

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 245

Introduced by Bolz, 29.

Read first time January 11, 2017

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to correctional services; to define terms; to
- 2 provide for and limit overtime as prescribed; to provide for a
- 3 corrections-related emergency; and to provide an operative date.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. For purposes of sections 1 and 2 of this act:

2 (1) Department means the Department of Correctional Services;

3 (2) Director means the Director of Correctional Services; and

4 (3) Employee means protective services staff employed by the
5 department, including, but not limited to, caseworkers, corporals,
6 sergeants, and correctional officers and employees who serve similar
7 functions.

8 Sec. 2. (1) Except as provided in subsection (2) of this section:

9 (a) Employees must have at least eight consecutive hours off work
10 before a shift;

11 (b) Employees may volunteer to work additional overtime, except that
12 an employee who refuses to volunteer for additional overtime shall not be
13 subject to an adverse employment decision. For purposes of this section,
14 adverse employment decision includes, but is not limited to, termination,
15 demotion, or involuntary transfer from one correctional facility to
16 another; and

17 (c) No employee may work more than thirty-two hours of overtime
18 during a period of two consecutive weeks.

19 (2) In the event of a serious disturbance at a correctional
20 facility, including, but not limited to, a riot, an escape, or a fire,
21 the director may declare a corrections-related emergency. In a
22 corrections-related emergency, the provisions of subsection (1) of this
23 section may be suspended for up to two weeks or until the director
24 rescinds the declaration, whichever occurs first. If the director
25 declares a corrections-related emergency, he or she shall do so in
26 writing and shall immediately provide a copy of the declaration to the
27 Governor, the Speaker of the Legislature, and the Public Counsel.

28 Sec. 3. This act becomes operative on July 1, 2018.