

BRIAN SANDOVAL  
Governor

DON SODERBERG  
Director

KARA M. JENKINS  
Administrator



COMMISSIONERS  
Kevin E. Hooks, Chair  
Tiffany Young, Secretary  
Ivette A. Fernandez  
Charlotte Centuori  
Sean Higgins

## MEETING MINUTES

**Name of Organization:** Nevada Equal Rights Commission

**Date and Time of Meeting:** Thursday, May 24, 2018  
2:00 p.m.

**Place of Meeting:** Nevada Equal Rights Commission  
Conference Room  
1820 E. Sahara Ave., Suite 314  
Las Vegas, NV 89104

**Commission Members Present:** Tiffany Young, Secretary; Ivette Fernandez, Charlotte Centuori

**Commission Members Absent:** Kevin Hooks, Sean Higgins (excused)

**Others Present:** Sophia Long, Deputy Attorney General, Kara Jenkins, Administrator, NERC; Michael Baltz, Chief Compliance Investigator, NERC; Lila Vizcarra, Chief Compliance Investigator, NERC; Coralie Peterson, Administrative Assistant III, NERC.

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

The following items may be taken out of order and/or items may be combined for consideration. Items may also be removed from the agenda or the Nevada Equal Rights Commission (Commission) may delay discussion relating to an item on the agenda at any time. Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the Commission may refuse to consider public comment. See NRS 233B.126.

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

**Tiffany Young**, acted as Chair on behalf of Kevin Hooks, and due to videoconferencing difficulties, called the meeting to order at 2:28 p.m.

2. **Roll Call, Confirmation of quorum, and Verification of Posting** - *Tiffany Young*

Roll was called and a quorum was confirmed. Kara Jenkins verified that the notice and agenda for the meeting was posted in accordance with Open Meeting Law.

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**3. Public Comment:**

*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 Chair.*

**Acting 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 December 6, 2017 Commission Meeting Minutes - Tiffany Young**

**A motion to approve the December 6, 2017 Commission Meeting minutes was made by Charlotte Centuori and was seconded by Ivette Fernandez. All were in favor and the motion passed with no objection.**

**5. For Discussion - Administrator's Update – Kara Jenkins, NERC Administrator**

Kara Jenkins thanked all for attending the meeting and related that NERC is in the process of filling a vacant Compliance Investigator position. A candidate had been selected; however, rescinded the acceptance after re-evaluating the compensation offered. Ms. Jenkins explained that finding and keeping capable staff is always a challenge, but they are hopeful to find a suitable candidate before the end of July, allowing the agency to move forward fully staffed.

Ms. Jenkins also commented that NERC has been invited to participate in a workgroup with Senator Heidi Gansert, related to the “Me Too” movement pertaining to sexual harassment. Of interest to this group now is the number of sexual harassment cases and if these issues have seen an increase as a result of the “Me Too” movement of last year. Ms. Jenkins added that this is being tracked, 106 cases have been noted at this point and once the year ends, numbers will be compared to the last two fiscal years and will be reported to Ms. Gansert’s workgroup. Ms. Jenkins stated that they *have* seen an increase in requests for training, and Lila Vizcarra, NERC Outreach Specialist, has been kept very busy. She added that while NERC is very busy with preventative training, they are happy to help employers who want to train their workforce to avoid any kind of sexual harassment in the workplace.

Also, Ms. Jenkins continued by stating that the NERC is looking to enhance its office. While currently there are 17 FTE (full time employees) statewide, the agency receives many complaints and requests for training. She added that the unfortunate incidences of sexual harassment that have been seen nationally have brought more attention to the Nevada Equal Rights Commission, which she feels makes this a good time for her to ask for more staff.

Ms. Jenkins stated that NERC would like to streamline its process by having a software system that would allow complaints to be filed online, attaching documents electronically, if desired. With this in mind, NERC has put out an RFI (Request for Information) to software companies in Nevada to see if any would be willing to present their proposal with costs for this type of system.

