have finalized our contract with Tyler Technologies for them to host and maintain our new website. The next steps are for Tyler Technologies to get us a template so we can transfer what we have onto the template. We were told this

would happen in May or June. The hope is to have it up and running sometime this summer.

Director Gardner mentioned we are at the final stages of our database. We have a few more things to finalize before it should be ready, but it should be ready to go live this summer as well.

Director Gardner communicated the Public Hearing is still happening March 27<sup>th</sup> and March 28<sup>th</sup> in Omaha.

Director Gardner disclosed that the NEOC is under a Technical Assistance review from the EEOC. This is like an audit they conduct every few years. She will be meeting with them next week to begin discussing our processes.

Director Gardner expressed we are in the process of finalizing an MOU with OHRRD. This would allow OHRRD to include the state law onto their charges where we would have jurisdiction. This will help individual's filing to ensure that they have exhausted their administrative remedies. We also have the ability to transfer cases to them through the EEOC for investigation if we have a backlog over 6 months. It is a similar agreement that we have had in the past with LCHR.

#### 4. Legislative Update--

Director Gardner conveyed that currently LB 977 is out of committee and is on General File. No further action has been taken. LB 1018 and LB 1240 have not been voted out of committee.

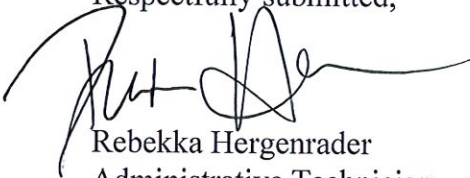
#### 5. Executive Director Evaluation--

Commissioner Arnold stated Commissioner Meyer, Commissioner Drumheller and he are forming an HR subcommittee to review and evaluate Director Gardner's annual performance. While the review will take place in the coming months, any changes would go into effect July 1, 2024.

## XV. ADJOURNMENT

Commissioner Arnold declared the March 15, 2024, Commission meeting ended at 10:51 a.m.

Respectfully submitted,



Rebekka Hergenrader  
Administrative Technician

3-19-2024  
Date



Paula Gardner  
Executive Director

3-19-2024  
Date

The Minutes of the Nebraska Equal Opportunity Commission meeting of March 15, 2024 have been corrected and accepted, and henceforth approved on this date.

Chairperson

\_\_\_\_\_ Date