

Agency 077 - COMM ON INDUSTRIAL RELATIONS

STATUTORY AUTHORITY:

The 1920 Constitutional Convention amended the state constitution by enacting Article XV, Section 9 to allow for the creation of the Commission. The Commission of Industrial Relations (formerly called Court) was created in 1947 for the purpose of settling industrial disputes between management and labor in the public sector. The Commission administers two acts - the Industrial Relations Act, which can be found at Section 48-801 et. seq. and the State Employees Collective Bargaining Act which can be found at Section 81-1369 et. seq.

VISION:

The vision of the Commission of Industrial Relations is for Nebraska citizens to obtain uninterrupted public services and for public employees, their unions and management to settle disputes amicably, and to provide a forum for dispute resolution when they cannot.

MISSION AND PRINCIPLES:

The mission of the Commission of Industrial Relations is to assist public employees and management in three areas of dispute: questions of representation, wage determinations, and prohibited practice determinations. The Commission determines appropriate bargaining units, conducts elections, establishes wages and conditions of employment when impasse is reached, and orders the parties back to bargaining, to mediation or to factfinding and determines what topics are bargainable and whether prohibited practices have been committed by either labor or management. The Commission does not take action unless a petition has been filed with it.

The principles of the Commission include maintaining neutrality and upholding the statutory guidelines in decision-making.

GOALS:

Goals for the Commission are as follows:

- 1) To efficiently resolve public sector labor controversies in compliance with statutory provisions.
- 2) To protect the public by ensuring the continuous, uninterrupted and proper functioning and operation of governmental services.
- 3) To facilitate harmonious, peaceful and cooperative relationships between state government and its employees.

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Financial Data

	FY16 Actual	FY17 Approp	FY18 Request	FY18 Recomm	FY19 Request	FY19 Recomm
Operations Funding						
General Fund	268,707	325,660	329,682	319,685	353,318	339,094
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Operations	268,707	325,660	329,682	319,685	353,318	339,094
Aid Funding						
General Fund	0	0	0	0	0	0
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Aid Funding	0	0	0	0	0	0
Total Funding						
General Fund	268,707	325,660	329,682	319,685	353,318	339,094
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Agency	268,707	325,660	329,682	319,685	353,318	339,094

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Program 490 - COMMISSIONER EXPENSES

PROGRAM DESCRIPTION:

This program was created in 2008, to track and account for the expenses incurred for and by the commissioners in the performance of their duties as members of the Commission of Industrial Relations.

PROGRAM OBJECTIVES:

Objective #1 - To issue orders that comply with statutory provisions and established case law.

Objective #2 - To function efficiently within statutory guidelines, by holding a hearing within 60 days of the date of the filing of a petition and entering an order within 30 days after the receipt of the record of the hearing and the briefs have been filed by the parties, unless the parties waive these time limits or for good cause shown on the record. This gives the Commission approximately 120 days to issue recommended findings and order in a 48-818 wage case, and an order in all other types of cases.

PERFORMANCE MEASURES:

It is difficult to create performance measures, since the agency operates as a court; it hears cases and issues decisions. The individual actions of the parties before the Commission often dictate case progression timelines. Unlike many state agencies, the Commission does not provide direct services to the public. It does not reach out to others to provide services, educate the public, investigate complaints, or measure or monitor compliance. The Commission does not act until a party files a petition. Statistics are maintained to measure whether program objectives are met. Specifically, records are maintained on the outcome of appealed decisions and the number of days a case is active.

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Program 490 - COMMISSIONER EXPENSES

Financial Data

	FY16 Actual	FY17 Approp	FY18 Request	FY18 Recomm	FY19 Request	FY19 Recomm
Operations Funding						
General Fund	41,979	69,644	69,644	65,644	69,644	65,644
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Operations	41,979	69,644	69,644	65,644	69,644	65,644
Aid Funding						
General Fund	0	0	0	0	0	0
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Aid Funding	0	0	0	0	0	0
Total Funding						
General Fund	41,979	69,644	69,644	65,644	69,644	65,644
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Program	41,979	69,644	69,644	65,644	69,644	65,644

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Program 531 - ADMINISTRATION

PROGRAM DESCRIPTION:

This program provides necessary administrative support to the Commission of Industrial Relations, so that the mission of the Commission can be achieved, that of assisting public employees and public employers (management) to settle their disputes regarding questions of representation, wages and conditions of employment, and other areas of dispute, when they cannot agree to or settle these disputes themselves.

PROGRAM OBJECTIVES:

Objective #1 - To issue orders that comply with statutory provisions and established case law.

Objective #2 - To function efficiently within statutory guidelines, by holding a hearing within 60 days of the date of the filing of a petition and entering an order within 30 days after the receipt of the record of the hearing and the briefs have been filed by the parties, unless the parties waive these time limits or for good cause shown on the record. This gives the Commission approximately 120 days to issue recommended findings and order in a 48-818 wage case, and an order in all other types of cases.

PERFORMANCE MEASURES:

It is difficult to create performance measures, since the agency operates as a court; it hears cases and issues decisions. The individual actions of the parties before the Commission often dictate case progression timelines. Unlike many state agencies, the Commission does not provide direct services to the public. It does not reach out to others to provide services, educate the public, investigate complaints, or measure or monitor compliance. The Commission does not act until a party files a petition. Statistics are maintained to measure whether program objectives are met. Specifically, records are maintained on the outcome of appealed decisions and the number of days a case is active.

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Program 531 - ADMINISTRATION

Financial Data

	FY16 Actual	FY17 Approp	FY18 Request	FY18 Recomm	FY19 Request	FY19 Recomm
Operations Funding						
General Fund	226,728	256,016	260,038	254,041	283,674	273,450
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Operations	226,728	256,016	260,038	254,041	283,674	273,450
Aid Funding						
General Fund	0	0	0	0	0	0
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Aid Funding	0	0	0	0	0	0
Total Funding						
General Fund	226,728	256,016	260,038	254,041	283,674	273,450
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Program	226,728	256,016	260,038	254,041	283,674	273,450