

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 1041**

Introduced by Fulton, 29.

Read first time January 21, 2010

Committee: Business and Labor

A BILL

1 FOR AN ACT relating to labor; to amend section 48-818, Reissue  
2 Revised Statutes of Nebraska; to change provisions  
3 relating to findings and orders of the Commission of  
4 Industrial Relations; and to repeal the original section.  
5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 48-818, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           48-818 (1) Except as provided in the State Employees  
4 Collective Bargaining Act, the findings and order or orders  
5 may establish or alter the scale of wages, hours of labor, or  
6 conditions of employment, or any one or more of the same. In  
7 making such findings and order or orders, the Commission of  
8 Industrial Relations shall establish rates of pay and conditions of  
9 employment which are comparable to the prevalent wage rates paid  
10 and conditions of employment maintained for the same or similar  
11 work of public and nonpublic workers exhibiting like or similar  
12 skills ~~under the same or similar working conditions.~~ in the same  
13 labor market, unless the evidence establishes that substantial  
14 differences exist which preclude limiting the comparison to the  
15 same labor market, in which case the commission shall limit its  
16 comparison to those labor markets in which the population of  
17 the labor market is not less than half nor more than twice the  
18 population of the labor market of the employer involved in the  
19 industrial dispute.

20           (2) In establishing wage rates and conditions of  
21 employment, the commission shall require a job match comparative  
22 analysis to be done and shall limit its comparison to only those  
23 jobs that have a job match percentage of eighty-five percent or  
24 more. In establishing wage rates, the commission shall also take  
25 into consideration the overall compensation presently received by

1 the employees, having regard not only to wages for time actually  
2 worked but also to wages for time not worked, including vacations,  
3 holidays, and other excused time, and all benefits received,  
4 including insurance and pensions, and the continuity and stability  
5 of employment enjoyed by the employees.

6 (3) Any order or orders entered may be modified on the  
7 commission's own motion or on application by any of the parties  
8 affected, but only upon a showing of a change in the conditions  
9 from those prevailing at the time the original order was entered.

10 Sec. 2. Original section 48-818, Reissue Revised Statutes  
11 of Nebraska, is repealed.