

One Hundred Second Legislature - First Session - 2011

Introducer's Statement of Intent

LB555

Chairperson: Senator Steve Lathrop

Committee: Business and Labor

Date of Hearing: February 07, 2011

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 555 would streamline and expedite collective bargaining proceedings under Nebraska's "State Employees Collective Bargaining Act," which is codified at Neb. Rev. Stat. §81-1369 to §81-1390. This Act applies to all labor union bargaining and agreements entered into by the State College System, the University System, and the State of Nebraska.

Under current law, when parties are at an impasse in the collective bargaining process, statutory procedures direct how the parties will proceed, establish standards for reviewing disputed issues, and set forth the timeframes in which an impasse will be resolved.

LB 555 would modify the structure, timeframes, and standards used in these disputes. Under the bill, the mandatory use of a Special Master would be eliminated, thereby expediting the impasse process when the parties have failed to voluntarily reach an agreement. The bill would also authorize appeals directly from the Commission on Industrial Relations to the Nebraska Supreme Court by eliminating appeals to the Nebraska Court of Appeals. This would streamline the impasse process, reduce legal expenses for the parties, and provide a final resolution timeline that more closely aligns with biennial budgets. The bill adjusts current law deadlines for parties and the commission to reach final decisions on collective bargaining.

Finally, the bill would set forth statutory factors for the Commission on Industrial Relations to utilize when rendering comparability orders in order to provide unions and management with more predictable and consistent dispute outcomes. The current law structure allows too much discretion to the Commission to utilize non-binding guidelines in resolving labor disputes. Enacting LB 555 would bring predictability to labor dispute decisions of the commission which could result in the parties having more reasonable expectations during their negotiations.

Principal Introducer: _____

Senator John Harms