

AMENDMENTS TO LB964

Introduced by McDonnell, 5.

1           1. Insert the following new section:

2           Sec. 2. Section 81-1373, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4           81-1373 (1) For the purpose of implementing the state employees'  
5 right to organize for the purpose of collective bargaining, there are  
6 hereby created twelve bargaining units for all state agencies except the  
7 University of Nebraska, the Nebraska state colleges, and other  
8 constitutional offices. The units shall consist of state employees whose  
9 job classifications are occupationally and functionally related and who  
10 share a community of interest. The bargaining units shall be:

11           (a) Maintenance, Trades, and Technical, which unit is composed of  
12 generally recognized blue collar and technical classes, including highway  
13 maintenance workers, carpenters, plumbers, electricians, print shop  
14 workers, auto mechanics, engineering aides and associates, and similar  
15 classes;

16           (b) Administrative Support, which unit is composed of clerical and  
17 administrative nonprofessional classes, including typists, secretaries,  
18 accounting clerks, computer operators, office service personnel, and  
19 similar classes;

20           (c) Health and Human Care Nonprofessional, which unit is composed of  
21 institutional care classes, including nursing aides, psychiatric aides,  
22 therapy aides, and similar classes;

23           (d) Social Services and Counseling, which unit is composed of  
24 generally professional-level workers providing services and benefits to  
25 eligible persons. Classes shall include job service personnel, income  
26 maintenance personnel, social workers, counselors, and similar classes;

27           (e) Administrative Professional, which unit is composed of

1 professional employees with general business responsibilities, including  
2 accountants, buyers, personnel specialists, data processing personnel,  
3 and similar classes;

4 (f) Protective Service, which unit is composed of institutional  
5 security personnel, including correctional officers, building security  
6 guards, and similar classes;

7 (g) Law Enforcement, which unit is composed of employees holding  
8 powers of arrest, including Nebraska State Patrol officers and sergeants,  
9 conservation officers, fire marshal personnel, and similar classes.  
10 Sergeants, investigators, and patrol officers employed by the Nebraska  
11 State Patrol as authorized in section 81-2004 shall be presumed to have a  
12 community of interest with each other and shall be included in this  
13 bargaining unit notwithstanding any other provision of law which may  
14 allow for the contrary;

15 (h) Health and Human Care Professional, which unit is composed of  
16 community health, nutrition, and health service professional employees,  
17 including nurses, doctors, psychologists, pharmacists, dietitians,  
18 licensed therapists, and similar classes;

19 (i) Examining, Inspection, and Licensing, which unit is composed of  
20 employees empowered to review certain public and business activities,  
21 including driver-licensing personnel, revenue agents, bank and insurance  
22 examiners who remain in the State Personnel System under sections 8-105  
23 and 44-119, various public health and protection inspectors, and similar  
24 classes;

25 (j) Engineering, Science, and Resources, which unit is composed of  
26 specialized professional scientific occupations, including civil and  
27 other engineers, architects, chemists, geologists and surveyors, and  
28 similar classes;

29 (k) Teachers, which unit is composed of employees required to be  
30 licensed or certified as a teacher; and

31 (l) Supervisory, which unit is composed of employees who are

1 supervisors as defined in section 48-801.

2 All employees who are excluded from bargaining units pursuant to the  
3 Industrial Relations Act, all employees of the personnel division of the  
4 Department of Administrative Services, and all employees of the Division  
5 of Employee Relations of the Department of Administrative Services shall  
6 be excluded from any bargaining unit of state employees.

7 (2) Any employee organization, including one which represents other  
8 state employees, may be certified or recognized as provided in the  
9 Industrial Relations Act as the exclusive collective-bargaining agent for  
10 a supervisory unit, except that such unit shall not have full collective-  
11 bargaining rights but shall be afforded only meet-and-confer rights.

12 (3)(a) ~~(3)~~ It is the intent of the Legislature that the professional  
13 staff employee classifications, including the managerial-professional and  
14 managerial employee classification, classifications and the office and  
15 service staff employee classification, classifications be grouped in  
16 broad occupational units for the University of Nebraska and the Nebraska  
17 state colleges established on a university-wide or college-system-wide  
18 basis, including all campuses within the system.

19 (b) Any unit entirely composed of supervisory employees of the  
20 University of Nebraska or the Nebraska state colleges shall be afforded  
21 only meet-and-confer rights.

22 (c) Any bargaining unit seeking to represent an academic-  
23 administrative staff employee classification consisting of faculty,  
24 including adjunct faculty, of the University of Nebraska or of any  
25 administrative unit of the university may organize and seek recognition  
26 or certification by the commission on an administrative unit-wide basis  
27 as otherwise determined pursuant to the Industrial Relations Act.

28 (d) The bargaining units for academic, faculty, and teaching  
29 employees of the ~~University of Nebraska and the Nebraska state colleges~~  
30 shall continue as they existed on April 9, 1987, ~~plus the addition of~~  
31 ~~Kearney State College,~~ and any adjustments thereto or new units therefor

1 shall continue to be determined pursuant to the Industrial Relations Act.

2 (4) Other constitutional offices shall continue to subscribe to the  
3 procedures for unit determination in the Industrial Relations Act, except  
4 that the commission is further directed to determine the bargaining units  
5 in such manner as to (a) reduce the effect of overfragmentation of  
6 bargaining units on the efficiency of administration and operations of  
7 the constitutional office and (b) be consistent with the administrative  
8 structure of the constitutional office. Any unit entirely composed of  
9 supervisory employees of a constitutional office shall be afforded only  
10 meet-and-confer rights.

11 2. Renumber the remaining section and correct the repealer  
12 accordingly.