

§ 11 – 117. Board Member Leave.

- (A) Personal time out of the office. Board Members may be out of the office for the purpose of non-essential personal matters when such absence does not unduly interfere with the Board’s ability to perform its statutory duties. A non-essential personal matter does not include health-related or weather-related absences, jury duty, or funeral attendance for close family members, as that term is defined by the Nebraska Personnel Rules. Board Members must communicate in advance with the Chairperson and coordinate with each other their scheduled out of the office time to the greatest extent possible so as to insure that a quorum of the Board is available to conduct Board business on any given day.
- (B) Health-related absences, jury duty, and funeral attendance. Health-related absences that will exceed 5 working days must be substantiated by written documentation from a health practitioner. To the greatest extent possible, scheduled health-related absences must be communicated in advance to the Chairperson. In the event a Board Member becomes incapable of carrying out his or her duties permanently, such Board Member should advise the Chairperson and the Governor of his or her intent to resign. Weather-related absences should be communicated to the Chairperson when weather conditions prohibit a Board Member from traveling to the Parole Board offices and/or the institution/facility scheduled for that day. Absences for jury duty should be communicated with the Chairperson after receipt of the jury summons. Absences to attend a funeral of a close family member, as that term is defined in the Nebraska Personnel Rules, should be communicated to the Chairperson in advance.
- (C) Telecommuting. Neb. Rev. Stat. § 83-189 provides that “the Board of Parole shall consist of five full-time members to be appointed by the Governor.” Full-time service typically requires at least 40 hours per week in order to receive the health insurance and retirement benefits provided by the State, unless a board member is unavailable under subsections (A) or (B) above. Occasionally, a board member may desire to perform his or her duties from home under a telecommuting arrangement. The telecommuting agreement must be in writing in a form similar to that required of employees subject to the Personnel Rules of the State of Nebraska and will include a list of job duties that are deemed necessary by the Board that must be performed if a Board member is telecommuting. Board members who telecommute should coordinate such arrangement with the Chairperson at least 2 weeks in advance so as to ensure that a quorum is available in office to conduct Board business on any given day. A Board member who telecommutes must also abide by guidance set forth in State Personnel Rules ensuring that he or she is available during normal work hours and is responsive via email, Skype and/or telephone as he or she would be if physically working from the Board’s offices or other DPS location. Board member attendance at parole-related meetings or other parole-related events are considered part of a Board member’s duties and is not considered to be time spent out of the office under subsection (A) or hours worked under a telecommuting arrangement under this subsection (C).