

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 345**

Introduced by Wishart, 27.

Read first time January 16, 2019

Committee:

- 1 A BILL FOR AN ACT relating to state employees; to prohibit mandatory
- 2 overtime for certain employees as prescribed.
- 3 Be it enacted by the people of the State of Nebraska,

1           Section 1.   (1) The Legislature finds that it is essential that  
2 residents of the State of Nebraska who are under the twenty-four-hour  
3 care and supervision of the State of Nebraska be provided with qualified  
4 care from trained employees. This care is jeopardized when employees are  
5 mandated to work overtime for unnecessarily long hours. The State of  
6 Nebraska should provide adequate, safe staffing without the use of  
7 mandatory overtime.

8           (2) An employee of the State of Nebraska providing services to  
9 individuals in facilities under the twenty-four-hour care and supervision  
10 of the State of Nebraska shall not be disciplined nor lose any right,  
11 benefit, or privilege for refusing to work more than twelve consecutive  
12 hours. Under no circumstances shall an employee providing services to  
13 individuals in facilities under the twenty-four-hour care and supervision  
14 of the State of Nebraska be required to work seven straight days without  
15 a day off. The acceptance by an employee of overtime is strictly  
16 voluntary, and the refusal by an employee to accept such overtime work is  
17 not grounds for discrimination, dismissal, discharge, or any other  
18 penalty, threat of report for discipline, or employment decision adverse  
19 to the employee.