

NAPE/AFSCME – State of Nebraska 2021 Letter of Agreement Guide

Non-Base Wage Items		
Provision	Article	Overview
24-Hour Facility Differential - \$3/Hour	Article 7.14	<u>Effective November 8, 2021</u> , this provides a \$3/Hour pay differential to all staff who are assigned to work at a 24-hour facility by their agency. Qualifying facilities and locations are specifically listed. This differential is in addition to any other differential, and applies to any hours worked by a qualifying teammate at a qualifying facility/location. It is to operate similarly to other pay differentials, including that it is applicable only to work hours.
Management Right – Relocation Bonuses	Article 9.6	This additional language clarifies management’s ability to provide, and discretion over, relocation bonuses or moving allowances for new hires, specifically those from out of state. Relocation bonus programs would operate with approval from State Personnel. This is effective <u>November 1, 2021</u> .
Promotions and Demotions	Articles 11.8 and 11.9	This language mirrors the 2019-2021 contract language for simplification. Teammates will receive percentage adjustments based on the applicable calculations noted in Article 11.8 and 11.9, with the potential of being between steps on their new classification’s pay line. Teammates between steps will be addressed via language outlining how July 1 increases are to occur (Article 11). This is a change from the last few months where teammates were rounded to steps upon promotion/demotion and should simplify matters and reduce one-off issues. This is effective <u>November 1, 2021</u> .
Nurse Structure	Article 11.12	<u>Effective November 8, 2021</u> the nurse matrix and all practices and procedures therein are to cease and no longer be utilized unless specifically outlined in this section. A 40 step pay plan shall be implemented using the same structure as other NAPE classifications, meaning each step is 1% above the previous step. Incumbents will be placed in accordance with Article 11.2.3 (see below) as the pay lines are to be increased by 30%. The classifications subject to Article 11.12 are specifically listed. New hires into these classifications will be placed on the pay line according to their nursing experience in the private or public sector, with each year of experience corresponding to three (3) steps (3%). This shall be capped at 10 years, meaning no new hire teammate would be placed above Step 30 as a result of this section.

Temporary Overtime Pay Increase	Articles 12.5 and 12.8	This language provides that from <u>November 8, 2021 until June 30, 2022</u> all teammates assigned to 24-hour facilities or locations, as listed in Article 7.14, shall be eligible for overtime compensation at the rate of two-times (2X) their regular hourly rate as opposed to one and one-half times (1.5X) 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 the qualifying facilities. Article 12.8 was also adjusted to more accurately designate the DHHS facilities under the 8 and 80 provisions.
Work on a Holiday	Article 14.4	This language provides that from <u>November 8, 2021 until June 30, 2022</u> all teammates assigned to 24-hour facilities or locations, as listed in Article 7.14, who work on their designated holiday shall be paid, in addition to normal holiday pay, at a rate of two-times (2X) their regular hourly rate. All hours worked in excess of a teammate's normally scheduled work day are to be paid at two and one-half (2.5X) their regular hourly rate. This language was added to accommodate the temporary adjustment to overtime rates outlined in Articles 12.5 and 12.8. 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 the qualifying facilities.
Overtime Exempt Pay Enhancement	Article 12.13	This language provides that teammates who are deemed by their agency to be overtime exempt under the FLSA may receive up to one and one-half times (1.5X) their regular hourly rate for extra hours worked. This is an enhancement beyond the straight time compensation formerly available. This operates completely at the discretion of the Agency Head and does not indicate that a teammate is entitled to overtime under the FLSA. This is effective <u>November 8, 2021</u> .
Valid Conditions for Sick Leave Usage	Article 14.11	This language provides additional conditions that constitute a valid reason that teammates can utilize sick leave, specifically that sick leave usage would be valid when a teammate is on an approved leave under the FMLA. As an example, this would include the ability for fathers to use sick leave for the birth and bonding of a new child during the course of an agency approved FMLA. Formerly the guidance was that sick leave could only be used by the father for the day of the birth and the day of release from the hospital, absent another qualifying medical matter. Other paid leave options are still available under their specific guidelines. This new provision is not intended to be retroactively applied to FMLA taken prior to the effective date of this adjustment to Article 14.11 (<u>November 1, 2021</u>).

