

FOP 88 – State of Nebraska 2021 Letter of Agreement Guide

Non-Base Wage Items		
Provision	Article	Overview
Union Leave of Absence	Article 6.10	This additional language modifies the specific leave of absence provision described in Article 6.10 for one teammate in the bargaining unit. The leave of absence must be requested annually and approved by the agency head without unreasonable denial. Should such a leave of absence reach four years, meaning it has been requested and approved four times, the agency head has discretion over the approval or denial of further requests, not subject to the reasonableness standard. Further language clarifies the circumstances in place upon the teammate’s return from the leave of absence. <u>This is effective December 6, 2021.</u>
Management Right – Moving Allowances	Article 9.6	This additional language clarifies management’s ability to provide, and discretion over, moving allowances for new hires, specifically those from out of state or who live 200 or more miles from the facility they have been hired to work at. Moving allowances can cover costs beyond the actual moving costs. <u>This is effective December 6, 2021.</u>
Temporary Overtime Pay Increase	Articles 12.5 and 12.8	This language provides that from <u>December 6, 2021 until June 30, 2023</u> all teammates 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.
Work on a Holiday	Article 14.4	This language provides that from <u>December 6, 2021 until June 30, 2023</u> all teammates 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 workday are to be paid at two and one-half (2.5X) their regular hourly rate. This temporary 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.

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>December 6, 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. <u>This is effective December 6, 2021.</u>
Tuition Reimbursement	Article 20.4 & 20.5	These language adjustments provide that an approved tuition reimbursement request are to be approved in an amount up to \$10,000 dollars per year. This is applicable to tuition and books, and is <u>effective December 6, 2021.</u>
Department of Correctional Services Temporary Overtime Pay Increase	Appendix M.6.1	This language provides that from <u>December 6, 2021 until June 30, 2023</u> all teammates 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, for hours worked in excess of the standard work week. During that same timeframe, hours worked in excess of 16 consecutive hours plus roll call in a 24-hour period are to be compensated at two and one-half (2.5) times their regular hourly rate. This temporary language was added to accommodate the temporary adjustment to 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.

Base Wage Items

Wage Adjustment	Article	Overview
Wage Considerations	Article 11.2.4	Additional language added for clarity on the word “advancement.” Additional language was added that indicates that disciplinary probation does not prevent a teammate from receiving a merit increase on July 1 unless the Director designates that it shall. The language also stipulates that any disciplinary action greater than disciplinary probation does prevent a teammate from receiving a merit increase on July 1 subject to the Director’s discretion to make an exception.
Pay Line Adjustments	Article 11.3	<p>On <u>December 6, 2021</u>, the pay lines for Corrections Corporal, Corrections Sergeant, Corrections Unit Caseworker, Behavior Technician, Mental Health Security Specialist II, Developmental Disabilities Safety & Habilitation Specialist, and Youth Security Specialist II are increased by five dollars (\$5.00). 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 7 of their classification’s pay line shall receive an increase to their base hourly rate of five dollars (\$5.00). Please consult the below tables and examples for further clarification of this provision.</p> <p>On <u>December 6, 2021</u>, the pay lines for Military Security Officer Trainee, Military Security Officer, Security Communications Specialist, and Security Guard are increased by four dollars (\$4.00). All teammates within those classifications will receive an increase to their base hourly rate of four dollars (\$4.00).</p>
Pay Differential	Article 11.3.1	<u>Effective December 6, 2021</u> , a pay differential of three dollars per hour (\$3.00/hour) is available to the following classifications: Corrections Corporal, Corrections Sergeant, Corrections Unit Caseworker, Behavior Technician, Mental Health Security Specialist II, Developmental Disabilities Safety & Habilitation Specialist, and Youth Security Specialist II. This differential is in addition to any other differential provided for in the labor contract and applies to all hours, both worked and leave hours. The pay differential shall operate as such during the course of the 2021-2023 Labor Contract, with the potential to become part of the base hourly rate of pay as outlined in the Appendix A - Pay Line should certain conditions regarding reductions in vacant

positions be met. Please consult the below tables and examples for further clarification of this provision and those conditions.

