

**Grievance of February 9, 2022,** was filed on behalf of a former employee (Gerald Kuker) by the Union and went through the steps as outlined in the Union Contract. Step #1 grievance was filed by hand delivery to the Highway Superintendent by Union Steward, Brian Dettmann on February 9, 2022. The grievance was in regard to the amount of accumulated leave time and the lack of time available to use by the employee. Grievance was answered by Highway Superintendent on February 11, 2022, which was denied. The Union representative filed the grievance in accordance with Step 2 of the Union Contract with the Richardson County Board of Commissioners on February 17, 2022, with a hearing held on March 8, 2022, in which the County Board denied the grievance. On March 15, 2022, The Union representative presented the grievance to the County Grievance Board (2 representatives from the Union; 2 representatives from the County; and 1 person mutually agreed upon by the Union and the County). A hearing date with this County Grievance Board was scheduled for May 20, 2022. **The morning before the hearing, May 19, 2022, Justin Hubly, the representative from NAPE/AFSCME Local 61, informed county's legal counsel that the Union has withdrawn the grievance set for hearing on May 20, 2022.**

**Case #1536** was filed in the Commission of Industrial Relations on September 12, 2022, by the NAPE/AFSCME Local 61, Road Department Union alleging the County had violated the State Industrial Relations Act. In August of 2022, a commissioner had spoke with one of the stewards of the Road Dept. Union and suggested that he contact the Union representative and request that they submit a letter to the County Board to revisit the current wage in the contract and that the salaries could be adjusted upwards. No letter of request was received from the Union to change this item in their contract. A one-day trial was held on April 13, 2023. The Commission of Industrial Relations concluded that the evidence failed to establish that a prohibited practice occurred by the County and that the **Petitioner (Union) failed to meet its burden in this case. The Union's petition was dismissed by the Commission of Industrial Relations on November 2, 2023.**

**Negotiations for a new contract** to replace the contract expiring June 30, 2023, were held on October 4, 2023, February 7 and February 14, 2024, with the County Board of Commissioners meeting with the Union stewards and the NAPE/AFSCME Local 61 representative, Justin Hubly. The County on February 14, 2024, presented a "Final Offer" to the Union which was not accepted by the Union members on February 20, 2024.

On April 10, 2024, the County Board took the following action: A motion was made by Sickel to approve the request from the Nebraska Association of Public Employees, AFSCME Local No. 61 representing the Richardson County Department of Roads employees to enter into mediation with the Federal Mediation and Conciliation Service (FMCS). Motion seconded by Caverzagie. ROLL CALL VOTE: Karas-aye, Sickel-aye, Caverzagie-aye. Motion carried. *(Federal Mediation and Conciliation Service (FMCS) is an independent public agency for alternative dispute resolution and conflict management. It provides mediation and conflict resolution services in the private, public, and federal sectors.)*

On June 18, 2024, a special meeting of the County Board of Commissioners was held to meet with Ron Morrison a mediator with the Federal Mediation and Conciliation Service and the representative from NAPE/AFSCME Local 61, Justin Hubly and Road Department Union stewards, Ron Ramer, Bryan Dettmann and Wyatt Martin. This meeting ended with no resolution or agreement.

**Case #1569** was filed in the Nebraska Commission of Industrial Relations by the Union on 6/24/2024 requesting the Commission establish wages, hours, benefits, and conditions of employment for the employees in the Road Department for a contract term from July 1, 2023, through June 30, 2026. On January 14, 2025, the Commission of Industrial Relations ordered a hearing on the issue of the array of counties to be used for wage and working conditions comparison before a subsequent hearing determining wages and terms of conditions of employment. On March 24, 2025, a one-day trial was held to determine the comparison array with the Union offering expert testimony from a Union representative from Washington, D.C., and the County offering expert testimony from a local human resources consultant. On August 14, 2025, the Commission issued an order that the array in this case would be the Nebraska counties of Saline, Jefferson, Johnson, Nemaha, Butler, Colfax, and York. A hearing date to determine the wages and working conditions has not been ordered by the Commission.

**Wyatt Martin, Bryan Dettmann, Ron Ramer Grievance** The grievance, which was signed by Justin Hubly, Executive Director of NAPE/AFSCME Local 61, dated April 9, 2024 and filed on behalf of Bryan Dettman, Ron Ramer and Wyatt Martin was hand delivered to the Highway Superintendent on April 10, 2025, regarding the request to use civil leave on March 24, 2025, to attend hearing on CIR Case #1569 instead of vacation and/or PTO leave being used. Their statement of grievance is as follows: “On April 4, 2025, Mr. Dettmann, Mr. Martin, and Mr. Ramer received their paychecks. Upon receipt, they discovered that their request to use civil leave on March 24, 2025, was not processed, and instead they had vacation and PTO leave deducted. Mr. Dettman, Mr. Martin, and Mr. Ramer which each subpoenaed to appear before the Nebraska Commission of Industrial Relations on March 24, 2025. Each gave testimony in a work-related impasse case CIR Case No. 1569. Article 11.16(c) states that time spent by employees appearing in court as a function of their job shall be considered as hours worked.” Relief Sought states: “To be made whole, Mr. Dettmann, Mr. Martin, and Mr. Ramer must be placed on civil leave and have their vacation and/or PTO leave returned.”