Military Leave Enhancement	Article 14.19	This language increases the amount of military leave available to qualifying teammates from 120 hours per year to 440 hours per year. For the current calendar year, if a teammate has already utilized a portion or all of their 120 hours, they would be eligible for the additional 320 hours immediately. All other terms and conditions for military leave remain applicable. This is effective <u>November 1, 2021</u> .
Temporary Working Out of Class	Article 17.1	This language provides that when a teammate works in a higher classification, meaning a classification with a higher minimum rate of pay than their current classification, for a combined eight (8) hours in two consecutive work days, that teammate shall be paid at least the minimum hourly rate of the higher classification or receive an increase in accord with Article 11.8, whichever is higher. The language has changed the timeframe from fifteen consecutive calendar days, with a pay change on the 16 th day, to the aforementioned combined eight hours in two consecutive work days. As examples, if a teammate works 5 hours on Monday and 4 hours on Friday, this language shall not apply because although it was over 8 hours, the 8 hours were not worked in two consecutive work days. However, should the teammate work 4 hours on Monday and 8 hours on Tuesday, this language would apply as the teammate worked more than 8 hours, in this case 12 hours, in two consecutive days. The teammate would be paid at least the minimum rate of the higher classification for those 12 hours. Alternatively, if the teammate worked 8 hours on Monday and no other hours in the higher classification beyond that, the language would also apply as it was at least 8 hours, meaning the teammate would be paid at least the minimum rate of the higher classification for those 8 hours. This is effective <u>November 8, 2021</u> .
Management Right – Dress Code	Article 25.6	This additional language clarifies management’s discretion related to dress code policies and guidelines. Management has the right to institute dress code related policies, however, should a new dress code policy require a higher standard of dress the union and the state shall meet to negotiate a one-time stipend for current teammates at the agency implementing the new policy, not to exceed \$250 in any circumstance. This is effective <u>November 1, 2021</u> .

Base Wage Items

Wage Adjustment	Article	Overview
20% and 30% Pay Line Adjustments	Article 11.2.3	<p>On <u>November 8, 2021</u>, classifications specifically listed in Article 11.2.3 will receive either a 20% or 30% increase to their pay line, depending on which of the two lists in the Article they fall under. Teammates within those classifications will maintain their respective placements on their classification's pay line if they are currently on a step. Teammates between steps are to be placed on the next highest step prior to pay line adjustment, and then remain on that same numbered step just like those above. Teammates above Step 40 of their classification's pay line shall receive either a 20% or 30% increase to their base hourly rate according to which group their classification falls under. Please consult the below tables and examples for further clarification of this provision.</p>
July 1, 2022 Increases	Article 11.3	<p>On <u>July 1, 2022</u> any classification not specifically listed in Article 11.2.3 will receive a 2% increase to the pay line. Teammates within those classifications will maintain their respective placements on their classification's pay line if they are currently on a step. Teammates between steps are to be placed on the next highest step prior to pay line adjustment, and then remain on that same numbered step just like those above. Teammates above Step 40 of their classification's pay line shall receive a 2% increase to their base hourly rate. Please consult the below tables and examples for further clarification of this provision.</p> <p>Subsequently, all teammates in all classifications, including all those from Article 11.2.3, shall advance one step on their classification's pay line if their performance for the past calendar year has been deemed satisfactory by their agency. Language has been added to clarify that teammates are ineligible for the performance based step movement if performance was not deemed satisfactory for the past calendar year by their agency, if they are still within the first six months of an original probationary period, or if their original probationary period was extended beyond six months for reasons of performance or leave of absence and it extends beyond the 2021 calendar year (goes beyond December 31, 2021).</p>

NAPE Wage Illustration

Classifications & Teammates Receiving 20% Increase November 8, 2021 <i>Per Article 11.2.3</i>	Classifications & Teammates Receiving 30% Increase November 8, 2021 <i>Per Article 11.2.3</i>	Classifications & Teammates Receiving 2% Increase July 1, 2022 <i>Per Article 11.3</i>
<ul style="list-style-type: none"> • Pay Line Increased 20% • Teammate on Step as of 11-7-21 <ul style="list-style-type: none"> ○ Teammate remains on the same numbered step on new pay line • Teammate Between Steps as of 11-7-21 <ul style="list-style-type: none"> ○ Teammate placed on next highest step above hourly rate as of 11-7-21 ○ Pay line adjusted and teammate remains on the same numbered step on the new pay line • Teammate Above Step 40 as of 11-7-21 <ul style="list-style-type: none"> ○ Teammate receives 20% increase to their current hourly rate 	<ul style="list-style-type: none"> • Pay Line Increased 30% • Teammates Not Subject to Article 11.12 <ul style="list-style-type: none"> ○ Placement mirrors those receiving the 20% increase • Teammates Subject to Article 11.12 <ul style="list-style-type: none"> ○ Teammates receive 30% increase to their current hourly rate ○ Teammates whose hourly rate is now on a step receive no further increase ○ Teammates between steps are placed on the next highest step above that new hourly rate ○ Teammates whose new hourly rate is above Step 40 receive no further increase 	<ul style="list-style-type: none"> • Pay Line Increased 2% • Teammate on Step as of 6-30-22 <ul style="list-style-type: none"> ○ Teammate remains on the same numbered step on new pay line • Teammate Between Steps as of 6-30-22 <ul style="list-style-type: none"> ○ Teammate placed on next highest step above hourly rate as of 6-30-22 ○ Pay line adjusted and teammate remains on the same numbered step on the new pay line • Teammate Above Step 40 as of 6-30-22 <ul style="list-style-type: none"> ○ Teammate receives 2% increase to their current hourly rate

