



NEBRASKA EQUAL OPPORTUNITY COMMISSION
MEETING OF APRIL 19, 2024

NEEOC

Commissioner Arnold called the meeting to order in Omaha, Nebraska at 9 a.m. on April 19, 2024. It was established, after a roll call, there was a quorum.

I. ROLL CALL

Commissioners Present

John Arnold, Chairperson
Royce Jeffries
Tyeisha Kosmicki

Arla Jo Meyer, Vice Chair
Lynn Brennan
Patrick Borchers

We have a quorum.

Staff Present

Paula Gardner, Executive Director
Shelley Foss, Unit Director
Brandie Hinkle, Investigator III

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 March 15, 2024.
Commissioner Meyer seconded the motion.

IV. ADDITIONS OR CORRECTIONS

Remove NEB 1-23/24-7-53560 from the agenda.

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 Complainant and Respondent were present.
NEB 2-22/23-5-53423

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

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

- A. EMPLOYMENT Complainant provided a written statement, and Respondent was present.
NEB 2-22/23-6-53532

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

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

- A. EMPLOYMENT Complainant and Respondent provided written statements, and Respondent was present.
NEB 1-22/23-11-53079

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

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

Commission Meeting Minutes

April 19, 2024

Page - 3 -

- A. EMPLOYMENT Complainant was present.
NEB 1-22/23-4-53420

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

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

- A. EMPLOYMENT Respondent was present.
NEB 1-23/24-9-53738

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

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

- B. PUBLIC ACCOMMODATION Respondent was present.
NEB 3-23/24-9-3811

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

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

Commission Meeting Minutes

April 19, 2024

Page - 4 -

- C. HOUSING Complainant was present.
NEB 1-23/24-12-3823

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

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

- C. HOUSING Complainant was present.
NEB 2-22/23-5-3793

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

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

- A. EMPLOYMENT Respondent provided a written statement.
NEB 2-22/23-6-53484

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

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

A. EMPLOYMENT

NEB 2-23/24-7-53563

NEB 1-23/24-9-53703

NEB 1-23/24-10-53798

NEB 1-22/23-3-53324

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

Commissioner Meyer seconded the motion.

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

B. PUBLIC ACCOMMODATION

NEB 1-23/24-10-3815

NEB 1-23/24-11-3819

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

Commissioner Kosmicki seconded the motion.

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

C. HOUSING

NEB 2-22/23-4-3788

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

Commissioner Meyer seconded the motion.

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

ADMINISTRATIVE ACTIONS

A. WITHDRAWALS
NEB 1-23/24-1-54152

Commissioner Arnold moved to administratively close the above case based on withdrawal by the Complainant.

Commissioner Borchers seconded the motion.

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

B. LACK OF JURISDICTION
NEB 1-23/24-1-54153

Commissioner Arnold moved to administratively close the above case based on lack of jurisdiction.

Commissioner Kosmicki seconded the motion.

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

C. EEOC
NEB 1/22-23-12-53169
NEB 1-22/23-5-53477
NEB 3-23/24-8-53666
NEB 1-23/24-9-53734
NEB 1-23/24-11-53959

Commissioner Arnold moved to administratively close the above cases based on adoption of the findings of the EEOC.

Commissioner Meyer seconded the motion.

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

D. RIGHT TO SUE
 NEB 1-23/24-9-53743

Commissioner Arnold moved to administratively close the above case based the EEOC issuing the Right to Sue letter.

Commissioner Meyer seconded the motion.

ROLL CALL: Ayes: Kosmicki, Arnold, Jeffries, Meyer, Borchers, Brennan
 Nayes:
 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 month's General Ledger report.

Commissioner Meyer seconded the motion.

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

2. Outreach Report—Unit Director, Ben Watson

Director Gardener discussed the training Director Watson organized with a state agency, upon their request, as part of the agency's annual training program.

Director Gardner stated that we received the Fair Housing Proclamation from the Governor that was shared with other agencies, including HUD, OHRRD, LCHR, Realtors Association, and the Fair Housing Center.

Director Gardner announced staff participated in the EEOC virtual conference April 15-17, and will be participating in the LCHR in person conference on May 1, 2024.

Director Gardner reported Director Watson will be joining the EEOC in Macy NE, on May 2, 2024, for an in-person presentation and listening session for the Omaha tribe.

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

Director Gardner stated an investigator left for the private sector the end of March. They will be conducting interviews April 29th, 2024, for the two open Investigator positions, with the tentative start date in mid-May.

Director Gardner indicated we will start conducting quarterly all staff meeting virtually, as well as continuing with the annual staff meeting one of the quarters. The first one is scheduled for May 7, 2024.

Director Gardner remarked she asked the Unit Directors to meet with investigators two times a month as opposed to once a month and will be initiating meetings with non-investigator staff and Unit Directors once a month as well to discuss the work being done, challenges, and opportunities.

Director Gardner mentioned she received notice this week that Tyler Technologies is ready to start the website transition.

Director Gardner announced the Public Hearing was conducted on March 27, 2024, that Commissioner Arnold attended. We received the transcript, and the hearing officer will be reviewing everything prior to issuing their recommended order for the commissioners.

Director Gardner stated she is still waiting for EEOC audit exit meeting. They should be done shortly, and then will schedule the exit meeting.

Director Gardner previously mentioned the MOU with OHRRD. That is currently on hold as Director Gardner had concerns about the NEOC being designated as a contractor and the obligations the city was imposing as a result of that designation. As we are not a contractor providing any work or services to the City, other options for the MOU are being explored.

Director Gardner observed no action taken on legislative bills this session that directly impacted the Agency.

XV. ADJOURNMENT

Commissioner Arnold declared the April 19, 2024, Commission meeting ended at 11:24 p.m.

Respectfully submitted,



Rebekka Hergenrader
Administrative Technician II

4.30.24

Date



Paula Gardner
Executive Director

4.30.2024

Date

The Minutes of the Nebraska Equal Opportunity Commission meeting of April 19, 2023 have been corrected and accepted, and henceforth approved on this date.

Chairperson

Date