

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

February 24, 2003 LB 226

SENATOR CUNNINGHAM: Senator Redfield, this is probably more towards the bill than the amendment, but back to the line of questioning I had before. If we had a nonunion person and they had a grievance and they had an outside representative, could that outside representative actually come up with a solution, or would the solution have to be approved by the union representative?

SENATOR REDFIELD: Well, Senator, the issues that are on the left side of your page, the grievance issues, are issues that are spelled out in the contract, and so you cannot come up with a conclusion that varies from the contract, in other words, if they have steps set in place for wages, or whether they have certain benefits. You can only grieve something that you feel is a violation of that contract language, so they can't come up with something that's different than that contract, and that's current now. That would not change under LB 226. We can't really change that under the federal law.

SENATOR CUNNINGHAM: So then for the contract, the nonunion member had no say in the negotiation of that contract anyway. It was only the union that had a say in the negotiation of the contract. So, I mean, the nonunion member, if he had a grievance, he really could do nothing without the union's approval.

SENATOR REDFIELD: And, Senator, that's why it's important that it would only be a grievance that they chose, actively chose to grieve, because in fact that would be something...you're saying I agree with this part of the contract. I feel that my rights have been violated, as an employee, because I was not paid what I should have been paid at this job description and that's what the contract says I should get, and I want it, and I agree with that part of the contract and that's what I'm grieving. So you wouldn't grieve something you didn't agree with.

SENATOR CUNNINGHAM: But they couldn't have any control over the contract itself if they weren't a member of the union.

SENATOR REDFIELD: That's true.