

Table of Contents

Public Education and Outreach.....1

Table 1: Case Dispositions.....4

Table 2: Cases of Alleged Discrimination filed during
Previous and Current Years by Statute.....5

Table 3: Basis of Charges filed by Statute6

Table 4: Issues in Employment and Public Accommodations
Charges filed in FY 2004/057

Table 5: Issues in Housing Charges filed in FY 2004/057

Table 6: Complainant Characteristics8

Table 7: Top Ten Respondent Business Types for Charges Filed9

Table 8: Top Ten Counties for Charges Filed.....10

Table 9: Charges not Docketed11

Table 10: Technical Assistance to the Public11

Table 11: Commission Determinations.....12

Table 12: Commission Initial Determinations by Statute13

Table 13: Lack of Jurisdiction Breakdown14

Table 14: Comparative Cause/Settlement Figures15

Table 15: Total Monetary Relief Obtained16

Table 16: Cases Uninvestigated (Lincoln, Omaha, and Scottsbluff)17

Table 17: Cases Uninvestigated (LCHR, HUD and EEOC).....18

Table 18: Charge Intake19

Table 19: Investigator Case Completion.....19

Table 20: Average Investigation Hours20

Table 21: Average Days Per Investigation.....20

Table 22: From Filing to Assignment and Determination,
Average Days—Cause/No Cause only.....20

Table 23: Conciliation Time Per Case	20
Table 24: Cause/Settlement Cases	20
Table 25: Cause Cases	20
Table 26: Reasonable Cause Cases by Statute	21
Table 27: Reasonable Cause Cases by Basis	21
Table 28: Reasonable Cause Cases by Issue	21
Table 29: Conciliation Summary	22
Table 30: Conciliations	23
Table 31: Successful Conciliation Detail	24
Table 32: Public Hearings	25
Table 33: Public Hearing Disposition	25
Table 34: Public Hearing Ordered; not Held as of June 30, 2005	26
Table 35: Public Hearing Ordered; Complaint not signed by Complainant as of June 30, 2005	26
Table 36: Public Hearing Held; no Recommended Order Yet Issued by the Hearing Examiner	26
Hearing Disposition Summary	27

The NEOC is a state administrative agency with a mission to eliminate discrimination in the areas of employment, housing, and public accommodations. It administers laws substantially equivalent to the federal laws. The NEOC also provides education and outreach primarily through three staff members: the executive director, the director of public education and outreach, and the public information officer.

In the past year, the NEOC has conducted proactive, assertive, and sustained public outreach efforts to the Hispanic, Native American, and Sudanese communities in Nebraska. We have focused on these groups because these are the national origin and racial groups with significant increases in population in the state. The NEOC makes an effort to do outreach with all ethnicities, cultures, and communities of Nebraska. These activities fall into four main areas: collaboration and networking; technical assistance and public education; implementation of intake and investigative methods to work with non-traditional populations; research and data.

Collaboration and Networking

- Made presentations to the State Senators;
- Worked with educational institutions for studies;
- Participated in various committees, such as the Chief Standing Bear Commemoration Committee; Lincoln Realtors Association - Equal Opportunity Committee, and the World Day on the Mall Planning Committee.

Technical Assistance and Public Education

- Public and private educational institutions (from elementary to college-level);
- Meetings organized at the grassroots level and conducted in English and Spanish;
- Mandatory training was available pursuant to conciliation/settlement agreements;
- Training was provided to businesses at no cost to those in attendance.

Implementation of Intake & Investigative Methods with Non-Traditional Populations

Through the work of advocacy organizations, tenant groups, and employee groups, the NEOC implemented methods to efficiently accept charges and investigate allegations of discrimination from immigrant populations. Through these methods, the challenges of language and cultural competence were minimized; therefore, providing individuals an opportunity to fully participate in the investigative process.

Considering that recent immigrant groups continue to face challenges of language, transportation, culture, and childcare, the NEOC has instituted educational programs where these challenges are minimized or eliminated. For example, through funding from the U.S. Housing and Urban Development Department and the Nebraska Minority Health Office, the NEOC partnered with approximately 25 local, state, and federal agencies on May 15, 2006 to hold the *Second New Immigrant Orientation Conference*. The conference goal was to inform persons about their civil rights in the U.S. so they can fully exercise those rights. As a result, the NEOC further establishes trust with various community groups and received requests to develop civil rights education programs in rural communities.

Research and Data

The NEOC conducted education & outreach activities in many rural and urban communities across the state. In only six months (between January 1, 2006 to June 30, 2006), the NEOC participated in 89 education and outreach activities. Almost half of the activities (46%) are related to meetings where the NEOC is represented as the principal coordinator of an event or as a partner with other agency/community events. The 89 activities have resulted in 6,574 contacts with the public (see Tables 2 & 3) and 191 hours of actual time spent in those activities, which is in addition to time spent by NEOC support staff who help plan and coordinate activities of the Education & Outreach Team. Furthermore, the actual time spent on developing appropriate materials for distribution in each activity is not calculated but certainly is a significant factor in the success of programs.

Table 1: Number of Activities by Type

Type of Activity	Number of Activities
1. Presentation to non-profit organization	4
2. Presentation to private business	5
3. Presentation to Government agency	1
4. Presentation to youth (high school or less)	0
5. Presentation to college students	3
6. Booth	3
7. Display	0
8. Television interview	Not reported
9. Radio Interview	4
10. Public Forum	3
11. Pursuant to Enforcement Agreement	Not reported
12. Pursuant to Settlement Agreement	Not reported
13. Committee Work	6
14. Meeting	41
99. Other	19
Total Number of Activities	89

Activities in the “Other” category consist of items that could not fit other types of activities. Some examples of the “other” activities are: newspaper interviews; event planning; information gathering; presentations to community groups (at the grassroots level); distributing NEOC information at special events; and networking at conferences. Tables 1 and 2 demonstrate the level of commitment the NEOC has to the State of Nebraska residents, employers, housing providers, etc. Although the greatest number of contacts (82%) has resulted from activities in the cities of Omaha and Lincoln, the NEOC does a great deal of outreach in the rest of the state.

Table 2: Number of Contacts by County in Nebraska.

Nebraska -County-	Number of Contacts
Adams	20
Cherry	2
Colfax	45
Dakota	63
Dawes	44
Dawson	318
Douglas	3,123
Gage	95
Lancaster	2,270
Madison	344
Sarpy	7
Statewide Activities	243
Total No. of Contacts	6,574

Table 3: Number of Contacts by City in Nebraska.

Nebraska -City-	Number of Contacts
Beatrice	95
Bellevue	7
Chadron	24
Crawford	20
Hastings	20
Lexington	318
Lincoln	2,270
Norfolk	344
Omaha	3,123
Schuyler	45
South Sioux City	63
Statewide Activities	243
Valentine	2
Total No. of Contacts	6,574

In all, the education and outreach strategies used have provided an opportunity for Nebraska residents to become more aware of their rights. This may include protecting themselves against discrimination and developing best practices to prevent a claim from being filed against them. By tapping into the leadership of the community or targeted group, the NEOC has provided local presence and support to help build a developing infrastructure or strengthen an existing one.

