

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

**Thursday, August 27, 2009
City Council Chambers**

CALL TO ORDER:

The August 27, 2009 meeting of the Commission on Human Rights was called to order at 4:00 P.M. by Chairperson Wendy Francis.

ROLL CALL:

The roll was called and documented as follows:

MEMBERS PRESENT:

Commissioners Karla Cooper, Gene Crump, David Fikar, Wendy Francis, Sitaram Jaswal, Jose Quintero and Hazell Rodriguez.

MEMBERS ABSENT:

Commissioners Lori Lopez-Urdiales, Dick Noble

STAFF PRESENT:

Director Larry Williams, Senior Civil Rights Investigator Angela Wortman, Civil Rights Investigator Margie Nichols, Interim Senior Office Assistant Mary Reece, and Summer Youth Works employee Keri Anderson.

APPROVAL OF JUNE 25, 2009 MINUTES:

A motion was made by Commissioner Crump and seconded by Commissioner Fikar to approve the minutes of the previous meeting. Chairperson Francis then asked for the roll call. Voting "aye" were: *Commissioners Cooper, Crump, Fikar, Jaswal, Quintero, and Francis*. Abstaining was Commissioner Rodriguez.
Motion carried 6-0-1.

APPROVAL OF AUGUST 27, 2009 AGENDA:

A motion was made by Commissioner Fikar and seconded by Commissioner Cooper to approve the August 27, 2009 meeting agenda.
Ayes: *Commissioners Cooper, Crump, Fikar, Jaswal, Quintero, Rodriguez, and Francis*.
Nays: *none*
Abstaining: *none*

Motion carried 7-0.

CASE DISPOSITIONS:

LCHR No.: 08-1215-072-E-R

Motion: A finding of **No Reasonable Cause**

By: *Commissioner Crump*

Second: *Commissioner Fikar*

Commissioner Rodriguez excused herself from the discussion because of a conflict of interest. Commissioner Fikar opened the discussion by asking whether the Complainant's hours had really decreased. Investigator Wortman said yes, they had slightly, but comparable hours had also decreased. Commissioner Fikar asked whether the reason for the decrease in hours was due to the rate in pay; Investigator Wortman said it was mentioned in the Respondent's response but it was not brought up during the on-site interview, the decrease in hours was mainly due to business needs. Commissioner Fikar asked if going by the rate of pay when deciding whose hours to cut would not then create a disparate impact; the one making the most would probably be an older employee who has been there longer. Investigator Wortman said this could possibly be the case.

Hearing no further discussion, Chairperson Francis then asked for the roll call.

Ayes: *Commissioners Cooper, Crump, Fikar, Jaswal, Quintero and Francis*

Nays: *none*

Abstain: *Commissioner Rodriguez*

Motion: Finding of **No Reasonable Cause** carried 6-0-1

LCHR No.: 08-1229-075-E-R **Split Decision**

Motion: A finding of **No Reasonable Cause** on the basis of disability.

By: *Commissioner Fikar*

Second: *Commissioner Crump*

Chairperson Francis said it had been brought to her attention that there was an incorrect case number and asked what the correct case number should be. Investigator Nichols said it should be -29. Commissioner Crump requested that the case number be read in its entirety. Chairperson Francis said the case number was 08-1229-075-E-R. Investigator Nichols apologized and stated the case number was wrong only on the Executive Summary, but correct elsewhere. Commissioner Fikar commented that it did not appear that the Complainant had a disability that limited her in any major life areas.

Hearing no further discussion, Chairperson Francis then asked for the roll call.
Ayes: *Commissioners Cooper, Crump, Fikar, Jaswal, Quintero, Rodriguez and Francis.*
Nays: *none*
Abstain: *none*
Motion: Finding of **No Reasonable Cause** carried 7-0.

