



AROUND NDE

A Publication of the Nebraska Department of Education Office of Human Resources • Sept./Oct. 2009



The NDE Leadership Academy completed a pilot year in June 2009. A major goal of the pilot year was to provide

input on what worked and what did not. Pilot participants provided a significant number of ideas and input about changes and adjustments for future versions of the academy. These suggestions for adjustment and adaptations resulted in the delay of launching the second version of the academy until January 2010. The arrival of Dr. Breed and Dr. Swisher to NDE has also created a unique opportunity for their input and engagement in the process of developing the NDE leadership academy as well.

The Developing Professional Developers (DPD) group (an NDE group of trainers) continues to work through the fall months in creating and preparing for the NDE Leadership Academy session for a second group. The change and adaptations should prove to be excellent adjustments to the effectiveness and usefulness of the

experience. The primary purposes of the NDE Leadership Academy remain consistent with the goals of creating an opportunity for NDE employees to develop leadership awareness, understanding, and practices through this professional growth experience.

The dates for the upcoming session of the NDE Leadership Academy are:

- January 13-14, 2010
- February 23-24, 2010
- March 23-24, 2010
- April 20-21, 2010

Applications are due October 30, 2009. Click on the links below for more information.

- [Message from Dr. Breed](#)
- [Information sheet](#)
- [Application form](#)

Fall 2010 session dates will be available for those unable to participate in the spring 2010 leadership academy.

For more information or questions contact Dean Folkers, dean.folkers@nebraska.gov, 402-471-2494, or visit the [InsideNDE webpage](#) for resources.

Medical Flex Reminders

2009 Shortened Plan Year — The shortened plan year ran from January 1 through June 30, 2009. However, the grace period allowed expenses to be incurred through September 15, 2009 and claims submitted through October 31, 2009.



2010 Plan Year — The 2010 Plan year began on July 1, 2009 and runs through June 30, 2010. The grace period for this plan year will allow expenses to be incurred through September 15, 2010 and claims submitted through October 31, 2010.

New Employees

Pictures are not yet available for: Arian Baher, DDS; Tonisha Jorgensen & Jane Kasik, VR-Columbus; and Kara Michaelson, VR-Norfolk. Watch for them in the next issue.



Rae Dixon
Adjudicator Trainee
DDS
September 1, 2009



Matt Eckhardt
Infrastructure Support Analyst
Network Services
October 2, 2009



Anne Farrin
Adjudicator Trainee
DDS
September 1, 2009



Kimberly Koca
Adjudicator Trainee
DDS
September 1, 2009



Sarah Lightbody
Adjudicator Trainee
DDS
September 1, 2009



Mary McCreary
VR Service Specialist
Lincoln VR
August 26, 2009



Eva Shepherd
IT Data/Database Analyst
Data Service & Federal Prog.
October 1, 2009



Julie Shively
VR Service Specialist
Grand Island VR
August 3, 2009



Tiffany Siegrist
Adjudicator Trainee
DDS
September 1, 2009



Ron Theasmeyer
Administrative Specialist II
School Finance & Org. Serv.
September 21, 2009



Amy Walters
VR Associate
Omaha West VR
August 3, 2009



Bryce Wilson
Program Specialist II
School Finance & Org. Serv.
August 24, 2009



The Flu and You

- ▶ Be alert to any signs of fever and any other signs of influenza-like illness before reporting to work each day, and notify your supervisor and stay home if you are ill. You should not travel while you are ill.
- ▶ The Center for Disease Control (CDC) recommends that employees with influenza-like illness remain at home until at least 24 hours after they are free of fever (100° F or greater), or signs of a fever, without the use of fever-reducing medications.
- ▶ If you come down with the flu, expect to be out for about 3 to 5 days in most cases, even if an antiviral medication is used.
- ▶ NDE policy requires a doctor's note when you are out sick more than five consecutive work days. However, this requirement is temporarily being waived for employees who become sick with the flu, whether it is seasonal or H1N1. This is being done to reduce the burden on medical providers. If you are out for more than five consecutive work days due to the flu, send an e-mail to your supervisor upon your return indicating a request for sick leave due to the flu.
- Employees who are well but may have been exposed to the flu or have an ill family member at home with the flu can go to work as usual. However, these employees should monitor their health every day, and notify their supervisor and stay home if they become ill. No special reporting of absences due to the flu has been required at this point.

