

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: 10/04/1999

Received By: **champra**

Wanted: **Today**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Mason**

This file may be shown to any legislator: **NO**

Drafter: **champra**

May Contact:

Alt. Drafters:

Subject: **Employ Pub - collective bargain**

Extra Copies:

Pre Topic:

LFB:.....Mason -

Topic:

Economic offer definition under MERA

Instructions:

See Attached.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	champra 10/04/1999	chanaman 10/04/1999	jfrantze 10/04/1999	_____	lrb_docadmin 10/04/1999		

FE Sent For:

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10/04/99 14:42

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OCT 01 '99 13:45 TO-2768203

FROM-MASB

7-6873

T-885 P.02/02 F-411

Modify Section 111.70(1)(dm) Wis. Stat. as follows:

(dm) "Economic issue" means any issue that creates a new or increased financial liability upon the municipal employer, including salaries, overtime pay, sick leave, payments in lieu of sick leave usage, vacations, clothing allowances in excess of the actual cost of clothing, length of service credit, continuing education credit, shift premium pay, longevity pay, extra duty pay, performance bonuses, health insurance, life insurance, dental insurance, disability insurance, vision insurance, long-term care insurance, workers compensation and unemployment insurance, ^{Social Security} federal old age survivors disability and health insurance under Titles II and XVIII of the federal Social Security Act, vacation pay, holiday pay, lead worker pay, temporary assignment pay, retirement contributions, supplemental retirement benefits, severance or other separation pay, hazardous duty pay, certification or license payment, job security provisions, limitations on layoff and contract or subcontracting of work that would otherwise be performed by municipal employees in the collective bargaining unit with which there is a labor dispute, except that only the impact of layoff, contracting out or subcontracting such unit work shall always be subject to the interest arbitration, irrespective of the presence or absence of a CEO.

that create a new or increased financial liability on the employer.

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To	RAC	From	TONY		
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Fax #		Fax #			

PLEASE give to RICK ASAP

[Large handwritten scribble/signature]



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1937/1

RAC:.....

NOW

cmH

LFB:.....Mason – Economic offer definition under MERA

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1092, line 20: after that line insert:

3 "SECTION 2033r. 111.70 (1) (dm) of the statutes is amended to read:

4 111.70 (1) (dm) "Economic issue" means ~~any issue that creates a new or~~

5 ~~increased financial liability upon the municipal employer, including salaries,~~

6 ~~overtime pay, sick leave, payments in lieu of sick leave usage, vacations, clothing~~

7 ~~allowances in excess of the actual cost of clothing, length-of-service credit,~~

8 ~~continuing education credit, shift premium pay, longevity pay, extra duty pay,~~

9 ~~performance bonuses, health insurance, life insurance, dental insurance, disability~~

10 ~~insurance, vision insurance, long-term care insurance, worker's compensation and~~

↑
worker's

1 unemployment insurance, social security benefits, vacation pay, holiday pay, lead
2 worker pay, temporary assignment pay, retirement contributions, supplemental
3 retirement benefits, severance or other separation pay, hazardous duty pay,
4 certification or license payment, job security provisions, limitations on layoffs that
5 create a new or increased financial liability on the employer and contracting or
6 subcontracting of work that would otherwise be performed by municipal employees
7 in the collective bargaining unit with which there is a labor dispute.”.

History: 1971 c. 124, 246, 247, 307, 336; 1973 c. 64, 65; 1977 c. 178, 186, 272, 442, 449; 1979 c. 32 s. 92 (15); 1981 c. 20, 112, 187; 1983 a. 189, 192; 1985 a. 29; 1985 a. 182 s. 57; 1985 a. 318; 1987 a. 153, 399; 1991 a. 136; 1993 a. 16, 429, 492; 1995 a. 27, 225, 289; 1997 a. 27, 237.

