

**BEFORE THE COUNTY BOARD OF COMMISSIONERS
RICHARDSON COUNTY, NEBRASKA**

IN THE MATTER OF THE
GRIEVANCE OF BRYAN DETTMANN

BRYAN DETTMANN,

Grievant,

**COUNTY BOARD DECISION ON
GRIEVANCE (STEP 2)**

And

COUNTY OF RICHARDSON,

Respondent.

I. INTRODUCTION

The County Board of Commissioners of Richardson County, Nebraska ("County Board"), having received and considered the grievance filed by Bryan Dettmann ("Grievant"), as presented and appealed by NAPE/AFSCME Local 61 ("Union"), issues the following decision.

The grievance appeals the decision of the County Highway Superintendent ("Superintendent") to discipline Grievant for violating established County work rules. The grievance was properly presented to the County Board pursuant to the applicable collective bargaining agreement and County grievance procedure.

The County Board has reviewed the grievance, the Union's presentation on August 5, 2026, the Supervisor's disciplinary action notice, the Superintendent's decision, the applicable collective bargaining agreement, the applicable County work rules and policies, and the evidence presented at the grievance hearing.

For the reasons set forth below, the grievance is **DENIED**, and the discipline imposed by his Supervisor is **UPHELD**.

II. ISSUES PRESENTED

The issue before the County Board is:

Whether the Highway Department Supervisor had sufficient grounds under the applicable collective bargaining agreement, County work rules, policies, and established workplace expectations to discipline Grievant for the conduct identified in the disciplinary action, and, if so, whether the discipline imposed was appropriate.

The County Board determines that the answer is **yes**.

III. FACTUAL FINDINGS

Based upon the evidence presented, the County Board makes the following findings:

1. Grievant is employed by Richardson County in the position of Equipment Operator within the County Highway Department.
2. Grievant is subject to the County's established work rules, policies, procedures, and directives applicable to employees of the Highway Department.
3. The County's work rules are intended to establish reasonable standards of conduct and performance and to ensure the safe, efficient, and orderly operation of the Highway Department.
4. Grievant was aware, or reasonably should have been aware, of the applicable work rules and expectations. The evidence does not establish that Grievant was unaware of the rules at issue or that the rules were so unclear that compliance was impossible or unreasonable.
5. On June 23, 2026, Grievant engaged in conduct that violated work rule relating to sleeping in his maintainer with the machine running.
6. His Supervisor, Julie Vollmer, determined that Grievant had violated the applicable work rule.
7. His Supervisor imposed a written reprimand upon Grievant on June 26, 2026.
8. The Union subsequently filed a grievance challenging the discipline, which was denied by the Highway Superintendent on July 8, 2026.
9. The Union contends, in substance, that the discipline was unwarranted as follows:

Mr. Dettmann did not violate Work Rule 20. Mr. Dettmann was sleeping in his motor grader during his unpaid lunch break, not during working hours. This disciplinary action is arbitrary, because Mr. Dettmann did not violate Work Rule 20.

10. The County disputes those assertions and maintains that the evidence establishes a violation of the applicable work rules and that the discipline was warranted.

IV. COUNTY BOARD'S ANALYSIS

A. The County Has the Right and Responsibility to Establish and Enforce Reasonable Work Rules.

The County has a legitimate and necessary interest in establishing reasonable rules governing employee conduct, safety, attendance, performance, equipment operation, and workplace procedures.

The Highway Department operates in an environment in which compliance with established procedures is particularly important. Employees are expected to follow lawful and reasonable directives issued by their supervisors and to comply with established County policies and work rules.

A collective bargaining agreement does not eliminate the County's authority to enforce reasonable workplace rule. Rather, the County must exercise that authority consistently with the terms of the applicable collective bargaining agreement.

The County Board finds that the work rules involved in this grievance were legitimate, reasonable, and applicable to Grievant.

B. The Evidence Establishes That Grievant Violated the Applicable Work Rule.

After reviewing the evidence presented, the County Board finds that his supervisor had a reasonable factual basis for concluding that Grievant violated the applicable work rule.

The Board finds the evidence sufficient to establish that:

On June 23, 2026, the supervisor found employee in maintainer sleeping at 713-642, at 11:32 a.m. She took several raps on glass maintainer door to wake up employee, machine was on. Employee violated work rule 20 furthermore creating an unsafe situation; sleeping in a running maintainer. Employee was told during verbal warning on 10-16-2026 to stop sleeping in his maintainer, if he is tired to radio in and we will send someone for his machine. Employee admitted during verbal that he only sleeps during breaks, and the supervisor told him to stop sleeping at work. The employee agreed to the Employer's statement on his written reprimand.

The Union's disagreement with his supervisor's decision does not, standing alone, establish that the discipline was improper.

The Board further finds that the applicable rule was sufficiently clear to communicate the conduct expected of employees. Grievant was obligated to comply with the rule and the supervisor's reasonable directive.

C. The County Board Will Not Substitute Its Judgment for the Supervisor's Absent a Sufficient Basis to Do So.

His supervisor is responsible for the day-to-day operation of the Highway Department and for ensuring that employees comply with applicable work rules and directives.

The County Board's role in reviewing the grievance is not to second-guess every supervisory decision but to determine whether the challenged action was supported by the governing agreement, applicable rules, and the evidence.

Having reviewed the record, the Board finds no sufficient basis to conclude that his supervisor acted outside the authority granted by the collective bargaining agreement, County policies, or applicable work rules.

V. CONCLUSION

The County Board concludes that:

1. The work rule at issue was reasonable and applicable to Grievant;
2. Grievant was aware, or reasonably should have been aware, of the applicable requirements;
3. The evidence establishes that Grievant violated the applicable work rule;
4. His supervisor had a reasonable and sufficient basis for imposing discipline;
5. The discipline imposed was consistent with the County's authority under the applicable collective bargaining agreement and County policies;
6. The discipline was not arbitrary, capricious, discriminatory, or excessive; and
7. The Union has not established a sufficient contractual or factual basis for overturning or modifying the supervisor's disciplinary decision.

VI. DECISION

IT IS THEREFORE ORDERED AND DECIDED by the Richarson County Board of Commissioners that the grievance filed by Bryan Dettmann, as presented and appealed by NAPE/AFSCME Local 61 is:

DENIED.

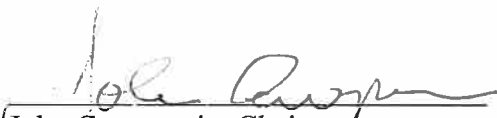
The disciplinary action imposed by his supervisor on June 26, 2026, consisting of a written reprimand, is **UPHELD**.

The County Board directs that the disciplinary action remain in effect and be maintained in Grievant's personnel/disciplinary record in accordance with the applicable County policies and collective bargaining agreement.

DATED this 12th day of August, 2026.

RICHARDSON COUNTY BOARD OF COMMISSIONERS

By:


John Caverzagie, Chairman