

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

NEBRASKA ASSOCIATION OF )	
PUBLIC EMPLOYEES LOCAL 61 )	
of the AMERICAN FEDERATION )	
OF STATE, COUNTY, AND )	
MUNICIPAL EMPLOYEES, )	
)	
)	
Petitioner, )	CASE NO.
)	
v. )	PETITION AND VERIFIED
)	MOTION FOR CONTEMPT
)	CITATION TO ISSUE
STATE OF NEBRASKA, )	
)	
Respondent. )	

COMES NOW, the Petitioner pursuant to Neb. Rev. Stat. §§ 48-819 and files this action to enforce the status quo order entered by the commission of industrial relations and states as follows:

1. There is presently pending an action in the Commission Of Industrial Relations, involving the above captioned parties for prohibited practices in violation of Neb. Rev. Stat. § 48-824(1) and (2)(e) and Neb. Rev. Stat. § 81-1386(1) and (2)(e) based upon Respondent's unilateral change to, and refusal to negotiate in good faith over, a mandatory subject of bargaining due to the governor's issuance of an executive order purporting to end remote work by January 2, 2024.
2. On Friday, December 29, 2023 the Commission entered a temporary order pursuant to Neb Rev. Stat. §48-816 to preserve the status quo during the pendency of this action. A true copy of such order is attached hereto and marked Exhibit "A".

The order provides in relevant part:

The Nebraska Supreme Court has defined status quo to be the employment status, wages, hours, or terms and conditions of employment which existed prior to the dispute. *Transport Workers Union Local 223 v. Transit Authority of Omaha*, 216 Neb. 455, 461 , 344 N.W.2d 459,463 (1984).

Respondent's argument that the status quo the management right to "unilaterally determine the site of work for bargaining unit employees, which may be changed at the discretion of the State" (Respondent's Post Hearing Brief, pg. 8), is an invitation to make a determination on the merits of the underlying prohibited practice case, a determination we are prohibited in making at this juncture. We find that pursuant to the holding in *Transport Workers Union Local 223*, the dispute in this matter arose upon the issuance of the Executive Order in question. Accordingly, we are compelled to find that the status quo in this matter consists of the agency policies relating to remote work assignments, and the application of those policies, which were in place just prior to the issuance of the Executive Order.

3. After the entry of the temporary order, On Friday December 29<sup>th</sup> in the afternoon, the state through Governor Pillen issued a press release indicating "The executive order remains in effect for most of the state workforce while this litigation proceeds. The CIR's ruling is narrowly applied to NAPE members who have a remote or hybrid work agreement. All other public servants are coming back into the workplace in accordance with Gov. Pillen's executive order."
4. After the entry of the temporary order, on Saturday, December 30<sup>th</sup>, 2023, Steve Corsi, DHHS chief Executive Officer, issued a

memorandum to the entire work force of DHHS stating in relevant part:

“As you may have heard, the Nebraska Commission of Industrial Relations (CIR) issued a temporary injunction to halt the Governor’s return to work Executive Order (EO) for some NAPE-covered team members who had remote work arrangements in place before the EO was issued.

This injunction only affects individuals in NAPE-covered positions who had approved remote work arrangements prior to the EO. For non-NAPE team members (discretionary, rules, and FOP) and individuals in NAPE-covered positions who do not have a previously approved remote work agreement, please proceed with the return-to-office plan already communicated to you by your supervisor. For individuals in NAPE-covered positions who have a remote or hybrid agreement approved before the Governor’s EO, you may continue your work arrangement as it existed prior to the EO, and your Division/Office Directors will be reaching out to you with further information shortly.”

Attached hereto and marked Exhibit “B” is a true copy of the correspondence from CEO Steve Corsi.

5. On January 2, 2024 the NAPE members began receiving emails terminating their remote work assignments which state in relevant part:

Per the DHHS Remote Work Policy, in order to support operational needs and to align with our previous goals of returning the majority of teammates to their physical workspace, please be advised the agency is ending your remote/hybrid work agreement.

