

**Nebraska Department of Correctional Services
LB 657 Mandatory Overtime Reduction Report**

Introduction

In Legislative Bill 657 (2015), the Appropriations Committee indicated the intent of the Legislature was for the Department to reduce mandatory overtime at its facilities. The following provision was included in LB 657:

The department shall examine reducing mandatory overtime by studying its pay structure, including, but not limited to, adopting a pay structure that allows employees to advance through the pay line, adopting a step plan or a similar-type plan, or by adopting another method that gives incentives for employees to remain employed by the department. The department may conduct a salary survey to see if the department's salaries are competitive with other entities for which it competes with for employees. The department shall issue a report to the Appropriations Committee of the Legislature electronically on this subject by January 1, 2016.

The scope of this report addresses the following issues:

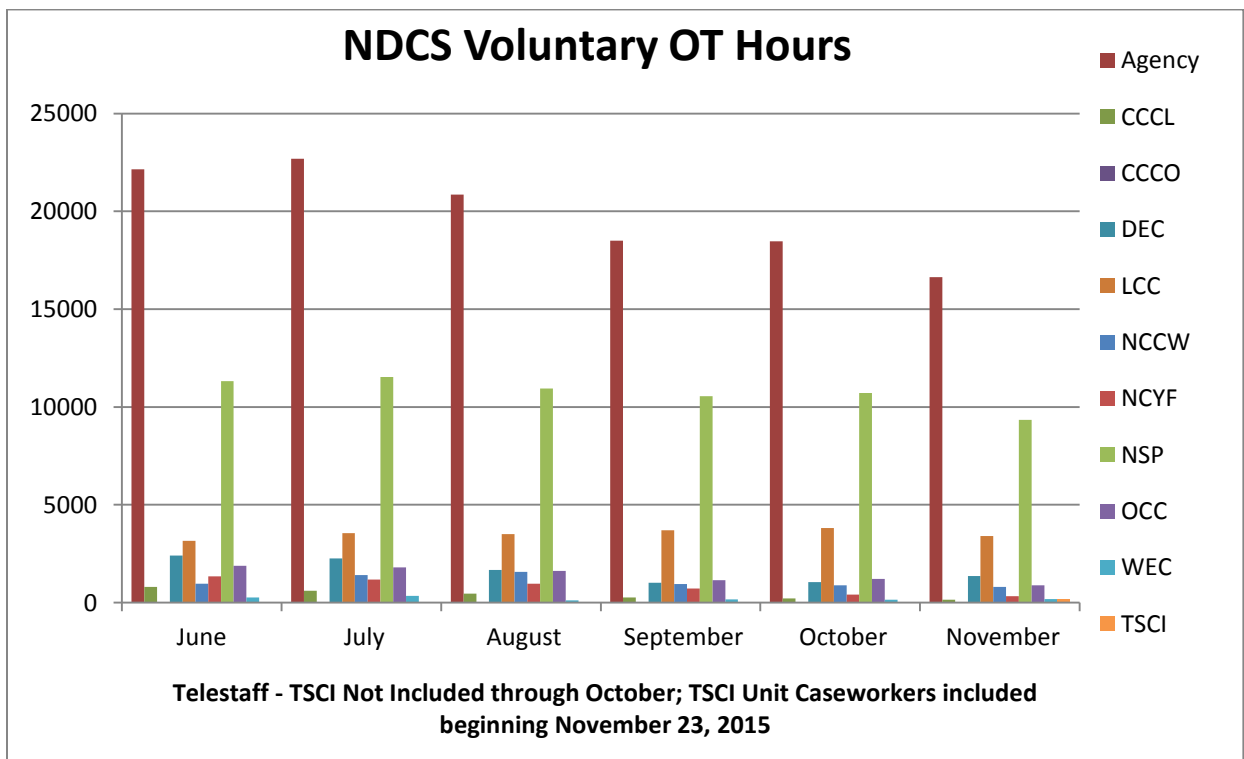
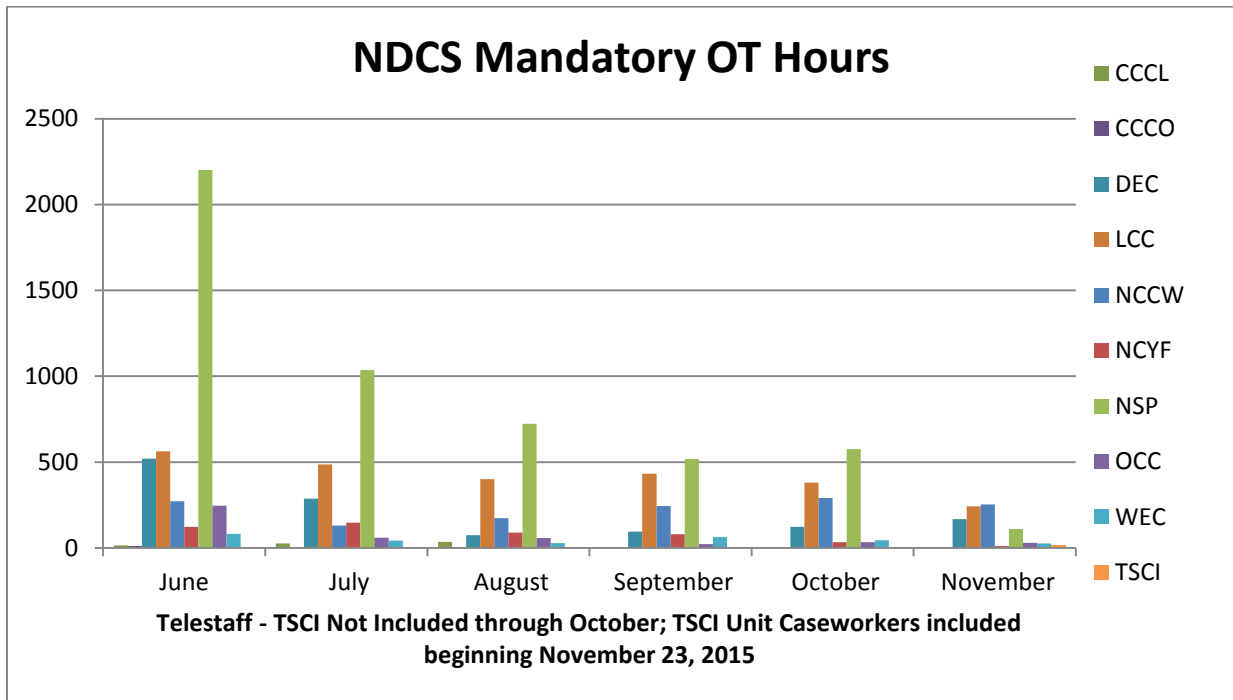
1. Reduction of Mandatory Overtime
2. Recruitment and Retention Efforts
3. Correctional Pay Structure
4. Short and Long Term Strategies and Recommendations