The NEOC understands the struggles of Nebraskans in the areas of civil and human rights and is an active part of each community to serve as a resource. The conditions of all Nebraska residents and persons currently employed or seeking employment in Nebraska are improved by the numerous partnerships with organizations and agencies having similar goals.

TABLE 1: CASE DISPOSITIONS
FROM 1999/00 TO 2005/06

FISCAL YEAR	99/00	00/01	01/02	02/03	03/04	04/05	05/06
New Cases Filed	1,400	1,430	1,457	1,337	1,483	1,507	1,365
Cases Closed	1,903	1,818	1,553	1,313	1,385	1,391	*1 1,337
Cases To Be Completed	1,559	1,169	1,073	1,096	1,195	1,311	*2 1,342
Conciliations Attempted	137	119	106	76	123	110	82
P.D.S./Mediation	127	168	140	108	127	139	75
Public Hearings Ordered	24	11	14	11	14	24	10
Public Hearings Final Orders	19	24	12	12	8	14	26
Public Hearings Pending	19	6	8	7	13	23	7

*1 Includes 1,239 Commission initial actions; 71 actions on cases in the conciliation stage; decision on 26 cases in the public hearing stage; and 1 case pursuant to civil action (housing).

*2 Includes cases to be investigated (1,294); cases in conciliation (41); cases in public hearing (7); and housing cases in civil action (0).

**TABLE 2: CASES OF ALLEGED DISCRIMINATION
FILED DURING PREVIOUS AND CURRENT YEARS BY STATUTE
1999/00 – 2005/06**

YEAR	FEPA	EQ PAY	AGE	HOUSING	PUBLIC ACCOMM.	TOTAL
1999/00	1,031	37	236	72	24	1,400
2000/01	1,083	21	249	68	9	1,430
2001/02	1,093	30	226	79	29	1,457
2002/03	1,030	23	203	54	27	1,337
2003/04	1,090	21	226	94	52	1,483
2004/05	1,113	20	288	36	50	1,507
2005/06	967	20	276	83	19	1,365

- FEPA** -FAIR EMPLOYMENT PRACTICE ACT
- EQ PAY** -EQUAL PAY ACT OF NEBRASKA
- AGE** -ACT PROHIBITING UNJUST DISCRIMINATION IN
EMPLOYMENT BECAUSE OF AGE
- HOUSING** -NEBRASKA FAIR HOUSING ACT
- PUBLIC ACCOM.** -NEBRASKA CIVIL RIGHTS ACT OF 1969 (PUBLIC
ACCOMMODATIONS)

OTHER CASE CHARACTERISTICS:

With our case tracking system, we are able to get an accurate count of the descriptive data for our case intake and production. Some of the data is summarized in the tables that follow:

TABLE 3: BASIS OF CHARGES FILED BY STATUTE
FY 2005/06

BASIS	EMPLOYMENT			HOUSING/PUBLIC ACCOM.		TOTALS
	FEPA	EQ PAY	AGE	HOUSING	PUBLIC ACCOM.	
RACE	280	0	0	17	10	307
COLOR	256	0	0	7	11	274
SEX	290	20	0	3	2	315
SEX-PREGNANCY	42	0	0	0	0	42
AGE (40-70)	0	0	249	0	0	249
RELIGION	23	0	0	0	0	23
NATIONAL ORIGIN/ ANCESTRY	176	0	0	50	11	237
DISABILITY	269	0	0	6	0	275
MARITAL STATUS	13	0	0	0	0	13
FAMILIAL STATUS	0	0	0	11	0	11
RETALIATION	267	1	46	5	0	319
RETALIATION (Whistleblower)	63	0	0	0	0	63

The Public Accommodations Act and Housing Act do not provide coverage in the areas of Marital Status and Age Discrimination.

TABLE 4: ISSUES IN EMPLOYMENT AND PUBLIC ACCOMMODATIONS CHARGES FILED IN FY 2005/06

<u>ISSUE</u>	<u>NUMBI</u>
Discharge	708
Terms and Conditions of Employment	330
Failure to Hire	150
Harassment	121
Constructive Discharge	118
Discipline	112
Reasonable Accommodation	85
Intimidation	69
Wages	68
Failure to Promote	65
Sexual Harassment	64
Demotion	26
Suspension	18
Other Employment Issues	14
Failure to Provide Public Accommodation	12
References Unfavorable	12
Assignment	11
Reinstatement	10
Benefits	8
Failure to Train	7
Layoff	6
Union Representation	6
Severance Pay Denied	3
Maternity	2
Apprenticeship	1
Tenure	1

TABLE 5: ISSUES IN HOUSING CHARGES FILED FY 2005/06

<u>ISSUE</u>	<u>NUMBE</u>
Terms, Conditions, Privileges Relating to Rental	38
Discriminatory Terms, Conditions, Privileges, or Services and Facilities	29
Discriminatory Acts under Section 818 (coercion, etc.)	28
Discrimination in Services and Facilities Relating to Rental	23
Refuse to Rent	5
Failure to Make Reasonable Accommodations	2
Other Housing Issues	2
Refusal to Negotiate For Sale	2
Terms, Conditions, Privileges Relating to Sale	2
Restriction of Choices Relative to a Rental	1
Deny or Make Housing available	1

TABLE 6: COMPLAINANT CHARACTERISTICS**FY 03/04**

<u>RACE</u>	<u>MALE</u>	<u>FEMALE</u>	<u>TOTAL</u>	<u>PERCENT</u>
White	267	457	724	49%
Black	218	185	403	27%
Hispanic/Mexican	138	69	207	14%
Asian/Pacific Islander	7	21	28	2%
Nat Am/Al Nat	15	11	26	2%
Middle Eastern	10	2	12	1%
Other	31	34	65	4%
TOTAL CHARGES FILED BY INDIVIDUALS	686	779	1,465	
NEOC Initiated/Multiple Entities	--	--	18	1%
TOTAL OF ALL CHARGES	686	779	1,483	100%

FY 04/05

<u>RACE</u>	<u>MALE</u>	<u>FEMALE</u>	<u>TOTAL</u>	<u>PERCENT</u>
White	286	453	739	49%
Black	223	210	433	29%
Hispanic	102	100	202	13%
Asian/Pacific Islander	9	11	20	1%
Nat Am/Al Nat	15	9	24	2%
Middle Eastern	13	3	16	1%
Other	29	42	71	5%
TOTAL CHARGES FILED BY INDIVIDUALS	677	828	1,505	
NEOC Initiated/Multiple Entities	--	--	2	0%
TOTAL OF ALL CHARGES	677	828	1,507	100%