Please be prepared to report to your assigned worksite at your scheduled start time on January 17, 2024.

True copies of the correspondence to our members which were forwarded to NAPE/AFSCME, are attached hereto and marked Exhibit "C".

6. On January 3, the NAPE members of Department of Revenue received correspondence terminating their remote work assignments which stated in relevant part:

Colleagues,

Although the Governor's Executive Order No. 23-17 is currently being reviewed by the Nebraska Commission of Industrial Relations, I am using my authority as an Agency Director and independently requiring DOR teammates to return to the office full-time beginning on January 16, 2024.

This applies to all teammates, except field staff and anyone that requested and received an approved exception from in-office work with an effective date beginning in 2024.

All previous teleworking agreements, not beginning in 2024, are hereby terminated effective with the DOR's close of business on January 12, 2024, at 5:00 p.m.

A true copy of the correspondence from Tax Commissioner James Kamm is attached hereto and marked Exhibit "D"

7. Neb. Rev. Stat. §48-819 provides:

Orders, temporary or final, entered by the Commission of Industrial Relations shall be binding on all parties involved therein and shall be deemed to be of the same force and effect as like orders entered by a district court and shall be enforceable in appropriate proceedings in the courts of this state. Failure on the part of any person to obey any order, decree or judgment of the Commission of Industrial Relations, either temporary or final, shall constitute a contempt of such tribunal in all cases where a similar failure to obey a similar order, decree or judgment of a district court would constitute a contempt of such tribunal, and upon application to the appropriate district

court of the state shall be dealt with as would a similar contempt of the said district court.

8. The Respondent is willfully and contumaciously in violation of the temporary order of the Commission Of Industrial Relations.
9. As a direct and proximate result of the violations, the Petitioner has had to expend considerable time and effort in corresponding with members and advising the best course of action to take and has also had to hire the services of an attorney to enforce the order of the Commission of Industrial relations, all of which should be reimbursed by the Respondents.
10. The Petitioner hereby requests issuance of an order that the Respondent show cause why they should not be held in contempt for the willful violation of the temporary order that the status quo.

Wherefore, Petitioner prays for the court to enter an order to the Respondent to show cause why they should not be held in contempt for the willful violation of the temporary order of status quo which was issued by the Commission of Industrial Relations on December 29, 2023, and for such other and further relief which the court deems just and equitable.

DATED, January 4, 2024.

NEBRASKA ASSOCIATION OF  
PUBLIC EMPLOYEES LOCAL 61 of  
the AMERICAN FEDERATION OF  
STATE, COUNTY, AND  
MUNICIPAL EMPLOYEES,  
Petitioner

By: 

Joy Shiffermiller #18164 and  
Abby Osborn, #24527  
Shiffermiller Law Office, P.C., L.L.O.  
1002 G Street  
Lincoln, NE 68508

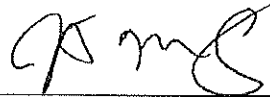
402-484-7700

[joy@shiffermillerlaw.com](mailto:joy@shiffermillerlaw.com)

[abby@shiffermillerlaw.com](mailto:abby@shiffermillerlaw.com)

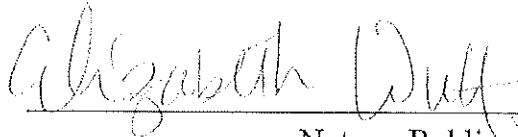
I declare under penalty of perjury the above information is true and correct.

Dated this 4<sup>th</sup> day of January, 2024.



Justin Hubly

SUBSCRIBED AND SWORN to before me this 4<sup>th</sup> day of January, 2024.



