

## LETTER OF AGREEMENT

THIS LETTER OF AGREEMENT is made and entered into between the State Law Enforcement Bargaining Council (SLEBC) and the State of Nebraska (State) to clarify and alter the handling of the vacation bidding process in light of changes to the Labor Contract (Labor Contract) between the parties that will be effective July 1, 2021. This impacts portions of the 2019-2021 Labor Contract between the parties.

### WHEREAS

Section 11.2.1.1 of the Labor Contract (Labor Contract) between the parties that applies to the time period of July 1, 2019—June 30, 2021 contains language that provides for the bidding of vacation “once per year.”

Section 11.2.1.1 of the Labor Contract (Labor Contract) between the parties that applies to the time period of July 1, 2021—June 30, 2023 contains language that provides for the bidding of vacation “twice per year.”

On January 15, 2021 the members of the bargaining unit are scheduled to make their bids for vacation time, and under the terms of the current contract, that bid would cover a one-year period of time. However, because the revision to the contract that provides for bidding of vacation twice per year will become effective on July 1, 2021 (i.e. during that one-year period) and will require a bid for vacation to occur on a 6-month basis, the parties wish to enter into this Letter of Agreement to set out how vacation bidding will be handled for the 2021 calendar year.

### AGREEMENTS:

It is agreed to by the parties as follows:

Effective for the purposes of vacation bidding process for vacation time from the period of February 1, 2021 through July 31, 2021, the following revision to the language of paragraph 11.2.1.1 in the 2019-2021 Labor Contract will apply:

11.2.1.1 ~~Annual leave requests shall be completed across all Sergeant areas / Districts / Divisions once per year. Troop Area / Division Commanders shall refer employees under their command to Appendix G by January 1st of each calendar year. Employees shall complete their requests using Appendix G and shall turn in the completed form by January 15th of each calendar year. Troop Area / Division Commanders shall process annual leave requests and notify those under their command of approvals / disapprovals by January 31st of each calendar year.~~

For the purposes of bidding vacation time off for the period of February 1, 2021 through July 31, 2021, leave requests shall be completed across all Sergeant areas / Districts/ Divisions as follows. Troop Area / Division Commanders shall refer employees under their command to Appendix G by January 8<sup>th</sup>. Employees shall complete their requests using Appendix G and shall turn in the completed form by January 25<sup>th</sup>. Troop Area / Division Commanders shall process leave requests and notify those under their command of approvals/ disapprovals by January 31<sup>st</sup>.

For the purposes of bidding vacation time off for the period of August 1, 2021 through January 31, 2022, leave requests shall be completed across all Sergeant areas / Districts/ Divisions as follows. Troop Area / Division Commanders shall refer employees under their command to Appendix G by June 1, 2021. Employees shall complete their requests using Appendix G and shall turn in the completed form by June 15<sup>th</sup>, 2021. Troop Area / Division Commanders shall process leave requests and notify those under their command of approvals/ disapprovals by June 31<sup>st</sup>, 2021.

The bidding for all vacation for the period of February 1, 2022 and thereafter shall follow the procedures provided for in Article 11.2.1 and all subsections in the 2021-2023 Labor Contract between the parties that becomes effective on July 1, 2021.

11.2.1.2 Priority 1 ~~annual~~ vacation leave requests shall consist of one leave request of at least seven (7) calendar days but no more than fifteen (15) calendar days. No more than one Priority 1 request per six month bid cycle shall be granted. Priority 1 requests will be granted based upon seniority in the employees' work areas. Ties in seniority shall be broken according to the procedure set forth in Article 9.7 of this contract. Once granted, a priority 1 request cannot be revoked and is transferrable upon promotion, demotion, transfer (voluntary and involuntary), or change in shift pursuant to Article 10 of this contract. ~~A Priority 1 request can be made into the next calendar year but no request shall be granted which exceeds the next calendar year. A Priority 1 request can be made into the next leave period in unusual circumstances that would require substantial travel or planning requirements, if the circumstances are presented to the Troop Area Commander and the extraordinary leave request is approved. The Troop Area Commander's decision regarding Priority 1 requests into the next leave period shall not be grievable.~~

11.2.1.3 Priority 2 ~~annual~~ vacation leave requests shall be granted after all requests pursuant to 11.2.1.2 have been granted. Appendix G shall have 10 spaces available for Priority 2 ~~annual~~ leave requests.

