

OMAHA POLICE OFFICERS
ASSOCIATION,

Petitioner,

CITY OF OMAHA, MAYOR JEAN
STOHERT, and POLICE CHIEF TODD
SCHMADERER ,

Respondents.

NEBRASKA COMMISSION
OF INDUSTRIAL RELATIONS
FILED

CLERK

1. That the Petitioner, hereinafter referred to as the “OPOA”, is a labor organization as defined in Neb. Rev. Stat. §48-801(7) and OPOA is recognized by the Respondents as the sole and exclusive collective bargaining representative of Police Officers, Sergeants, Lieutenants, and Captains for Respondent CITY OF OMAHA.

2. That Respondent CITY OF OMAHA “City” is a municipal corporation and a public employer within the meaning of Neb. Rev. Stat. §48-801(12) with its principal offices located at 1819 Farnam Street, Omaha, NE 68183. The Clerk of the City of Omaha is Elizabeth Butler with the Clerk’s principal offices located at 1819 Farnam Street, Suite LC-1, Omaha, NE 68183.

3. That Respondent, Mayor Jean Stothert, “Stothert”, is the duly elected mayor of Respondent, City, and is vested with the executive and administrative power over the City.

4. That Respondent, Chief Todd Schmaderer, "Schmaderer", is the duly appointed Chief of Police of the City and is responsible for the overall management of the Police Department of the City.

5. That the OPOA is lead by an elected president, Pat Dempsey, who was voted into office by the OPOA membership in May of 2024. Dempsey serves as the lead negotiator for the OPOA.

6. That the OPOA and City entered into a multi-year collective bargaining agreement “CBA” following two weeks of litigation and subsequent briefing before the CIR but prior to the CIR’s issuance of a decision.

7. That the OPOA and City’s CBA carries through the end of 2025.

8. That the City failed to adequately address the understaffing of Omaha Police Department over the entire duration of the CBA leading to accelerated attrition from seasoned officers and stress upon the pension system.

9. That it wasn’t until shortly before Omaha’s pending election for Mayor that the OPOA was approached by Stothert to discuss reforms of the hiring process and wage adjustments to remedy the underpayment of Omaha Police Officers as compared to other Nebraska police agencies including the Nebraska State Patrol.

10. That the comparable entities that guide the CIR’s decision are agencies from other states not Nebraska agencies, in that they are outside the size guidelines established by the Industrial Relations Act and are differentiated as to working conditions, palling in comparison to the risks OPOA officers face daily.

11. That the OPOA wage is below various Nebraska law enforcement agencies and is substantially further behind between 10-15% versus the comparable employer’s established by the CIR during the time this matter was last litigated.

12. That at the time the OPOA first met with Stothert on March 4, 2025, Stothert presented a unilateral proposal for a wage adjustment and modification of the hiring process.

13. That Respondents understood at the time of this meeting that any wage adjustment

represents a modification of the existing CBA and requires the presentation of such a modification proposal to the OPOA Executive Board, followed by informational meeting with the OPOA members, and ultimately a vote by the membership.

14. That the City was advised, and the Respondents understood that the OPOA Executive Board meeting, representing the first step of review of this proposal, would take place on March 25, 2025.

15. That Dempsey properly declined to appear with the Stothert and Schmaderer at a press conference to be held on March 11, 2025, to announce an agreement to make the wage adjustments and modifications in hiring, in that the proper steps for adoption as set forth above had not yet occurred and its members had not yet voted to approve the same.

16. That in response to the unilateral press conference called by Stothert, and attended by Schmaderer, and in anticipation of the informational meeting, Dempsey drafted and forwarded to his OPOA members, correspondence on March 11, 2025 at 2103 hours outlining Stothert's proposal.

17. That on March 11, 2025, at 2145 hours, Stothert texted Dempsey stating that she received and reviewed his proprietary OPOA membership letter and criticized him for the sending of the same to his OPOA membership.