Notary Public



NEBRASKA COMMISSION OF INDUSTRIAL RELATIONS

NEBRASKA ASSOCIATION OF )  
PUBLIC EMPLOYEES LOCAL 61 of )  
the AMERICAN FEDERATION OF )  
STATE, COUNTY, AND MUNICIPAL )  
EMPLOYEES, )  
Petitioner, )  
v. )  
STATE OF NEBRASKA, )  
Respondent. )

Case No. 1561

ORDER ON MOTION FOR  
TEMPORARY RELIEF

NEBRASKA COMMISSION  
OF INDUSTRIAL RELATIONS  
FILED

DEC 29 2023

CLERK

This matter comes before the Commission on Petitioner’s Motion for Temporary Relief and Brief in Support of Motion for Temporary Relief filed on December 13, 2023. Respondent’s Brief in Opposition to Motion for Temporary Relief was filed on December 20, 2023. A hearing was held on December 21, 2023, before Commissioners William G. Blake and Dallas D. Jones, at which time evidence was received and argument was heard on the record. Commissioner Patricia L. Vannoy participated on the pleadings, the record of the hearing and the Briefs. Petitioner was represented by its attorney, Abby Osborn, and Respondent was represented by its attorneys, Mark A. Fahleson and Tara L. Paulson. Post Hearing Briefs were received on December 27, 2023.

The Commission has jurisdiction to adjudicate alleged violations of the Industrial Relations Act by virtue of Neb. Rev. Stat. §§ 48-824 and 48-825. The Commission finds that the Prohibited Practice Petition sufficiently alleges prohibited practice claims which invoke the jurisdiction of this Commission. The Commission has the power and authority to make such findings and to enter such temporary or permanent orders as the Commission may find necessary to provide adequate remedies, to effectuate the public policy enunciated in § 48-802, and to resolve the dispute. Neb. Rev. Stat. § 48-819.01. Neb. Rev. Stat. § 48-816(1)(a) provides in part:

The commission may, upon its own initiative or upon request of a party to the dispute, make such temporary findings and orders as necessary to preserve and protect the status of the parties, property, and public interest involved pending final determination of the issues.

Neb. Rev. Stat. Section § 48-823 states:

The Industrial Relations Act and all grants of power, authority, and jurisdiction made in such act to the commission shall be liberally construed to effectuate the public policy enunciated in section 48-802. All incidental powers necessary to carry into effect the



Industrial Relations Act are hereby granted to and conferred upon the commission.

Neb. Rev. Stat. § 48-819.01 instructs that:

Whenever it is alleged that a party to an industrial dispute has engaged in an act which is in violation of any of the provisions of the Industrial Relations Act, or which interferes with, restrains, or coerces employees in the exercise of the rights provided in such act, the commission shall have the power and authority to make such findings and to enter such temporary or permanent orders as the commission may find necessary to provide adequate remedies to the injured party or parties, to effectuate the public policy enunciated in section 48-802, and to resolve the dispute.

The public policy enunciated in Neb. Rev. Stat. § 48-802 includes, in part, “[t]he continuous, uninterrupted and proper functioning and operation of the governmental service . . .”

Turning to Petitioner’s Motion for Temporary Relief, to preserve and protect the public interest and the status of the parties prior to the final determination of the issues, the legislature conferred on the Commission the authority to “make such temporary findings and orders as necessary.” Neb. Rev. Stat. § 48-816(1)(a). When exercising that authority, Neb. Rev. Stat. § 48-823 compels that such authority “shall be liberally construed to effectuate the public policy enunciated in section 48-802.”

The Nebraska Supreme Court has observed that “it may very well be that it is in the public interest to be assured that public employees, who do not have the right to strike or hinder, delay, limit, or suspend the continuity or efficiency of governmental services, should continue to receive their previous salaries or be afforded the same terms and conditions of employment while the employer, the employee, and the CIR attempt to resolve the differences.” *Int’l Union of Operating Engineers Loc. 571 v. City of Plattsmouth*, 265 Neb. 817, 825, 660 N.W.2d 480, 486 (2003) (citing *Transport Workers v. Transit Authority of Omaha*, 216 Neb. 455, 344 N.W.2d 459 (1984)).