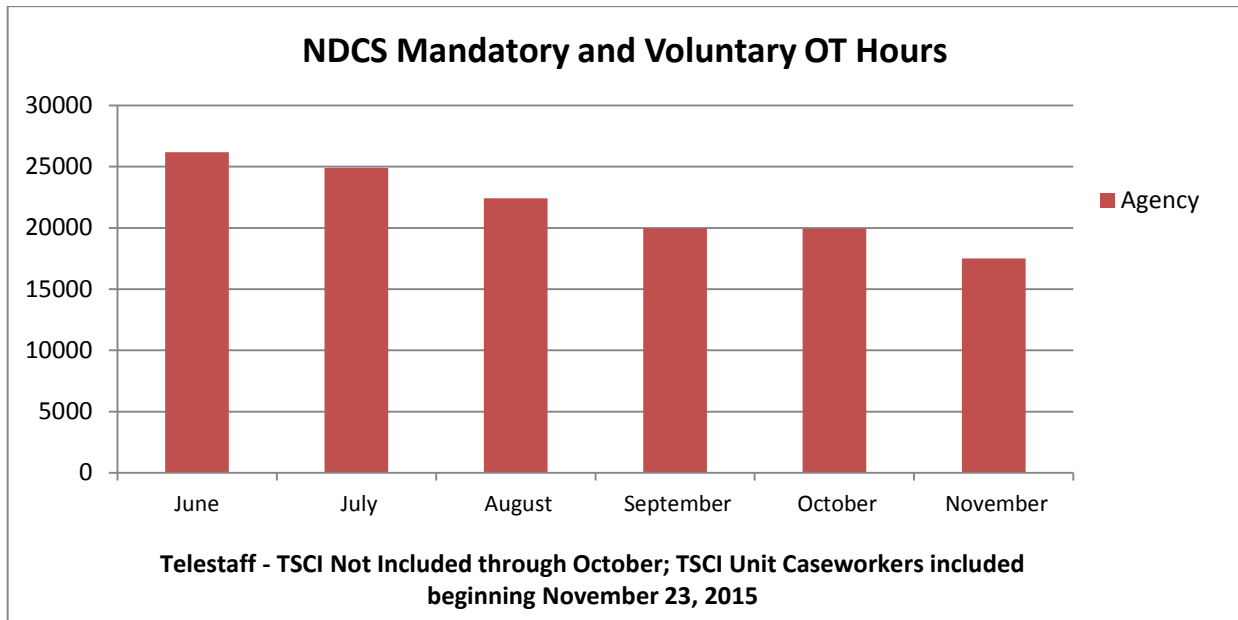
1. Reduction of Mandatory Overtime

Mandatory overtime occurs when an employee is directed by management to work a specified amount of time into the next shift. This occurs most commonly when employees are required to fill vacant posts that must be staffed. These posts are considered essential and must be filled in order to safely operate the correctional facility. Voluntary overtime is based on seniority of those employees who volunteer. Following contract provisions, lists are maintained of those staff to be called in for mandatory overtime. In an attempt to provide a means for these employees to better manage their personal schedules, staff who volunteer for overtime move to the bottom of the mandatory overtime list. Therefore, many, if not most, of the staff who volunteer for overtime would have been 'mandatoried' if they had not volunteered.

Below are three charts which illustrate the amount of overtime worked in the Department since June of 2015. This data was not easy to compile due to the incident at Tecumseh State Correctional Institution (TSCI) in May and the switch to 12 hour shifts, which our telestaff software that tracks mandatory overtime does not support. We have seen a reduction in the amount of mandatory and voluntary overtime since June, but a portion of this is attributable to the incident at TSCI and the need to have our special operations teams (consisting of staff from other facilities) on site at TSCI during May and much of

June. The Department is optimistic that our recruitment and retention efforts will further increase this downward trend and we will continue to track and report overtime data on a monthly basis.





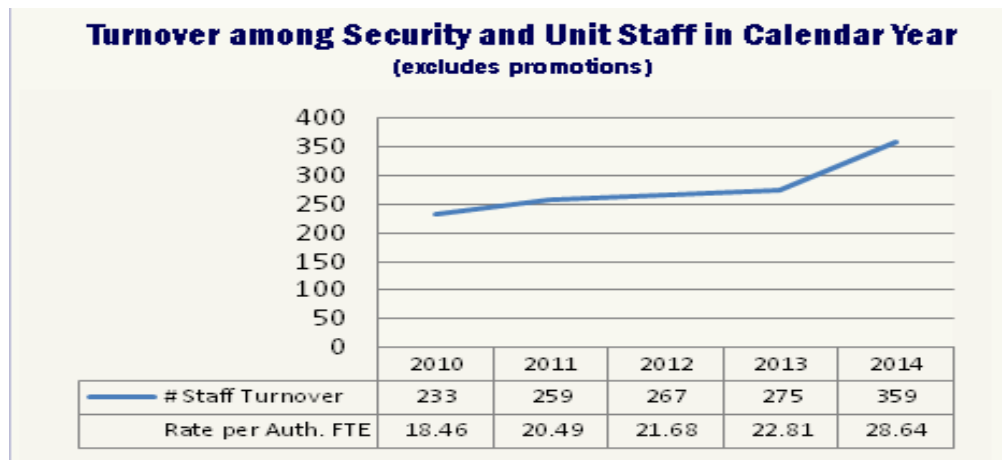
Turnover

Keeping quality, trained staff is important for maintaining safe and secure prisons in Nebraska. Not only are staff responsible for keeping offenders and the public safe, they play a vital role in the rehabilitative process for offenders, assisting with their successful reentry into our communities upon release. Furthermore, the ability to retain trained correctional professionals committed to successful offender reintegration into society protects all Nebraskans.

