



Jim Pillen, Governor

MEMORANDUM

May 9, 2024

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

FROM: Sean Davis, State Personnel Director
Department of Administrative
Services

SUBJECT: Rules Teammates and Inability to Perform Assigned Duties

NOTICE

This guidance document is advisory in nature but is binding on the Nebraska Department of Administrative Services until amended. A guidance document does not include internal procedural documents that only affect the internal operations of the Department of Administrative Services and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document. See Neb. Rev. Stat. § 84-901.03

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. Article 3.7 of the 2023-2025 NAPE/AFSCME – State of Nebraska Labor Contract allows the State to relieve employees from their duties for specific reasons related to funding or the inability of the employee to perform his/her assigned duties and responsibilities.

Pursuant to my statutory authority, I am implementing the following rule for teammates covered by the Classified System Personnel Rules and Regulations:

Effective May 9, 2024, employees covered by the Personnel Rules & Regulations may be relieved from their duties due to lack of work or funds, or the employee's inability to perform his/her assigned duties after the Employer has attempted to accommodate the employee's disability.

A handwritten signature in black ink, appearing to read "Sean Davis".

Sean Davis, Director

Department of Administrative Services | STATE PERSONNEL

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