Motion: A finding of **Reasonable Cause** on the basis of sex/pregnancy.
By: *Commissioner Crump.*
Second: *Commissioner Cooper.*

Commissioner Rodriguez initiated the discussion by stating she had some issues with the recommendation and was not in agreement with it. She continued that she saw a variety of reasons for the termination, some fair, some unfair, however she did not see evidence of discrimination. Investigator Nichols replied it was tougher for pregnancy discrimination cases. She continued that courts have said that when a Respondent gives a myriad of explanations, depending on whether those explanations can be found to be credible or not credible, that could indicate pretext. Investigator Nichols said what it came down to was did she find the reasons the Respondent gave credible or was there the possibility of pretext because there were no direct statements or direct evidence supporting the claim of pregnancy discrimination. She continued that when she examined those and prepared the case, they did not seem credible. Investigator Nichols said that when all allegations were removed, she was left with a pregnant female who was known to be an excellent bartender; the Respondent had an open bartending position available and instead of giving the Complainant that position, as they had done for another female manager in another location, the Respondent terminated the Complainant and put a non-pregnant female in her place. Investigator Nichols added that we were looking at whether the reasons given for termination were pretext and whether there was a connection between the Complainant being pregnant and between this action happening, Commissioner Rodriguez commented that she was looking at a couple of points. She stated it was not sufficient to disbelieve the employer but one must also believe the plaintiff. She added that when one looked at what evidence they had that the termination was related to her pregnancy, the only thing she could find was a comment initially made along the lines of the employer wanting to make sure the Complainant had people there to help her or that she should take things easy. However, the employer said this was not in reference to her pregnancy but due to the fact that the Complainant had just sustained an injury and had, in fact, reinjured herself. Commissioner Rodriguez stated that was the only mention she saw anywhere that this case had anything to do with pregnancy and the Complainant still had to meet the first prong, which a prima facie case that this was related to that? Investigator Nichols felt what Commissioner Rodriguez was talking about referred to direct evidence and she was correct, there was no direct evidence. Investigator Nichols continued that courts have said, one must look to see if there is a pretext and a nexus; if the reasons

given by the Respondent were actually pretext in order to discriminate against the Complainant based on pregnancy. She added that if we believe there is a nexus between her termination and her being pregnant; then she does meet the prima facie to qualify for a case. Investigator Nichols also stated that the question is whether the Commissioners believed the nexus and whether it was pretext.

Commissioner Cooper stated she felt it went back to the Complainant's work history, the advertisement in the newspaper, the Complainant wanting to take the demotion and being denied that opportunity. Commissioner Rodriguez said it was not clear that the Complainant wanted to take a demotion. Investigator Nichols said the Complainant was in fact willing to take the demotion. Commissioner Rodriguez asked if the employer had been aware that the Complainant was willing to take a demotion because the file indicated the employer denied the Complainant ever said she would be willing to work as a bartender. She continued that given some of the other problems the employer had with the Complainant, she did not see it as irrational for Respondent to want to terminate the Complainant. Commissioner Rodriguez said going back to the issue of prima facie, on page 21, it said "the prima facie raises the inference of discrimination only because we presume these facts, if otherwise unexplained, are more likely than not based on the consideration of impermissible factors." Commissioner Rodriguez asked what the facts were that otherwise explained the termination. Investigator Nichols said that was also what she had been left with. She added that looking at all the reasons given to her by the Respondent, and she had examined each of them as thoroughly and carefully as she could to see if they were legitimate and credible.

Commissioner Fikar inquired if it was the same group that owned three bars in Lincoln and that staff had been rearranged at all three. Commissioner Fikar asked if one manager had been dropped at each place. Investigator Nichols said no, what had been done was in one location, near the location in question; four managers were removed or demoted to bartender or kitchen positions. She added that two of them were equal in position to the Complainant and both had been demoted to bartender. Commissioner Fikar asked if they had said they wanted to be bartenders or were they offered that position. Investigator Nichols stated they had been offered that position. Commissioner Fikar asked if any of them were pregnant women and Investigator Nichols said no, but one was female. Commissioner Fikar asked about the next location. Investigator Nichols explained a manager was taken from the third location and made a general manager over two locations and promoted a bartender from the third location to assistant manager over these two locations. Investigator Nichols continued there were no demotions or terminations from the third location. Commissioner Fikar clarified that nobody lost their job except for the Complainant and Investigator Nichols said this was correct.