Organizations typically view turnover rates of 12-15% as a healthy and normal part of business operations. Turnover levels in excess of 15%, however, may indicate instability and create management difficulties. Over the past 5 years, NDCS has maintained an agency wide turnover rate of 18.5% or higher. The turnover issue is particularly troublesome among security staff positions, with turnover rates of over 28% in FY 15 and slightly higher so far this fiscal year. In order to combat this issue, NDCS is focusing its efforts on reducing turnover among key security and unit staff with a target of reducing it to 28% or lower by the end of FY 2016.

Research has shown correctional officers face higher levels of stress than workers in other lines of work. Extended exposure to occupational stress can increase the risk of serious medical conditions and have negative effects on workers' emotional and behavioral wellbeing. These impacts may lead to decreases in staff morale and higher rates of turnover among key staff positions as they search for jobs in less stressful environments. As turnover increases and fewer staff are available to perform necessary job functions, the amount of money spent on overtime pay for existing employees increases. NDCS currently faces higher than normal rates of turnover among essential custody and unit staff. In order to increase employee retention, NDCS will fill vacancies through increased internal promotions and efforts to enhance staff recruitment. Not only will this alleviate levels of stress among NDCS employees, but it

will also increase efficiencies within the department's operations by reducing the amount of money dedicated to overtime expenditures. A graph outlining turnover rates is provided below.



2. Recruitment and Retention Efforts by NDCS

Recognizing mandatory overtime is a significant issue for NDCS, extensive and innovative recruitment efforts have been undertaken. Listed below are key achievements implemented over the last year and a half:

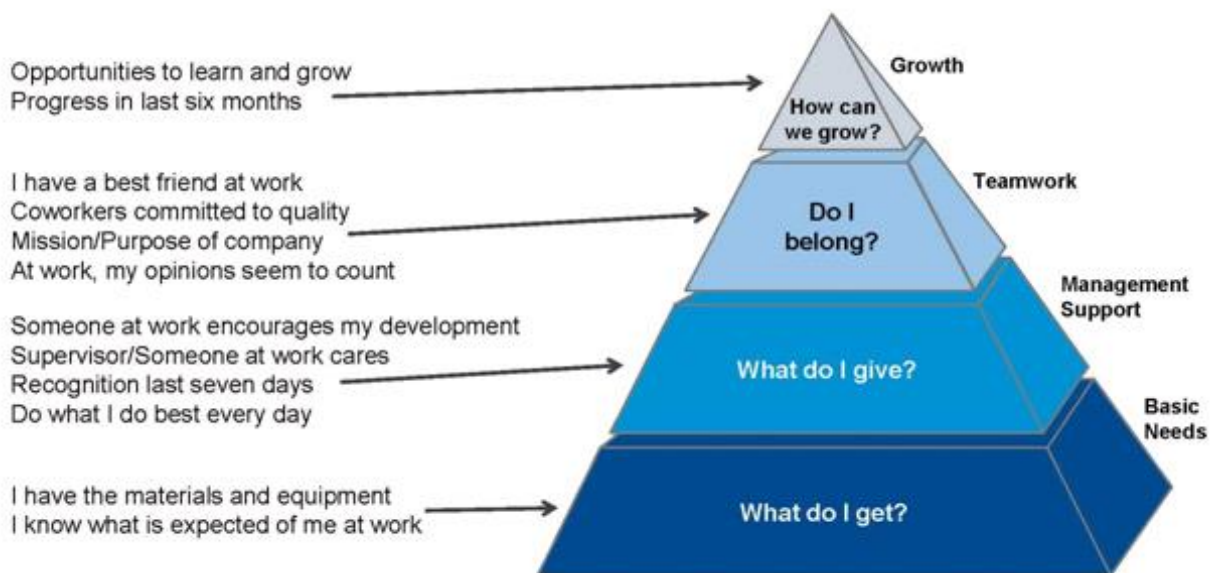
- Significantly increase of our web advertising of positions. During this time, we've also added automatic postings of external positions to colleges' job boards across the state.
- Social media campaigns continue to gain readership. The more people who "like" the posts on Facebook and Linked In, the more readership we gain. We are posting recognition, graduation, special events, and other programming in addition to our job advertisements.
- We've surveyed our new hire classes to find out where they heard about the openings that brought them to corrections. Overwhelmingly, the data shows that our staff is our tool to recruit new employees.
- Human Resources created a video series highlighting internships, behavioral health, internal promotions, mentoring, and tuition assistance.
- NDCS' Agency Recruiter started in July of 2015.
- Career fairs continue to be an important opportunity for NDCS to be visible in the communities and colleges. NDCS is partnering with colleges and communities across the state to have a presence at a variety of events.

