

LEGISLATIVE BILL 511

Approved by the Governor May 30, 2019

Introduced by Brewer, 43; Bostelman, 23; Gragert, 40; Halloran, 33; Linehan, 39; Murman, 38; La Grone, 49; McDonnell, 5.

A BILL FOR AN ACT relating to state employees; to authorize adjustments to work schedules for participation in approved youth mentoring programs as prescribed.

Be it enacted by the people of the State of Nebraska,

Section 1. (1) An agency head, or other management personnel designated by the agency head, may adjust the work schedule of a state employee by up to one hour per week to permit such state employee to participate in an approved youth mentoring program. Any request for an adjusted work schedule for participation in an approved youth mentoring program shall be submitted and approved in accordance with applicable agency procedures, including approval by the supervisor of such state employee. Nothing in this section shall be construed to authorize paid leave for any state employee.

(2) For purposes of this section, state employee means any employee of the state or of any state agency, including all administrative, professional, academic, and other personnel of the University of Nebraska, the state colleges, and the State Department of Education, but excluding any employee or officer of the state whose salary is set by the Constitution of Nebraska or by statute. An employee of any local government or entity, including any entity created pursuant to the Interlocal Cooperation Act or the Joint Public Agency Act, shall not be considered a state employee for purposes of this section.

(3)(a) The Director of Personnel may use an existing publicly accessible data base of youth mentoring programs as a list of approved youth mentoring programs for purposes of this section.

(b) The director shall only use a data base as the list of approved programs if programs are added to the data base based on nationally recognized standards for quality youth mentoring programs that address elements of effective practice for mentoring, including, but not limited to:

(i) Recruiting prospective mentors and mentees;
(ii) Screening prospective mentors and mentees;
(iii) Training prospective mentors, prospective mentees, and the parents or guardians of prospective mentees;

(iv) Matching mentors with mentees and initiating formal mentoring relationships;

(v) Monitoring and supporting mentoring relationships; and

(vi) Bringing mentoring relationships to closure.

(c) The director shall only use a data base as the list of approved programs if such data base is limited to programs that conduct criminal background checks on prospective adult mentors, including, but not limited to, searches of the central registry maintained by the sex offender registration and community notification division of the Nebraska State Patrol pursuant to section 29-4004.

(d) Each state agency is responsible for verifying that the youth mentoring program for which a state employee is requesting an adjusted work schedule is on the list of approved youth mentoring programs.

(e) If no publicly accessible data base can be found that meets the criteria in this section after a reasonable search, the director shall not have any further obligation under this section.

(4) An agency may deny a request to adjust a work schedule pursuant to this section if:

(a) The activity for which the adjustment is requested is not part of an approved youth mentoring program;

(b) The request was not submitted in accordance with agency procedures;

(c) The most recent performance review for the state employee making the request is unsatisfactory;

(d) After considering reasonable alternatives and options, it is determined that the absence of the employee will interfere with agency operations or services; or

(e) For any other reason the agency deems that the absence of the state employee would not be in the best interests of the agency.

(5) The director may adopt and promulgate such rules and regulations as necessary to administer this section.