FY 05/06

<u>RACE</u>	<u>MALE</u>	<u>FEMALE</u>	<u>TOTAL</u>	<u>PERCENT</u>
White	246	386	632	46%
Black	177	183	360	26%
Hispanic/Mexican	177	74	251	18%
Asian/Pacific Islander	3	8	11	1%
Nat Am/Al Nat	5	10	15	1%
Middle Eastern	2	0	2	1%
Other	30	58	88	6%
TOTAL CHARGES FILED BY INDIVIDUALS	640	719	1,359	
NEOC Initiated/Multiple Entities	--	--	6	1%
TOTAL OF ALL CHARGES	640	719	1,365	100%

TABLE 7: TOP TEN RESPONDENT BUSINESS TYPES FOR CHARGES FILED

<u>TYPE OF BUSINESS</u>	<u>FY 03/04</u>	<u>NUMBER</u>	<u>PERCENT</u>
1. Real Estate Operators and Lessors		75	5%
2. Eating, Drinking Places		72	5%
3. General Government		64	4%
4. Nursing, Personal Care Facilities		61	4%
5. Miscellaneous Business Services		52	4%
6. Services, NEC		50	3%
7. Meat Products		43	3%
8. Hospitals		43	3%
9. Personnel Supply Services		36	2%
10. Public Order and Safety		<u>34</u>	<u>2%</u>
TOTAL OF TOP TEN		530	35%
TOTAL OF ALL CHARGES		1,483	100%

<u>TYPE OF BUSINESS</u>	<u>FY 04/05</u>	<u>NUMBER</u>	<u>PERCENT</u>
1. Eating, Drinking Places		91	6%
2. General Government		64	4%
3. Hospitals		63	4%
4. Nursing, Personal Care Facilities		61	4%
5. Meat Products		58	4%
6. Services, NEC		55	4%
7. Miscellaneous Services		51	3%
8. Miscellaneous Business Services		51	3%
9. Railroads		41	3%
10. Real Estate Operators and Lessors		<u>33</u>	<u>2%</u>
TOTAL OF TOP TEN		568	37%
TOTAL OF ALL CHARGES		1,507	100%

<u>TYPE OF BUSINESS</u>	<u>FY 05/06</u>	<u>NUMBER</u>	<u>PERCENT</u>
1. General Government		86	6%
2. Real Estate Operators and Lessors		75	5%
3. Miscellaneous Business Services		70	5%
4. Nursing, Personal Care Facilities		63	5%
5. Eating, Drinking Places		53	4%
6. Hospitals		49	4%
7. Personnel Supply Services		42	3%
8. Meat Products		39	3%
9. Services, NEC		37	3%
10. Miscellaneous Manufactures		<u>32</u>	<u>2%</u>
TOTAL OF TOP TEN		546	40%
TOTAL OF ALL CHARGES		1,365	100%

TABLE 8: TOP TEN COUNTIES FOR CHARGES FILED

<u>COUNTY</u>	<u>FY 03/04</u>	<u>NUMBER</u>	<u>PERCENT</u>
1. Douglas		754	51%
2. Lancaster		233	15%
3. Sarpy		94	6%
4. Scotts Bluff		75	5%
5. Hall		40	3%
6. Adams		23	2%
7. Lincoln		23	2%
8. Madison		23	2%
9. Buffalo		19	1%
10. Platte		<u>18</u>	<u>1%</u>
TOTAL OF TOP TEN		1,302	88%
TOTAL OF ALL CHARGES		1,483	100%

<u>COUNTY</u>	<u>FY 04/05</u>	<u>NUMBER</u>	<u>PERCENT</u>
1. Douglas		792	52%
2. Lancaster		269	18%
3. Scotts Bluff		74	5%
4. Sarpy		55	4%
5. Hall		44	3%
6. Madison		30	2%
7. Lincoln		29	2%
8. Buffalo		19	1%
9. Dawson		15	1%
10. Saline		<u>15</u>	<u>1%</u>
TOTAL OF TOP TEN		1,342	89%
TOTAL OF ALL CHARGES		1,507	100%

<u>COUNTY</u>	<u>FY 05/06</u>	<u>NUMBER</u>	<u>PERCENT</u>
1. Douglas		671	49%
2. Lancaster		222	16%
3. Scotts Bluff		86	7%
4. Sarpy		67	5%
5. Dakota		51	4%
6. Lincoln		32	3%
7. Hall		27	2%
8. Dawson		19	1%
9. Madison		18	1%
10. Dodge		<u>16</u>	<u>1%</u>
TOTAL OF TOP TEN		1,209	89%
TOTAL OF ALL CHARGES		1,365	100%

TABLE 9: CHARGES NOT DOCKETED

In FY 05/06, the Commission conducted a total of 1,554 intake interviews, or screenings, which did not result in the docketing of a charge of discrimination.

FY 05/06

<u>Reason for Non-Filing</u>	<u>Lincoln</u>	<u>Omaha</u>	<u>Scottsbluff</u>	<u>Totals</u>
1. Respondent has too few employees	45	38	3	86
2. Allegations outside the Statute of Limitations	23	20	1	44
3. Complainant had no standing or basis to file	417	294	101	812
4. Informed of right to file, but declined to file	334	248	30	612
TOTAL NON-DOCKETED	819 (53%)	600 (39%)	135 (8%)	1,554 (100%)

TABLE 10: TECHNICAL ASSISTANCE TO THE PUBLIC

In addition to conducting screenings which led to no formal action by the Commission, the Commission staff also fielded 3,387 other inquiries from the public in FY 05/06. Those inquiries can be broken down as follows:

FY 05/06

<u>Actions Taken</u>	<u>Lincoln</u>	<u>Omaha</u>	<u>Scottsbluff</u>	<u>Totals</u>
5. General Questions Answered	379	680	20	1,079
6. Employer Inquires	391	421	1	813
7. Information Sent	167	108	3	278
8. Referred to an appropriate source of assistance	241	170	40	451
9. Complainant Inquiry	302	454	10	766
TOTALS	1,480 (44%)	1,833 (54%)	74 (2%)	3,387 (100%)
TOTALS - ALL CONTACTS	2,299 (47%)	2,433 (49%)	209 (4%)	4,941 (100%)

Along with the above stated data, there were 18,787 hits to the NEOC home page in FY 05/06. The web site is updated at least two times a month. The web site allows people to check upcoming Commission Meeting information, as well as Education and Outreach activities. Individuals also have the opportunity to learn about the Commission, the laws, and how to file a complaint.