- Radio advertising on 106.3, 101.9, 92.9 and Husker game coverage on 98.1
- Efforts remain strong in networking with the Veteran’s Administration, Nebraska National Guard, Nebraska Department of Labor, Vocational Rehabilitation, High School Educators, Colligate Contacts, Chambers of Commerce, and Economic Developments as examples.

Employee Engagement

Employee engagement has become recognized and accepted as critical to employee retention and productivity. An engaged employee is a person who is fully involved in and enthusiastic about his or her work. The employee is connected to your mission. A Gallup survey reported that only 29% of employees are actively engaged in their jobs; 54% of employees are not engaged or have “mentally checked out”. Finally, Gallup found 17% of employees are actively disengaged, undermining what their engaged co-workers are trying to accomplish.

Whether it is the private or public sector, employee engagement is key to achieving the organization’s mission in a productive manner. Our employees contribute directly to the success of the Department, and we need to provide opportunities to recognize and value the hard work they do. While we acknowledge that we have work ahead of us in this area, NDCS is employing a number of strategies to achieve this goal. Regular ongoing communication with employees regarding job responsibilities and expectations helps eliminate confusion and improve performance. Providing challenging and meaningful work and opportunities for career advancement motivates employees. The revised employee performance system provides a clear method to clarify expectations and provide feedback. NDCS’ strategic plan incorporates employee engagement as one of the five leading goals for the Department. The following table illustrates the concepts of employee engagement:



Culture Study

The NDCS culture study being conducted in collaboration with the Department of Administrative Services is well underway. This study is critical to understanding the level of employee engagement within NDCS. Randomly sampled correctional staff, as well as staff who have requested to participate, are being interviewed in order to identify engagement strategies, as well as additional recruitment opportunities. In order for effective change to be implemented, an organization needs to understand how it is currently situated.

Culture surveys were completed this fall throughout the agency by a work team comprised of individuals not employed with NDCS. The interviews are complete, and results are being compiled and analyzed at this time. A full report will be submitted to the Director and his executive team which will carefully review the results to identify needed areas of improvement and strategies to implement changes.

Exit Surveys

To answer the question why individuals have left our employment, exit surveys have recently been implemented. This effort was initiated October 1, 2015 at the Tecumseh State Correctional Institution. Surveys are being distributed by mail or email to those employees leaving TSCI. The surveys are completed by the employee through a web based service (Survey Monkey) to ensure confidentiality for the employee. The employee is also able to request to complete the survey by paper. To date, the response rate has been lower than desired but human resources staff continue to explore ways to increase participation. As implementation began in October there is not yet sufficient data available to draw any conclusions.

NDCS Staff Retention Statistics Dashboard

Attached to this report is NDCS' Staff Retention Statistics dashboard. This report provides turnover data among security and unit staff, weekly overtime rates per FTE and agency vacancies.

3. Adjustment of Correctional Salaries

Salaries of those individuals working mandatory overtime for NDCS fall under the Nebraska Association of Public Employees Local 61 of the American Federation of State, County and Municipal Employees (NAPE/AFSCME). Salary is a term of employment and required to be negotiated with the Union representing those NDCS employees who experience the most mandatory overtime (officers, corporals, sergeants and unit caseworkers). These negotiations usually provide for an annual increase, and the increase for July 1, 2015 through June 30, 2017 was 2.25% effective July 1, 2015 and 2.4% effective July 1, 2016.