Applying, as we must, a liberal construction of the authority conferred on the Commission to effectuate the public policy enunciated in Neb. Rev. Stat. § 48-802, we find that a Temporary Order maintaining the status quo, pursuant to Neb. Rev. Stat. § 48-816, must be granted.

The analysis does not end there, however. What remains is a determination of what constitutes the status quo under the circumstances presented by this matter. The parties agree that the status quo is to be maintained during the pendency of this dispute. The parties disagree as to what the status quo is. Respondent’s general argument and position regarding the status quo is that

the implementation of Executive Order 23-17 on January 2, 2024, during the pendency of this industrial dispute, is permissible because “what the executive order does is what it (the Respondent) has always been able to do; and, therefore, the status quo is maintained” (by allowing the Executive Order to be implemented as planned). (Tr. 32:25-33:3). The affidavit of Jason Jackson states that Executive Order 23-17 seeks to return the workforce to its 2019 pre pandemic posture. (Exhibit 9, ¶ 17). The Petitioner argues that the “employment status is the continuation of the terms and conditions of employment without the unilateral change to the mandatory subjects of bargaining.” (Post Hearing Brief of the Petitioner, pg. 9).

The Nebraska Supreme Court has defined status quo to be the employment status, wages, hours, or terms and conditions of employment which existed prior to the dispute. *Transport Workers Union Local 223 v. Transit Authority of Omaha*, 216 Neb. 455, 461, 344 N.W.2d 459, 463 (1984). Respondent’s argument that the status quo the management right to “unilaterally determine the site of work for bargaining unit employees, which may be changed at the discretion of the State” (Respondent’s Post Hearing Brief, pg. 8), is an invitation to make a determination on the merits of the underlying prohibited practice case, a determination we are prohibited in making at this juncture. We find that pursuant to the holding in *Transport Workers Union Local 223*, the dispute in this matter arose upon the issuance of the Executive Order in question. Accordingly, we are compelled to find that the status quo in this matter consists of the agency policies relating to remote work assignments, and the application of those policies, which were in place just prior to the issuance of the Executive Order.

The Commission finds that a Temporary Order pursuant to Neb. Rev. Stat. § 48-816 should be granted to preserve the status quo as set forth herein pending final determination of the issues raised by the Prohibited Practices Petition.

WE THEREFORE ORDER that the implementation of Executive Order 23-17 may not be applied to the bargaining unit employees represented by the Petitioner during the pendency of this case.

All Panel Commissioners join in the entry of this Order.

Entered December 29, 2023.

NEBRASKA COMMISSION OF INDUSTRIAL RELATIONS

  
William G. Blake, Hearing Commissioner



Justin Hubly <jhubly@napeafscme.org>

**Fwd: On Behalf of CEO Steve Corsi - Recent Ruling**

Melissa Haynes <melissarockz3@gmail.com>  
To: Justin Hubly <jhubly@napeafscme.org>

Tue, Jan 2, 2024 at 4:01 PM

Sent from my iPhone

Begin forwarded message:

From: "Haynes, Melissa" <Melissa.Haynes@nebraska.gov>  
Date: January 2, 2024 at 4:01:07 PM CST  
To: Melissa Haynes <melissarockz3@gmail.com>  
Subject: FW: On Behalf of CEO Steve Corsi - Recent Ruling

**Melissa Haynes** | Social Services Lead Worker

CHILDREN & FAMILY SERVICES

**Nebraska Department of Health and Human Services**

OFFICE: 402-727-3294 | FAX: 402-742-2351  
HOTLINE: 800-383-4278

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From: Powell, Jeff <Jeff.Powell@nebraska.gov>  
Sent: Saturday, December 30, 2023 5:25 PM  
To: DHHS Everyone <DHHS.Everyone@nebraska.gov>  
Subject: On Behalf of CEO Steve Corsi - Recent Ruling



Dear Team Members,

As you may have heard, the Nebraska Commission of Industrial Relations (CIR) issued a temporary injunction to halt the Governor's return to work Executive Order (EO) for some NAPE-covered team members who had remote work arrangements in place before the EO was issued.