Flu Shot Update



Per the [e-mail from DAS Employee Benefits](#), the state-sponsored flu vaccination clinics have been postponed due to difficulty in obtaining vaccine from the manufacturer.

Effective 10/5/09 through 12/31/09, employees will be able to receive a flu shot from their doctor at the following co-pays:

- Wellness PPO plan – all covered members will now have a \$0 co-pay; &
- BlueChoice, Regular PPO, and High Deductible PPO Plans – all covered members will now have a \$10 co-pay.

Flu shots received before or after this timeframe will be subject to the original co-pay amounts.

Remember, you may obtain a flu shot from your local pharmacy. The flu shot is covered under the prescription plan at a \$10 co-pay. You will need to pay for the vaccination and then submit a [claim to Express Scripts](#) for reimbursement of the difference.

Vacation: Use It or Lose It

The maximum amount of vacation that may be carried over into the next calendar year is 280 hours. Click on the following link for information on how to determine whether or not you have leave to [use or lose](#).

Vacation carryover is intended only for unforeseen work-related emergencies. Failure to plan for vacation days throughout the year, or citing ongoing work requirements, are not valid reasons to request vacation carryover.

If you feel that you have a valid request, complete the [Vacation Carryover Request Form](#), print and sign it, and route it to your supervisor. It is recommended that you begin this process no later than December 1st.

Requests must be made, and all approvals granted, prior to December 31, 2009. Any requests initiated or received by the Deputy Commissioner after the end of the calendar year will not be honored.

Bom and Roschewski Recognized



Pat Roschewski and Carol Bom

At the Nebraska Educational Office Professionals Association's Fall Conference held in Omaha on October 2nd, two NDE employees were honored for their hard work and dedication to Education in Nebraska. **Pat Roschewski**, Director of Assessment, was named NEOPA's 2009-2010 *Educational Administrator of the Year* and **Carol Bom**, Office Associate for Assessment, was named the 2009-2010 *Educational Office Professional of the Year*.

Pat's and Carol's nominations will be forwarded to the National Association of Educational Office Professionals (NAEOP) and will represent Nebraska at the national level. Congratulations!

Carol Bom Appointed to National Board

Carol Bom was recently appointed to the National Association of Educational Office Professionals (NAEOP) Board of Directors for 2009-2010. She will be the State Department Council Chairman for NAEOP, which consists of NAEOP members from around the country who work at state departments of education or associations such as those for school boards or school administrators. The Nebraska Department of Education Office Professionals (NDEOPA) is an affiliate of NAEOP.

Carol has been a continuous member of NAEOP since 2000-2001. NAEOP is the only educational office professionals association in the country. Emphasis is placed upon the various fields of education and networking is encouraged at the various levels. The various councils meet during the national conference, build their networks, learn about the challenges facing their state, and receive tips on how to handle those challenges. Other councils include Elementary Council, Middle School/Jr. High Council, High School/Career & Technical Education Council, Administrative Council, and Higher Education Council.

Sue Gilleland Elected to NEOPA Board



Sue Gilleland

Sue Gilleland, Nutrition Services, has been elected to the position of Secretary for the Nebraska Educational Office Professionals Association (NEOPA) for the 2009-2010 term. Sue has been an active member of NEOPA for five years. She served on the Board of Directors as the Ways and Means co-director in 2005-2006. She has also been a member of the National Association of Educational Office Professionals (NAEOP) for six years.

Sue is also serving as the Secretary for NDEOPA, the Nebraska Department of Education Office Professionals Association. Congratulations, Sue!

State Years of Service Recognition

The Governor honors employees with 10 years or more of state service. Sometimes employees come to us with prior service to another agency. Most of the time, the years of service to NDE and the state are identical.

