

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: Wednesday, October 26, 2016 at 3:30 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: Kevin Hooks, Chair; Charlotte Centuori; Sean Higgins; Tiffany Young, Secretary

DETR/NERC Staff Present: Kara Jenkins, Administrator; Linda Castellanos Administrative Assistant I; Michael Baltz, 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

Meeting was called to order at 10:00 a.m. by Chair Hooks. He welcomed everyone and thanked them for attending this meeting.

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

Roll was called by Ms. Jenkins and a quorum was confirmed, and she 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
Chair Hooks

Chair Hooks announced the First Public Comment Session and invited members of the public to speak.

Commission member Sean Higgins commented that he had joined the meeting at this juncture by telephone. Chair Hooks welcomed him to the meeting and hearing no further comments proceeded to the next agenda item.

4. Approval of the March 30, 2016 Commission Meeting Minutes.

Chair Hooks

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

5. Discussion regarding Administrator's report

Kara Jenkins

A. Personnel

Ms. Jenkins briefly explained that NERC has undergone some difficult transitions, including some staffing changes, such as the loss of a couple of investigators, who had promoted into other positions. She mentioned NERC met their EEOC contract (approximately \$465,000.00); however, next year they will need to be fully staffed, and are currently taking steps to replace their investigators as well as clerical staff.

She went on to announce that Coralie Peterson had recently accepted the position of lead clerical administrative assistant, replacing Norma Delaney who had recently retired. In addition, she noted the presence of Linda Castellanos, who began as an administrative assistant and has auto-progressed to an Administrative Assistant I, indicating the advancement possible to those working at NERC.

B. In Memoriam: Rose Marie Reynolds, Deputy Attorney General

Ms. Jenkins went on to mention the recent death of long-time colleague and friend, Rose Marie Reynolds. She read into the record the following obituary:

“Rose Marie Reynolds, 52, passed away peacefully on October 10, 2016, in Las Vegas, NV. Born in Logan, UT, to Cal C. and Sharon Z. Reynolds, she was the eldest of two children. She was preceded in death by her mother, and she is survived and loved by father Carl, brother Jeff, sister-in-law Rebecca, and nephews Connor, Evan and Collin.

Rose Marie spent her teen-aged years in Florida and graduated with honors from Lake Brantley High School, where she won the Brown University Book Award for academic excellence with clarity in written and spoken expression. A member of the Church of Jesus Christ of Latter-Day Saints, she then attended Brigham Young University and graduated with honors in English Literature. Following a period working for Harcourt Brace Javonovich Publishing, she attended the J. Rueben Clark Law School, where she wrote and edited for the BYU Law Review. After clerking for the Federal Court in Washington, DC, she worked for a private law firm in Las Vegas and eventually joined the Nevada Attorney General's office as a deputy attorney general.

Rose Marie's interests included travel, a wide range of literature, British film, word puzzles and doting on her nephews. Skilled in folk arts, her talents in paper craft were greatly appreciated by the many who worked alongside of her or in collaboration with her, as well as by those who received her thoughtful, hand-made cards and gifts. She will be sorely missed by her family and by her many friends.

Graveside memorial services will be at 11:00 AM on October 22nd, at the Hyrum City Cemetery, located in Hyrum, Utah. Arrangements are being handled by the Allen-Hall Mortuary of Logan, UT. Condolences and memories may be shared online with the family at [http://allenmortuaries.net./](http://allenmortuaries.net/)”

Ms. Jenkins mentioned that she also acted as NERC's Deputy Attorney General and she would be missed greatly, she was a 'class act' who truly cared for the rights of others, along with the quality of paying a great attention to detail.

She then asked for comments from Robert Whitney, from the Attorney General's office, who is substituting for Rose Marie temporarily.

Robert Whitney commented that Rose Marie's passing was unexpected and he echoed Ms. Jenkins comments about her, and noted that he found her to be as a very knowledgeable and caring person. He added that they worked in similar areas of the law, with focus on individuals with disabilities, and the quality of her caring came out in all she did, she was very giving with her time, and all will miss her.

Michael Baltz commented that he had known Rose Marie since she came to NERC in 2008. He went on to state that she provided him valuable advice both personally and to NERC and she will be missed for the service she provided as well as the person she was.

Ms. Jenkins thanked them for their comments and mentioned that she would keep them advised when a new DAG is assigned to work with the Commission.

C. Federal Fiscal Year 2016/2017 Equal Employment

Ms. Jenkins announced that the EEOC Work Sharing Agreement has been approved for Federal Fiscal Year 2017, and further explained that that contract provides for approximately one-third of NERC's operational budget. She also provided a copy of the budget and asked if any had questions. Hearing none, she asked Michael Baltz to share information on performance indicators.

