

# Labor Contract between the State of Nebraska and NAPE/AFSCME 2019-2021



## Major Changes to the NAPE Labor Contract

**NEBRASKA**

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

Brought to you by:

Employee Relations Division,  
a division of the Department of Administrative Services

Employee Relations



NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## September

- **September 1** - Union provides its proposal to the State
- On or before 2<sup>nd</sup> Wed. in September Negotiations commence

## October

- **October 1** - State provides its counter proposal to Union
- **October 15** - Union and State notify each other of Appendix modifications
- **October 30** - Union to submit Appendix proposals to State

## November

- **November 10** - State to submit its Appendix proposals to Union

## 2019-2021 NAPE/AFSCME Bargaining Timeline cont'd

### December

- **December 1** - Unresolved issues submitted for mediation if no agreement is reached

### January

- **January 1** - Unresolved issues submitted to Mediator
- **January 10** - Parties exchange Final Offers on unresolved issues
- **January 15** - Parties submit unresolved issues to CIR

### March

- **March 1** - CIR must issue an Order on each unresolved issue
- **March 16** - Chief Negotiator reports to Governor and Legislature on Status of Negotiations
- **March 31** - Appeal to Nebraska Supreme Court must be filed by this date (30 days after CIR Order)

# 2019-2021 NAPE/AFSCME Contract

---

8,001 employees are covered by the NAPE/AFSCME Labor Contract which consists of 8 Bargaining Units.



**NEBRASKA**

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

# Article 1 - Preamble

---

## 1.1 NAPE covers 8 of the 12 Statutorily defined Bargaining Units

- Administrative Professional (A)
- Social Services and Counseling (C)
- Engineering, Science and Resources (E)
- Health and Human Care Professional (H)
- Health and Human Care/Non-Professional (I)
- Maintenance, Trades and Technical (M)
- Administrative Support (S)
- Examining, Inspection and Licensing (X)

Protective Service (P) moved to FOP Contract

NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

# Department of Transportation

---

- 3.15 Changed Department of Roads to Department of Transportation
  - 7.7 Similar change
  - 9.1 Similar change
  - 14.1 Similar change
  - 18.5 Similar change
- Similar change in Appendix D



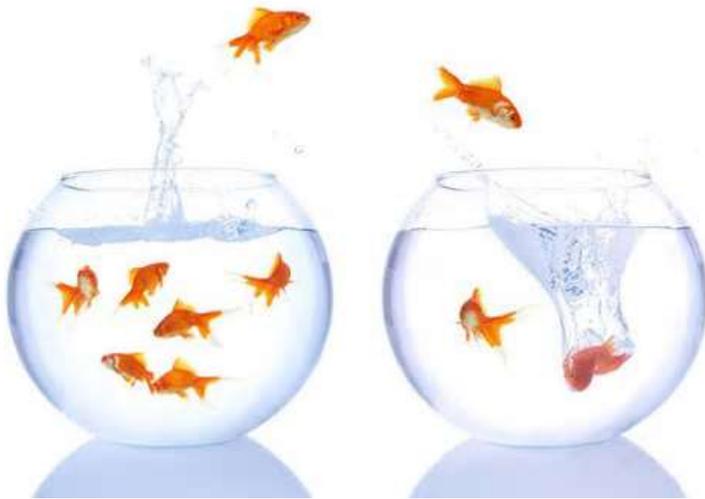
## Article 7 – Work Schedule

---

### Section 7.7.1

The following categories were transferred to similar section in the FOP Contract:

- Developmental Disabilities Safety and Habilitation Specialist
- Mental Health Security Specialist I, II, III
- Youth Security Specialist I, II



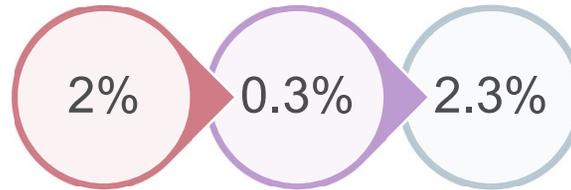
NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## Article 11 – Wages

---



**11.2 July 1, 2019 all employees, except those specified in Section 11.2.1, receive a 2% increase**

**and**

**0.3% additional increase for satisfactory performance for past calendar year to be calculated simultaneously.**

**NEBRASKA**

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

# Article 11 – Wages (cont'd)

## (DOT Special Adjustments)

---

**11.2.1 NEW.** On July 1, 2019, the minimum rate and maximum rate of pay for the following classes shall be adjusted to the amounts shown below. Incumbents of these classifications shall receive a minimum 5% increase or to the new hiring rate, whichever is higher. Increases to those employees at the top of the new pay line will not exceed 5% over the new maximum rate. Such adjustments shall be in lieu of any other increase, including the one provided in Section 11.2.

