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Dennis Shipley, Chair

Lee Plotkin

Aileen Martin

Nadia Jurani

Tiffany Young

Nevada Equal Rights Commission

DRAFT

MINUTES

of the NEVADA EQUAL RIGHTS COMMISSIONERS'

SPECIAL MEETING on June 11, 2007

Via Teleconference

I. Call to Order

Dennis Shipley, Chair, called the meeting to order at 2:10 p.m.

II. Roll Call and Confirmation of Quorum

Norma Delaney, Recording Secretary, called roll and confirmed that a quorum was present.

Members present: Dennis Shipley, Lee Plotkin, Aileen Martin, Nadia Jurani,

Members absent: Tiffany Young

Staff present: Deborah Madison, Administrator, Nevada Equal Rights Commission (NERC); Maureen Cole, Deputy Administrator, NERC; Rose Marie Reynolds, Deputy Attorney General (DAG); Mae Flennoy, Department of Employment, Training & Rehabilitation (DETR) Public Information Officer (PIO); Norma Delaney, Administrative Assistant III, NERC.

III. Verification of Posting

Norma Delaney verified that the agenda had been properly posted and the certificates of posting are on file.

IV. Discussion/Possible Action to Approve Final Revisions to Nevada Equal Rights Commission's Pamphlets

NERC provides pamphlets to potential clients and/or as handouts when outreach training is requested/provided. The four pamphlets under review are:

Types of Workplace Discrimination;
Nevada Pre-Employment Guide;
Filing a Charge of Discrimination; and,
Housing Discrimination

The Commissioners unanimously agreed to the following changes on all four pamphlets regarding the Reno telephone number, web site address, and logo (front/back) - **add**

parenthesis around the area code (775) for the Reno office; **add** the web site address on Types of Workplace Discrimination and Housing Discrimination pamphlets; in regards to the DETR logo on front of each pamphlet, **change** DETR to NERC in its stead (in bold print) and **indicate** a division of DETR in smaller print (emphasis on NERC rather than DETR) – NERC needs to be more prominent than DETR-ok to leave DETR as it is on back page.

General consensus – errs on side of no photos and/or less clip art and make font size larger to provide as much information as possible or make fit with changes

After open discussion regarding the pamphlets, the changes that were recommended included:

Filing a Charge of Discrimination -

- a) **Move** Housing and Public Accommodation Discrimination from back of pamphlet to the inside middle column; **move** Employer and Community Training to the back middle (where Housing and Public Accommodation Discrimination was)

When pamphlet is opened, the left side should reflect Employment Discrimination; middle Housing and Public Accommodation Discrimination; right side, Who Can File A Charge of Discrimination (and whatever else will fit)

- b) First paragraph, first sentence, after The Nevada Equal Rights Commission - add (Commission), a division of the . . .

Also, same paragraph, **remove** the word **creed** and **(ADA)**

- c) How is a Charge of Discrimination Filed? – Second paragraph should read: You must file your employment/public accommodation complaint within 300 days - add public accommodation

Same paragraph – second sentence should read: Housing complaints must be filed within one year of the alleged violation - remove public accommodation

- d) Can I obtain a lawyer and sue my employer without filing a charge? First sentence should read – State and federal law requires you to file a complaint . . . **add** the word and

- e) Employer and Community Training, second paragraph, **remove** the words Equal Rights (should read The Commission . . .)

Pre-Employment Guide -

- a) Under Age – Acceptable side - first sentence, **change** the word hire to hiring

Second sentence; **add** a coma after the word hire

- b) Age – Unacceptable side – last statement – correct to read as follows:
...Identify that applicant is over age 40 – **add** that and is

- c) Sex, Marital Status, Family – Acceptable side - need to **add** sexual orientation

- d) Sex, Marital status, Family – Unacceptable side - first sentence, **add** sex, sexual orientation, or and **change** marital to familial

Sixth sentence – **change** who to whom

- e) Birthplace Citizenship – Unacceptable side – **change** first papers to immigration papers

- f) Physical Condition Disability – Unacceptable side - second sentence, **add** the word benefits to end of sentence

- g) Under the heading – Following the Law in Hiring Practices – second paragraph, second line, **change** the word regulations to law

Third line, **add** a comma after the word Act **remove** the words and affirmative action replace with the words and state law.