Priority 2 annual vacation leave requests can be for any length of time as long as the hours in the employees leave bank(s) have or will have a sufficient balance. Starting with the most senior officer, the first two Priority 2 annual vacation leave requests shall be granted. The next senior officer shall then be granted their highest two Priority 2 annual vacation leave requests that are available, and so on until all bargaining unit members have had their first two Priority 2 annual vacation leave requests considered. Ties in seniority shall be broken according to the procedure set forth in Article 9.7 of this contract. All remaining Priority 2 vacation requests shall be granted according to seniority. Once granted, Priority 2 annual vacation leave requests cannot be revoked unless a declared emergency as defined in Article 2 of this contract is declared. Priority 2 annual vacation leave requests are not transferrable upon promotion, demotion, transfer (voluntary and involuntary), or change in shift pursuant to Article 10 of this contract.


- 11.2.1.4 Vacation leave requests by a bargaining unit member during the progression of the current work period may be of any length of time. Vacation leave requests shall be approved unless denied and written notice of the denial is provided within 5 business days of receipt by a member of the bargaining unit member's chain of command.

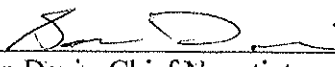
It is further agreed to by the parties to revise a portion of the 2021-2023 Labor Contract between the parties. There are two adjustments that will be made to the 2021-2023 Labor Contract between the parties. The parties agree that Article 11, Sections 11.2.1.1 and 11.2.1.2 of the 2021-2023 Labor Contract between the State of Nebraska and the State Law Enforcement Bargaining Council be amended as follows:

- 11.2.1.1 Vacation leave requests shall be completed across all Sergeant Areas / Districts / Divisions twice per year. Troop Area / Division Commanders shall refer employees under their command to Appendix G by June 1<sup>st</sup> of each calendar year for the period starting August 1<sup>st</sup> and ending January 31<sup>st</sup> and November 1<sup>st</sup> 15<sup>th</sup> of each calendar year for the period of February 1<sup>st</sup> and ending July 31<sup>st</sup>. Employees shall complete their requests using Appendix G by June 15<sup>th</sup> and November 1<sup>st</sup> 29<sup>th</sup> of each calendar year for each respective period. Troop Area / Division Commanders shall process vacation leave requests and notify those under their command of approvals/disapprovals by June 31<sup>st</sup> and November 31<sup>st</sup> of each calendar year for each respective period.
- 11.2.1.2 Priority 1 vacation leave requests shall consist of one leave request of at least seven (7) calendar days but no more than fifteen (15) calendar days. No more than one Priority 1 request per six month bid cycle shall be granted. Priority 1 requests will be granted based upon seniority in the employees' work areas. Ties in seniority shall be broken according to the procedure set forth in Article 9.7 of this contract. Once granted, a

priority 1 request cannot be revoked and is transferrable upon promotion, demotion, transfer (voluntary and involuntary), or change in shift pursuant to Article 10 of this contract. ~~A Priority 1 request can be made into the next leave period but no request shall be granted which exceeds the next leave period.~~ A Priority 1 request can be made into the next leave period in unusual circumstances that would require substantial travel or planning requirements, if the circumstances are presented to the Troop Area Commander and the extraordinary leave request is approved. The Troop Area Commander's decision regarding Priority 1 requests into the next leave period shall not be grievable.

Dated this 20<sup>th</sup> day of January, 2021.

  
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Gary Young, Chief Negotiator  
State Law Enforcement Bargaining Council

  
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Sean Davis, Chief Negotiator  
State of Nebraska