An agreement can be reached between NDCS and the bargaining unit outside of the contract negotiations period if the parties agree and salary adjustments outside the contract negotiation period

between the Union and the State of Nebraska have occurred at least once in the past. On January 1, 1999, special upward adjustments to the hiring rates for Corrections Officers, Corrections Corporals, and Corrections Sergeants were made. A salary survey is conducted as part of State contract negotiations and a new survey will be completed for the upcoming biennium. The most recent survey did not indicate that NDCS' salaries were lower than those of comparable states. NDCS is analyzing available pay options and the associated fiscal impact so that any recommendations can be included as part of NDCS' biennium budget submission for FY 2017 – FY 2019.

4. Conclusion: Short and Long Term Strategies and Recommendations

Realizing the critical recruitment and retention issues NDCS is currently facing, this report presents strategies and recommendations for immediate implementation, as well as longer term recommendations for consideration.

As noted, the culture study is well underway and exit surveys are being distributed. The information provided through these efforts will be compiled and analyzed and will provide the basis for identification of additional strategies and recommendations. Additionally, filling authorized vacancies is key to reducing mandatory overtime. With one of the lowest unemployment rates in the county, we have to continue looking at innovative ways to attract qualified individuals to NDCS. A long term strategy for filling vacancies calls for 'hiring in advance' of vacancies before they occur, so a trained employee is ready to fill a vacancy when it is created. Using data, we will be able to project how many vacancies will occur in entry level positions such as correctional officers, corporals and caseworkers.

Another key effort implemented to reduce mandatory overtime allows for the compensation for hours worked on post by qualified rules and regulations staff. Called 'straight time overtime' this effort allows qualified staff to work a shift where staff otherwise would have been required to work mandatory overtime. This actually reduces costs, as the rules and regulations employee volunteering to work the shift is paid at straight time and not at overtime rates. Under this initiative, all contract provisions apply.

In conclusion, the Department shares and appreciates the concern from the Legislature and Appropriations committee about excessive mandatory overtime and the impact that has on staff as well as the Department budget. As noted in the report, NDCS has undertaken a number of initiatives to expand recruitment, enhance retention and improve employee engagement and will continue to explore innovative solutions to these issues. We look forward to continuing to work with the Legislature and the Appropriations committee to meet the needs of both inmates and employees while continuing to protect public safety.

Director Scott Frakes
NDCS

APPENDIX 1 – Staff Retention Statistics

Nebraska Department of Correctional Services



Staff Retention Statistics

November 2015

Director Scott R. Frakes

NDCS strives to retain quality staff. In order to track progress toward this outcome, NDCS will measure changes in: (1) the rate of employee turnover, (2) the rate of overtime hours accumulated among custody and unit staff, and (3) the number of vacancies among custody and unit staff.

Turnover among Security and Unit Staff in Calendar Year (excludes promotions)



Staff Retention:

- The rate of turnover among correctional officers, corporals, sergeants, and case workers has increased over the past 5 calendar years.
- The rate of mandatory overtime for custody and unit staff has averaged 5.55 hours per FTE for the past 5 quarters.
- During FY2015, NDCS averaged about 96 vacancies in security and unit staff positions per month.

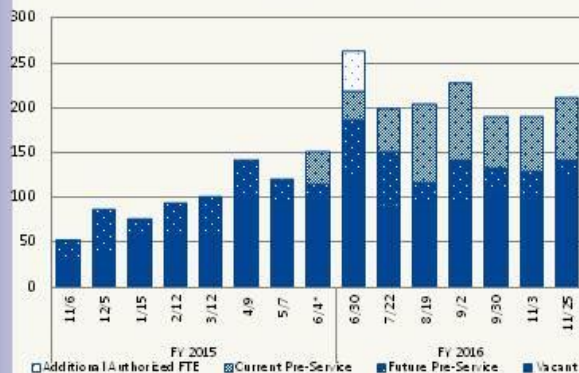
Employee Retention

Research has shown correctional officers face higher levels of stress than workers in other lines of work.¹ Over time, extended exposure to occupational stress can increase the risk of serious medical conditions and have negative effects on workers' emotional and behavioral wellbeing.^{2,3} These impacts may lead to decreases in staff morale and higher rates of turnover among key positions as staff search for jobs in less stressful environments. As turnover increases and fewer staff are available to perform necessary job functions, the likelihood of internal promotions decreases and the amount of money spent on overtime pay for existing employees increases. NDCS currently faces higher than normal rates of turnover among essential custody and unit staff. In order to increase employee retention, NDCS will take steps necessary to fill vacancies through increased internal promotions and efforts to enhance staff recruitment. Not only will this alleviate levels of stress among NDCS employees, it will also increase efficiencies within the department's operations by reducing the amount of money dedicated to overtime expenditures.