TABLE 11: COMMISSION DETERMINATIONS

		FY	FY	FY
		03/04	04/05	05/06
Reasonable Cause	NEOC (moved to civil action)	10	10	0
	NEOC (moved to conciliation)	108	95	106
	Adopted (moved to conciliation)	16	11	2
No Reasonable Cause	NEOC	863	906	796
	Adopted	119	78	85
Pre-Determination Settlement	NEOC	69	85	50
	Adopted	17	20	11
Mediation	NEOC	23	34	14
	Adopted	18	0	0
Withdrawal With Settlement	NEOC	33	24	28
	Adopted	0	4	1
Withdrawal Without Settlement	NEOC	10	22	20
	Adopted	3	1	3
Failure to Locate	NEOC	5	9	9
	Adopted	0	0	0
Failure to Cooperate	NEOC	0	1	11
	Adopted	1	2	0
Lack of Jurisdiction	NEOC	42	55	48
	Adopted	0	2	4
Complainant Filing/Filed in Court	NEOC	27	18	21
	Adopted	28	10	7
Other	NEOC	2	3	2
	Adopted	1	4	129
Successful Conciliations	NEOC	29	32	23
	Adopted	6	9	1
Unsuccessful Conciliations (moved to public hearing or civil action)	NEOC	18	25	11
	Adopted	0	0	0

Table 11: COMMISSION DETERMINATIONS (continued)

		FY 03/04	FY 04/05	FY 05/06
Conciliations	Respondent Out of Business	0	0	0
	No Jurisdiction	0	0	0
	Failure to Accept Relief	0	0	0
	Failure to Cooperate	0	0	0
	Unable to Locate Complainant	0	0	0
	Withdrawal With Settlement	4	2	1
	Withdrawal Without Settlement	0	0	0
	Dismissals	22	16	24
	Complainant Filing/Filed in Court	44	25	22
	Adopted	0	1	0
Public Hearings	For Complainant	1	0	0
	For Respondent	1	3	5
	Negotiated Settlement	5	4	9
	Withdrawal With Settlement	0	3	1
	Withdrawal Without Settlement	0	0	0
	Failure to Locate	0	1	0
	Failure to Cooperate	0	1	1
	No Jurisdiction	0	0	0
	Bankruptcy of Respondent	0	0	0
	Complainant Filing/Filed in Court	1	2	9
	Other	1	0	1
	Adopted	0	0	0
	Civil Action (Housing)	Negotiated Settlements	0	2
Lack of Jurisdiction		0	0	1
Other		1	2	0

TABLE 12: COMMISSION INITIAL DETERMINATIONS BY STATUTE

FY 05/06

FAIR EMPLOYMENT PRACTICE ACT	AGE	EQUAL PAY	HOUSING	PUBLIC ACCOMM.	TOTALS
785	215	17	194	28	1,239

TABLE 13: LACK OF JURISDICTION BREAKDOWN

REASON FOR LACK OF JURISDICTION	FY 03/04
Not enough employees	15
Untimely filed	6
No harm under the Public Accommodations Law	5
No employer/employee relationship	4
Duplicate Filing	3
Complainant signed a valid release of claims	2
Proper Respondent not named	2
Discriminatory acts occurred in another state	2
Respondent does not meet definition of an employer	1
Federal entity	1
Advertisement not discriminatory on its face	1
TOTAL	42

REASON FOR LACK OF JURISDICTION	FY 04/05
Not enough employees	26
No harm under the Public Accommodations Law	11
No employer/employee relationship	8
Untimely filed	7
Proper Respondent not named	2
Federal entity	1
Private membership	1
Other	1
TOTAL	57

REASON FOR LACK OF JURISDICTION	FY 05/06
Not enough employees	19
No employer/employee relationship	12
Untimely filed	8
Other	4
Duplicate charge	3
Respondent no longer in business	2
Harm occurred out of state	2
Complainant not covered under the law	1
Proper Respondent not named	1
TOTAL	52

TABLE 14: COMPARATIVE CAUSE/SETTLEMENT FIGURES

FY 99/00 – 05/06

Fiscal Year	Cause & Settlements Percent of Initial Determinations	Combined Number of Cases
99/00	16.6	318
00/01	20.8	350
01/02	18.4	285
02/03	18.1	238
03/04	21.0	294
04/05	20.3	283
05/06	15.7	212

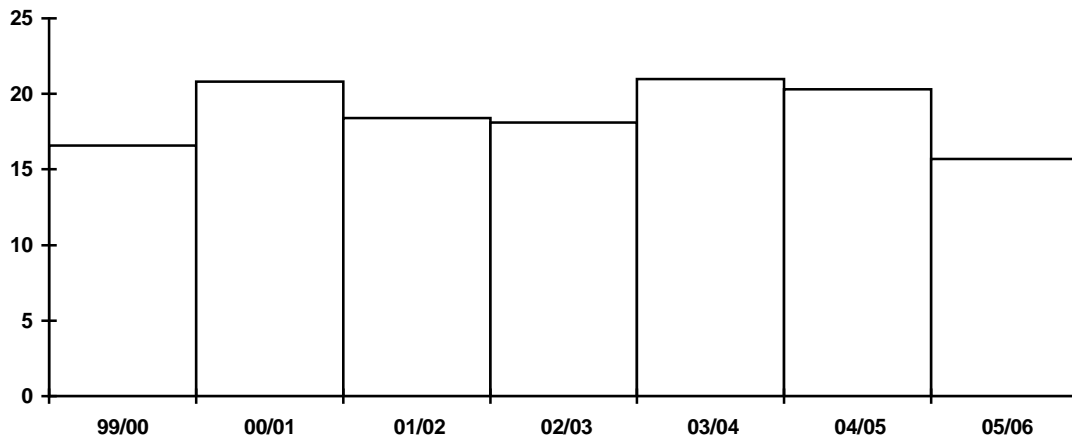


TABLE 15: TOTAL MONETARY RELIEF OBTAINED

	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06
Pre-Determination Settlements	\$*245,105	\$ *698,936	\$ *716,645	\$ *554,011	\$186,508	\$194,423	\$120,856
Mediation	0	0	0	0	155,733	197,098	128,201
Withdrawals with Settlement**	141,446	266,062	89,300	134,538	97,516	206,407	165,027
Conciliation	269,420	285,799	309,859	84,900	286,403	235,215	179,810
Public Hearing	38,235	38,500	13,656	0	132,392	22,800	41,000
Litigation***	0	102,980	0	6,130	0	32,300	23,500
TOTAL	\$ 694,206	\$1,392,277	\$1,129,460	\$779,579	\$858,552	\$888,243	\$658,394

* This amount includes cases that have been mediated.

** The benefits on some of the Commission's withdrawals with settlement are not known. The parties keep the terms of settlement confidential.

***These settlements were achieved by the Attorney General's Office on cases sent to their office for civil action/litigation.