Commissioner Rodriguez said the only comparable available was an employee who had been pregnant, had gone through her pregnancy and then come back. Investigator Nichols expressed doubt as to whether it could be a comparable since the two were not really similarly situated. She continued that the two did not have the same supervisor; they were at two different locations with two very different atmospheres and clientele. Investigator Nichols said that while there were some things in common – both female, both pregnant. She added the Complainant had a different title than the comparable, manager versus bartender. Commissioner Rodriguez commented that she had problems with this situation because some of the reasons given for the termination and considered to be a pretext were also some of the issues cited in the disability complaint where no reasonable cause was found. She continued that when looking at the pregnancy claim, she saw even less reason for it because there was nothing about her pregnancy. Investigator Nichols said the disability claim failed because it did not meet the definitions set by the ADA for disability. Commissioner Fikar said that was his impression, as well. Commissioner Rodriguez said that ultimately, in her mind, some of the analysis was the same as to all the different reasons given by the Complainant as to why she felt she was treated unfairly. Investigator Nichols said if short-term disability was considered a disability under the ADA, she would agree.

Commissioner Jaswal asked about the selling of the surfboard and said it seemed to be a serious matter. Investigator Nichols said she would agree but added that there had been no attempt to hide it. She continued that it had occurred during regular business hours when customers and other staff were there, the Complainant received assistance and offered to pay the individual who assisted her. Investigator Nichols said when she thought of deceit, it involved hiding an action. Investigator Nichols said the Respondent; on the other hand, allege that those who received the money got it as 'hush money'. Commissioner Rodriguez stated that theft or not, the actions were still inappropriate and framed the concerns of the employer about trusting this individual. Chairperson Francis asked if there had been any previous mention of the incident or whether the Respondent brought it up because the complaint had been filed. Investigator Nichols said no. Commissioner Fikar commented the Complainant could have been fired right on the spot and that would have been that. Commissioner Rodriguez asked if there had not been a conversation about the incident. Investigator Nichols said yes, but again each side gave completely different interpretations.

Commissioner Cooper asked if the Complainant's work schedule had indeed changed after it was made known that she was pregnant. She added that there was the correlation that things were ok until she made it known that she was pregnant, then there suddenly was overcompensation of "you have to have releases from two physicians now". Commissioner Fikar asked if it were confirmed that her hours were reduced by at least two days a week. Investigator Nichols answered no, that was what the Complainant was originally alleging; but that for the schedules in question, the

Complainant actually made the changes herself to accommodate requests for time off for other employees and then gave herself more hours to come up to 35 hours a week. Investigator Nichols added that neither the Complainant nor the Respondent had the original schedules so that these could be compared. She continued the only schedule she had was the one from the Complainant's last week of work, and that she did find that looking at that schedule the Complainant's hours were quite a bit lower than other employees.

Commissioner Cooper posed the question of how a case could be determined based on look-ism, which is exactly what this case was. She continued she could imagine someone saying "who wants to go to a bar and look at a pregnant bartender?" Commissioner Cooper said the underlying thesis of this case is discrimination. Investigator Nichols said one of the witnesses offered the comment "you just don't see pregnant women as bartenders". Commissioner Rodriguez commented that nothing in the facts indicates this was the reason and that a pregnant woman remained employed at another bar.

Commissioner Jaswal asked if the Complainant informed the Respondent she had sold the surfboard. Investigator Nichols said no. Commissioner Jaswal said it was not clear what went on with that money and this could affect the decision to terminate the Complainant as opposed to another candidate. Commissioner Jaswal said if it was possible between two candidates, to eliminate the job that this situation was on record compared to other candidate's. Investigator Nichols said no and didn't receive anything to compare it to; the Respondent's do not keep written warnings, or give warnings. Investigator Nichols had nothing to compare it to, between other candidates's. Investigator Nichols continues to explain that this situation is all "she said he said" and circumstantial. Commission Cooper commented that the Complainant was a liability, Investigator Nichols agreed saying that she felt the Respondent felt the same way. Chairperson Francis asked if it was customary for the Respondent to schedule at all 3 locations. Investigator Nichols said she didn't have knowledge of that, and only knew that the Respondent took responsibility for scheduling at this particular location. Commissioner Crump asked investigator Nichols if she thought for future reference the Respondent would keep records, based on this case. Investigator Nichols said no. Commissioner Rodriguez commented that it could be a recommendation that the Commissioners make. Commissioner Cooper seemed unclear if the person who was hired as the manager, and the Complaint had a relationship. Investigator Nichols responded no, that they were really good friends and that they lived together at one point.

