

FISCAL NOTE
 LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2008-09		FY 2009-10	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

*Does not include any impact on political subdivisions. See narrative for political subdivision estimates.

LB926 provides perimeters for overtime for state employees providing services to individuals in facilities under 24-hour care and supervision as follows:

1. The acceptance by a state employee of overtime is strictly voluntary;
2. No state employee shall be required to work 7 straight days without a day off;
3. No state employee shall be disciplined or lose any right, benefit, or privilege for refusing to work more than 12 consecutive hours.

The current labor contract (July 1, 2007 through June 30, 2009) between the State of Nebraska and the Nebraska Association of Public Employees Local 61 of the American Federation of State, County and Municipal Employees (NAPE/AFSCME) covers the issue of overtime including mandatory overtime for employees in 24-hour facilities. It is unclear how LB926 would impact the current labor contract.

If LB926 is enacted into law, 24-hour facilities may need to change staffing patterns or compensation patterns or both. Changing staffing patterns may be problematic because some facilities have high staff vacancy rates. One option would be for the facility contract for services in the private sector. Contracting for services in the private sector is generally higher than in-house staff. Increased costs cannot be estimated at this time.

The Department of Health and Human Services indicates that if vacancies could be filled and overtime hour correspondingly reduced or eliminated then there would be no fiscal impact.

DEPARTMENT OF ADMINISTRATIVE SERVICES

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COMMENTS			
UNIVERSITY OF NEBRASKA – No disagreement with agency analysis.			