

BRIAN SANDOVAL
Governor

DON SODERBERG
Director

KARA M. JENKINS
Administrator



COMMISSIONERS

Kevin E. Hooks, Chair
Tiffany Young, Secretary
Swadeep Nigam
Charlotte Centuori
Sean Higgins

MEETING MINUTES

Name of Organization: Nevada Equal Rights Commission

Date and Time of Meeting: Thursday, February 2, 2017, 2:00 P.M.

Place of Meeting: Department of Employment, Training & Rehabilitation
2800 East St. Louis Avenue, Conference Rooms A, B & C
Las Vegas, NV

Department of Employment, Training & Rehabilitation
1325 Corporate Boulevard, Large Conference Room
Reno, NV

1-877-810-9415
Access Code 7521358

Commission Members Present: Charlotte Centuori; Sean Higgins; Tiffany Young, Secretary; Swadeep Nigam

Commission Members Absent: Kevin Hooks (excused)

DETR/NERC Staff Present: Kara Jenkins, Administrator; Michael Baltz, Chief Compliance Investigator; Lila Vizcarra, Chief Compliance Investigator; Coralie Peterson, Administrative Assistant III

**Please note that all attendees may not be listed above.*

1. Call to Order.
Kevin E. Hooks, Chair

Tiffany Young, acting as Chair on behalf of Kevin Hooks, called the meeting to order at 2:10 p.m.

2. Roll call, confirmation of quorum and verification of posting.
Kara Jenkins, Administrator, Nevada Equal Rights Commission (NERC)

Kara Jenkins called roll and announced that a quorum was present, and further verified that the agenda and notice for this meeting was posted in accordance with Nevada's Open Meeting Law pursuant to NRS. 241.020.

3. First Public Comment Session
Tiffany Young

Chair Young announced the First Public Comment Session and invited members of the public to speak. Hearing no comments, she proceeded to the next agenda item.

4. For Possible Action - Approval of the October 26, 2016 Commission Meeting Minutes – Tiffany Young

A motion to approve the March 30, 2016 Commission Meeting minutes was made by Charlotte Centuori and was seconded by Sean Higgins. All were in favor and the motion passed with no objection.

5. Discussion – Administrator’s Report – Kara Jenkins, Administrator, NERC

A. Personnel

Ms. Jenkins stated that NERC is now fully staffed in terms of compliance investigators. Of the 17 full-time NERC positions, the two remaining unfilled positions are clerical, which has caused some delays in scheduling appointments/filing. She went on to explain that interviewing will be taking place in the near future, and interview candidates will include individuals from a program called Hope for Prisoners. Individuals in this program may have had a felony conviction in the past, but have worked hard to re-enter society. NERC would like to give these persons a chance to interview for the clerical opening in the Las Vegas office.

In addition, Ms. Jenkins noted that interviewing will also take place in the near future to fill the full-time clerical vacancy in the Reno office.

B. Equal Opportunity Commission (EEOC)

Ms. Jenkins briefly mentioned that the Work Sharing Agreement with the EEOC is in full swing and they have contracted for Federal Fiscal Year 2017 and NERC is on par to conclude approximately 694 cases with them by the end of next October, and added that they have enjoyed surplus funds from last years’ contract. Ms. Jenkins commented that she anticipates a visit from the EEOC representative this year to discuss how the administrative functions may be streamlined, noting the clerical staff shortage mentioned earlier.

C. Budget – Fiscal Year 2017

Ms. Jenkins moved on to the discussion of the NERC budget attachment she provided, drawing attention to the availability of a budget surplus of \$29,000.00, which is planned for use on video-conferencing equipment. This will better accommodate commission meetings and enable the Reno and Las Vegas NERC offices to be less isolated and work more in tandem with one another as a state-wide program (for example, training and face-to-face investigation discussions).

