

## **NAPE/Department of Education**

July 1, 2021 - June 30, 2023

### **Contract Ratification Summary**

#### **Introduction**

NAPE and the Department of Education reached a tentative agreement on a new contract for fiscal years 2022 & 2023 on December 10, 2020. All NAPE members have the right to vote to ratify or reject the tentative agreement. Ratification meetings for the purpose of voting will take place via Zoom video conference on January 7 & 13 at 7pm central time and January 15 at Noon central time. To obtain a link to the virtual meeting, please register at [www.napeafscme.org](http://www.napeafscme.org). Non-members are welcome to attend the meeting for informational purposes. If a non-member chooses to join the union, they will be able to vote at the meeting.

#### **Ratification Procedures**

The NAPE bylaws require members to attend a ratification meeting in order to vote. Ballots will be mailed to members immediately following the virtual ratification meetings. Ballots must be received by mail or hand delivery in the NAPE office no later than January 29. A simple majority of those voting is needed for ratification. If the tentative agreement is ratified, it will take effect on July 1, 2021. If it is rejected, the team will go back to the negotiating table in an attempt to negotiate without going to impasse. If impasse is declared by either NAPE or NDE, the Nebraska Commission on Industrial Relations will settle the dispute as provided by law.

#### **Negotiation Team Members**

Carolyn Andersen - VR Senior Rehab Specialist, Grand Island

Rita Meier - VR Senior Rehab Specialist, Grand Island

Deb Romanek - Education Specialist III, Lincoln

Justin Hubly - NAPE Executive Director, Chief Negotiator

#### **Financial Summary**

##### *Salary*

The tentative agreement provides all staff members covered by the NAPE contract a 2% salary increase on July 1, 2021 and an additional 2% salary increase on July 1, 2022. These raises are not tied to performance or any other restrictions.

##### *Insurance*

There are no changes to minimum coverage levels or premium contributions. Anticipated annual premium increases in fiscal year 2022 and 2023 are less than 5%. In terms of cost for employees, the premium increases at a 5% increase are estimated to be:

- Less than \$7/month (wellness) or \$8/month (standard) for single coverage
- Less than \$17/month (wellness) or \$22/month (regular) for 2-party coverage
- Less than \$24/month (wellness) or \$29/month (regular) for family coverage

## **Language Changes**

- Article 3 - Union Rights
  - “Employee Representative” replaced with “Steward”
  - NDE will notify NAPE of new employees within 7 days of the employees start
  - NAPE is provided a monthly list of employees through DAS Employee Relations
- Article 6 - Probation Periods
  - Probation periods can only be extended for cause or extended absence
    - Extended absence defined as at least 40 hours in a 6 month probation period and 80 hours in a 12 month probation period
  - No longer “Secondary Probation”. Replaced with Promotion/Lateral probation.
    - No longer a probation period after demotion
- Article 7 - Workweek/Hours
  - Temporary schedule changes can only be made with 10 days written notice or to respond to an unforeseen situation. This prevents the forced flexing of schedules to avoid the payment of overtime.
- Article 8 - Overtime
  - No longer required to use compensatory time within sixty calendar days.
  - Compensatory time cannot be used until the pay period after it is earned.
- Article 15 - Leave & Holidays
  - Broader definition of work related subpoena
  - Telecommuting is a potential alternative worksite during inclement weather
  - Time worked on a holiday is paid at 1.5 times pay, and hours over FTE equivalent of 8 hours is paid at 2 times pay.
  - Maternity leave donation program - no longer need to be FML eligible to access the program
- Article 17 - Grievance Procedure
  - New 3 step grievance procedure: Administrator, Deputy Commissioner, Board/Arbitration - 15 work day time limits at each step
  - Selection of Arbitrator/Hearing Officer done by agreement or alternate striking of names.
- Article 18 - Disciplinary Action
  - Must have just cause for disciplinary action
  - 15 day timeline to match grievance procedure
  - Hearing Officer selected by agreement or alternate striking of names

## **Housekeeping Changes**

In addition to dates and grammar, the following changes will be made:

- 3.13 - Union meetings are authorized to be posted on bulletin boards
- 3.14 - Allows use of agency e-mail with approval to communicate union business
- 4.1 - Clarifies intent to maintain a current home address in the HR office
- 4.2A - Aligns public records requests with state law
- 6.2B - Added new job classifications created since 2019

- 9.2 - Delete requirement to complete Defensive Driving training within six months of hire date
- 11.6 - Clarifies 60 calendar days
- 13.13 - Salary overpayments will be repaid on a schedule mutually agreed to with the employee.
- 13.14 - Authorizes a wage deduction for damage caused by negligence to state equipment, and to recoup overpayments. No due process is waived by this article.
- 15.2G2 & 15.5C - Advanced leave is not earned leave until time is worked to earn the leave.
- 15.3B - Updated to match Nebraska law (Worker's Comp)
- 15.5 - Language aligned to match bi-weekly pay periods
- 15.20 - Removes obsolete language regarding special vacation payout at transition to bi-weekly pay periods

### **Where does NAPE go from here?**

#### Negotiations 2023

The tentative agreement goes a long way to fixing due process concerns and member rights. From a financial perspective, it keeps the status quo, with a fair wage increase not tied to any performance metric. Members need to determine if a step salary structure or other changes are more beneficial to the membership than the current system. A full scale wage study should be undertaken to give us the best available data to negotiate the best wages.

#### NAPE must grow!

NAPE membership has grown by over 50% in the last two years, but membership at NDE continues to be less than 10%. In order to have power at the bargaining table and the resources to conduct a full scale wage study, lobby the legislature, and provide legal and representation services, we must grow our membership. Now is the time to join us! We need you to be NAPE member! The state has lawyers and lobbyists representing their best interest, and you should too. Employees can now join the union online at [www.napeafscme.org/join-nape](http://www.napeafscme.org/join-nape).

#### Get Involved

We need NDE members to become leaders to help us grow and to enforce our contract. Steward training sessions take just three hours and will be held all over the state this year. You can sign up for a class on our website or via e-mail. Attend a local area meeting and have your voice heard. State employees at code agencies were able to negotiate a step pay plan by getting involved and participating in the negotiations process.

#### Communicate

Make sure your e-mail address on file is up-to-date at [www.napeafscme.org](http://www.napeafscme.org). If we can ever be of assistance, don't hesitate to reach out to us at [help@napeafscme.org](mailto:help@napeafscme.org) and 402-486-3911.