July 1, 2022 Increases

Article 11.3.2
& 11.3.3

On July 1, 2022, teammates within the following classifications—Corrections Corporal, Corrections Sergeant, Corrections Unit Caseworker, Behavior Technician, Mental Health Security Specialist II, Developmental Disabilities Safety & Habilitation Specialist, and Youth Security Specialist II—shall receive an increase under the following conditions. All teammates shall advance one step on their classification’s respective pay line if their performance for the past calendar year has been deemed satisfactory by their agency, and subject to the disciplinary provisions in Article 11.2.4 and 11.3.2. Teammates whose base hourly rate of pay, which means the rate of pay without any pay differential, is directly on a step on their pay line shall advance one step, those whose base hourly rate of pay is between steps on their pay line shall first be placed on the nearest step above that base rate and then shall advance one step, and those whose base hourly rate of pay is on or above Step 7 shall receive a two percent (2%) increase to their base rate.

On July 1, 2022, teammates within the following classifications— Military Security Officer Trainee, Military Security Officer, Security Communications Specialist, and Security Guard—shall receive a two percent (2%) salary increase if their performance for the past calendar year has been deemed satisfactory by their agency.

FOP 88 Wage Illustration December 6, 2021

Classifications & Teammates Receiving \$5.00/hour Increase December 6, 2021

Per Article 11.3 & 11.3.1

- Pay Line Increased by \$5.00
- Teammate on Step as of 12-5-21
 - Teammate remains on the same numbered step on new pay line
- Teammate Between Steps as of 12-5-21
 - Teammate placed on next highest step above hourly rate
 - Pay line adjusted and teammate remains on that same numbered step on the new pay line
- Teammate Above Step 7 as of 12-5-21
 - Teammate receives increase of \$5.00 to their current hourly rate
- All Teammates
 - \$3/hour pay differential

Classifications & Teammates Receiving \$4.00/hour Increase December 6, 2021

Per Article 11.3

- Pay Line Increased by \$4.00
- Teammate receives increase of \$4.00 to their current hourly rate

FOP 88 Pay Differential Illustration

The below outcomes apply equally to DCS and DHHS classifications as outlined in Article 11.3.1, however the two categories of classifications (DCS and DHHS) shall operate separately in terms of vacancy numbers and the potential for the pay differential to become part of the pay line.

	Vacancy Reduction Goal of 10% or More Met on June 30, 2022 – Decrease of 55 or more for DCS or 23 or more for DHHS
Explanation	On June 30, 2022 the number of vacant positions is compared to that on November 8, 2021. If there has been a decrease in the total number of vacancies at DCS of 55 or more, or 23 or more at DHHS, then the vacancy reduction goal of 10% has been met.
Outcome	\$1.50 of the Pay Differential becomes added to the pay line in Appendix A, and the remaining \$1.50 remains a Pay Differential.
Example	<p><u>12/6/21: Corrections Corporal</u>—Base Pay is \$25.00 / Pay Differential is \$3.00 / <u>Total Pay is \$28.00</u></p> <p><u>07/4/22: Corrections Corporal</u>—Base Pay is \$26.50 / Pay Differential is \$1.50 / <u>Total Pay is \$28.00</u></p> <p><u>With Step Movement 07/4/22: Corrections Corporal</u>—Base Pay is \$27.50 / Pay Differential is \$1.50 / <u>Total Pay is \$29.00</u></p>
	Vacancy Reduction Goal of 10% or More Met on January 1, 2023 – Decrease of 55 or more for DCS or 23 or more for DHHS
Explanation	On January 1, 2023 the number of vacant positions is compared to that on November 8, 2021. If there has been a decrease in the total number at DCS of 55 or more, or 23 or more at DHHS, then the vacancy reduction goal of 10% has been met. This assumes that the goals of 55 or more at DCS and/or 23 or more at DHHS were not met on June 30, 2022.
Outcome	\$1.50 of the Pay Differential becomes added to the pay line in Appendix A, and the remaining \$1.50 remains a Pay Differential.
Example	<p><u>12/6/21: Corrections Corporal</u>—Base Pay is \$25.00 / Pay Differential is \$3.00 / <u>Total Pay is \$28.00</u></p> <p><u>07/4/22: Corrections Corporal</u>—Base Pay is \$25.00 / Pay Differential is \$3.00 / <u>Total Pay is \$28.00</u></p> <p><u>With Step Movement 07/4/22: Corrections Corporal</u>—Base Pay is \$26.00 / Pay Differential is \$3.00 / <u>Total Pay is \$29.00</u></p> <p><u>01/2/23: Corrections Corporal</u>—Base Pay is \$26.50 / Pay Differential is \$1.50 / <u>Total Pay is \$28.00</u></p> <p><u>With Step Movement: Corrections Corporal</u>—Base Pay is \$27.50 / Pay Differential is \$1.50 / <u>Total Pay is \$29.00</u></p>
	Vacancy Reduction Goal of 20% or More Met on January 1, 2023 – Decrease of 110 or more for DCS or 46 or more for DHHS
Explanation	On January 1, 2023 the number of vacant positions is compared to that on November 8, 2021. If there has been a decrease in the total number at DCS of 110 or more, or 46 or more at DHHS, then the vacancy reduction goal of 20% has been met. This would take effect whether or not the 10% goal was met on June 30, 2022.
Outcome	All \$3.00 (or remaining \$1.50) of the Pay Differential becomes added to the pay line in Appendix A, and the Pay Differential is no longer in place.
Example	<p><u>12/6/21: Corrections Corporal</u>—Base Pay is \$25.00 / Pay Differential is \$3.00 / <u>Total Pay is \$28.00</u></p> <p><u>07/4/22: Corrections Corporal</u>—Base Pay is \$25.00/26.50 / Pay Differential is \$3.00/\$1.50 / <u>Total Pay is \$28.00</u></p> <p><u>With Step Movement 07/4/22: Corrections Corporal</u>—Base Pay is \$26.00 / Pay Differential is \$3.00 / <u>Total Pay is \$29.00</u></p> <p><u>01/2/23: Corrections Corporal</u>—Base Pay is \$28.00 / Pay Differential is \$0 / <u>Total Pay is \$28.00</u></p> <p><u>With Step Movement: Corrections Corporal</u>—Base Pay is \$29.00 / Pay Differential is \$0 / <u>Total Pay is \$29.00</u></p>