Agency Weekly Overtime Rates per FTE (Non-Vacant)



Agency Vacancies*



References

1. Garland, B., Hogan, N., & Lambert, E. (2014). Antecedents of role stress among correctional staff: A replication and expansion. *Criminal Justice Policy Review*, 25(5), 527-550.
2. Ganster, D. C., & Rosen, C. C. (2013). Work stress and employee health: A multidisciplinary review. *Journal of Management*, 39(5), 1085-1122.
3. Rosenthal, T., & Alter, A. (2012). Occupational stress and hypertension. *Journal of the American Society of Hypertension*, 6(1), 2-22.

*NOTE: Vacancies include positions where hiring decisions have been made, but new employees have not yet completed Staff Training Academy. These vacancies only reflect positions for correctional officers, corporals, sergeants, and unit caseworkers. June 4, 2015 forward "Pre-service" counts include both current and future pre-service attendees, rather than only future attendees.



Not only are staff responsible for keeping offenders and the public safe, they play an instrumental role in the offender's rehabilitative process.

Keeping quality, trained staff is important for maintaining safe and secure prisons in the State of Nebraska. Not only are staff responsible for keeping offenders and the public safe, they can play a vital role in the rehabilitative process for the offenders, assisting with their successful reentry into our communities upon release. Furthermore, the ability to retain trained correctional professionals committed to successful offender reintegration into society protects all Nebraskans.

Organizations typically view turnover rates of 12-15% as a healthy and normal part of business operations. Turnover levels in excess of 15%, however, may indicate instability and create management difficulties. Over the past 5 years, NDCS has maintained turnover rates of 18.5% or higher. Turnover rates were further complicated during FY2015 and FY2016 by the disturbance at TSCL.

In order to combat the challenges created by staff turnover, **NDCS will lower the rate of turnover among key security and unit staff to 28% or lower by the end of FY2016.**



Strategies:

Fill custody and unit housing staff positions by:

1. Utilizing part-time positions filled by past experienced, quality staff,
2. Recruiting individuals from local universities and colleges with a passion to change the lives of those they work with; and,
3. Identify innovative and new ways to attract and hire correctional professionals.

Identify innovative and new ways to retain correctional professionals by:

1. Enhancing training opportunities for staff,
2. Examining the compensation and working conditions of correctional staff; and,
3. Reducing mandatory overtime for custody and unit management staff.

Measure #2: Rate of Overtime Hours

The availability of overtime hours for custody and unit management staff is a positive benefit, but not when the hours become excessive and mandatory. Correctional employees need to be able to leave work, spend time with their family and friends, as do all working Nebraskans. Upon their return, employees are better able to focus on their work and manage the intense responsibilities of a correctional setting. When the level of required overtime interferes with an employee's ability to balance

work and personal lives, stress and fatigue increase.

NDCS will know it has achieved success when no staff are required to work overtime, yet still are able to volunteer for the overtime that fits their lifestyle. During FY2015, the rate of overtime among security staff was approximately 16 hours per person per week.

NDCS will lower the rate of overtime to 14 hours per employee per week by the end of FY 2016.



Measure #3: Number of Security and Unit Staff Vacancies

The number of custody and unit staff vacancies directly impacts the number of mandatory hours required to work by these staff, as well as can increase employee turnover. In order to ensure safe and secure prison operations, certain posts must be staffed regardless if an employee is ill, on vacation, training, or for any reason is not available. When there are not sufficient staff on site to fill these required posts, overtime occurs.

Mandatory overtime, as well as excessive amounts of overtime worked, may impact staff morale and job satisfaction, thereby resulting in even more vacancies. During the first five months of FY2016, NDCS has averaged about 105 vacancies per month among security and unit staff (not including staff in current or future pre-service classes). **By the end of FY2016, NDCS will increase recruitment and retention strategies reduce the number of vacancies to an average of 95 per month (excluding current and future preservice).**

