

## **48-810. Commission; jurisdiction.**

Except as provided in the State Employees Collective Bargaining Act, industrial disputes involving governmental service, service of a public utility, or other disputes as the Legislature may provide shall be settled by invoking the jurisdiction of the Commission of Industrial Relations.

**Source:** Laws 1947, c. 178, § 10, p. 590; Laws 1965, c. 289, § 14, p. 829; Laws 1967, c. 305, § 1, p. 828; Laws 1969, c. 407, § 3, p. 1407; Laws 1987, LB 524, § 1; Laws 1987, LB 661, § 23.

## **Cross Reference**

State Employees Collective Bargaining Act, see section 81-1369.

The statutory jurisdiction of the Commission of Industrial Relations is to settle pending controversies. *NAPE v. Game & Parks Comm.*, 220 Neb. 883, 374 N.W.2d 46 (1985).

The provisions of the Teachers' Professional Negotiation Act must be exhausted by covered teachers before the action can be taken before the Commission of Industrial Relations. *Lincoln Ed. Assn. v. School Dist. of Lincoln*, 214 Neb. 895, 336 N.W.2d 587 (1983).

A uniquely personal termination of office does not constitute an industrial dispute. *Nebraska Dept. of Roads Employees Assn. v. Department of Roads*, 189 Neb. 754, 205 N.W.2d 110.

Employees covered by the Teachers' Professional Negotiations Act must await exhaustion thereof before invoking jurisdiction of the Court of Industrial Relations, but this does not deny them the right to invoke that jurisdiction. *Sidney Education Assn. v. School Dist. of Sidney*, 189 Neb. 540, 203 N.W.2d 762.

Labor organization organized under provisions of the act may file a petition with the Court of Industrial Relations when industrial dispute exists between parties as set forth in this section. *Mid-Plains Education Assn. v. Mid-Plains Nebraska Tech. College*, 189 Neb. 37, 199 N.W.2d 747.

While Court of Industrial Relations may not order a school district to enter into a contract, it has the power to settle a dispute. *School Dist. of Seward Education Assn. v. School Dist. of Seward*, 188 Neb. 772, 199 N.W.2d 752.

Judicial remedies given employee discharged for joining labor union inadequate. *American Federation of State, Co., & Mun. Emp. v. Woodward*, 406 F.2d 137.