

One Hundred Second Legislature - First Session - 2011

Introducer's Statement of Intent

LB564

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:

LB564 intends to produce greater transparency, accountability, and fairness with regard to public-sector collective bargaining by providing comprehensive reform of the Commission of Industrial Relations, or "CIR," under both the Industrial Relations Act and State Employee Collective Bargaining Act.

First, LB564 eliminates the jurisdiction of the Commission to order rates of pay and conditions of employment, thus empowering the governing body employer and the public employee bargaining unit to negotiate wages, benefits, and employment conditions as well as the means of resolving any impasse. Second, the bill establishes a timeline under the Industrial Relations Act for negotiations similar to that found under the State Employee Collective Bargaining Act. Under this timeline, if an impasse occurs during the course of negotiation and the parties have not otherwise agreed on a means of resolving that impasse, the parties must engage in mediation. Should mediation be ineffective in resolving the impasse, the parties would then be required to present evidence before the Commission for a recommended decision. In arriving at a recommended decision, under LB564, the Commission is freed from the constraints of the comparability analysis that current statute requires by outright repealing 48-818, and may base its recommendation on any evidence presented to the Commission. After the Commission's recommendation is made and sent to both parties, the Commission becomes a public clearinghouse for information on the public employment dispute such that citizens may become aware of the terms of the dispute and may engage their elected representatives on the matter. Prior to the budget submission deadline of the governing body involved in the dispute, the governing body will vote to adopt or reject the Commission's recommendation. Should the governing body reject the Commission's recommendation, the existing collective bargaining agreement would continue in force and effect without any change until such time as a new agreement could be arrived at by the parties.

By removing the jurisdiction of the Commission, LB564 also eliminates the ability and need of a party to appeal the ruling of a special master to the Commission under the State Employee Collective Bargaining Act.

Principal Introducer: _____

Senator Tony Fulton