TABLE 16: CASES UNINVESTIGATED

(Lincoln, Omaha, and Scottsbluff)

	FY 00/01	FY 01/02	FY 02/03	FY 03/04	FY 04/05	FY 05/06
<u>FISCAL YEAR 00/01</u>						
July - Dec. (2000)	155	4	0	0	0	0
Jan. - June (2001)	535	19	0	0	0	0
<u>FISCAL YEAR 01/02</u>						
July - Dec. (2001)		142	0	0	0	0
Jan. - June (2002)		538	21	1	0	0
<u>FISCAL YEAR 02/03</u>						
July - Dec. (2002)			159	3	1	0
Jan. - June (2003)			525	22	0	0
<u>FISCAL YEAR 03/04</u>						
July - Dec. (2003)				164	5	0
Jan. - June (2004)				694	26	3
<u>FISCAL YEAR 04/05</u>						
July - Dec. (2004)					354	26
Jan. - June (2005)					602	143
<u>FISCAL YEAR 05/06</u>						
July - Dec. (2005)						349
Jan. - June (2006)						586
TOTALS	744	708	705	884	988	1,107

TABLE 17: CASES UNINVESTIGATED

(LCHR, HUD and EEOC)

	FY 00/01	FY 01/02	FY 02/03	FY 03/04	FY 04/05	FY 05/06
<u>FISCAL YEAR 00/01</u>						
July - Dec. (2000)	111	9	7	0	0	0
Jan. - June (2001)	88	29	9	1	1	0
<u>FISCAL YEAR 01/02</u>						
July - Dec. (2001)		73	14	3	2	0
Jan. - June (2002)		84	38	1	1	0
<u>FISCAL YEAR 02/03</u>						
July - Dec. (2002)			68	8	3	1
Jan. - June (2003)			85	16	3	0
<u>FISCAL YEAR 03/04</u>						
July - Dec. (2003)				49	0	0
Jan. - June (2004)				68	23	0
<u>FISCAL YEAR 04/05</u>						
July - Dec. (2004)					63	10
Jan. - June (2005)					61	42
<u>FISCAL YEAR 05/06</u>						
July - Dec. (2005)						62
Jan. - June (2006)						72
TOTALS	401	343	365	274	285	187

TABLE 18: CHARGE INTAKE

	FY 03/04	FY 04/05	FY 05/06
Omaha	615 (41%)	804 (53%)	605 (44%)
Lincoln	721 (49%)	558 (37%)	579 (43%)
<u>Scottsbluff</u>	147 (10%)	145 (10%)	181 (13%)
TOTAL	1,483 (100%)	1,507 (100%)	1,365 (100%)

NOTES/HIGHLIGHTS

Total of 1,365 represents a 9% decrease from FY 04/05 intake, and an 8% decrease from FY 03/04 total intake.

Omaha total of 605 represents a 25% decrease from FY 04/05 office intake.

Lincoln total of 579 represents a 4% increase from FY 04/05 office intake.

Scottsbluff total of 181 represents a 25% increase from FY 04/05 office intake.

TABLE 19: INVESTIGATOR CASE COMPLETION

	FY 03/04	FY 04/05	FY 05/06
Investigations	981 (82%)	1,011 (80%)	902 (82%)
Settlements	125 (11%)	143 (11%)	92 (8%)
<u>Admin. Closures</u>	86 (7%)	108 (9%)	106 (10%)
TOTAL	1,192 (100%)	1,262 (100%)	1,100 (100%)

NOTES/HIGHLIGHTS:

Total of 1,100 completions represents a 13% decrease over FY 04/05 totals, and an 8% decrease over FY 03/04 totals.

Investigations (902) represents 82% of total, compared to 80% in FY 04/05 and 82% in FY 03/04.

Settlements (92) represents 8% of total, compared to 11% in FY 04/05 and 11% in FY 03/04.

Administrative Closures (106) represents 10% of total, compared to 9% in FY 04/05 and 7% in FY 03/04.

CASE COMPLETION SUMMARY TABLES
FY 01/02 – 05/06

TABLE 20: AVERAGE INVESTIGATION HOURS

	<u>FY 01/02</u>	<u>FY 02/03</u>	<u>FY 03/04</u>	<u>FY 04/05</u>	<u>FY 05/06</u>
Hours/File	8.9	9.2	8.7	8.8	18.3



TABLE 21: AVERAGE DAYS PER INVESTIGATION

	<u>FY 01/02</u>	<u>FY 02/03</u>	<u>FY 03/04</u>	<u>FY 04/05</u>	<u>FY 05/06</u>
Average Days	106.2	99.6	80.5	82.9	86.1



TABLE 22: FROM FILING TO ASSIGNMENT AND DETERMINATION, AVERAGE DAYS -- CAUSE/NO CAUSE ONLY

	<u>FY 01/02</u>	<u>FY 02/03</u>	<u>FY 03/04</u>	<u>FY 04/05</u>	<u>FY 05/06</u>
Filing to Assignment	82	104	126	146	171
Filing to Determination	230	239	240	257	296



TABLE 23: CONCILIATION TIME PER CASE

	<u>FY 01/02</u>	<u>FY 02/03</u>	<u>FY 03/04</u>	<u>FY 04/05</u>	<u>FY 05/06</u>
Hours Average	5	5	6	7	6
Days Average	61	74	63	82	64



TABLE 24: CAUSE/SETTLEMENT CASES

	<u>FY 01/02</u>	<u>FY 02/03</u>	<u>FY 03/04</u>	<u>FY 04/05</u>	<u>FY 05/06</u>
Percentage of Total Comm. Determinations	18%	18%	21%	20%	16%



TABLE 25: CAUSE CASES

	<u>FY 01/02</u>	<u>FY 02/03</u>	<u>FY 03/04</u>	<u>FY 04/05</u>	<u>FY 05/06</u>
Percentage of Cause and/or No Cause Cases	10%	9%	12%	11%	11%

TABLE 26: REASONABLE CAUSE CASES BY STATUTE

FY 05/06

FEPA	AGE	EQUAL PAY	HOUSING	PUBLIC ACCOM	TOTAL
59	18	0	27	4	108

TABLE 27: REASONABLE CAUSE CASES BY BASIS

FY 05/06

BASIS	CASES	BASIS	CASES
Race	21	Disability	23
Color	19	Religion	0
Sex	18	Marital Status	2
Sex-Pregnancy	3	Retaliation	16
National Origin	27	Retaliation – Whistleblower	1
Age	17	Familial Status	2

TABLE 28: REASONABLE CAUSE CASES BY ISSUE

FY 05/06

ISSUES	CASES	ISSUES	CASES
Hire	9	Constructive Discharge	5
Promote	10	Hostile Work Environment	1
Harassment	10	Conditions of Employment	18
Sex Harassment	2	Reasonable Accommodation	7
Demotion	2	Rent/Show House	2
Discipline	3	Terms Occupancy	23
Discharge	38	Public Services	1

TABLE 29: CONCILIATION SUMMARY

FY 05/06

Total Conciliations Attempted.....	82
Successful	24*
Unsuccessful (Forwarded to Hearing)	10
Unsuccessful (Forwarded to Civil Action-Housing)	1
Administratively Closed	47**
(See Breakdown Below)	
a. Withdrawal with Settlement	1
b. Withdrawal without Settlement	0
c. Failure of Complainant to Cooperate.....	0
d. Unable to Locate Complainant	0
e. Unsuccessful - Dismissals.....	24**
f. Lack of Jurisdiction.....	0
g. Complainant Filing in Court.....	22
h. Bankruptcy of Respondent.....	0
Total Dollars	\$179,810

*This figure includes 1 joint action.