D. Performance Indicators/Statistics

Michael Baltz noted that for Federal/Fiscal 2016 (which ended September 30th), NERC had closed 756 cases, which also included some cases for which they had not yet received credit from the EEOC. The total number of cases for which NERC did receive credit was 713. Their contract received an upward modification to 665 cases, so they, in essence have 48 cases that are being carried over for credit toward federal/fiscal year 2017. In spite of their staffing challenges, they have been able to meet not only the initial contract, but to request the upward modification, which served as a significant boost to NERC's overall budget. Most exciting, the total settlement amount for federal/fiscal year 2016 was \$2,149,684.44, over two million in settlement funds, which were turned back to constituents. He commended the outstanding combined efforts of the mediators, the stellar investigators, DAG's thorough case reviews, and NERC's Administrator for performing great conciliations.

Chair Hooks commended their success.

E. Legislative Update

Ms. Jenkins reminded the Commission members of the upcoming February state legislative session, and while NERC is neutral and will not take a position on any particular bill, they will keep track and advise commission members of any legislative action that may affect their work. She also noted that NERC may be asked to provide their neutral testimony on a bill's impact; for example, a bill that proposes segregated bathrooms for transgender students.

She also mentioned that NERC is proposing one bill draft. HUD (U.S. Department of Housing and Urban Development) has repeatedly approached them about becoming substantially equivalent in law in to enable NERC to handle housing complaints, which will allow the opportunity of expanding the agency's funding streams.

In response to a question from Ms. Centuori about housing cases they see, Ms. Jenkins said not many, perhaps one-third cases are housing/public accommodation. If they become substantially equivalent in law, HUD is ready to send many back-logged housing cases for NERC to investigate.

Ms. Centuori further mentioned concerns about the impact the increased workflow may represent, noting her earlier comments about staffing shortages.

Ms. Jenkins mentioned much is unknown (citing, for example, legal representation for charging parties) and the bill is not approved at this point, but she would keep them advised.

Charlotte Centuori asked many other states are in the same predicament as Nevada (not being substantially equivalent in law) and Ms. Jenkins responded that she would research and communicate that to her, although she said that California and D.C. tend to be leaders in promoting federal programs.

Ms. Jenkins concluded her comments on this item by stressing that all positions with NERC and the commission members would remain intact, and would not be affected by any potential legislative change. She added that all the members were welcome to discuss what they would like see happen with NERC; however, she, as the administrator and those currently employed with NERC cannot.

G. Outreach FFY 2016/2017

As the Outreach Specialist, Lila Vizcarra, was not able to attend this meeting, Ms. Jenkins briefly commented that in federal year 2016/2017, not only did they get more than two million dollars in settlements for constituents, (between Michael Baltz, Dennis Maginot, Lila Vizcarra and herself), they also reached over 1,600 employers/groups in their various outreach events.

Chair Hooks thanked her for her comments and asked for a motion to accept the report. A motion was raised by Charlotte Centuori and was seconded by Tiffany Young. The motion carried unopposed.

6. Discussion about Commission involvement for FFY 17 – *For possible action*
Charlotte Centuori

Charlotte Centuori mentioned that she is the newest Commissioner and was uncertain on she could best assist in the work of the commission, aside from attendance at their meetings.

Kara Jenkins commented that the law states that they have the responsibility to foster the good will of the state and are the representatives for equal housing, equal employment, and equality in public places. This might be public speaking engagements, any opinion editorials that they would like to write, or anything that promotes equality within the state.

Chair Hooks commented that when he first joined the commission, he reviewed the previous year's minutes which suggested that they had free reign, within reason, to promote ideas, such as those mentioned by Ms. Jenkins, editorials, panel discussions, and bringing in experts to give presentations. An idea that he would like bring forward is that they have a conversation with the legislature to inform them about the great work being done by the commission, that may make them more willing to consider other proposals/additional work for the group.

Discussion ensued amongst commission members about potential conflicts-of-interest, with a general consensus that they coordinate their efforts with Kara Jenkins, who will assist them in avoiding any blind spots or pitfalls.

7. Discussion regarding the 2017 Legislative Session – *for possible action.*

Chair Hooks

Chair Hooks stated that he and Sean Higgins have made plans to periodically attend portions of the upcoming legislative session to talk about the work of the commission and build champions within the legislature, with an over-arching goal being to 'get more teeth' for NERC (ability to fine, how they outreach to employers, addition of previously discussed HUD component). He further mentioned that they will be working with Ms. Jenkins to put together a presentation, and encouraged the participation of any available commissioners to help in this effort in building a support system within that body.

In order to best comply with open meeting law concerns, **Kara Jenkins** stated that they will schedule a special meeting in late January or early February for the commission to specifically discuss options for the legislative session about 'gaining more teeth.'

8. 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 chairperson.

Chair Hooks asked for any public comments, and hearing none he closed this item 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.
