

STEVE SISOLAK  
Governor

DR. TIFFANY G. TYLER-GARNER  
Director

KARA M. JENKINS  
Administrator



COMMISSIONERS  
Connye Y. Harper, Chair  
Tiffany Young, Secretary  
Ivette A. Fernandez  
Ngai Pindell  
Krista Wahnefried

## MEETING MINUTES

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

**Date and Time of Meeting:** Wednesday, March 11, 2020 at 2:00 p.m.

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

**Videoconference:** Nevada Equal Rights Commission  
1320 Corporate Blvd., Room 115, Conference Room  
Reno, NV 89502

**Commission Members Present:** Chair Connye Harper; Tiffany Young; Krista Wahnefried.

**Commission Members Absent:** Ivette Fernandez (excused); Ngai Pindell (excused)

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

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** -  
*Connye Harper, Chair*

Chair Connye Harper called the meeting to order at 2:01 p.m.

**2. Roll Call, Confirmation of quorum, and Verification of Posting - Coralie Peterson, Administrative Assistant III, Nevada Equal Rights Commission (NERC)**

Coralie Peterson called roll and confirmed that a quorum for the meeting was present, and further confirmed that the meeting was posted in accordance with Nevada's Open Meeting Law, as contained in NRS 241.010.

**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 (3) minutes per person at the discretion of the chair.*

Chair Harper announced the First Public Comment Session and invited members of the public to speak. Hearing no comments, she concluded this session and moved to the next agenda item.

**4. For Possible Action - Approval of the Commission Meeting Minutes – Connye Harper, Chair**

- December 11, 2019 Commission Meeting

Chair Harper asked if all had an opportunity to review the December 11, 2019 Nevada Equal Rights Commission Meeting Minutes and requested a motion to approve. **Commissioner Krista Wahnefried** raised a motion, which was seconded by **Commissioner Tiffany Young**. All were in favor and the motion passed unanimously.

**5. Discussion/for Possible Action – Advisory Opinion – Definition of “Wages”**  
*Sophia Long, Deputy Attorney General*

Chair Harper called on Deputy Attorney General Sophia Long to provide comments on the definition of wages. Ms. Long greeted the Commissioners and reminded them that in the last meeting she noted that a request for an advisory opinion from the law firm of Kamer Zucker and Abbott was received asking for a definition of the term “wages.”

Ms. Long went on to state that in the intervening time, she and Administrator Kara Jenkins had researched and composed an advisory opinion draft for the Commission's approval. If the opinion is approved by the board today, it will be sent to the law firm as a response to their request from the Commission, and will also be posted on the NERC website for the public to review. She then asked if any of the Commissioners had questions regarding the draft advisory opinion.

Commissioner Tiffany Young stated that in the past they had discussed the term “sex,” mentioned on page two of the document, and asked the term would be expanded as they move forward.

Administrator Kara Jenkins responded that this is a question pending before the U.S. Supreme Court, but it was possible nothing will be known before May. However, there are many other groups that want sex defined (under Title 7) to include gender identity and gender expression for purposes supportive to the LBGTQ community.

Ms. Jenkins added that the EEOC and Federal law both *imply* that sex would include gender identity or orientation; however, NRS clearly sets out not only that sex discrimination is unlawful, but also discrimination on the bases of gender identity, expression or orientation. In addition, Nevada Senate Bill(s) 233 and 613 also state specifically there is to be no discrimination on the bases of those grounds.

After this discussion concluded, Chair Harper asked for a motion to approve the advisory opinion regarding wages, which was brought by Commissioner Young and seconded by Commissioner Wahnefried. All were in favor the motion passed unanimously.

Ms. Jenkins thanked all for approving the document and, once signed by Chair Harper, it would be sent as a response to Kamer Zucker and Abbott and posted to NERC's website by Outreach Specialist Lila Vizcarra.

#### **6. Public Comment:**

*Members of the public will be invited to speak; 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 (3) minutes per person at the discretion of the chair.*

Chair Harper announced the second Public Comment Session and invited members of the public to speak.

Ms. Jenkins commented that perhaps the Chair would like to set future meetings for the Commission. She added that the previous chair had wanted quarterly meetings.

Chair Harper asked how many meetings were required and Ms. Jenkins responded that the Commission is mandated to have at least two meetings per year. Chair Harper suggested that the group meet quarterly.

Ms. Jenkins stated that Ms. Peterson will find some suggested dates to propose for future meetings convenient to all the Commission members.

#### **7. Adjournment – Connye Harper, Chair**

Meeting adjourned at 2:12 p.m.

*Notice: Persons with disabilities who require special accommodations or assistance at the meeting or information regarding obtaining supporting materials for the meeting should contact Coralie Peterson, Nevada Equal Rights Commission (NERC), between the hours of 8:00 a.m. – 5:00 p.m. at (702) 486-4010 or by writing to the Nevada Equal Rights Commission (NERC) 1820 E. Sahara Ave., Suite 314, Las Vegas, Nevada 89104; or fax (702) 486-7054 on or before the close of business on **Tuesday, March, 10 2020.***

**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.detr.nv.gov](http://www.detr.nv.gov). In addition, the agenda was mailed or e-mailed to groups and individuals as requested.