**This figure includes 1 adopted decision.

TABLE 30: CONCILIATIONS

FISCAL YEAR	2001/02	2002/03	2003/04	2004/05	2005/06
Cases to Conciliation (Reasonable Cause)	100	84	124	106	108
Cases Pending from Prior Fiscal Year	17*	11	20**	19***	15
TOTAL CASES	117	95	144	125	123
Conciliations Attempted	106	76	123	110	82
Successful Conciliations	32	20	35	41	24
Unsuccessful Conciliations	21	11	18	25	11
Conciliations Administratively Closed	53	45	70	44	47
MONETARY RELIEF	\$309,859	\$84,900	\$286,403	\$235,415	\$179,810
Conciliation Pending	11	19	21	15	41

*The decision on one of the pending cases was reversed.

**A case was reinstated.

***The decision on two of the pending cases was reversed.

TABLE 31: SUCCESSFUL CONCILIATION DETAIL

DISCRIMINATORY ACT	AWARD TO COMPLAINANT
Perceived Disability (terms & conditions)	\$500
Retaliation, Race & Color (constructive discharge)	\$1250 & EEO Training
Race & Color (denied promotion)	Promoted to position, 8.8% increase in pay; \$3,131.25 back pay
Race & Color (harassment)	Training for supervisors; apology; \$450 attorney fees; \$3,000 compensatory
Sex (discipline & demotion)	\$1,500 back pay; assistance with application process; \$1,000 attorney fees; \$2,500 compensatory; removal of disciplinary docs.
Disability (failure to accommodate, termination)	\$68,500; \$1,500 attorney fees
Race, Color & Sex (disparate treatment)	\$3,800
Whistleblower (discipline)	Removal of discipline
Race & Color (termination)	\$5,500
Disability (failure to hire)	\$2,300; consideration for position & process to determine reasonable accommodations
Race & Color (terms & conditions)	\$750 back pay; \$1,000 compensatory; neutral reference
Age (termination)	\$7,000
Age & Sex (terms & conditions)	Uniform policy; EEO training; \$1,500
Sex, Race & Color (harassment & sex harassment)	EEO Training; \$6,000 compensatory
Perceived Disability (termination)	\$8,500
Familial Status (denial of rental opportunity)	Policy change; training; record keeping
Sex, Race & Color (termination)	\$9,500
Race, Color & Retaliation (harassment, failure to promote & termination)	\$10,000
Age, Race & Color (failure to promote and retaliation)	\$7,000; \$2,000 attorney fees
Race & Color (failure to promote)	\$3,330; education benefits of \$10,500
Familial Status (refusal to rent)	Apology; training

PUBLIC HEARINGS

In conformity with the Nebraska Fair Employment Practice Act, Section 48-1119, the Commission may take a case to Public Hearing if reasonable cause is found and attempts at conciliation are unsuccessful. The table below represents the Commission's activity after ordering Public Hearings in fiscal year 2005/2006, and the following tables give a brief composite of those hearings actually conducted during each respective fiscal year.

TABLE 32: PUBLIC HEARINGS

Fiscal Year	99/00	00/01	01/02	02/03	03/04	04/05	05/06
Numbered Ordered	24	11	14	11	14	24	10
Number Held*	3	1	2	4	2	3	5
Number Carried Over	14	19	6	8	7	13	23
Orders Issued (Final)	19	24	12	12	8	14	26
Backlog	19	6	8	7	13	23	7

*A full and complete hearing was conducted.

TABLE 33: PUBLIC HEARING DISPOSITION
JULY 2005 - JUNE 2006

Total Final Orders Issued	26
Outcome of Final Orders:	
Violation found	0
No Violation found	5
Settlement Prior to Hearing	9
Withdrawal with Settlement	1
Withdrawal without Settlement	0
Failure to Cooperate	1
Failure to Locate	0
Adopted	0
Bankruptcy of Respondent	0
Complainant Filing/Filed in Court	9
Other	1

TABLE 34: PUBLIC HEARING ORDERED; NOT HELD AS OF JUNE 30, 2006

<u>Complainant</u>	<u>Respondent</u>	<u>Case No.</u>	<u>Hearing Examiner</u>
Wilson	Kentucky Fried Chicken	2009-PA	Crawford
Atkins	Q-Edge	33184	Tringe
Conn	Omaha Performing Arts Society	35180	Moriarty
Cook	Union Pacific Railroad Co.	35226	Scudder

**TABLE 35: PUBLIC HEARING ORDERED; COMPLAINT NOT SIGNED BY
COMPLAINANT AS OF JUNE 30, 2006**

<u>Complainant</u>	<u>Respondent</u>	<u>Case No.</u>	<u>Hearing Examiner</u>
Funkhouser	DLR Group, Inc.	34823	Not Yet Assigned
Yeoman	DLR Group, Inc.	35854	Not Yet Assigned

**TABLE 36: PUBLIC HEARING HELD; NO RECOMMENDED ORDER ISSUED BY
THE HEARING EXAMINER AS OF JUNE 30, 2006**

<u>Complainant</u>	<u>Respondent</u>	<u>Case No.</u>	<u>Hearing Examiner</u>
Bockstadter	Beverly Enterprises-Nebraska	35065	Tringe

HEARING DISPOSITION SUMMARY
July 1, 2005 through June 30, 2006

NEB 1-03/04-1-33766

Willcoxon vs. Cash-Wa Distributing Co.
Race and Color (Termination)

The Complainant alleged discrimination based on Complainant's race and color. Complainant stated he was involved in an altercation involving another employee of Complainant's race. They agreed to pay for damages from the altercation. The Complainant was terminated along with three (3) other Black employees. Complainant states he had witnessed an incident between two (2) White employees and no action was taken against either of them. The Commission made a reasonable cause determination. The case was forwarded to public hearing. The Complainant notified the Hearing Examiner, before the public hearing, that he filed a complaint in State District Court. The Commission closed this case based on the Hearing Examiner's recommendation to dismiss this case.

NEB 2-03/04-2-33799

Middlebrooks vs. State of Nebraska, The Nebraska Supreme Court Douglas County Court House-Criminal Traffic Division
Retaliation (Constructive Discharge)

The Complainant alleged discrimination based on retaliation. The Complainant stated she entered into an agreement to resolve a previous charge. The Complainant contends Respondent violated the agreement and when she complained that Respondent violated the settlement agreement, Respondent did not reverse its decision and she felt forced to resign. The Commission made a reasonable cause determination. The case was forwarded to public hearing. The Hearing Examiner recommended dismissal of this case based on the fact the Complainant had requested a Notice of Right to Sue to file in court. The Commission accepted the Hearing Examiner's recommendation and dismissed this case.