The employees listed below are being honored for their years of service to the state in ceremonies being held throughout October. Congratulations to each of you and thank you for your service.

10 Years

Tara Ackerman - DDS Adjudicator III
Shari Bahensky - VR Program Specialist I
Jayne Brunke-Proskocil - VR Sr. Rehab. Spec.
Judy Dixon - VR Sr. Rehab. Specialist
Peg Hansen - ATP Program Specialist II
Tracy Harnly - DDS Adjudicator III
Cindy Heiser - Office Associate III
Michelle Iverson - Office Associate III
Donelle Johnson - Education Specialist II
Tim O'Leary - VR IT Applications Devel. Lead
Paige Rose-Merrifield - VR Sr. Rehab. Spec.
Sally Shepherd - Administrative Associate III
Jayne Uher - Administrative Associate III

15 Years

Karen Calvin - Office Associate III
Janice Handa - Program Specialist II
Robin Hines - VR Sr. Rehab Specialist
Frank Lloyd - VR Senior Administrator
Krysti Michl - DDS Hearings Officer
Daphne Moore - DDS Office Associate IV
Wandalon Rose - VR Senior Associate
Joel Scherling - Administrator
Gerry Ussery - VR Sr. Rehab. Specialist
Ellis Vaughn - VR Sr. Rehab. Specialist

20 Years

David Altman - ATP Program Specialist II
Carol Grell - Program Specialist II
Julianne Kaiser - DDS Program Specialist III
Patricia Kraemer - VR Sr. Rehab. Specialist
Sue Martin - IT Applications Developer Sr.
Mark Schultz - VR Senior Administrator

25 Years

Steve Baltensperger - DDS Program Spec. IV
Shirley Baum - Education Specialist III
Deborah Brennan - VR Associate
Gregg Christensen - Education Specialist III
Frank Koch - VR Sr. Rehab. Specialist
Lisa Smith - Program Specialist II
Russ Vogel - IT Applications Developer Sr.

30 Years

Cheryl Ashenbach - DDS Program Associate III
Margaret Clark - Administrative Associate III
Janet Drudik - VR Program Director II
Dennis King - VR Program Director II
Jon Rathjen - VR Office Director II
Roxie Rosenthal - Office Associate III
Nancy Rowch - Education Specialist III
Paula Ruff Einemann - DDS Adjudicator III
Jack Shepard - VR Program Director II
Cathy Von Kaenel - Program Specialist II

35 Years

Shelley Dahl - VR Sr. Rehab. Specialist
Jodi Flores - DDS Program Associate IV
Roger Glawatz - VR Office Director II
Mike Kissler - Education Specialist III
Mary Ann Losh - Senior Administrator
Ruth Markhofer - VR Sr. Rehab. Specialist
Joan Orender - Program Specialist III
Jacque Rank - DDS Adjudicator III
Roberta Riley Kirkendall - DDS Prog. Spec. IV
Linda Ross - DDS Program Associate III
Jan Thelen - Education Specialist III
Crystal VanHousen - VR Senior Associate

40 Years

Margy Hoffmann - VR Senior Administrator

NDE Years of Service Recognition

VR employees will be recognized for their years of service to NDE at their State Staff Conference to be held on Oct. 27-28. All other employees will be recognized for their service to NDE at the employee recognition event on December 14th, beginning at 11:00 a.m.

Employee Rights and Responsibilities Under the Family and Medical Leave Act (FMLA)

Basic Leave Entitlement

The Family and Medical Leave Act, better known as the FMLA, provides eligible employees the right to take up to 12 weeks of unpaid, job-protected leave within a 12-month period for the following reasons:

- The birth and care of a newborn child of the employee;
- For placement with the employee of a son or daughter for adoption or foster care;
- To care for a spouse, son, daughter, or parent with a serious health condition; or
- To take medical leave when the employee is unable to work because of his/her own serious health condition.

