

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

Thursday, February 25, 2021  
555 S 10<sup>th</sup> Street, 1<sup>st</sup> Floor  
City County Building, Council Chambers

**CALL TO ORDER:**

The February 25, 2021 meeting of the Lincoln Commission on Human Rights (LCHR) was called to order at 3:58 p.m. by Carlos Garcia, Chair.

**ROLL CALL:**

The roll was called.

**MEMBERS PRESENT:**

Commissioners: Carlos Garcia (Chair), Sheri Blok, Rose Godinez, Jolene McCulley, Emira Ibrahimasic, and Terry Werner.

**MEMBERS ABSENT:**

Commissioners: Precious Loving-Afuh (Vice Chair)

**STAFF PRESENT:**

Mindy Rush Chipman, Abigail Littrell, Haefaa Hasan, Rob Rowan, Francisca Beltran, and Sally Casillas.

**APPROVAL OF January 28, 2021 MINUTES:**

A motion was made by Ibrahimasic and seconded by McCulley to approve the minutes of the previous meeting.

Hearing no discussion, Garcia asked for the roll call. Voting “aye” were Garcia, Blok, Godinez, McCulley, Werner, and Ibrahimasic. Motion carried.

**APPROVAL OF February 25, 2021 AGENDA:**

A motion was made by Ibrahimasic and seconded by Godinez to approve the meeting agenda.

Hearing no discussion, Garcia asked for the roll call. Voting “aye” were Garcia, Blok, Godinez, McCulley, Werner, and Ibrahimasic. Motion carried.

**CASE DISPOSITIONS:**

**LCHR #20-0707-012-E-R (tabled from January 28, 2021)**

A motion was made by Ibrahimasic and seconded by Werner to recommend a finding of **no reasonable cause** on all allegations.

Hearing no further discussion, Garcia asked for the roll call. Voting “aye” were Garcia, Blok, McCulley, Werner, Godinez and Ibrahimasic. Motion carried.

**LCHR #20-0327-006-E-R**

A motion was made by Werner and seconded by Ibrahimasic for **no reasonable cause** on all allegations.

Godinez asked if Respondent “supervisor” and “coworker” were related, to which Investigator Hasan confirmed, but clarified that both parties no longer work for Respondent and she was unable to contact them. Godinez expressed that Complainant likely was subjected to racism but cannot find reasonable cause for discrimination due to insufficient evidence and the current legal precedent. Ibrahimasic noted that the number of dismissals between the races are too small and not statistically significant to use as comparative evidence to find reasonable cause. Both Ibrahimasic and Godinez discussed further their concerns with Respondent’s business operations and retention strategy. Garcia noted his concerns with Respondent not denying Complainant’s allegations and mentioned that Respondent’s position was generic and not specific.

Hearing no further discussion, Garcia asked for the roll call. Voting “aye” were Garcia, Blok, McCulley, Werner, and Ibrahimasic. Motion carried.

**LCHR #20-0909-018-E-R**

A motion was made by Garcia and seconded by Blok to recommend a finding of **no reasonable cause** on all allegations.

Ibrahimasic questioned why Respondent allowed the patient at issue to continue to be seen at its clinic. Commissioners Werner, Garcia, Ibrahimasic, and McCulley discussed amongst themselves different reasons why Respondent would continue to allow the patient to be seen and concluded that there was no reasonable cause.

Hearing no further discussion, Garcia asked for the roll call. Voting “aye” were Garcia, Blok, McCulley, Werner, Godinez, and Ibrahimasic. Motion carried.

**LCHR #20-0807-014-E-R**

A motion was made by Ibrahimasic and seconded by Godinez to recommend a finding of **no reasonable cause** on all allegations.

Werner stated that the comment made by Complainant appears to have been blatantly racist and Respondent has a zero-tolerance policy for racism. Garcia mentioned how an employer’s policy can dictate employment status and added that the coworkers of the Complainant had complained to Complainant’s supervisor about the racist comment.