NEB 2-03/04-4-34080

Lovelace vs. Olsen Dodge, Inc.
Race and Color (Harassment and Constructive Discharge)

The Complainant alleged discrimination based on his race and color. Complainant stated he was subjected to race related harassment. The Complainant complained about the harassment to the Respondent's owner, however, he failed to take action. As a result of the Respondent not taking action in response to Complainant complaint of racial harassment, Complainant was forced to resign. The Commission made a reasonable cause determination. The case was forwarded to public hearing. The Hearing Examiner recommended dismissal of this case based on the fact Complainant's attorney had requested a Notice of Right to Sue to file in court. The Commission accepted the Hearing Examiner's recommendation and dismissed this case.

NEB 2-02/03-12-32240
Mazzi vs. Big Red Keno
Whistleblower Retaliation (Termination)

The Complainant alleged discrimination based on retaliation (whistleblower). The Complainant alleged she was terminated after reporting another employee had violated a county, city and state regulation. . The Commission made a reasonable cause determination. The case was forwarded to public hearing. The Hearing Examiner recommended the Commission close this case because the parties settled the matter prior to a public hearing. The Commission accepted the Hearing Examiner's decision and closed this case.

NEB 2-02/03-4-32689
Southworth vs. Qwest Communications, Inc.
Sex (Termination)

The Complainant alleged discrimination based on his sex. The Complainant stated he was terminated for alleged sexual harassment toward a female coworker. The Complainant stated his performance was satisfactory and he denies being involved in any sexual harassment. . The Commission made a reasonable cause determination. The case was forwarded to public hearing. Prior to a public hearing the parties notified the Hearing Examiner by a Joint Stipulation for Dismissal Without Prejudice that the parties have agreed to arbitrate all of Complainant's employment claims against the Respondent. The Hearing Examiner recommended dismissal and the Commission accepted the Hearing Examiner's recommendation.

NEB 1-03/04-10-33405
Boose vs. Furniture on Consignment Inc d/b/a Rod Kush's Rent Own
Race, Color and Sex (Failure to Interview or Hire/Promote and Constructive Discharge)

The Complainant alleged discrimination based on Complainant's race, color and sex. The Complainant stated she was hired for a customer service position and although she was qualified for a management trainee position, she was not interviewed or hired. Complainant later applied for a management trainee position and was the only employee required to fill out an application for promotion. Complainant stated she was not interviewed or hired/promoted. The Complainant felt forced to resign. . The Commission made a reasonable cause determination. The case was forwarded to public hearing. The Complainant requested a dismissal of this matter in anticipation of filing the matter in district court. The Hearing Examiner found sufficient cause to dismiss this case and recommended to the Commission that the request to dismiss be adopted by the Commission. The Commission accepted the Hearing Examiner's recommendation and closed this case.

NEB 2-03/04-8-33062

Thomas vs. Bucky's Express Food Shops

Race and Color (Harassment, Terms and Conditions and Termination)

The Complainant alleged she was subjected to disparate treatment and harassment. The Complainant was terminated and she states her performance was satisfactory and she had not been advised of performance problems. The Commission made a reasonable cause determination. The case was forwarded to public hearing. The Commission received a "Notice of Right to Sue" from the US Equal Employment Opportunity Commission which was issued at the request of the Complainant's attorney. The Hearing Examiner issued a Recommended Order of Dismissal which the Commission accepted and closed this case.

NEB 2-02/03-3-32649

Snoddy vs. Darmco Corporation d/b/a McDonald's

Race, Color and Retaliation (Harassment and Termination)

The Complainant alleged she was subjected to harassment and racially derogatory comments. Complainant's father complained to Respondent's owner about the harassment but it continued and she was subjected to retaliation. Complainant was subsequently terminated. The Commission made a reasonable cause determination. The case was forwarded to public hearing. Prior to the public hearing the parties entered into a settlement and the case was dismissed based on the Hearing Examiner's Recommended Order approving the conciliation agreement.

NEB 2-02/03-3-32650

Hutcherson vs. Darmco Corporation d/b/a McDonald's

Race, Color and Retaliation (Harassment and Termination)

The Complainant stated he was subjected to harassment and racially derogatory comments. He complained to Respondent's owner about the harassment but it continued and he was subjected to retaliation. The Complainant was subsequently terminated. The Commission made a reasonable cause determination. The case was forwarded to public hearing. Prior to the public hearing the parties entered into a settlement and the case was dismissed based on the Hearing Examiner's Recommended Order approving the conciliation agreement.

NEB 2-02/03-3-32651

Hutcherson vs. Darmco Corporation d/b/a McDonald's

Race, Color and Retaliation (Harassment and Termination)

The Complainant stated she was subjected to harassment and racially derogatory comments. She complained to the assistant manager and corporate manager, but the comments continued. Her husband complained to the Respondent's owner about the harassment but the harassment continued and she was subjected to retaliation. The Complainant was subsequently terminated. The Commission made a reasonable cause determination. The case was forwarded to public hearing. Prior to the public hearing the parties entered into a settlement and the case was dismissed based on the Hearing Examiner's Recommended Order approving the conciliation agreement.

NEB 2-03/4-7-32895

**Ramsey vs. NE/Health and Human Services
Retaliation (Terms and Conditions)**

The Complainant stated he was retaliated against after filing a previous charge against the Respondent. The Commission made a reasonable cause determination. The case was forwarded to public hearing. Prior to the public hearing the parties entered into a settlement and the case was dismissed based on the Hearing Examiner's Recommended Order approving the conciliation agreement.

NEB 2-02/03-10-32113

**McQuade vs. Omaha Children's Museum
Disability (Termination)**

The Complainant stated she was terminated due to her disability. She stated she is capable and qualified to perform the essential functions of her position with the accommodation of medical leave for necessary treatments. The Commission made a reasonable cause determination. The case was forwarded to public hearing. The Hearing Examiner issued a Recommended Order to dismiss this case because the Complainant is not participating in the public hearing process. The Commission accepted the Hearing Examiner's recommendation and closed this case.

NEB 1-02/03-7-31838

**Mohr vs. AFL, LLC d/b/a Anderson Ford
Sex and Retaliation (Sexual Harassment and Termination)**

The Complainant stated she was subjected to sexual harassment. The Complainant stated she reported the harassment but no action was taken. The Complainant then complained again and was forced to give two weeks notice. Later the same day she was terminated with no reason given. The Commission made a reasonable cause determination. The case was forwarded to public hearing. Prior to the public hearing the parties entered into a settlement and the case was dismissed based on the Hearing Examiner's Recommended Order approving the conciliation agreement.

