

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

THURSDAY, April 12, 2012
CITY COUNCIL CHAMBERS
555 S. 10TH STREET

The April 12, 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: Mary Reece, Bennie Shobe, Takako Olson, Wendy Francis, Sue Oldfield, Liz King and Gene Crump, Chairperson. Quorum present.

MEMBERS ABSENT:

Commissioner: Hazell Rodriguez (arrived late).

STAFF PRESENT:

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

APPROVAL OF MARCH 29, 2012 MINUTES:

A motion was made by Commissioner Francis and seconded by Commissioner Olson to approve the minutes of the March 29, 2012 meeting as presented.

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

APPROVAL OF APRIL 12, 2012 AGENDA:

A motion was made by Commissioner Francis and seconded by Commissioner Reece to approve the April 12, 2012 meeting agenda.

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

Commissioner Hazell Rodriguez joined the meeting.

CASE DISPOSITIONS:

LCHR No.: 11-0427-016-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. Questions were asked as to the purpose of the meeting that was held with the Complainant and some of the employees. Investigator Lemke stated it was an all-staff meeting, and among other topics, an issue was addressed about employees working together. Lemke added that although the Administrator specifically said that there was an issue of people not wanting to work with “people of color” no member of management could explain why that specifically was mentioned at the meeting. Lemke also added that the Complainant stated she did feel the work environment had improved after that.

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

LCHR No.: 11-0608-026-E-R

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

Discussion ensued. A question was asked whether there was any notation in the Complainant’s school file regarding any learning disability or attendance in special classes. Lemke stated that she did not view the school file, but it is undisputed that there was no diagnosis of a learning disability.

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

LCHR No.: 11-0824-032-E-R

Commissioner Francis excused herself due to conflict of interest.

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

Discussion ensued. Questions were asked if the Complainant started having problems with her six month check-in after the new supervisor started. Investigator Nichols stated that a review of previous evaluations showed the same issues reoccurring regardless of who the supervisor was.

Hearing no further discussion Commissioner Francis returned to the Chambers. Voting “aye” was: Commissioners Oldfield, King, Rodriguez, Reece, Shobe, Olson, and Crump. Abstaining was: Commissioner Francis. Motion carried.

PRE-DETERMINATION SETTLEMENTS

LCHR No.: 11-0513-020-E-R

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

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

LCHR No.: 11-1027-018-H

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

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

LCHR No.: 12-0106-001-E-R

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

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

ISSUE CHARGE & SET TO PUBLIC HEARING

LCHR No.: 11-1109-019-H

A motion was made by Commissioner Francis and seconded by Commissioner Oldfield to approve the issuance of the charge and set the case for public hearing.

Rodriguez questioned her vote on this matter since she voted “no” on the prior decision made on this case. Taylor-Riley indicated that the first vote addressed a different matter (reasonable cause finding) so her prior vote was in no way controlling of the matter presently before her (authorizing

that the matter proceed to public hearing consistent with Title 11). Taylor-Riley assured Rodriguez that she was free to render her vote on the issue at hand independent of her prior vote.

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

OLD BUSINESS:

A. Changes to Commission Initiated Complaint Procedure

A motion was made by Commissioner Francis and seconded by Commissioner Shobe to approve the Rules of Procedure for Director Initiated Complaints.

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

B. Civil Rights Conference

Director Kimberley Taylor-Riley reported currently seventy-five registrations have been received. She also stated there will be a hearing impaired interpreter available at the conference as well.

NEW BUSINESS:

A. Resignation of Jose Quintero

Commissioner Crump stated he had spoken with Commissioner Quintero and expressed the Commissions' appreciation for all his work contributed over the past years. Everyone from the Commission on Human Rights wishes him well and he will truly be missed.

PUBLIC COMMENTS: None

Next Meeting: The next meeting will be held on Thursday, May 31, 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 4:28 p.m.