	Minimum Rate	Maximum Rate
Highway Maintenance Worker	\$16.300	\$22.600
Highway Maintenance Worker, Sr.	\$17.000	\$23.700
Highway Maintenance Crew Chief	\$19.250	\$25.450
Highway Construction Technician I	\$16.300	\$22.200
Highway Construction Technician II	\$17.750	\$24.500
Highway Construction Technician III	\$21.600	\$30.100
Highway Construction Technician IV	\$25.950	\$36.650



NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

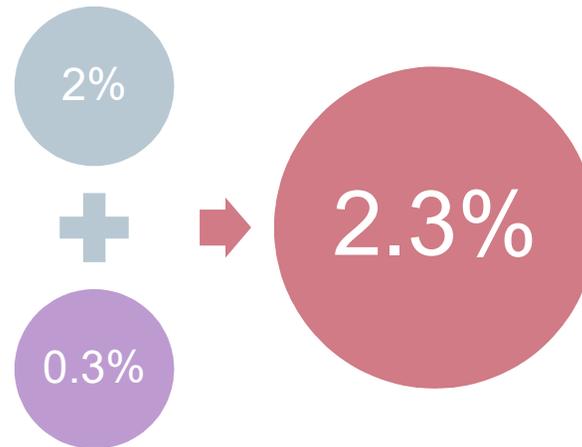
## Article 11 – Wages *(cont'd)*

---

11.3 July 1, 2020 all employees, except those specified in Section 11.3.1, receive a 2% increase

and

0.3% additional increase for satisfactory performance for past calendar year to be calculated simultaneously.



NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

# Article 11 – Wages (cont'd)

## (DOT Special Adjustments)

---

**11.3.1 NEW:** On July 1, 2020, the minimum rate and maximum rate of pay for the following classes shall be adjusted to the amounts shown below. Incumbents of these classifications shall receive a minimum 2% increase or to the new hiring rate, whichever is higher. Increases to those employees at the top of the new pay line will not exceed 5% over the new maximum rate. Such adjustments shall be in lieu of any other increase, including the one provided in Section 11.3.

	Minimum Rate	Maximum Rate
Highway Maintenance Worker	\$16.300	\$22.600
Highway Maintenance Worker, Sr.	\$17.550	\$24.450
Highway Maintenance Crew Chief	\$20.250	\$28.000
Highway Construction Technician I	\$16.300	\$22.200
Highway Construction Technician II	\$18.750	\$25.900
Highway Construction Technician III	\$22.750	\$31.700
Highway Construction Technician IV	\$26.500	\$37.450



**NEBRASKA**

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## Article 11 – Wages (cont'd)



11.5 and 11.6 ~~ Paylines remain the same, both years, as in prior contract unless otherwise noted.

NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## Article 11 – Wages *(cont'd)*

---

11.8 Modified the sixth paragraph as follows: In the following three situations an exception to the above language will be made, that an employee shall receive a 5% pay increase to their base rate of pay: if the employee is promoted from ~~Highway Maintenance Worker/Senior to Highway Maintenance Crew Chief~~; or promoted from Engineer I to Engineer II; or promoted from Environmental Engineer I to Environmental Engineer II. In no case shall the employee be paid more than the maximum rate of pay of the new classification.

11.12 Nurse Compensation – Pay rates will be adjusted based on the Letter Agreement referencing nurse salaries.



NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## Article 11 – Wages (cont'd)

---

11.13 Longevity Pay. Was removed.

11.13.1 Longevity Pay – Appeal Process.  
Was removed.



NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## Article 12 – Overtime

---

12.8.b. Removed reference to the Protective Service Bargaining Unit:

The employee may not carry more than 240 hours of compensatory time (160 hours x 1.5) -- amounts over this limit must be taken in pay.



NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## Article 13 – Insurance

13. Annual deductibles remain the same as current contract.



- \$1400 annual deductible per person for the first and second year of this contract (In Network)
- \$2600 annual deductible per family, for the first and second year of this contract (In Network)

NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## Article 13 – Insurance (cont'd)



- Remains the same as current contract.
- \$4000 annual medical out-of-pocket maximum per person (In Network)
- \$8000 annual medical out-of-pocket maximum per family (In Network)
- 80% coinsurance remains for most covered services after deductible (In Network)

NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## Article 13 – Insurance (cont'd)



- ✓ Co-payment for Dr. office visits only, not to exceed \$45 - remains the same
- ✓ Co-payment for Specialty Dr. office visit, not to exceed \$55 - remains the same
- ✓ Co-Payment for Urgent Care Center visit, not to exceed \$75 – remains the same

NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## Article 13 – Insurance (cont'd)



### Rx Drug Card coverage:

- ✓ \$5 Co-payment per 30 day supply of Tier 1 drugs - remains the same
- ✓ \$40 Co-payment per 30 day supply of Tier 2 drugs) for the first and second year of this labor contract.
- ✓ \$60 Co-payment per 30 day supply of Tier 3 drugs for the first and second year of this labor contract.

NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## Article 13 – Insurance (cont'd)

---

- ✓ Annual pharmacy out of pocket maximum is \$2250 per individual, for the first and second year of this labor contract.
- ✓ Annual pharmacy out of pocket maximum is \$4500 per family, for the first and second year of this labor contract.
- ✓ Mail order is available for long-term maintenance drugs for a 90 day supply with a cost of 2x the 30 day supply for each level of drugs - remains the same



NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## Article 14 – Authorized Leave

---

**14.18 Injury Leave.** Added pursuant to Neb. Rev. Stat. Sec. 48-119 to the first paragraph, third line, to be in compliance with state statute.



**NEBRASKA**

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## Article 14 – Authorized Leave (cont'd)

---

14.27 NEW. Maternity Leave Donation (MLD) Program. When an expectant mother needs to be away from work due to a birth of a child she may request MLD. MLD shall be available only to employees who have exhausted their own earned sick leave, in conjunction with an approved Family Medical Leave (FML) under the Family Medical Leave Act and only with approval of the agency head and/or designee.

14.27.1 NEW. Eligibility of Recipient. Employees shall meet the following criteria before request(s) for donations can be made:

- a. Be the expectant mother of a newborn baby
- b. FML request has been approved by the agency
- c. Have exhausted all earned sick leave
- d. Have not offered anything of value in exchange for the donation

NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES



## Article 14 – Authorized Leave (cont'd)



14.27.2 NEW. Requesting Maternity Leave Donations. Employees must submit a written request for MLD to the agency/facility Human Resources office. The request must include substantiating evidence as described in the Family Medical Leave Act. (For your convenience, request forms are available from your agency/facility Human Resources office or the DAS State Personnel website.) The Human Resources staff will be responsible to initiate the process to verify eligibility, seek agency head approval, request donations, apply the conversion formula to donations received, advise the employee of donations received and notify the appropriate payroll personnel of changes to receiving/donating employees' leave balances. Agency heads and/or their designee(s) must approve both the FML and MLD requests before solicitation for donations begin.

NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## Article 14 – Authorized Leave (cont'd)

---

14.27.3 NEW. Contributing Maternity Leave Donations. Employees may contribute accrued vacation leave or earned compensatory time to benefit another State employee in the same agency who requests MLD. Vacation leave and earned compensatory time shall be donated in no less than 4 hour increments. The contributing employee must identify the specific amount of time donated and the name of the recipient of the donated time on the appropriate forms for that purpose. Vacation leave and compensatory time donated and transferred to another State employee pursuant to this provision shall be irrevocably credited to the recipient's MLD account.



Vacation leave and compensatory time transferred shall be converted to a dollar value and then converted to hours based on the recipient's hourly rate (e.g., the leave donor's salary is \$12.00 per hour and the recipient's salary is \$24.00 per hour, thus, in this case, twice the amount of hours is needed to achieve full conversion.) No more than an equivalent of 480 hours of MLD may be received by an employee during a twelve-month period. No more hours than required during the approved FML period should be received. (e.g., the employee has 2 weeks of paid sick leave accrued. After the 2 weeks of accrued sick leave is used, the employee can only request 4 weeks of donated leave to fill a 6 week FML request.) The agency shall transfer donated leave to the recipient's account from the donor's accruals in chronological order based on the date the form was received and on an as needed basis.

NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## Article 14 – Authorized Leave (cont'd)

---



14.27.4 NEW. Eligibility of the Donor. Before donating vacation leave or earned compensatory time employees shall meet the following criteria:

- a. Only increments of four (4) hours may be donated.
- b. Have not solicited nor accepted anything of value in exchange for the donation.
- c. Have remaining to his/her credit at least 40 hours of accrued vacation leave. Earned compensatory time can be donated completely- leaving a zero balance.

NEBRASKA

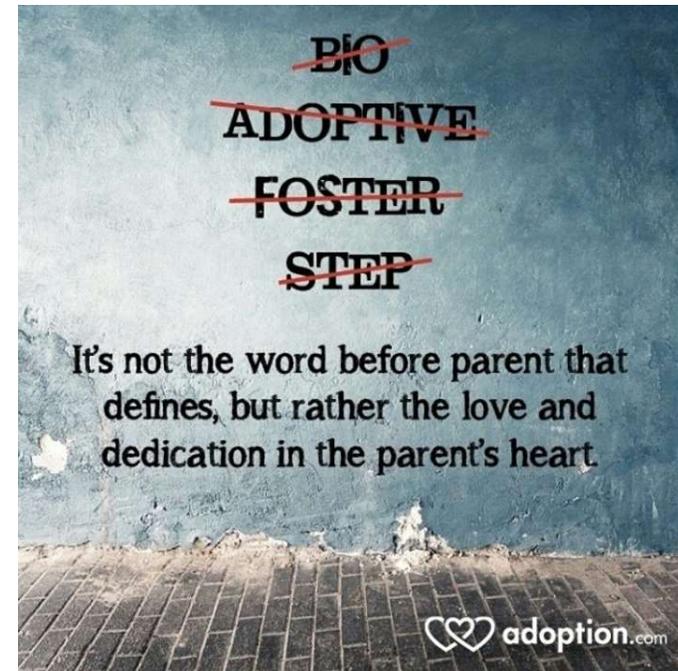
Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## Article 14 – Authorized Leave (cont'd)

14.27.5 NEW. Adoptive Mothers. Per Neb. Rev. Stat. § 48-234 adoptive mothers may be entitled to use the MLD program in certain situations. Adoptive mothers must meet the eligibility requirements as outlined above.

14.27.6 NEW. The provisions of this section are non-grievable.



NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

# Article 15 – Anti-Discrimination and Workplace Harassment

---

## 15.2 We added bullying.

“Employees have the right to a workplace free from sexual harassment, inappropriate physical conduct, bullying and threatening behavior.”



NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## Article 17 – Pay During Temporary Transfer

**17.1 We removed the reference to Department of Correctional Services employees covered by this Contract.**



**NEBRASKA**

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## Article 18 – Health and Safety

---

### 18.2 Added “diligently and timely” to the second to last sentence:

... In the event the building or worksite is leased from a county or other third party, it shall be the Employer's responsibility to diligently and timely pursue improvements that will make the worksite safe and healthy.



NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## Article 18 – Health and Safety (cont'd)

---

### 18.5



- Added “Nebraska State Electrical Division employees covered by this Contract see Appendix V for Uniforms provisions”.
- “Department of Veterans’ Affairs employees covered by this Contract see Appendix W for Uniforms provisions”. This is a new Appendix.



NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## Article 22– Personnel File Information

---

22.7 Personnel records relating to workplace harassment shall be removed from the file after seven years (was four years) at the employee's request.



NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## Article 24– Term of Contract

---

**24.1 Labor Contract effective date changes to July 1, 2019 through June 30, 2021.**



**NEBRASKA**

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## Appendix A

---

Pay Plan for all NAPE/AFSCME Bargaining Unit classifications.



NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES

## “E” Bargaining Unit



The “E” Unit exceptions remain in Sections:

12.9 – How Overtime is calculated

14.1 – Holidays (no Columbus Day holiday)

14.5 – Vacation Leave accrual

14.10 – Sick Leave accruals

14.18 – Injury Leave

NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES



## Questions?

Contract  
interpretations can  
be found on our  
website!

[http://das.nebraska.gov/emprel/Interps\\_Revised.html](http://das.nebraska.gov/emprel/Interps_Revised.html)

NEBRASKA

Good Life. Great Service.

DEPT. OF ADMINISTRATIVE SERVICES