Hearing no further discussion, Garcia asked for the roll call. Voting “aye” were Garcia, Blok, McCulley, Werner, Godinez, and Ibrahimasic. Motion carried.

**LCHR #20-0730-013-E-R**

A motion was made by Godinez and seconded by Ibrahimasic to recommend a finding of **reasonable cause** on the first and third allegations.

Godinez expressed concern with Respondent’s reply after Complainant notified them, she was experiencing withdrawals from her medication and could not go to work. Werner added that in the report, it seemed as if that was the first time the Respondent had learned of Complainant’s disability and that Complainant should have notified Respondent earlier. Godinez stated that an individual can request accommodations at any time during their employment. Commissioners Godinez, Ibrahimasic, Garcia, and Werner discussed the lack of professionalism and conflict resolution displayed by Respondent. Godinez asked Attorney Littrell for clarification regarding the ADA and reasonable accommodation requests, which Littrell provided. Godinez mentioned concern that while there was a conversation about the accommodation request, there was no conclusion provided.

Commissioners Blok, Ibrahimasic, Littrell, Garcia, and Godinez discussed scenarios of how the Complainant and Respondent should have discussed potential reasonable accommodations and actions taken after Complainant did not show for work. Additionally, it was noted that Complainant did not mention when she would be able to go back to work. Rowan confirmed that Complainant received her medications days later.

Hearing no discussion, Garcia asked for the roll call. Voting “aye” were Godinez and McCulley. Motion failed.

A motion was made by Werner and seconded by Ibrahimasic to recommend a finding **of no reasonable cause** on all allegations.

Hearing no discussion, Garcia asked for the roll call. Voting “aye” were Garcia, Blok, Werner, McCulley, and Ibrahimasic. Motion carried.

**PRE-DETERMINATION SETTLEMENT AGREEMENTS:**

**LCHR #20-0930-008-H**

A motion was made by Werner and seconded by Ibrahimasic.

Hearing no discussion, Garcia asked for the roll call. Voting “aye” were Garcia, Blok, McCulley, Werner, Godinez and Ibrahimasic. Motion carried.

\*Werner left meeting at 4:51 p.m.

**OLD BUSINESS:**

**Outreach**

Outreach Coordinator Beltran updated Commissioners on LCHR's My City Academy's (MCA) first cohort date, program details, implementation, and its purpose. The program will have 10 initial participants and will commence March 4, 2021.

Outreach Coordinator Hasan updated Commissioners on LCHR's after-school youth outreach project in partnership with Lincoln Public Schools (LPS) and the Asian Community and Cultural Center (ACCC).

Rowan updated Commissioners of the completion of the Redlining Project. The public exhibit for the project is displayed on the third floor of the City-County Building. Rowan added that the completion of the PowerPoint presentation and will work with LNKTV to push it out to the community and LCHR's YouTube channel and other social media platforms.

**NEW BUSINESS:**

**Director Update**

Rush Chipman updated Commissioners about the Tenant Assistance Project's (TAP) Housing Rights Coordinator, Josh Lottman, his housing assistance, and volunteer lawyers providing legal representation at the Lancaster County Courthouse during eviction proceedings to help prevent houselessness during the pandemic.

Rush Chipman updated Commissioners that a new Sr. Civil Rights Investigator had been recently hired and will start with LCHR on March 11, 2021.

Rush Chipman provided a Nebraska Unicameral legislative update, as well as updated Commissioners about the new City ban on conversion therapy for minors and the role that LCHR will have in responding to alleged violations.

Rush Chipman asked for feedback regarding the new reporting format, as well as help in developing a policy for LCHR's use of party and witness identifiers in charges and reports.

**PUBLIC COMMENT:**

No public comments.

The meeting was adjourned at 5:17 p.m.

**Next Meeting:**

Thursday, March 25, 2021, at 4:00 p.m.  
555 S. 10<sup>th</sup> Street, 1<sup>st</sup> Floor, Council Chambers