

# NEBRASKA

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DEPT. OF ADMINISTRATIVE SERVICES



Pete Ricketts, Governor

## **MEMORANDUM**

**October 25, 2021**

**TO:** All Code and Non-Code Agency Heads and Personnel Contacts

**FROM:** Kevin Workman, State Personnel Director  
Department of Administrative Services  
*Kevin Workman*

**SUBJECT:** Rules Teammates and the New NAPE Letter of Agreement

As a result of the collective bargaining agreement reached recently with NAPE/AFSCME, multiple changes have been made to pay lines, overtime, leave, and other provisions for NAPE/AFSCME Labor Contract covered teammates. Neb. Rev. Stat. § 81-1317 grants the State Personnel Director authority to establish programs and otherwise adjust terms and conditions of employment for teammates not covered by collective bargaining agreements, in order to make such terms and conditions of employment more consistent with those of such covered teammates or otherwise address changes arising out of collective bargaining.

Through this statute, I am exercising my authority to implement the following change for teammates covered by the Classified System Personnel Rules and Regulations:

### **Pay Line Adjustments and Wage Increases**

Effective November 8, 2021, the classifications listed in Attachment A shall have their pay lines adjusted upward by 20%. Teammates currently occupying those classifications shall have their base hourly rate increased by 20% on November 8, 2021, except for those teammates who, in the 60 calendar days preceding November 8, 2021, were hired at advanced rates or who received in-grade adjustments. These exceptions shall be reviewed on a case by case basis by State Personnel.

Effective November 8, 2021, the classifications listed in Attachment B shall have their pay lines adjusted upward by 30%. Teammates currently occupying those classifications shall have their base hourly rate increased by 30% on November 8, 2021, except for those teammates who, in the 60 calendar days preceding November 8, 2021, were hired at advanced rates or who received in-grade adjustments. These exceptions shall be reviewed on a case by case basis by State Personnel.

Effective July 1, 2022, the classifications listed in Attachment C shall have their pay lines adjusted upward by 2%. Teammates currently occupying those classifications shall have their base hourly rate increased by 2% on July 1, 2022.

## Facility Specific Shift Differential

Effective November 8, 2021, Rules teammates working at one of the following 24-hour facilities shall receive a \$3/Hour differential if they are assigned by their agency to work at or have as their permanently assigned location one of the 24-hour facilities. A permanently assigned location is the location to which a position or employee has been assigned by their respective agency. The pay differential provided under this section shall be in addition to any other hourly differentials available to teammates, and shall apply to all hours worked while assigned by their agency to one of the listed 24-hour facility locations. The qualifying 24-hour facilities are: Beatrice State Developmental Center (BSDC) – Beatrice, Central Nebraska Veterans' Home – Kearney, Community Corrections Center (CCC-L) – Lincoln, Community Corrections Center (CCC-O) – Omaha, Cornhusker State Industries (CSI) – Lincoln, Diagnostic & Evaluation Center (DEC) – Lincoln, Eastern Nebraska Veterans' Home – Bellevue, Grand Island Veterans' Home – Grand Island, Lincoln Correctional Center (LCC) – Lincoln, Lincoln Regional Center – Lincoln, NDCS Pharmacy – Lincoln, Nebraska Correctional Center for Women (NCCW) – York, Nebraska Correctional Youth Facility (NCYF) – Omaha, Nebraska State Penitentiary (NSP) – Lincoln, Norfolk Regional Center – Norfolk, Norfolk Veterans' Home – Norfolk, Omaha Correctional Center (OCC) – Omaha, Tecumseh State Correctional Institution (TSCI) – Tecumseh, Western Nebraska Veterans' Home – Scottsbluff, Whitehall Campus – Lincoln, Work Ethic Camp (WEC) – McCook, Youth Facility – Lincoln, Youth Rehabilitation and Treatment Center – Hastings, and the Youth Rehabilitation and Treatment Center – Kearney.

## Temporary Overtime Provisions

(Chapter 9.003.03) Effective November 8, 2021 and running through June 30, 2022 all Rules teammates assigned to work at one of the 24-hour facilities listed above shall be eligible for overtime compensation at the rate of two-times (2X) their regular hourly rate of pay, as opposed to one and one-half times (1.5X). This is applicable only to teammates who are deemed by their agency to be overtime eligible under the FLSA, and only for hours worked at one of the qualifying 24-hour facilities.

(Chapter 10.003.02) Also, effective November 8, 2021 and running through June 30, 2022 all Rules teammates assigned to work at one of the 24-hour facilities listed above, and who work on their designated holiday, shall be paid at a rate of two-times (2X) their regular hourly rate for all hours covering their normal work day. For all hours worked in excess of a teammate's normally scheduled work day, the teammate shall be paid at two and one-half (2.5X) their regular hourly rate. This is applicable only to teammates who are deemed by their agency to be overtime eligible under the FLSA, and only for hours worked at one of the qualifying 24-hour facilities.

(Chapter 9.003.02A) Lastly, effective November 8, 2021 Agency Heads have the discretion to provide up to one and one-half times (1.5X) their regular hourly rate to teammates exempt from overtime under the FLSA for extra hours worked, as opposed to straight time compensation. This is not an indication that the teammate is or should be overtime eligible under the FLSA. The State Personnel Director's approval must still be obtained per Chapter 9.003.02A of the Classified System Personnel Rules and Regulations.

## Sick Leave

(Chapter 10.005.01) Effective November 1, 2021 sick leave may be utilized whenever a teammate is on an approved leave under the FMLA.

## Military Leave

(Chapter 10.009 and subsections) Effective November 1, 2021 the military leave benefit available to qualifying teammates shall be increased from 120 hours to 440 hours per calendar year.

## Temporarily Working out of Class

(Chapter 8.005) Effective November 8, 2021 all teammates temporarily reassigned to a higher salary grade to fill a vacancy, or to fill in for a leave period, for a combined eight (8) hours in two consecutive work days, shall be paid at least the minimum hourly rate of the new classification.

Kevin Workman, Director

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