In addition, the surplus funds can be used for infrastructure, desks/chairs/storage that have been badly needed for some time as well as replenishing the gift fund (for outreach projects) that had been depleted through Lila Vizcarra’s outreach efforts in the previous year. She noted some of those outreach projects included new brochures regarding overcoming biases for those who have felony convictions. She reminded commission members that this seems to be an area of focus to Governor Sandoval, to see if that previously ignored segment can be “tapped into.” The EEOC has determined that those with felony convictions seem to disparately affect people of color, and have a long-term negative impact.

D. Work Sharing Agreement

In response to a question from **Chair Young** about the breakdown on the number of complaints, Ms. Jenkins stated that she would like to go over a report (October 24, 2016 to present) from Michael Baltz attached as one of the handouts for the meeting.

Due to his attendance at a DETR legislative session meeting, Ms. Jenkins stated that Mr. Baltz was unable to join the commission meeting and she would share highlights of his report in his behalf.

Highlights included:

- 54 Race allegations
- 63 National Origin allegations
- 57 Gender allegations
- 9 Religion allegations
- 1 Color allegation

Ms. Jenkins noted that color/race allegations often coincide which a charge is framed; and she added that both national origin and religion are anticipated to increase. She also emphasized to the commission members that NERC still takes complaints based on religious discrimination, profiling, or any accommodation discrimination in public places or national origin. She went on to state that NERC still adheres to Title VI I and state law concerning the rights of protected categories and will continue to take complaints until told otherwise. Our clerical staff has been advised to share with complainants that they can go right to court with their issues rather than going through our administrative process, and that they have 180 days from the act of discrimination to file in court. NERC does not provide attorney referrals/advice, but will provide the caller with the numbers for sources such as Nevada Legal Aid, Nevada State Bar, or even the ACLU, if asked directly. NERC will remain neutral and will not recommend advocacy groups.

- 66 Disability allegations
- 64 Retaliation allegations
- No Equal Pay allegations at present

E. Outreach 2017

Lila Vizcarra began her presentation by showing a comparison of outreach efforts for last year alongside the current years' activities, demonstrating how much more outreach that she and Kara Jenkins conducted, using these opportunities to inform the public and stress the importance of NERC.

Highlights of the Outreach Efforts included:

- July 1 through January 30, 2015: 424 individuals contacted (including 14 employers/community groups)
- July 1 through January 30, 2016: **1,500 individuals** (including 18 employers/community groups)

Kara Jenkins added that this did not include their webinars and other efforts.

Ms. Vizcarra detailed one recent effort in northern Nevada. When a group cancelled a planned presentation, she and Ms. Jenkins used this as an opportunity to canvas the area door-to-door, including a visit to the Washoe County Legal Services, the Group, as well as other nearby businesses, handing out brochures and explaining NERC's services. She commented on how appreciative these businesses were to be made aware of the help that NERC offers.

Swadeep Nigam asked what accounted for the increase in their activities, and Ms. Jenkins responded that this is because of Ms. Vizcarra's help as well as the administrative support that they are now receiving. Mr. Nigam commended this, as many are not aware of NERC, hearing mostly of EEOC.

6. Discussion – 2017 Legislative Session – Tiffany Young

Kara Jenkins commented that Kevin Hooks had asked that this item be placed on the agenda, and as he was unable to attend this meeting, she explained that had wanted to allow them the opportunity to have discussion of possible strategies for the legislative session, which would begin shortly. She said that she was aware that Mr. Hooks and Sean Higgins had volunteered to promote NERC to some of the legislators.

As she is unable technically to lobby legislators, she and Lila will be dropping off NERC brochures and introduce themselves as representatives of NERC. She welcomed Chair Young to have further discussion with the commission members.

Chair Young asked the members what they felt comfortable with doing, adding that her schedule allows for little flexibility and also must walk a fine line (as she works for the District, being the Equity/Diversity representative as well as a commission member.) She asked for comments from the other members.

Sean Higgins stated that he is happy to promote bills/agendas on behalf of the commission if they are within their subject matter, as long as language is supplied as to what is needed. He mentioned that he will follow up with Ms. Jenkins following the meeting.

