

kinds of cases that have been to the Court of Industrial Relations and through the Supreme Court or are now at the Supreme Court level with respect to these forms of higher education. The University of Nebraska wanted to bargain, the faculty at the University of Nebraska-Lincoln wanted to bargain separately from the faculty of UNO. The Court of Industrial Relations upheld that in a decision and that decision has been reviewed and decided by the Supreme Court. The Supreme Court upheld the idea that there are two separate community of interests involved and it would be an appropriate bargaining unit to allow bargaining at each campus. Let me read for you a portion of the decision, and this is the Nebraska Supreme Court speaking. "After carefully reviewing the entire record", which was very, very extensive, I assure you, "and considering the relevant factors set out above", which includes undue fragmentation, remember, "we are of the conclusion that the Court of Industrial Relations was correct in establishing a bargaining unit which included UNL faculty but not UNO faculty. Essentially, this conclusion rests on our belief that the UNL faculty has a sufficient community of interest separate from the faculty of UNO which warrants a separate unit. Recapitulating, we believe the following considerations as previously discussed support this conclusion; Employee bodies which represented faculty concerns such as the Faculty Senate or Committee on Academic Freedom and Tenure exist on a campus level, not on a systems level. There is no significant faculty interchange between campuses. UNL and UNO function largely independent of each other so far as the faculty of each campus is concerned." Now, we are not talking about how the management operates. We are not creating here bargaining units for management. We are creating bargaining units of employees. So keep in mind that we have to see this from the employees point of view. "Although the skill levels, the general skills of the University faculty are similar, the different missions and roles of each campus affect faculty interest and conditions of employment on each campus. The geographic location of the two campuses contributes to the lack of community of interest between the faculty on each campus." The decision continues on but I won't read any more. You get the feel of what the court decided, okay. The same thing is true with respect to the state colleges. The finding was there is a community of interest separate in the case of Chadron and the other three schools based on many of the same kinds of things, the differing interests, the differing missions, the lack of geographic proximity, the lack of faculty interchange. I also remind this body that the language in this act, LB 108, not only applies to teachers but to nonfaculty