EEOC (Equal Employment Opportunity Commission) likes this concept so much that they are centering discussion around this topic at their annual conference, since many other state equal rights agencies are having similar issues.

Ms. Jenkins explained that in current intake appointments, a complainant meets with an investigator. Hopefully, the new software would allow this step to take place online. The system would present questions to the applicant that would 'triage' the complaints (for example, 'sorry, this complaint would need to go the Labor Commission, or 'sorry, this complaint is not timely, we suggest you contact Nevada State Bar, or, if the complaint is something that the Commission would investigate, the response would be something like '...you will next hear from an investigator.'

She added that if successful in getting this software, a management analyst will be needed. As there is currently no management in the Reno office, this position would provide *both* supervisory assistance for that location *and* provide the technical expertise to manage intakes/help with updates for the new software. This will all be proposed with hopes for approval.

She concluded these comments by stating that, if all is approved, NERC would be comprised of 23 FTE instead of 17. This would also double the current budget, which is the only 'hard ask' as all the other agencies are asking for money, but this attempt is going to be made.

She added that NERC has received their EEOC Contract, so by the end of September 2018, 673 cases need to be closed, of which about half have already been closed, NERC is very focused on closures. Leave requests must be preapproved and investigators need to meet their closure requirements (8 cases per month).

**Tiffany Young** asked Ms. Jenkins to repeat what position was being requested for Reno, and she reiterated that this is a management analyst position, and that this person would manage intakes, kinks/updates for the new system, as well as supervising the administrative staff, investigator and mediator in that office.

Chair Young also asked if they foresee an increase in the rates from EEOC in the contract, and Ms. Jenkins responded that there was no increase/decrease, she added that NERC was grateful that they got the exact number of cases that were requested.

After thanking Ms. Jenkins for her comments, Chair Young and asked if any had additional questions. Hearing none, she proceeded to the next agenda item.

**6. Discussion/for Possible Action –Ban the Box Legal Opinion/Open Meeting Law –**  
*Sophia Long, Deputy Attorney General*

**Sophia Long** introduced herself and went on to explain that the Nevada law AB 233.250 allows an individual to request an advisory opinion from the Commission, and this item appears on this meeting agenda to inform the Commission that a request has been received for an advisory opinion regarding the Ban the Box requirement (if this is appropriate when the employer is not a government agency). Deputy Attorney General Long added that an advisory opinion needs to be issued within three weeks of the request, and she will work with Administrator Jenkins on the draft of the opinion to be brought before the Commission at another meeting, to be held within the next two-three weeks. At that time, Commissioners will review, make changes, or approve the opinion.

Ms. Jenkins apologized for the confusion that occurred in today's meeting and confirmed that an Outlook meeting invitation would be sent to the Commissioners after a convenient date for the next meeting is determined.

**7. Discussion/for Possible Action – Future Meeting date and Agenda Items –**  
*Chair Young*

Next meeting date to be determined

Future agenda items to include:

- Discussion/For Possible Action: Advisory Opinion regarding Ban the Box
- Discussion – Open Meeting Law Training

**8. Public Comment:**

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**Chair Young** announced the Second Public Comment Session and invited members of the public to speak. No comments were made.

**9. Adjournment – Tiffany Young**

Chair Young asked if there were any final comments, and Administrator Jenkins reminded of the mission for the Commission, to foster equality in the State. The Commissioners were also encouraged to contact Lila Vizcarra or herself if they would like assistance in promoting any publication or training that they wished to share or present, regarding their good work, through possible media coverage/press releases.

**A motion was made by Charlotte Centuori and was seconded by Ivette Fernandez to adjourn the meeting. All were in favor and the meeting was adjourned at 2:45 p.m.**

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, 4500 Sunset Road., 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, 2281 Pyramid Way, 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](http://www.nvdetr.org). In addition, the agenda was mailed or e-mailed to groups and individuals as requested.