

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIRST LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 1041

Introduced by Fulton, 29.

Read first time January 21, 2010

Committee: Business and Labor

A BILL

1 FOR AN ACT relating to labor; to amend section 48-818, Reissue
2 Revised Statutes of Nebraska; to change provisions
3 relating to findings and orders of the Commission of
4 Industrial Relations; and to repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 48-818, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 48-818 (1) Except as provided in the State Employees
4 Collective Bargaining Act, the findings and order or orders
5 may establish or alter the scale of wages, hours of labor, or
6 conditions of employment, or any one or more of the same. In
7 making such findings and order or orders, the Commission of
8 Industrial Relations shall establish rates of pay and conditions of
9 employment which are comparable to the prevalent wage rates paid
10 and conditions of employment maintained for the same or similar
11 work of public and nonpublic workers exhibiting like or similar
12 skills ~~under the same or similar working conditions.~~ in the same
13 labor market, unless the evidence establishes that substantial
14 differences exist which preclude limiting the comparison to the
15 same labor market, in which case the commission shall limit its
16 comparison to those labor markets in which the population of
17 the labor market is not less than half nor more than twice the
18 population of the labor market of the employer involved in the
19 industrial dispute.

20 (2) In establishing wage rates and conditions of
21 employment, the commission shall require a job match comparative
22 analysis to be done and shall limit its comparison to only those
23 jobs that have a job match percentage of eighty-five percent or
24 more. In establishing wage rates, the commission shall also take
25 into consideration the overall compensation presently received by

1 the employees, having regard not only to wages for time actually
2 worked but also to wages for time not worked, including vacations,
3 holidays, and other excused time, and all benefits received,
4 including insurance and pensions, and the continuity and stability
5 of employment enjoyed by the employees.

6 (3) Any order or orders entered may be modified on the
7 commission's own motion or on application by any of the parties
8 affected, but only upon a showing of a change in the conditions
9 from those prevailing at the time the original order was entered.

10 Sec. 2. Original section 48-818, Reissue Revised Statutes
11 of Nebraska, is repealed.