18. That the OPOA made a request for public records to the City, requesting that the OPOA be provided with copies of Stothert's texts messages to determine when and how Stothert had gained access to the proprietary OPOA membership letter from Dempsey.

19. In response to the records request, the City Attorney indicated that Stothert deletes her texts daily and that the same were not preserved.

20. That part of the text stream that was retained by the OPOA prior to Stothert deleting her texts, contained the following statements which the OPOA, based on information and belief,

understands was communicated by Schmaderer to Stothert on March 11, 2025 indicating a discussion between Stothert and Schmaderer regarding the proprietary membership letter wherein Schmaderer communicated to Stothert that:

Dempsey put this out:

- 1) No credit to you.
- 2) Didn't we give them something in writing?
- 3) He is catching some heat, I wonder if there is an opening to show OPOA leadership knew about this and was asked to participate.

21. That prior to Dempsey's presentation before the executive board on March 25, 2025, Stothert drafted a letter and sent the same directly to the OPOA executive board and Omaha City Council on March 24, 2025, in an effort to dominate or interfere with Dempsey's administration of the OPOA organization.

22. That Respondents' intentional and calculated conduct is in violation of Neb. Rev. Stat. §48-824(2)(b) of the Industrial Relations Act in that Respondents engaged in direct dealing with the Executive Board in an effort to dominate and interfere in the administration of the OPOA organization which Dempsey leads. The Petitioner requests appropriate remedies the CIR deems necessary, to include a CEASE and DESIST order from the CIR that requires the Respondents to post notice of their violation and intent to refrain from further violations and for such other and further relief as Commission deems to be just in the premises by virtue of its jurisdiction and the authority of the Neb. Rev. St. 48-825(2).

WHEREFORE, the Petitioner prays for the relief requested herein following hearing upon the merits.

DATED 25th day of March, 2025.

Omaha Police Officers Association,
Petitioner

By: _____

Michael Dowd #19278
DOWD & CORRIGAN, LLC
6700 Mercy Road, Suite 501
Omaha, Nebraska 68106
(402) 341-1020
mike@dowd-law.com
ATTORNEY FOR PETITIONER

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and correct copy of the above and foregoing was served by U.S. Mail, postage prepaid, on this 25th day of March, 2025 upon the following:

The Honorable William G. Blake
William Blake Law Firm
P.O. Box 6782
Lincoln, NE 68506

The Honorable Joel E. Carlson
200 West Benjamin Ave.
Norfolk, NE 68702-0888

The Honorable Dallas D. Jones
1248 "O" Street, Suite 900
Lincoln, NE 68508

The Honorable Gregory M. Neuhas
205 S. Cedar Street, Suite 150
Grand Island, NE 68508

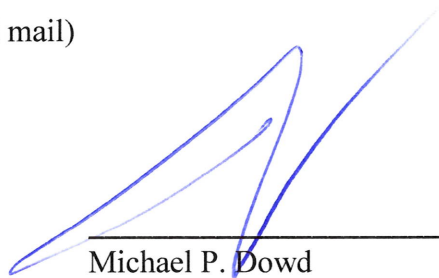
The Honorable Spencer R. Hartman
3 Landmark Centre
1128 Lincoln Mall, Suite 300
Lincoln, NE 68508

Clerk/Administrator/Legal Counsel
Ashlea R. Whitney
Nebraska Commission of Industrial Relations
301 Centennial Mall South
P.O. Box 94864
Lincoln, NE 68509-4864

Omaha City Clerk, Elizabeth Butler (via certified mail)
1819 Farnam Street, Suite LC-1
Omaha, NE 68183

Mayor City of Omaha Jean Stothert (via certified mail)
1819 Farnam Street
Omaha, NE 68183

Chief Todd Schmaderer (via certified mail)
505 S. 15th Street
Omaha, NE 68102



Michael P. Dowd