Hearing no further discussion, Chairperson Francis then asked for the roll call.

Ayes: Commissioners Cooper, Crump, Fikar, and Francis.

Nays: Commissioners Jaswal, Quintero and Rodriguez.

Abstain: none

Motion: Finding of **Reasonable Cause** carried 4-3-0.

LCHR No.: 08-1231-076-E-R **Split Decision**

Motion: A finding of **No Reasonable Cause** on the basis of age.

By: *Commissioner Fikar*

Second: *Commissioner Rodriguez*

Hearing no discussion, Chairperson Francis asked for the roll call.

Ayes: *Commissioners Cooper, Crump, Fikar, Jaswal, Quintero, Rodriguez, and Francis.*

Nays: *none*

Abstain: *none*

Motion: Finding of **No Reasonable Cause** carried 7-0.

Motion: A finding of **Reasonable Cause** on the allegation of hostile work environment on the basis of disability.

By: *Commissioner Cooper*

Second: *Commissioner Quintero*

Commissioner Rodriguez initiated the discussion by stating she had some questions about hostile work environment. Investigator Wortman added for the record on the motion that she thought it should be hostile work environment and termination based on his disability, but then realized the Commissioners wanted the issues separated. Commissioner Rodriguez discussed the issue of the Respondent grabbing the Complainant and what does Investigator Wortman believed the intentions were. Investigator Wortman states that she envisioned that the supervisor grabbed, shook, and gave the Complainant a small push, and in self defense The Complainant swung his arm to get him off, knocking the supervisor's respirator off. Investigator Wortman discussed how she asked the supervisor why he grabbed the Complainant, and he responded that the Complainant was not following what he was asking and it was to get his attention. Wortman also stated that the decision-maker was asked why the Complainant was terminated and the supervisor was not. She reported that the decision-maker indicated it was not clear if the supervisor grabbed the Complainant aggressively or to get his attention. However, Wortman pointed out that the one witness makes it clear in his written statement that the supervisor aggressively grabbed the Complainant. Commissioner Rodriguez inquired if there were any other exchange of words other than the Complainant asking the Respondent questions that angered him, and Rodriguez added that this was clearly unacceptable behavior for the supervisor. Rodriguez stated that there weren't enough facts of what happened before this particular incident. Commissioner Fikar stated it was interesting that the decision-maker didn't terminate the Complainant because he wasn't sure if the incident was aggressive

or not. Fikar continued to state that it appears the decision-maker didn't investigate the situation. Wortman stated that the decision maker claims that he talked to the Complainant, the supervisor and the witness, but the witness couldn't remember if another supervisor talked to him or when he was questioned about it. Commissioner Rodriquez stated what constitutes a tangible employment action and what results in a tangible employment action is similar to constructive discharge if the supervisor was the cause of the termination. Commissioner Cooper stated that at any time during the Complainants time of employment he could of reacted, but didn't, and states that the Complainant suffered not only physical but mental violence. Wortman concluded that the supervisor is a bully, and continues to bully employees who don't stand up for themselves. Chairperson Francis asked investigator Wortman if the Respondent has a policy in place, and has anyone looked at it. Wortman indicated that the Respondent has a policy about harassment, but it is unknown how or if it is disseminated to employees since they are not required to sign indicating receipt. It seems that the employees only sign safety policies. Investigator Wortman continued to discuss that the Complainant was limited on his ability to read and write, so the question is even if the Complainant received the policy, did he understand it. The other question is whether the Complainant unreasonably failed to take advantage of the policies to understand them.