Examples

Examples do not include \$3.00/hour pay differential per Article 11.3.1.

Classification Adjustments of \$5.00 - December 6, 2021			
P66112 – Corrections Corporal	<u>Current Rate:</u> \$20.000 (Step 1)	Teammate remains on the same numbered step after the pay line is increased by \$5.00.	<u>December 6, 2021 New Rate:</u> \$25.000 (Step 1)
P76142 – Mental Health Security Specialist II	<u>Current Rate:</u> \$19.300 (Between Step 3/4)	Teammate is moved to Step 4 and remains on that same numbered step after the pay line is increased by \$5.00.	<u>December 6, 2021 New Rate:</u> \$25.000 (Step 4)
P66441 – Corrections Unit Caseworker	<u>Current Rate:</u> \$28.500 (Above Step 7)	Teammate receives an increase of \$5.00 to their hourly rate of pay.	<u>December 6, 2021 New Rate:</u> \$33.500 (Above Step 7)
Classification Adjustments of \$4.00 – December 6, 2021			
P64831 – Security Guard	<u>Current Rate:</u> \$13.600	Teammate receives an increase of \$4.00 to their hourly rate of pay.	<u>December 6, 2021 New Rate:</u> \$17.600
P64912 – Military Security Officer	<u>Current Rate:</u> \$25.000	Teammate receives an increase of \$4.00 to their hourly rate of pay.	<u>December 6, 2021 New Rate:</u> \$29.000
July 1, 2022 Increases			
P66113 – Corrections Sergeant	<u>Current Rate:</u> \$33.000 (Step 5)	Teammate advances one step contingent on satisfactory performance and disciplinary requirements.	<u>New Rate:</u> \$34.000 (Step 6)
P76752 – Youth Security Specialist II	<u>Current Rate:</u> \$24.890 (Between Step 3/4)	Contingent on satisfactory performance and disciplinary requirements, teammate is rounded to the nearest step above their current rate (Step 4) and then advances one step.	<u>New Rate:</u> \$26.000 (Step 5)
P66112 – Corrections Corporal	<u>Current Rate:</u> \$32.000 (Above Step 7)	Teammate receives an increase of two percent (2%) to the hourly rate of pay.	<u>New Rate:</u> \$32.640 (Above Step 7)
P61851 – Security Communications Specialist	<u>Current Rate:</u> \$23.500	Teammate receives an increase of two percent (2%) to the hourly rate of pay.	<u>New Rate:</u> \$23.970