Ms. Jenkins stated that she is happy to provide talking points, and added that NERC is pushing a bill draft to allow them to access the HUD (Housing and Urban Development) grant. She reminded them that in the previous year the west coast office of HUD in San Francisco had pushed for NERC to become “**substantially equivalent**” to HUD (Fair Housing Act of 1968) to allow some of their cases to be given to NERC. This was an effort that was attempted but unsuccessful in 2009, and as the economy has improved, the timing now may be better for possible passage of the bill. She went on to explain that there is a provision in the bill; however, that if they take housing cases and are unable to settle them, the attorney general's office sues on behalf of the charging party, causing more work for that office, and possibly necessitating the need for an in-house attorney for NERC to help prepare these cases for trial and forward to the attorney general's office.

Charlotte Centuori asked if someone in particular that monitors the legislative session and Ms. Jenkins explained that Michael Baltz has taken on that responsibility, and in the event that she is unavailable to testify, he will testify on her behalf for the Nevada Equal Rights Commission.

7. Discussion/for Possible Action – Future Meeting Dates/Agenda Items – Tiffany Young

Commission members determined that the next meeting will be scheduled for a date in late June.

8. Second Public Comment Session:

Members of the public will be invited to speak before; however, no action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action. Public comment may be limited to three minutes per person at the discretion of the chairperson.

Chair Young announced the Second Public Comment Session and invited members of the public to speak. No comments were made. Hearing none, the Chair closed the session and adjourned the meeting.

9. Adjournment.

Meeting was adjourned at 4:16 p.m.

Agenda items may be taken out of order, combined for consideration by the public body, and/or pulled or removed from the agenda at any time. The Chair may continue this meeting from day-to-day. Pursuant to NRS 241.020, no action may be taken upon a matter raised during a period devoted to comments by the general public until the matter itself has been specifically included on an agenda as an item upon which action may be taken.

Notice: *Persons with disabilities who require special accommodations or assistance at the meeting should notify Coralie Peterson, DETR, between the hours of 8:00 a.m. through 5:00 p.m., in writing at 1820 E. Sahara, Suite 314, Las Vegas, Nevada 89104; or call (702) 486-7161; or fax (702) 486-7054 on or before the close of business Friday, October 21, 2016.*

Notice of this meeting was posted at the following locations on or before 9:00 a.m. on the third working day before the meeting: DETR, 2800 E. St. Louis, Las Vegas, NV; DETR, 500 East Third St., Carson City, NV; DETR, 1325 Corporate Blvd., Reno NV; NEVADA JOBCONNECT, 3405 S. Maryland Parkway, Las Vegas, NV; NEVADA JOBCONNECT, 119 Water St., Henderson, NV; NEVADA JOBCONNECT, 2827 N. Las Vegas Blvd., North Las Vegas, NV; NEVADA JOBCONNECT, 1929 N. Carson St., Carson City, NV; NEVADA JOBCONNECT, 172 Sixth St., Elko, NV; NEVADA JOBCONNECT, 480 Campton St., Ely, NV; NEVADA JOBCONNECT, 121 Industrial Way, Fallon, NV; NEVADA JOBCONNECT, 475 W. Haskell, #1, Winnemucca, NV; NEVADA JOBCONNECT, 4001 S. Virginia St., Suite G, Reno, NV; NEVADA JOBCONNECT, 1675 E. Prater Way, Suite 103, Sparks, NV; GRANT SAWYER OFFICE BUILDING, 555 E. Washington Ave., Las Vegas, NV; LEGISLATIVE BUILDING, 401 S. Carson St., Carson City, NV; NEVADAWORKS 6490 S. McCarran Blvd., Building A, Unit 1., Reno, NV; WORKFORCE CONNECTIONS, 7251 W. Lake Mead Blvd., Las Vegas, NV. This agenda was also posted on DETR's Web site at www.nvdetr.org. In addition, the agenda was mailed or e-mailed to groups and individuals as requested.