The grievance was denied by the Highway Superintendent and delivered to union steward, Bryan Dettmann on April 14, 2025, and was answered as follows: “The collective bargaining agreement (CBA) between your union and the County does not provide that you will be paid for your time off to testify on behalf of your union pursuant to a subpoena requested by your union. The County has not agreed in the Collective Bargaining Agreement that you will be paid by the County for the time you spent testifying for your union. Your testimony on March 24, 2025, before the Nebraska Commission of Industrial Relations was required by your union not the County. Accordingly, the County is denying your request that you should be paid by the County for your absence from work on March 24, 2025. Furthermore, denying your request to have your vacation and/or PTO leave returned for the absence from work on this day.”

As stated within the Collective Bargaining Agreement **11.16 CIVIL LEAVE**: All employees shall be eligible for paid civil leave under the following conditions: **c. Court Appearance**: Time spent by employees appearing in court as a function of their job shall be considered as hours worked. All witness fees received as a result of these court appearances shall be returned to the County. Employees attending courts as a plaintiff, defendant or witness on non-work-related matters, may use vacation leave or earned compensatory time. In the event the employee is subpoenaed for non-work-related matters and does not have vacation leave or compensatory time the Employer shall grant a leave of absence. The employee shall keep any witness fee paid to the employee for these court appearances.

The NAPE/AFSCME Local 61 representative, Justin Hubly, filed the grievance in accordance with Step 2 of the Union Contract, with the Richardson County Board of Commissioners on April 15, 2025, with a hearing scheduled to be held on April 30, 2025.

On April 30, 2025, a representative, Chris Morton from the NAPE/AFSCME Local 61 was present to review with the Board in accordance with the Collective Bargaining Agreement between NAPE/AFSCME Local 61 and Richardson County, as an agreement was not reached in Step 1 of the grievance process outlined in Article 3 of the Collective Bargaining Agreement, and that in accordance with Step 2 of the grievance process, this grievance was presented to the County Board within five work days of the decision of the Highway Superintendent.

The Board stated they would review the information presented regarding this grievance and will discuss it further at next week's meeting and make a decision to be forwarded back to the NAPE/AFSCME Local 61.

On May 7, 2025, the Board of Commissioners took the following action: Motion was made by Caverzagie that in accordance with the Collective Bargaining Agreement, 11.16 Civil Leave, (c), the time spent by the employees, Bryan Dettmann, Wyatt Martin and Ronald Ramer appearing before the Nebraska Commission of Industrial Relations on March 24, 2025, was not for the purpose "as a function of their job and shall not be considered as hours worked" as the definition of a job function is a list of actions performed by an employee in a certain position that describes the main responsibilities of their job with those job functions often to appear as a list of daily tasks that an employee completes at the workplace. Furthermore, the statement of grievance states that Mr. Dettman, Mr. Martin, and Mr. Ramer were each subpoenaed to appear before the Nebraska Commission of Industrial Relations on March 24, 2025, assuming by NAPE/AFSCME Local 61, which was for non-work-related matters and according to this section the employee must use vacation leave or earned compensatory time. The grievance is denied. Motion seconded by Karas. ROLL CALL VOTE: Karas-aye, Campbell-aye, Caverzagie-aye. Motion carried.

On May 12, 2025, the County Board received notice from NAPE/AFSCME Local 61 that the grievance filed by Bryan Dettmann, Wyatt Martin and Ronald Ramer that was denied by the County Board of Commissioners on May 7, 2025, has been submitted in accordance with Step 3 of the grievance process outlined in the Union Contract to be filed and heard by the County

Grievance Board (2 representatives from the Union; 2 representatives from the County; and 1 person mutually agreed upon by the Union and the County).

On June 9, 2025, the Grievance Board met for the hearing and found that the employees, Bryan Dettman, Wyatt Martin and Ronald Ramer were correctly denied civil leave according to the agreement detailed in Richardson County exhibit 1 (Agreement Between NAPE/AFSCME Local 61 and The County of Richardson, Nebraska July 1, 2020-June 30, 2023) that was presented at the hearing, and the County is not required to return any vacation or paid-time-off used on March 24, 2025.