Commissioner Jaswal asked investigator Wortman if the supervisor picked on the Complainant more than the other employees and Wortman stated that according to the evidence, the supervisor did pick on the Complainant more than the other employees. Commissioner Cooper commented that the name calling and terms of harassment from the supervisor had everything do with the fact that he knew the Complainant had a learning disability. Commissioner Rodriquez clarified that the recommendation for reasonable cause is for the disability based hostile work environment. Chairperson Francis and Wortman both say that the recommendation is reasonable cause for hostile work environment only.

Hearing no further discussion, Chairperson Francis then asked for the roll call.
Ayes: *Commissioners Cooper, Crump, Fikar, Jaswal, Quintero, Rodriquez, and Francis*
Nays: *none*
Abstain: *none*
Motion: Finding of **Reasonable Cause** carried 7-0.

Motion: A finding of Reasonable Cause on the allegation that the Complainant was terminated based on his disability.

By: Jaswal

Second: Crump

A discussion continued about the Complainant's termination, and how there is little evidence to show the decision-maker was motivated by the Complainant's disability since there was no change in his medical condition and no request for an accommodation. Commissioners also discussed the supervisor being the comparable employee and how supervisors are held to a higher standard.

Hearing no further discussion, Chairperson Francis asked for the roll call.

Ayes: Cooper, Crump, Quintero, Jaswal, Fikar, and Francis.

Nay: Rodriguez

Motion: Finding of Reasonable Cause on the allegation that the Complainant was terminated based on his disability. Carried: 7-0.

LCHR No.: 09-0106-003-E-R

Motion: A finding of **No Reasonable Cause**

By: *Commission Rodriguez*

Second: *Commissioner Quintero*

Commissioner Rodriguez initiated the discussion by stating she agreed with the conclusion, but could make some recommendations with the way things were handled in the case, regarding the "boy" comments and whether or not the employer took action. Investigator Wortman responded that the Respondent denied that Complainant ever complained about the terms being used. Commissioner Rodriguez commented that the employee was provoking the Complainant, and repeatedly calling the Complainant "boy" and was told to stop calling him "boy" but the employee never stopped. Wortman responded that she had a hard time believing the employee didn't know the racial connotation of the word "boy". Commissioner Jaswal asked if the employee ever call anybody else "boy", investigator Wortman said his response was that he called his friends "boy, but none of his supervisors "boy" because they were all girls. Commissioner Jaswal commented that there was no evidence that the Complainant actually hit the employee but came very close, and commented that the firing of the Complainant and no disciplinary action taken to the employee was unfair. Investigator Wortman responded that she asked the decision maker why he fired him, and didn't see a problem between the employee using a disrespectful term repeatedly toward the Complainant and no action was taken toward the employee. Commissioner Rodriguez commented that even if racial connotation is not known, clearly the employee is disrespectful and troubled by the way the situation was handled. Commissioner Jaswal

added that it is interesting to know if he called other co-workers "boy". Wortman inquired as to whether that would change the case? Commissioner Cooper stated that the Complainant was fired because he assaulted a co-worker. Wortman said it is unusual where a supervisor complains that a subordinate is harassing him, and states the Complainant could have handled the situation a lot better. Commissioner Rodriguez said she didn't get a sense that the comments were everyday. Commissioner Fikar asked if the mom called the police, and did the employee tell his mom he called a black man "boy"? Wortman responded that no, she doesn't believe so, but he did tell the investigator and the police that he was hit.

Hearing no further discussion, Chairperson Francis asked for the roll call.

Ayes: *Commissioner Crump, Quintero, Rodriguez, and Francis*

Nays: *Cooper Fikar, Jaswal*

Abstain: *none*

Motion: Finding of **No Reasonable Cause** carried 4-3

LCHR No.: 09-0123-004-E-R

Motion: A finding of **No Reasonable Cause**

By: *Commissioner Jaswal*

Second: *Commissioner Fikar*

Hearing no discussion, Chairperson Francis asked for the roll call.