- h) On back, left side, **change** the first four lines to read as follows: The Nevada Equal Rights Commission (Commission) prepared this guide to provide general information

- i) Under Employer Training, 4th line down, **remove** the words Equal Rights

Housing Discrimination - Put on hold as there were too many changes that would require a rewrite of the pamphlet

Types of Workplace Discrimination -

- a) Introduction – after the words Nevada Equal Rights Commission **add** (Commission)

- b) Second paragraph – **remove** (ADA)
- c) Fourth paragraph – **move** the first 2 sentences and place at the end of the paragraph
- d) Open up brochure – Under Sex Discrimination – **correct** the spelling of the word Discrimination (brochure has Discrimination)
- e) Suggested that Pregnancy and Maternity Leave be put under Sex Discrimination and as bullet points as it is under state and federal law
- f) **Remove** Sexual Orientation from under Pregnancy Discrimination and **put** in place of Accent discrimination

Change first sentence to read as follows: Sexual Orientation is defined as having or perceived as having an orientation for heterosexuality, homosexuality, or bi-sexuality.

Under Sexual orientation, 5th line down, **correct** spelling of the word complaints (brochure has complaints)

Under Sexual orientation – 6th line down, **correct** the spelling of the word of (brochure has fo)

- g) **Remove** Accent discrimination and **put** as bullet point under National Origin Discrimination.
- h) Under National Origin, second paragraph, 3rd line, **change** Hispanic to non-White
- i) Under Segregation and Classification of Employees – **change** first sentence to read as follows: It is against the law for employers to segregate by physically isolating employees from other employees or from customer contact who belong to a protected group.
- j) Equal Pay should have its own **new** section/title
- k) Under Disability Discrimination, first paragraph, 7th line, **change** ADA to Disability Law
 - 9th line down, **correct** spelling of determined (brochure has deterined)
 - 9th line down, **change** the law word from process to basis
 - 10th line down – need to double space as the sentence that begins with

“A qualified individual must:” starts a **new** paragraph

- k) Bullet point that states “Be regarded as having such an impairment”
add a period to the end of the sentence
- l) **Remove** bullet point from next paragraph and start at left margin
(sentence begins with “An employer is required to make...”)
- m) when pamphlet opened up, back page is upside down

There was general discussion among the Commissioners as to how Ms. Flennoy, DETR, PIO, obtained the information that is included in the pamphlets; who is paying and printing the brochures; if NERC gets their budget money from DETR; the role of the DETR Director in approving NERC’s brochures; the request that if the DETR Director had concerns with the input from the Commissioners, he would address those concerns with the NERC Administrator; the relative size of the DETR logo and the Commission name; whether NERC’s web site should be free standing or part of the DETR web site and how callers are directed to the web page.

Maureen Cole advised that the state fiscal year is coming to a close and that NERC will have some surplus money and if it is not spent, it will be reverted to the general fund and that it is unlikely that there will be any surplus in the next two years due to the request of the Governor to reduce spending for fiscal year 08 by approximately \$29,000 and for 09 by approximately \$33,000. Ms. Flennoy agreed to expedite the proofs so that the pamphlets could be discussed and a decision reached at the end of the meeting so that the orders can be placed. NERC has the funds to print the pamphlets in bulk quantity and may not have the opportunity to do so for quite some time. NERC’s budget comes from the federal EEOC (Equal Employment Opportunity Commission) and the state general fund. NERC is also stocking up on items that are used quite heavily as NERC may not have the cushion at the end of the next state fiscal year.

Ms. Flennoy, PIO, advised the Commissioners that the Director was provided with the same pamphlets that the Commissioners received; that he provided her with some minor changes which are not before the Commission; that the pamphlets that are currently being distributed by NERC are not representative of what anyone would want to display (photo copies) and the Director has a very specific interest in the materials that are being displayed to be professional and very nice looking; that the Director has signed off on those fields, especially the DETR logo and she is not sure how the Director will feel about slashing the DETR logo and downplaying DETR’s role in parenting the NERC.

There was general discussion as to whether the housing brochure could be completed to go to print by June 30, 2007; how the information was obtained by the PIO that is listed in the brochure; whether there is a requirement for source attribution; and whether accessing the HUD web site should be included. Mr. Plotkin advised he would get as

many resources from the Board of Realtors as possible to help in the writing of this brochure and stated it is about solutions, not problems.

Mr. Shipley indicated he would entertain a motion to conclude the discussion. Nadia Jurani moved to empower the Administrator, Deborah Madison, with the final decision making authority regarding the content and appearance of the pamphlets. Lee Plotkin seconded the motion and it carried unanimously.

V. PUBLIC COMMENTS

None.

VI. SCHEDULE NEXT MEETING AND AGENDA ITEMS

Ms Delaney will contact the Commissioners regarding availability for the next date. If the housing pamphlet is completed, the Commissioners will review it at the next meeting.

VII. Adjournment

The meeting adjourned at approximately 3:50 pm.

Submitted for Approval

Lee Plotkin,
Commissioner/Secretary

Date