

IN THE NEBRASKA COMMISSION OF INDUSTRIAL RELATIONS

NEBRASKA ASSOCIATION OF)	
PUBLIC EMPLOYEES LOCAL 61)	
of the AMERICAN FEDERATION)	
OF STATE, COUNTY, AND)	
MUNICIPAL EMPLOYEES,)	
)	
)	
Petitioner,)	CASE NO.
)	
v.)	MOTON FOR TEMPORARY
)	RELIEF
STATE OF NEBRASKA,)	
)	
Respondent.)	

COMES NOW, the Petitioner pursuant to Neb. Rev. Stat. §§ 48-816 and 48-816.02 and moves this court for an order temporarily prohibiting the enactment of Executive Order 23-17 on January 2, 2024, which mandates changes to the working conditions of Petitioner employees without engaging in collective bargaining.

Petitioner is entitled to such relief as a petition is being contemporaneously filed with the Commission pursuant to Neb. Rev. Stat. §48-811 alleging an industrial dispute pursuant to the Industrial Relations Act and the State Employees Collective Bargaining Act.

Petitioner seeks said relief to preserve and protect the status of the parties, property, and public interest involved pending final determination of the issues. The State of Nebraska already is critically short staffed in many areas, and the Petitioner has obtained data that indicates that as many as 1390 of 1700 surveyed Petitioner employees would or are considering leaving the employment of the State of Nebraska. This would result in a loss of at least 33% of the workforce for

employees who work to provide services to Nebraskans with disabilities, 25% of the workforce who provide social services to Nebraskans in need, and 20% of the workforce of Nebraska engineers and scientists leaving the public critically underserved. Of the over 1700 employees surveyed, 1210 would stay with the state if the Executive Order was rescinded.

Individual employees stand to have losses of status and property as there are increased financial costs with the implementation of the Executive Order, as well as chaos and inconsistency in the application of the Executive Order as the terms and conditions that are effected have not been bargained for, nor have they been addressed in the Executive Order.

The Petitioner would request that the temporary relief be granted until such time as the Respondent engages in good faith bargaining to impasse or agreement of the terms and conditions of employment identified in the demand to bargain sent by the Petitioner and that the Respondent be ordered to engage in bargaining.

DATED, December 13, 2023.

NEBRASKA ASSOCIATION OF
PUBLIC EMPLOYEES LOCAL 61 of
the AMERICAN FEDERATION OF
STATE, COUNTY, AND
MUNICIPAL EMPLOYEES,
Petitioner

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