

AMENDMENTS TO LB345

Introduced by Business and Labor.

1           1. Strike the original section and insert the following new  
2 sections:

3           Section 1. (1) For purposes of this section:

4           (a) Correctional facility means a facility as defined in section  
5 83-170;

6           (b) Employee means an employee of the Department of Correctional  
7 Services or the Department of Health and Human Services providing  
8 services to individuals in a correctional facility or state institution  
9 under the twenty-four-hour care and supervision of the state;

10          (c) State institution includes the:

11          (i) Beatrice State Developmental Center;

12          (ii) Lincoln Regional Center;

13          (iii) Norfolk Regional Center;

14          (iv) Hastings Regional Center;

15          (v) Youth Rehabilitation and Treatment Center-Kearney; and

16          (vi) Youth Rehabilitation and Treatment Center-Geneva; and

17          (d) Temporary emergency condition means a riot, natural disaster, or  
18 severe weather.

19          (2) Except as provided in subsection (4) of this section:

20          (a) An employee may work more than twelve consecutive hours, but an  
21 employee shall under no circumstances be required to work more than  
22 twelve consecutive hours; and

23          (b) An employee may work more than seven straight days without a day  
24 off, but an employee shall under no circumstances be required to work  
25 seven straight days without a day off.

26          (3) The acceptance by an employee of overtime described in  
27 subsection (2) of this section is strictly voluntary. An employee shall

1 not be disciplined nor lose any right, benefit, or privilege for refusing  
2 to work such overtime. An employee's refusal to work such overtime shall  
3 not be grounds for discrimination, dismissal, discharge, or any other  
4 penalty, threat of report for discipline, or employment decision adverse  
5 to the employee.

6 (4) The prohibitions of this section shall not apply when the  
7 Director of Correctional Services or his or her designee, in the case of  
8 a correctional facility, or the chief executive officer of the Department  
9 of Health and Human Services, in the case of a state institution, has  
10 declared the existence of a temporary emergency condition. Such  
11 declaration shall take effect when the director or chief executive  
12 officer or his or her designee provides notice of such temporary  
13 emergency condition to the Executive Board of the Legislative Council and  
14 shall not extend beyond thirty calendar days after such notice.

15 Sec. 2. This act becomes operative on January 1, 2020.