Military Family Leave Entitlements

THE FMLA was amended in 2008 to allow for additional job-protected military leave rights. Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty in the National Guard or Reserves in support of a contingency operation may use their 12-week entitlement to address certain *qualifying exigencies*. Qualifying exigencies may include: attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. The amendments also allow for a special leave entitlement that permits eligible employees to take up to 26 weeks of leave during a single 12-month period to care for a covered servicemember. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits and Protections

During FMLA leave, NDE maintains its share of your health coverage. Upon return from FMLA

leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of the leave.

Eligibility Requirements

Employees are eligible if they have worked for NDE and/or the State for at least one year, and within the previous 12 months have worked at least 1,250 hours.

Employee Responsibilities

Employees must complete a request form and another form which specifies the insurance coverage to be maintained during the absence. A certification must also be completed and signed by the medical provider if the leave being requested is for medical purposes.

How FMLA Works With Paid Leave

If an employee is out on paid leave for more than five consecutive work days for one of the qualifying conditions for using Family/Medical Leave, beginning with the sixth consecutive workday of the absence, the absence will count against the 12-week FMLA entitlement. The employee or supervisor must notify HR of the absence so that FMLA paperwork can be sent to the employee to complete. This trigger for Family/Medical Leave will occur even if the employee plans to use paid leave and has adequate leave balances to cover the expected duration of the absence. If an employee has adequate paid leave to cover the absence(s), the pay will not be affected even though the absence is counting against the FMLA entitlement. Once paid leave (e.g., sick/vacation) balances are exhausted, the balance of the unpaid FMLA leave entitlement would be available, up to the maximum 12 weeks.

Additional Information

For more information, see the U.S. Department of Labor's Fact Sheets on the [Family and Medical Leave Act](#) and [Military Family Leave Entitlements](#). See also the article on Nebraska Military Leave on the following page.

Nebraska Military Leave



The Nebraska Family Military Leave Act allows up to 30 days of unpaid leave when a qualified employee's spouse or parent is called to military service lasting 179 days or longer, with the State or U.S. pursuant to orders of the Governor or President.

The employee is required to submit proper military certification to verify eligibility. It is important to note that unlike the federal military leave option, the state contribution to health insurance will continue for the first nine work days of the leave. This may be extended at the employer's discretion.

New Law Further Defines Nepotism

Concerns about hiring practices in state agencies led to the passage of LB 322, which became effective in August. This law applies to officials and employees in the executive branch of state government, which includes NDE, the University system, state colleges, and so on.

Nepotism occurs when an employee hires, promotes, or advances a family member in state government, including the initial appointment and transfer to other positions. Nepotism was not allowed in the previous version of the law, so what's changed?

The definition of "family member" in LB 322 is much broader than the definition of "immediate family member" in the past version of the law. Family member is defined as: An individual who is the spouse, child, parent, brother, sister, grandchild, or grandparent, by blood, marriage, or adoption, of an official or employee in the executive branch of state government. "In-laws" of any

of the named family members are also to be included in the definition of immediate family member. Further, State Board of Education members would be covered by the statute as well, under the category of "officials".

An official or employee who becomes a supervisor of a family member (except through nepotism):

1. Must notify the Commissioner within seven days of becoming aware of the situation; and
2. May continue as the supervisor of the family members until such time as the Commissioner acts.

The Commissioner must then file with the Nebraska Accountability and Disclosure Commissioner as soon as is practicable:

1. A copy of the notification from the employee;
2. The written showing of good cause (for potential waiver of the prohibition against being a supervisor of an immediate family member); and
3. Any written decision from the Commissioner.

According to Assistant Commissioner Brian Halstead, one issue that is yet to be decided is whether the Agency Head (e.g., Commissioner of Education) is considered a supervisor for all employees of the agency. Frank Daley, of the Accountability and Disclosure Commission, indicated that he is leaning toward answering the question in the affirmative.

Chapter 15, section 005 of the NDE Personnel Rules also covers supervision of relatives. It states, in part: *Employees shall not be assigned to positions in which they directly supervise, evaluate, or review the appraisal of an immediate relative or to positions in which they are directly supervised, evaluated, or reviewed by an immediate relative.*
