

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 652

Introduced by Lautenbaugh, 18.

Read first time January 23, 2013

Committee: Business and Labor

A BILL

1 FOR AN ACT relating to counties; to amend section 23-2510, Reissue
2 Revised Statutes of Nebraska; to provide procedures
3 relating to grievances by corrections officers in certain
4 counties; and to repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 23-2510, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 23-2510 (1) Any employee may be discharged, suspended, or
4 demoted in rank or compensation by his department head by a written
5 order which shall specifically state the reasons therefor. Such order
6 shall be filed with the commission and a copy of such order shall be
7 served upon the employee personally or by leaving it at his usual
8 place of residence. Any employee so affected may, within ten days
9 after service of the order, appeal such order to the commission.
10 Notice of such appeal shall be in writing, signed by the employee
11 appealing, and delivered to any member of the commission or the
12 secretary for the commission. The delivery of the notice of appeal
13 shall be sufficient to perfect an appeal and no other act shall be
14 deemed necessary to confer jurisdiction of the commission over the
15 appeal. In the event any employee is discharged, suspended or demoted
16 prior to the formation of the commission, such employee may appeal
17 the order to the commission within ten days after the formation of
18 the commission in the manner provided in this section.

19 (2) Any corrections officer employed by a corrections
20 facility in a city of the metropolitan class may grieve a violation
21 of an employment contract if the employment contract contains
22 provisions for grievance, a personnel rule, a state or local law, or
23 a written departmental policy or procedure to the commission. The
24 commission shall place the grievance on the agenda for the
25 commission's next regularly scheduled meeting and the matter shall be

1 heard by the commission in the order in which it appears on the
2 commission's agenda at that hearing or at a subsequent regularly
3 scheduled meeting of the commission or the commission may, at its
4 discretion, set a special meeting to hear the grievance. If the
5 corrections officer is subject to a labor agreement, all applicable
6 procedures in the agreement shall be followed prior to the matter
7 being heard by the commission. In all other cases, the matter shall
8 be grieved, in writing, to the commission within fifteen calendar
9 days after the date the corrections officer knew, or should have
10 known, of the occurrence giving rise to the grievance. After hearing
11 or reviewing the grievance, the commission shall issue a written
12 order either affirming or denying the grievance, to include
13 appropriate remedies in the discretion of the commission if the
14 grievance is affirmed. Such order shall be delivered to the parties
15 to the grievance or their counsel within seven calendar days after
16 the date of the hearing of the grievance.

17 Sec. 2. Original section 23-2510, Reissue Revised
18 Statutes of Nebraska, is repealed.