

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 (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:

Our vision is that Nebraska citizens obtain uninterrupted public services and that unions and management settle their disputes amicably, but have access to a forum for resolution when they cannot reach that goal.

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 "other" category. 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 what prohibited practices have been committed by either labor or management. The Commission does not take action unless a petition has been filed with it.

Our principles include maintaining neutrality and upholding the statutory guidelines in our decision-making.

GOALS:

Goals for the agency are as follows:

- (1) To render decisions that comply with statutory provisions.
- (2) To function efficiently within statutory guidelines.

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Financial Data

	FY10 Actual	FY11 Approp	FY12 Request	FY12 Recomm	FY13 Request	FY13 Recomm
Operations Funding						
General Fund	265,866	309,981	309,981	281,161	309,981	284,108
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 Funding	265,866	309,981	309,981	281,161	309,981	284,108
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	265,866	309,981	309,981	281,161	309,981	284,108
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	265,866	309,981	309,981	281,161	309,981	284,108

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Program 490 - COMMISSIONER EXPENSES

PROGRAM DESCRIPTION:

This program was created in 2008, to be used 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 render decisions that comply with statutory provisions, so that fewer decisions are appealed.

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 render recommended findings and order in a 48-818 wage case, and an order in all other types of cases.

PERFORMANCE MEASURES:

It is difficult for our agency to establish performance measures, since our agency operates as a court and renders decisions. It does not render service to the public in the manner that one normally thinks of a state agency rendering services. We do not reach out to others to provide services, we do not educate, we do not investigate, we do not measure compliance. We do nothing unless a party files a case with us. We do maintain statistics in an attempt to measure how well we are reaching the program objectives of rendering fewer decisions that are appealed and functioning within the statutory guidelines to keep our average days that a case is on the docket as low as possible, without jeopardizing the integrity of the process.

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Program 490 - COMMISSIONER EXPENSES

Financial Data

	FY10 Actual	FY11 Approp	FY12 Request	FY12 Recomm	FY13 Request	FY13 Recomm
Operations Funding						
General Fund	54,883	98,475	98,475	67,477	98,475	67,477
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 Funding	54,883	98,475	98,475	67,477	98,475	67,477
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	54,883	98,475	98,475	67,477	98,475	67,477
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	54,883	98,475	98,475	67,477	98,475	67,477

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Program 531 - ADMINISTRATION

PROGRAM DESCRIPTION:

The purpose of this program is to provide the 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 render decisions that comply with statutory provisions, so that fewer decisions are appealed.

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 render recommended findings and order in a 48-818 wage case, and an order in all other types of cases.

PERFORMANCE MEASURES:

It is difficult for our agency to establish performance measures, since our agency operates as a court and renders decisions. It does not render service to the public in the manner that one normally thinks of a state agency rendering services. We do not reach out to others to provide services, we do not educate, we do not investigate, we do not measure compliance. We do nothing unless a party files a case with us. We do maintain statistics in an attempt to measure how well we are reaching the program objectives of rendering fewer decisions that are appealed and functioning within the statutory guidelines to keep our average days that a case is on the docket as low as possible, without jeopardizing the integrity of the process.

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Program 531 - ADMINISTRATION

Financial Data

	FY10 Actual	FY11 Approp	FY12 Request	FY12 Recomm	FY13 Request	FY13 Recomm
Operations Funding						
General Fund	210,983	211,506	211,506	213,684	211,506	216,631
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 Funding	210,983	211,506	211,506	213,684	211,506	216,631
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	210,983	211,506	211,506	213,684	211,506	216,631
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	210,983	211,506	211,506	213,684	211,506	216,631