

48-837. Public employees; employee organization; bargaining.

Public employees shall have the right to form, join, and participate in or to refrain from forming, joining, or participating in any employee organization of their own choosing. Public employees shall have the right to be represented by employee organizations to negotiate collectively with their public employers in the determination of their terms and conditions of employment and the administration of grievances arising thereunder.

Source: Laws 1969, c. 407, § 7, p. 1410; Laws 1986, LB 258, § 7; Laws 1986, LB 1250, § 4; Laws 1987, LB 661, § 29.

Under the provisions of Nebraska law, employees have not only a right to organize and be represented by a union but likewise have a right not to be organized and represented. *Sheldon Station Employees Assn. v. Nebraska P.P.D.*, 202 Neb. 391, 275 N.W.2d 816.

A basic consideration in bargaining unit determination is whether a community of interest exists among the employees sufficient to warrant their inclusion in a single unit. *American Assn. of University Professors v. Board of Regents*, 198 Neb. 243, 253 N.W.2d 1.

It is unlawful for the employer of a public employee to exert pressure upon him to refrain from joining a recognized bargaining unit. *Local Union No. 647 v. City of Grand Island*, 196 Neb. 693, 244 N.W.2d 515.

A uniquely personal termination of employment does not violate any rights under this section. *Nebraska Dept. of Roads Employees Assn. v. Department of Roads*, 189 Neb. 754, 205 N.W.2d 110.

School teachers are public employees within terms of this act. *Sidney Education Assn. v. School Dist. of Sidney*, 189 Neb. 540, 203 N.W.2d 762.

A labor organization may invoke the jurisdiction of the Court of Industrial Relations in behalf of its affected members. *Mid-Plains Education Assn. v. Mid-Plains Nebraska Tech. College*, 189 Neb. 37, 199 N.W.2d 747.