Ayes: *Commissioners Cooper, Crump, Fikar, Jaswal, Quintero, Rodriguez, and Francis*

Nays: *none*

Abstain: *none*

Motion: Finding of **No Reasonable Cause** carried 7-0

LCHR No.: 09-0130-006-E-R

Motion: A finding of **No Reasonable Cause**

By: *Chairperson Francis*

Second: *Commissioner Fikar*

Hearing no discussion, Chairperson Francis asked for the roll call.

Ayes: *Commissioners Cooper, Crump, Fikar, Jaswal, Quintero, Rodriguez and Francis.*

Nays: *none*

Abstain: *none*

Motion: Finding of **No Reasonable Cause** carried 7-0

LCHR No.: 09-0312-009-E-R

Motion: A finding of **No Reasonable Cause**

By: *Commissioner Crump*

Second: *Commissioner Cooper*

Commissioner Rodriguez initiated the discussion by stating she had some questions on page six of the report regarding the bathroom issue. The Complainant was given a written reprimand, and at the bottom of the paragraph the Respondent had 16 employees that had been spoken to about the same issue, but no written warnings. Rodriguez asked if the investigator got an explanation as to why? Investigator Nichols responded that they don't have a monitor for bathroom breaks, but they notice employees would be gone a while and would watch for the employees to come back and then give verbal warnings. Commissioner Rodriguez asked if the Complainant was given a reprimand, and Nichols said only verbal warnings. Commissioner Jaswal commented that the statement by the Respondent about the Complainant's performance on page four, "has improved in all areas in the past two months and has a much better sense of things since becoming assistant to lead" if that implied deteriorating performance? Investigator Nichols stated that it was written by the supervisor above Complainant's supervisor. Nichols stated she believed that the Complainant could do the job, but didn't seem to want to, and after she received the assistant to lead position, she started to have problems with three specific employees. Commissioner Rodriguez was unclear, and it seemed that the Complainant had issues with three other employees, but what exactly were they doing? Nichols responded that the supervisor and the HR person believed it was the Complainant who had the problem with three other employees' national origin. The Complainant was written up for insubordination and walking away from her job. Chairperson Francis asked as a lead was it her job to go around talking to other positions? Nichols responded that it was not her job to leave the work area to talk to other employees outside of her division.

Hearing no discussion, Chairperson Francis then asked for the roll call.

Ayes: Cooper, Crump Fikar, Jaswal, Quintero, Rodriguez, and Francis.

Nays: *none*

Abstain: *none*

Motion: Finding of **No Reasonable Cause** carried 7-0.

LCHR No.: 09-0327-002-H

Motion: A finding of **No Reasonable Cause**

By: *Commissioner Crump*

Second: *Chairperson Francis*

Commissioner Fikar questioned if the Respondent knew the Complainant had a child. Wortman stated, yes. Commissioner Rodriguez said there was a lot of information, but felt the Respondent was unorganized in how he performed background checks, rental checks and police checks. Investigator Wortman stated that the Respondent works with Social Service agencies, and puts a lot of weight on their references. Commissioner Fikar asked if the Respondent showed the bad reference that he received regarding the Complainant. Wortman responded yes, he was given a verbal one, but received an email confirmation. Commissioner Rodriguez asked what they made of the testing evidence. Investigator Wortman found his explanation plausible. However, Fair Housing Center had a problem with the Respondent quoting different prices, and encouraging the white tester on the garages. Wortman believed that the Respondent called her back because the white tester expressed more interest and felt it was concerning, but not direct evidence of discrimination. Commissioner Rodriguez had a question on the dates, some were provided and some weren't on when people lived there, or when background checks were being done, and if more is being done now than years ago. Investigator Wortman stated yes, she believed so, but there is a fee for these checks. She stated she struggled with this case because the lack of documentation. Chairperson Francis asked if the Respondent made applicants pay up front for the tenant data search fee, and does he reimburse that fee if he does not rent to the applicant. Investigator Wortman responded that yes she believed so. Commissioner Rodriguez stated that the bottom line is if the criminal records were an issue, but he had past tenants with criminal backgrounds, or was it just the poor reference. Wortman stated that she believed it was both, poor reference and the recent police activity. The Respondent focuses on how recent it was, like the incident at her house, it being one to two days before. Jaswal asked if calling the police is over an argument, is it enough to deny rental property? Investigator Wortman answered that the landlord, any landlord has a right to deny rental property to anyone as long as it isn't discriminatory. Chairperson Francis commented that it's not always black and white, and that it is his property, which gives him the ability to have discretion as long as it isn't discriminatory.