Potential Pay for Performance One Step Increase July 1, 2022

Per Article 11.3 – Available to Teammates in All NAPE Covered Classifications

Examples

Classification Adjustments of 20% - November 8, 2021			
C72341 – Master Social Worker	<u>Current Rate:</u> \$22.054 (Step 6)	Teammate remains on the same numbered step after the pay line is increased by 20%.	<u>November 8, 2021 New Rate:</u> \$26.465 (Step 6)
M84011 – Maintenance Technician	<u>Current Rate:</u> \$13.000 (Between Step 9/10)	Teammate is moved to Step 10 and remains on that same numbered step after the pay line is increased by 20%.	<u>November 8, 2021 New Rate:</u> \$15.749 (Step 10)
C72312 – CFS Specialist	<u>Current Rate:</u> \$28.000 (Above Step 40)	Teammate receives an increase of 20% to their hourly rate of pay. No further increase as teammate is above Step 40.	<u>November 8, 2021 New Rate:</u> \$33.600 (Above Step 40)
Classification Adjustments of 30% - November 8, 2021			
H80410 – Dietician	<u>Current Rate:</u> \$25.200 (Between Step 25/26)	Teammate is moved to Step 26 and remains on that same numbered step after the pay line is increased by 30%.	<u>November 8, 2021 New Rate:</u> \$32.881 (Step 26)
H74731 - Pharmacist	<u>Current Rate:</u> \$28.287 (Step 1)	Teammate remains on the same numbered step after the pay line is increased 30%.	<u>November 8, 2021 New Rate:</u> \$36.773 (Step 1)
X62450 – Facilities Surveyor/Consultant	<u>Current Rate:</u> \$32.000 (Above Step 40)	Teammate receives an increase of 30% to their hourly rate of pay. No further increase as teammate is above Step 40.	<u>November 8, 2021 New Rate:</u> \$41.6000 (Above Step 40)

Classification Adjustments of 30% – Subject to Article 11.12 – November 8, 2021

H75015 – Administrative Nurse	<u>Current Rate:</u> \$27.500	Teammate receives a 30% increase to their current hourly rate (\$35.750). Pay line is adjusted 30% and teammate is moved to next highest step on the new pay line (Step 5).	<u>November 8, 2021 New Rate:</u> \$35.953 (Step 5)
I75012 – Staff Care Tech II	<u>Current Rate:</u> \$16.465 (Step 14)	Teammate receives a 30% increase to their current hourly rate (\$21.404). Pay line is adjusted 30% and teammate is moved to the new pay line (Step 14). Since the teammate is directly on a step on the new pay line, there are no further increases.	<u>November 8, 2021 New Rate:</u> \$21.404 (Step 14)
I75013 – LPN	<u>Current Rate:</u> \$34.000	Teammate receives an increase of 30% to their hourly rate of pay. Pay line is adjusted 30% and the teammate is moved to the new pay line. Since the teammate is above Step 40 there are no further increases.	<u>November 8, 2021 New Rate:</u> \$44.200 (Above Step 40)

Classification Adjustments of 2% - July 1, 2022

(New Rates are Prior to Potential Pay for Performance Step Movement)

E55011 – Engineer	<u>Current Rate:</u> \$34.446 (Step 31)	Teammate remains on the same numbered step after the pay line is increased by 2%.	<u>July 1, 2022 New Rate:</u> \$35.135 (Step 31)
M56771 – Highway Survey Assistant	<u>Current Rate:</u> \$17.000 (Between Steps 6/7)	Teammate is moved to Step 7 and remains on that same numbered step after the pay line is increased by 2%.	<u>July 1, 2022 New Rate:</u> \$17.345 (Step 7)
S01012 – Office Specialist	<u>Current Rate:</u> \$23.500 (Above Step 40)	Teammate receives a 2% increase to their hourly rate of pay. No further increase as teammate is above Step 40.	<u>July 1, 2022 New Rate:</u> \$23.970 (Above Step 40)