

**CITY OF LINCOLN, NEBRASKA
COMMISSION ON HUMAN RIGHTS
MINUTES**

THURSDAY, JUNE 28, 2012
CITY COUNCIL CHAMBERS
555 S. 10TH STREET

The June 28, 2012 meeting of the Commission on Human Rights was called to order at 4 p.m. by Chairperson Gene Crump.

ROLL CALL:

The roll call was called and documented as follows:

MEMBERS PRESENT:

Commissioners: Hazell Rodriguez, Bennie Shobe, Wendy Francis, Sue Oldfield, and Gene Crump, Chairperson. Quorum present.

MEMBERS ABSENT:

Commissioners: Mary Reece, Takako Olson and Liz King

STAFF PRESENT:

Director Kimberley Taylor-Riley, Angela Lemke, Margie Nichols, Nichole Hope-Bauman, Loren Mestre-Roberts and Janice Folkner.

APPROVAL OF MAY 31, 2012 MINUTES:

A motion was made by Commissioner Francis and seconded by Commissioner Oldfield to approve the minutes of the May 31, 2012 meeting as presented.

Hearing no discussion, Chairperson Crump asked for the roll call. Voting "aye" was: Commissioners Shobe, Francis, Oldfield, Rodriguez and Crump. Motion carried.

APPROVAL OF JUNE 28, 2012 AGENDA:

A motion was made by Commissioner Francis and seconded by Commissioner Rodriguez to approve the June 28, 2012 meeting agenda.

Hearing no discussion, Chairperson Crump asked for the roll call. Voting "aye" was: Commissioners Francis, Oldfield, Rodriguez, Shobe and Crump. Motion carried.

CASE DISPOSITIONS:

LCHR No.: 11-1005-034-E-R

A motion for a finding of **No Reasonable Cause** on all allegations was made by Commissioner Francis and seconded by Commissioner Rodriguez.

Discussion ensued. A question was raised if there was any sick leave available for sick children or employee sick leave. Investigator Nichols said there was not any sick leave for them, but the employees are to let the employer know ahead of time if they will be gone. It was then asked if the Respondent was notified before the Complainant was going to be gone. Nichols stated the Complainant did not tell anyone she would be gone until after she returned to work.

It was then asked whether the Complainant notified a supervisor of an unhappy caller. Nichols stated that the Complainant reported she did call the supervisor and stated the supervisor told her to tell the caller that someone would return the call in the morning. Nichols said the Respondent stated that the Complainant failed to tell him that the call was urgent and that the caller kept calling back. It was then asked whether it was disputed the Supervisor told the Complainant to put the call into an empty extension. Nichols replied the Supervisor said he never told the Complainant to do that.

It was then asked for an explanation of the time line of the complaint and the determination of the EEOC. Nichols stated when the decision is made, the Complainant is then issued a Notice of Right to Sue, then from that date they have 90 days to file their complaint with the Court. If no action is taken during that time frame, the Notice of Right to Sue expires.

Hearing no further discussion, voting "aye" was: Commissioners Oldfield, Rodriguez, Shobe, Francis and Crump. Motion carried.

LCHR No.: 11-1024-006-PA

A motion for a finding of **No Reasonable Cause** on all allegations was made by Commissioner Francis and seconded by Commissioner Oldfield.

Discussion ensued. It was asked whether there were different policies for different locations of this Respondent. Investigator Lemke stated the policy does not appear to be very clear. It was asked whether there was an overall written policy. Lemke said the policy she was given seemed to be more focused on check cashing rather than money grams. It was then asked if this appeared to be an issue of race. Lemke stated there was no evidence indicating it had anything to do with race. She further explained the ID the Complainant presented was not sufficient. It was also questioned whether it may have had anything to do with the clientele that frequents that particular store. Lemke again replied there was no evidence of that.

Hearing no further discussion voting “aye” was: Commissioners Rodriguez, Shobe, Francis, Oldfield and Crump. Motion carried.

LCHR No.: 12-0301-009-E-R

A motion for a finding of **No Reasonable Cause** on all allegations was made by Commissioner Francis and seconded by Commissioner Shobe.

Discussion ensued. It was questioned whether the Complainant was paid for the hours she had worked. Lemke stated she received payment after she filed the complaint. It was questioned if the Respondent agreed with the statement made by the Complainant that she was sent home after being called into work. Lemke stated the Respondent denied that ever happened. The Respondent also explained the employees are called if they do not need to come in on a particular day.

Hearing no further discussion voting “aye” was: Commissioners Shobe, Francis, Oldfield, Rodriguez and Crump. Motion carried.

LCHR No.: 12-0315-006-H

A motion for a finding of **No Reasonable Cause** on all allegations was made by Commissioner Francis and seconded by Commissioner Oldfield.

Discussion ensued. It was asked if the Respondent had record of the paperwork that was done with the tenant that the apartment was rented to. Nichols stated there was a copy of the application and lease, which was clear this was in the process before the Complainant applied for an apartment. Nichols further explained the Complainant admitted she was told by the Respondent that if the lease fell through he would call her. Nichols also added there was record that the Respondent had rented an apartment in the past to someone with children.

Hearing no further discussion voting “aye” was: Commissioners Francis, Oldfield, Rodriguez and Crump. Voting “nay” was: Commissioner Shobe. Motion carried.

PRE-DETERMINATION SETTLEMENTS

LCHR No.: 12-0321-007-H

A motion was made by Commissioner Francis and seconded by Commissioner Oldfield to accept the pre-determination settlement as presented.

Hearing no discussion, Chairperson Crump asked for the roll call. Voting “aye” was: Commissioners Oldfield, Rodriguez, Shobe, Francis and Crump. Motion carried.

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LCHR No.: 12-0409-008-H

A motion was made by Commissioner Francis and seconded by Commissioner Shobe to accept the pre-determination settlement as presented.

Hearing no discussion, Chairperson Crump asked for the roll call. Voting "aye" was: Commissioners Shobe, Francis, Oldfield and Crump. Abstaining was: Commissioner Rodriguez. Motion carried.

LCHR NO.: 12-0507-009-H

A motion was made by Commissioner Francis and seconded by Commissioner Oldfield to accept the pre-determination settlement as presented.

Hearing no discussion, Chairperson Crump asked for the roll call. Voting "aye" was: Commissioners Shobe, Francis, Oldfield and Crump. Abstaining was: Commissioner Rodriguez. Motion carried.

LCHR No.: 12-0507-023-E-R

A motion was made by Commissioner Francis and seconded by Commissioner Oldfield to accept the pre-determination settlement as presented.

Hearing no discussion, Chairperson Crump asked for the roll call. Voting "aye" was: Commissioners Francis, Oldfield, Rodriguez, Shobe and Crump. Motion carried.

OLD BUSINESS: None

NEW BUSINESS: None

PUBLIC COMMENTS: Loren Mestre-Roberts announced there will be a celebration at Park Middle School for World Refugee Day on June 30, 2012 from 2:00 p.m. - 6:00 p.m. They will be presenting information about all the different cultures that live here in Lincoln.

Next Meeting: The next meeting will be held on Thursday, July 26, 2012 at 4:00 p.m. in the City Council Chambers at the County City Building at 555 S. 10th Street.

ADJOURNED: The meeting adjourned at 4:37 p.m.