NEB 2-02/03-3-32596

**Newman vs. Qwest Communications, Inc.
Sex (Termination)**

The Complainant stated he was terminated for alleged sexual harassment toward a female coworker. Complainant stated Respondent was made aware of incidents of sexual harassment toward him and other male employees by a couple of female employees, however, no disciplinary action was taken nor were they terminated. The Commission made a reasonable cause determination. The case was forwarded to public hearing. Prior to the public hearing the Complainant was in receipt of his Notice of Right to Sue from the US Equal Employment Opportunity Commission so the Commission closed this case based on the fact the Complainant intended to pursue this matter in court.

NEB 2-04/05-1-1977

Navarro vs. Ken Nadrchal

Race and National Origin (Terms and Conditions of Rental)

The Complainant alleged he was treated differently than his housemate in that Respondent did not harass or treat his housemate the same. The Commission made a reasonable cause determination. The case was forwarded to public hearing. Prior to the public hearing the Complainant submitted a Request to Withdraw his charge based on the fact he had reached a settlement with the Respondent. The Hearing Examiner ordered this case be dismissed based on the withdrawal and settlement.

NEB 2-03/04-8-33068

Panford vs. Omaha World Herald

National Origin and Retaliation (Harassment and Termination)

The Complainant alleged he was harassed and when he brought this to the attention of the District manager and someone in human resources, no action was taken. The Complainant alleged he was terminated in retaliation for complaining about the harassment he received. The Commission made a reasonable cause determination. The case was forwarded to public hearing. The Hearing Examiner recommended the Commission find in favor of the Respondent. The Commission accepted the Hearing Examiner's recommendation and closed this case.

NEB 2-03/04-5-34128

Neal vs. USF Dugan, Inc.

Race and Color (Termination)

The Complainant stated he was terminated for the severity of an on the job motor vehicle accident and for failure to maintain control. Complainant alleged other white drivers have had similar to more severe accidents or have had more than one accident and have not been terminated. The Commission made a reasonable cause determination. The case was forwarded to public hearing. Prior to the hearing, the Hearing Examiner received a Motion to Dismiss with Prejudice because the parties had reached a settlement. The Hearing Examiner recommended the Commission close this case based on the settlement. The Commission accepted the Hearing Examiner's recommendation and dismissed this case.

NEB 2-04/05-10-1965

**Walton vs. Fantasy's Food & Fuel #5
Race and Color (Denied Service)**

The Complainant alleged that despite both she and her friend having valid photo identification cards, Respondent refused to allow them to purchase cigarettes. The Commission made a reasonable cause determination. The case was forwarded to public hearing. The Hearing Examiner recommended the Commission find in favor of the Respondent. The Commission accepted the Hearing Examiner's recommendation and closed this case.

NEB 2-03/04-8-1804

**Franklin vs. Joslyn Art Museum
Race and Color (Denied Public Accommodation)**

The Complainant alleged while attending the Respondent's concert, the group of people he was with were told to clear the area. The Complainant contends the Respondent intentionally provided misinformation to the Omaha Police Department leading them to target the Complainant's group to leave the premises. The Commission made a reasonable cause determination. The case was forwarded to public hearing. The Hearing Examiner recommended the Commission find in favor of the Respondent. The Commission accepted the Hearing Examiner's recommendation and closed this case.

NEB 2-03/04-6-34217

**Long vs. Douglas County Register of Deeds
Disability (Failure to Accommodate)**

The Complainant stated that he was able to perform the essential functions of the job with an accommodation; however, the Respondent failed to accommodate him. The Commission made a reasonable cause determination. The case was forwarded to public hearing. Prior to the public hearing, the parties notified the Hearing Examiner they reached a settlement. The Hearing Examiner recommended the Commission close this case. The Commission accepted the Hearing Examiner's Amended Recommended Order and closed the case.

NEB 2-04/05-7-34433

**Thomas vs. Hy-Vee, Inc.
Race and Color (Termination)**

The Complainant stated that he was terminated from employment due to not returning from vacation on time and did not notify the Respondent. The Complainant stated he did notify the Respondent and his comparators had a no call/no show and were not terminated. The Commission made a reasonable cause determination. The case was forwarded to public hearing. The Hearing Examiner issued a Recommended Order recommending closure of the case granting Complainant's Attorney's Motion to Close Hearing. The Commission accepted the Hearing Examiner's Recommended Order and closed the case.

NEB 2-04/05-7-34291

**Jones vs. Metropolitan Utilities District
Retaliation (Terms and Conditions)**

The Complainant filed a workplace/harassment complaint through Human Resources and was then retaliated against in that he received a written warning for failing to arrive at a job site without proper materials and received a written notice alleging that he failed to adequately perform his duties. The Complainant alleges that other employees who have not made race, color complaints are not similarly treated. The Commission made a reasonable cause determination. The case was forwarded to public hearing. Prior to the public hearing, the Complainant requested his Right to Sue from the US Equal Employment Opportunity Commission. The Hearing Examiner recommended the case be dismissed based on the Complainant receiving his Right to Sue letter from the EEOC. The Commission accepted the Hearing Examiner's Recommended Order for Closure and dismissed this case.

NEB 2-04/05-2-1986

**Woodruff vs. Aspen Ridge Apartments
Sex and Retaliation (Sexual Harassment)**

The Complainant alleges she was sexually harassed by the Respondent's maintenance person and that she was retaliated against by the Respondent not renewing her lease. The Commission made a reasonable cause determination. The case was forwarded to public hearing. The Hearing Examiner dismissed this case because the Complainant filed a civil action in the District Court of Douglas County.

NEB 1-03/04-2-33876

**Traylor vs. NE Dept of Correctional Services
Retaliation (Terms and Conditions)**

The Complainant alleged retaliation discrimination. The Complainant stated that during her employment she had reported harassment and then was retaliated against for these reports. The Commission made a reasonable cause determination. The case was forwarded to public hearing. The Hearing Examiner recommended the Commission find in favor of the Respondent. The Commission accepted the Hearing Examiner's recommendation and closed this case.

NEB 2-04/05-10-34815

**Roberts vs. Douglas County Health Center
Disability (Terms and Conditions)**

The Complainant alleged that Respondent perceived her as having a disability and subjected her to different terms and conditions than other employees because of that perception. The Commission made a reasonable cause determination. The case was forwarded to public hearing. The Hearing Examiner recommended the Commission find in favor of the Respondent. The Commission accepted the Hearing Examiner's recommendation and closed this case.

NEB 2-03/04-4-33981

Witcher, Jr. vs. Omaha Paper Stock Co.

Race and Color (Termination)

The Complainant stated he was terminated for allegedly violating one of Respondent's policies. Complainant alleges a white employee violated the same policy and was not terminated. The Commission made a reasonable cause determination. The case was forwarded to public hearing. Prior to the public hearing the parties entered into a settlement and the case was dismissed based on the Hearing Examiner's Recommended Order of Dismissal approving the conciliation agreement.