This injunction only affects individuals in NAPE-covered positions who had approved remote work arrangements prior to the EO. For non-NAPE team members (discretionary, rules, and FOP) and individuals in NAPE-covered positions who do not have a previously approved remote work agreement, please proceed with the return-to-office plan already communicated to you by your supervisor. For individuals in NAPE-covered positions who have a remote or hybrid agreement approved before the Governor's EO, you may continue your work arrangement as it existed prior to the EO, and your Division/Office Directors will be reaching out to you with further information shortly.

Ex "B"

I greatly appreciate your continued commitment to serving Nebraskans and hope you enjoy your holiday weekend. As always if you have any questions, please don't hesitate to reach out to your supervisor.

Sincerely,

**Steve Corsi** | *DHHS Chief Executive Officer*  
**Nebraska Department of Health and Human Services**  
OFFICE: 402-471-9433  
[DHHS.ne.gov](http://DHHS.ne.gov) | [Facebook](#) | [Twitter](#) | [LinkedIn](#)



Justin Hubly <jhubly@napeafscme.org>

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**Fwd: FW: Remote work status notification**

---

Ryan Lawrence <rlawrence@napeafscme.org>  
To: Justin Hubly <jhubly@napeafscme.org>

Tue, Jan 2, 2024 at 3:20 PM

----- Forwarded message -----

From: **Christine Cooney** <cooney2006@gmail.com>  
Date: Tue, Jan 2, 2024 at 3:19 PM  
Subject: Fwd: FW: Remote work status notification  
To: <rlawrence@napeafscme.org>

----- Forwarded message -----

From: **Cooney, Christine** <Christine.Cooney@nebraska.gov>  
Date: Tue, Jan 2, 2024, 1:56 PM  
Subject: FW: Remote work status notification  
To: Christine Cooney <cooney2006@gmail.com>

**Christine Cooney** | *Federal Aid Administrator*

PUBLIC HEALTH

**Nebraska Department of Health and Human Services**

OFFICE: 402-471-6450

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From: **Daly, Ryan** <Ryan.Daly@nebraska.gov>  
Sent: Tuesday, January 2, 2024 1:49 PM  
To: Cooney, Christine <Christine.Cooney@nebraska.gov>  
Subject: Remote work status notification

Good afternoon,

Today you will have received (or will soon receive) an email from Charity Menefee regarding the revocation of remote or hybrid work status. I want to reiterate that this is not related to your work performance and is a DHHS agency-wide change to bring the agency into compliance with the Governor's executive order regarding remote work. I know that you may have questions and want to make sure that you know you are welcome to reach out to me to help answer them.

Thank you,

**Ryan Daly** | *Deputy Director of Finance*

PUBLIC HEALTH

**Nebraska Department of Health and Human Services**

OFFICE: 402-471-2012 | CELL: 402-429-2932

--

Ryan Lawrence - Field Representative  
NAPE/AFSCME Local 61  
1230 O St. Suite 120  
Lincoln, NE 68508  
Office: 402.486.3911  
Cell: 402.326.4399

EX "C"



Justin Hubly <jhubly@napeafcme.org>

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## FW: Remote/Hybrid Work Status

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Erikson, Rhonda <Rhonda.Erikson@nebraska.gov>  
To: "help@napeafcme.org" <help@napeafcme.org>

Tue, Jan 2, 2024 at 4:09 PM

I received this email today, thought I would share the latest for remote work.