Hearing no further discussion, Chairperson Francis then asked for the roll call.

Ayes: Cooper, Crump, Fikar, Jaswal, Quintero, Rodriguez, and Francis.

Nays: *none*

Abstain: *none*

Motion: Finding of **No Reasonable Cause** carried 7-0.

PRE-DETERMINATION SETTLEMENT AGREEMENTS

1. LCHR No.: 09-0402-012-E-R

Motion: To accept the **Pre-Determination Settlement Agreement**
By: *Commissioner Cooper*
Second: *Chairperson Francis*

Chairperson Francis asked for the roll call.

Ayes: *Cooper, Crump, Fikar, Jaswal, Quintero, Rodriguez, and Francis.*

Nays: *none*

Abstain: *none*

Motion: To accept the **Pre-Determination Settlement Agreement** carried 7-0

2. LCHR No.: 09-0528-002-PA

Motion: To accept the **Pre-Determination Settlement Agreement**
By: *Commissioner Fikar*
Second: *Commissioner Jaswal*

Chairperson Francis asked for the roll call.

Ayes: *Cooper, Crump, Fikar, Jaswal, Quintero, Rodriguez, and Francis. .*

Nays: *none*

Abstain: *none*

Motion: To accept the **Pre-Determination Settlement Agreement** carried 7-0

3. LCHR No.: 09-0601-022-E-R

Motion: To accept the **Pre-Determination Settlement Agreement**
By: *Commissioner Crump*
Second: *Commissioner Jaswal*

Chairperson Francis asked for the roll call.

Ayes: *Cooper, Crump, Fikar, Jaswal, Quintero, Rodriguez, and Francis.*

Nays: *none*

Abstain: *none*

Motion: To accept the **Pre-Determination Settlement Agreement** carried 7-0

4. LCHR No.: 09-0723-035-E

Motion: To accept the **Pre-Determination Settlement Agreement**

By: *Commissioner Jaswal*

Second: *Commissioner Crump*

Chairperson Francis asked for the roll call.

Ayes: *Cooper, Crump, Fikar, Jaswal, Quintero, Rodriguez, and Francis.*

Nays: *none*

Abstain: *none*

Motion: To accept the **Pre-Determination Settlement Agreement** carried 7-0

ADMINISTRATIVE CLOSURES:

1. LCHR No.: 09-0501-018-E-R

Motion: To accept the **Withdrawal and Close Administratively**

By: *Commissioner Fikar*

Second: *Commissioner Jaswal*

Chairperson Francis asked for the roll call.

Aye: *Cooper, Crump, Fikar, Jaswal, Quintero, Rodriguez and Francis.*

Nays: *none*

Abstain: *none*

Motion: To accept the **Withdrawal and Close Administratively** carried 7-0

NEW BUSINESS:

A. Budget Update 2009/2010

Williams reported on the budget being tight and the possibility of using carry-over funds.

B. Education & Outreach Grant

Williams discussed the grant application that is due September 18th that focuses on education and outreach.

C. RECCR Registration

RECCR conference is coming up quickly, so let us know if you want to attend.

D. New AmeriCorps Volunteer.

Lisa Bickert is our new AmeriCorps volunteer, and her first day with the Lincoln Commission on Human Rights is September 8th.

E. Mayor's Interfaith Breakfast on Sept.

Williams reminded the Commissioners about the breakfast on September 22nd.

F. Other

Williams commented on the good job of discussion and separating the split decisions. He reminded Commissioners that a copy of the minutes will be sent to the Respondent and Complainant, so they may register the concerns of the Commission.

PUBLIC COMMENTS:

None

ADJOURNMENT:

The meeting was adjourned at 4:50 P.M.

NEXT MEETING:

The next meeting will be held Thursday, September 17, 2009 at the K Street Complex, 440 South 8th Street at 4:00 P.M.