

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: Wednesday, December 6, 2017
1:00 p.m.

Place of Meeting: Department of Employment, Training & Rehabilitation
1820 E. Sahara Ave., Suite 314
Las Vegas, NV 89104

Teleconference Line: 1-877-810-9415
Access Code 7521358

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

Commission Members Absent: Kevin Hooks (excused)

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

**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 1:03 p.m.

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

Roll was called and a quorum was confirmed.

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 October 5, 2017 Commission Meeting Minutes – Tiffany Young**

A motion to approve the October 5, 2017 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 Update – Kara Jenkins, Administrator, NERC**

Kara Jenkins thanked all for their attendance and noted that her comments would be very brief, but wanted to make sure that they knew that Fat Tuesday has satisfied the terms of settlement and NERC would like to move on with the Commission’s approval. They have installed a Local hotline number (no third party vendor), and have significantly updated their policy and procedural manual to include protections and more detail about reporting incidences of sexual harassment, and NERC was satisfied with these improvements and asked for the approval of the Commission.

Chair Young asked if all the findings of the suit had been met, and Ms. Jenkins affirmed this understanding.

Deputy Attorney General Sophia Long explained that this is an Administrator’s Update, and is meant solely to inform the Commissioners, and does not require a vote of approval.

Charlotte Centuori asked if NERC had had any further contact or issues with the individuals who brought the complaint to them originally, and Ms. Jenkins responded that she has not heard from staff of any further issues with the employer; however, now that the matter has been settled, if a new complaint is received and through investigation it is determined that the settlement terms has been breached, NERC can proceed against them more aggressively. She added that this settlement places upon the employer a heightened duty, and NERC is happy with this result.

Ms. Jenkins then asked if Ms. Long could provide the Commissioners with highlights from a recent Open Meeting Law training conducted by her office, and that in the future year, time would be set aside for a more thorough training catered to them specifically.

Ms. Long mentioned that there have been no particular updates to Open Meeting Law to this date, and that a full discussion of Open Meeting would be made an agenda item in an upcoming Commission meeting.

6. **Discussion – Future Meeting Dates and Agenda Items – Tiffany Young**

Chair Young asked for update on any recent legislation, and Ms. Jenkins stated that the two pertinent changes were on Pregnancy (accommodation) and the Ban the Box (provision).

Ms. Jenkins stated that she would forward information to all the Commission members, but she also provided some highlights of these two items, which included:

Ban the Box –

Public employers (which include schools) must now ensure that there is no question on the physical job application that asks: “Have you been convicted of a felony?” In fact, this question would only come into play when an employer is prepared to make an offer of employment (in connection with passing a background check). Once an otherwise qualified applicant is found to have a felony conviction, steps would be taken to determine if the conviction would cause the person to not be a good fit to the job. (She cited examples, such as the length of time from the infraction – did the applicant have a conviction at age 18 and 30 years later is applying for the job, OR comparing the job description to the infraction – is an applicant with a distant DUI conviction applying for a call center job?), to make sure that they are not singled out solely on the basis of the conviction. If this is the case, the employer must set forth *in writing* why the person has not been selected for the job. She further explained that NERC could take complaints of discrimination against an employer that does not follow this procedure.

NV Pregnant Workers Law –

An employer now has an affirmative duty (within 10 days of a notification/request from an employee) to provide accommodation to the pregnant worker. Examples of accommodation may include more frequent bathroom breaks needed due to pregnancy related issues or a room to express breast milk.

Ms. Jenkins stated that in addition to the Open Meeting Law training to be discussed in the next meeting, she will also add the update on legislative changes item and commended the members for the active part they took in the past year.

Ms. Jenkins also mentioned another possible activity for next year. She would be meeting with the associate dean of the Boyd Law School to see if they can form a partnership to get student law practitioners to help out with some of the caseload and will have some good things to report when the Commission meets again.

Agenda items suggested for the next meeting included:

- Open Meeting Law training – Sophia Long
- More Update on Recent Legislative Changes – Kara Jenkins

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

7. 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.

8. Adjournment – Tiffany Young

Meeting was adjourned at 1:17 p.m.

Notice: Persons with disabilities who require special accommodations or assistance at the meeting should contact Coralie Peterson, Department of Employment, Training and Rehabilitation, between the hours of 8:00 a.m. – 5:00 p.m. at (702) 486-4010 or the Nevada Equal Rights Commission (NERC) in writing at 1820 E. Sahara Ave., Suite 314, Las Vegas, Nevada 89104; or call (702) 486-7161; or fax (702) 486-7054 on or before the close of business on Tuesday, December 5 2017.

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.