**Rhonda Erikson C.L.S.S.Y.B.** | *DD Service Coordinator*

DEVELOPMENTAL DISABILITIES

**Nebraska Department of Health and Human Services**

OFFICE: 402-314-6387 | FAX: 402-223-8531

**DHHS.ne.gov** | [Facebook](#) | [Twitter](#) | [LinkedIn](#)

**From:** Watson, Tyla <Tyla.Watson@nebraska.gov> **On Behalf Of** Green, Tony  
**Sent:** Tuesday, January 2, 2024 3:33 PM  
**To:** Erikson, Rhonda <Rhonda.Erikson@nebraska.gov>  
**Cc:** Roberts, Karey <Karey.Roberts@nebraska.gov>; Weishahn, Beth <Beth.Weishahn@nebraska.gov>  
**Subject:** Remote/Hybrid Work Status

Good afternoon,

Per the DHHS Remote Work Policy, in order to support operational needs and to align with our previous goals of returning the majority of teammates to their physical workspace, please be advised the agency is ending your remote/hybrid work agreement.

Please be prepared to report to your assigned worksite at your scheduled start time on January 17, 2024.

If you have any questions, please reach out to your Deputy or Director.

**Tony Green** | *Director*

DEVELOPMENTAL DISABILITIES

BEHAVIORAL HEALTH

*SUPPORTING DIGNITY AND CHOICE THROUGH COMMUNITY CONNECTIONS*

**Nebraska Department of Health and Human Services**

OFFICE: 402-471-6038





Justin Hubly <jhubly@napeafscme.org>

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**Fwd: FW: Status Change**

Ryan Lawrence <rlawrence@napeafscme.org>  
To: Justin Hubly <jhubly@napeafscme.org>

Tue, Jan 2, 2024 at 4:25 PM

Public Health Licensure:

----- Forwarded message -----

From: **Mallory Paul** <malloryjpaul@gmail.com>  
Date: Tue, Jan 2, 2024 at 4:14 PM  
Subject: Fwd: FW: Status Change  
To: <rlawrence@napeafscme.org>

----- Forwarded message -----

From: **Paul, Mallory** <Mallory.Paul@nebraska.gov>  
Date: Tue, Jan 2, 2024 at 2:59 PM  
Subject: FW: Status Change  
To: Mallory Paul <malloryjpaul@gmail.com>

Mallory Paul | *Administrative Programs Officer I*

PUBLIC HEALTH – LICENSURE UNIT – PAO SUPPORT SERVICES

Nebraska Department of Health and Human Services

DHHS.ne.gov | Facebook | Twitter | LinkedIn

From: Wisell, Becky <Becky.Wisell@nebraska.gov>  
Sent: Tuesday, January 2, 2024 2:29 PM  
To: Paul, Mallory <Mallory.Paul@nebraska.gov>  
Cc: Braddock, Lindsay <Lindsay.Braddock@nebraska.gov>  
Subject: Status Change

Today you will have received an email from Charity Menefee regarding the ending of your remote or hybrid work status. I want to emphasize that this is not related to your work performance and is a DHHS agency-wide change. I know that you may have questions and want to make sure that you know you are welcome to reach out to either your Unit Administrator or myself to help answer them.

For individuals who find these changes challenging or were hired on with the understanding that you would be working in either a hybrid or remote status, please reach out to me or your Unit Administrator to discuss these changes. We are committed to supporting you as we navigate the situation.

**Becky Wisell** | *Deputy Director*

DIVISION OF PUBLIC HEALTH, HEALTH LICENSURE AND ENVIRONMENTAL HEALTH

Nebraska Department of Health and Human Services

OFFICE: 402-471-0928 | CELL: 402-610-5122 | FAX: 402-471-3577

DHHS.ne.gov | Facebook | Twitter | LinkedIn

--  
Ryan Lawrence - Field Representative  
NAPE/AFSCME Local 61  
1230 O St. Suite 120  
Lincoln, NE 68508  
Office: 402.486.3911  
Cell: 402.326.4399





Justin Hubly <jhubly@napeafscme.org>

---

## Fwd: Remote/Hybrid Work Status

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Joy Kelly Loschen <jkloschen@hotmail.com>  
To: Justin Hubly <jhubly@napeafscme.org>

Tue, Jan 2, 2024 at 2:35 PM

This is what RD received today.

