TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office FLOOR DEBATE

March 21, 2005 LB 352

SENATOR PREISTER: Thank you, Honorable President, friends all. The bill that you have before you today is a bill that adds clarity to the community colleges section of statute that is in the K through 12 sections of statute. community colleges basically have been modeled after those And when they were created, most of it was transferred over. This is a clarifying section that was not It's one sentence. It simply reads: A transferred over. person who has been hired to fulfill the duties of a teacher or school nurse who is on a leave of absence shall not accrue rights under Sections 85-1528 to 85-1534 during this period that the person is fulfilling such duties. The purpose of that is that when a teacher, for sick reasons or for disability reasons, for other reasons, needs to be away from their position and a temporary worker is hired to fulfill those duties, it would avoid a conflict in the event that that period of time was greater than two years. At a two-year period of time, the temporary employee could be considered full-time and be entitled to that same position. In order not to have two employees legally entitled to the same position, this clarifies for the temporary employee that they would not be entitled, simply by virtue of the two-year expiration time, to have this position. It makes it fair to the full-time employee who is off work, knowing that their job is still there as soon as they're well and able to return to work. It's fair to the temporary That employee knows they will be there until the employee. full-time employee is able to return. And it's also fair to the students who, just prior to the two-year time, if the full-time employee is not able to return, then another temporary employee has to be brought in. I think it adds clarity. It's fair to everyone. And initially I had a concern that the temporary employees' rights may be overstepped. But these temporary employees also receive the same benefits, the same salaries. They're treated just as the full-time employee would have been. So they're not losing anything. If the full-time employee is not able to return back to the classroom, then that temporary employee can apply for and would probably be eligible and have a good opportunity to be hired full-time in that position. situations don't occur very often. But where they do, it has become a problem, and could lead to litigation. This clarifies and I think is good public policy. I would be happy to