Get Outlook for iOS

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**From:** Loschen, Joy <Joy.Loschen@nebraska.gov>  
**Sent:** Tuesday, January 2, 2024 2:33 PM  
**To:** Joy Kelly Loschen <Jkloschen@hotmail.com>  
**Subject:** FW: Remote/Hybrid Work Status

**Joy Loschen** | *DHHS Resource Developer*

OFFICE OF ECONOMIC ASSISTANCE

**Nebraska Department of Health and Human Services 3737 25th St. Columbus Ne. 68601**

OFFICE: 402-562-9603 | CELL: 402-835-9001 | FAX: 402-564-7947

**DHHS.ne.gov** | [Facebook](#) | [Twitter](#) | [LinkedIn](#)

**From:** Pullen, Alyssa <alyssa.pullen@nebraska.gov>  
**Sent:** Tuesday, January 2, 2024 2:07 PM  
**To:** Loschen, Joy <Joy.Loschen@nebraska.gov>  
**Subject:** RE: Remote/Hybrid Work Status

Hi Joy,

Since Nicole is out today, I am just following up that this is strictly an agency decision and not based on performance. If you have any questions, please let me know. If I do not have the answer, I will try to get you the answer as soon as I can.

Thank you,

**Alyssa Pullen** | *Child Care and Development Fund Program Manager I*

OFFICE OF ECONOMIC ASSISTANCE

**Nebraska Department of Health and Human Services**

OFFICE: 402-317-0485 | FAX: 402-742-2675

**From:** Grotrian, Shannon <Shannon.Grotrian@nebraska.gov>  
**Sent:** Tuesday, January 2, 2024 2:06 PM  
**To:** Loschen, Joy <Joy.Loschen@nebraska.gov>  
**Cc:** Vint, Nicole <Nicole.Vint@nebraska.gov>; Lesco, Shelley <Shelley.Lesco@nebraska.gov>  
**Subject:** Remote/Hybrid Work Status

*Hello Joy,*

*Per the DHHS Remote Work Policy, in order to support operational needs and to align with our previous goals of returning the majority of teammates to their physical workspace, please be advised the agency is ending your remote/hybrid work agreement.*

*Please be prepared to report to your assigned worksite at your scheduled start time on January 17, 2024.*

*If you have any questions, please reach out to Nicole Vint or myself.*

**Shannon Grotrian, MAM** | *Director*

OFFICE OF ECONOMIC ASSISTANCE

**Nebraska Department of Health and Human Services**

PHONE: 402-471-2738 CELL: 531-207-3015

**DHHS.ne.gov** | **Facebook** | **Twitter** | **LinkedIn**

**From:** Kamm, James <James.Kamm@nebraska.gov>  
**Sent:** Wednesday, January 3, 2024 4:20 PM  
**To:** Revenue Everyone <Rev.Everyone@nebraska.gov>  
**Subject:** FW: Message from the Tax Commissioner

Colleagues,

Although the Governor's Executive Order No. 23-17 is currently being reviewed by the Nebraska Commission of Industrial Relations, I am using my authority as an Agency Director and independently requiring DOR teammates to return to the office full-time beginning on January 16, 2024.

This applies to all teammates, except field staff and anyone that requested and received an approved exception from in-office work with an effective date beginning in 2024.

All previous teleworking agreements, not beginning in 2024, are hereby terminated effective with the DOR's close of business on January 12, 2024, at 5:00 p.m.

Please note the following:

- Beginning January 8, 2024, all teammates (with the exception of field staff and approved exceptions) will be required to be in the office a minimum of three (3) days a week.
- Beginning January 16, 2024, all teammates (with the exception of field staff and approved exceptions) will be required to be in the office five (5) days a week.

Please direct any additional questions or concerns you may have to your individual manager.

Thank you.

**James R. Kamm**

*Tax Commissioner*

**Nebraska Department of Revenue**

PO Box 94818

301 Centennial Mall South

Lincoln, Nebraska 68509

OFFICE 402-471-5605

James.Kamm@nebraska.gov

revenue.nebraska.gov

EX. "D"