8 **2.** Page 1093, line 2: after that line insert:

9 “SECTION 2035m. 111.70 (4) (cm) 5s. of the statutes is amended to read:

10 111.70 (4) (cm) 5s. ‘Issues subject to arbitration.’ In a collective bargaining unit
11 consisting of school district professional employes, the municipal employer or the
12 labor organization may petition the commission to determine whether the municipal
13 employer has submitted a qualified economic offer. The commission shall appoint an
14 investigator for that purpose. If the investigator finds that the municipal employer
15 has submitted a qualified economic offer, the investigator shall determine whether
16 a deadlock exists between the parties with respect to all economic issues. If the
17 municipal employer submits a qualified economic offer applicable to any period
18 beginning on or after July 1, 1993, no economic issues are subject to interest
19 arbitration under subd. 6. for that period, except that only the impact of contracting
20 out or subcontracting work that would otherwise be performed by municipal
21 employes in the collective bargaining unit is subject to interest arbitration under
22 subd. 6. In such a collective bargaining unit, economic issues concerning the wages,
23 hours or conditions of employment of the school district professional employes in the
24 unit for any period prior to July 1, 1993, are subject to interest arbitration under

1 subd. 6. for that period. In such a collective bargaining unit, noneconomic issues
2 applicable to any period on or after July 1, 1993, are subject to interest arbitration
3 after the parties have reached agreement and stipulate to agreement on all economic
4 issues concerning the wages, hours or conditions of employment of the school district
5 professional employees in the unit for that period. In such a collective bargaining
6 unit, if the commission's investigator finds that the municipal employer has
7 submitted a qualified economic offer and that a deadlock exists between the parties
8 with respect to all economic issues, the municipal employer may implement the
9 qualified economic offer. On the 90th day prior to expiration of the period included
10 within the qualified economic offer, if no agreement exists on that day, the parties are
11 deemed to have stipulated to the inclusion in a new or revised collective bargaining
12 agreement of all provisions of any predecessor collective bargaining agreement
13 concerning economic issues, or of all provisions of any existing collective bargaining
14 agreement concerning economic issues if the parties have reopened negotiations
15 under an existing agreement, as modified by the terms of the qualified economic offer
16 and as otherwise modified by the parties. In such a collective bargaining unit, on and
17 after that 90th day, a municipal employer that refuses to bargain collectively with
18 respect to the terms of that stipulation, applicable to the 90-day period prior to
19 expiration of the period included within the qualified economic offer, does not violate
20 sub. (3) (a) 4. Any such unilateral implementation after August 11, 1993, during the
21 90-day period prior to expiration of the period included within a qualified economic
22 offer, operates as a full, final and complete settlement of all economic issues between
23 the parties for the period included within the qualified economic offer. The failure
24 of a labor organization to recognize the validity of such a lawful qualified economic

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25 offer does not affect the obligation of the municipal employer to submit economic
26 issues to arbitration under subd. 6.”

History: 1971 c. 124, 246, 247, 307, 336; 1973 c. 64, 65; 1977 c. 178, 186, 272, 442, 449; 1979 c. 32 s. 92 (15); 1981 c. 20, 112, 187; 1983 a. 189, 192; 1985 a. 29; 1985 a. 182 s. 57; 1985 a. 318; 1987 a. 153, 399; 1991 a. 136; 1993 a. 16, 429, 492; 1995 a. 27, 225, 289; 1997 a. 27, 237.

27 **3.** Page 1589, line 5: after that line insert:

mixed app

28 “~~(1m)~~ QUALIFIED ECONOMIC OFFERS. The treatment of section 111.70 (1) (dm) and
29 (4) (cm) 5s. of the statutes first ^{ies} apply to petitions for arbitration filed under section
30 111.70 (4) (cm) 6. of the statutes relating to collective bargaining agreements that
31 cover periods of time beginning after June 30, 2001.”

(END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1937/1
RAC:cmh:jf

LFB:.....Mason - Economic offer definition under MERA

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

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7 allowances in excess of the actual cost of clothing, length-of-service credit,
8 continuing education credit, shift premium pay, longevity pay, extra duty pay,
9 performance bonuses, health insurance, life insurance, dental insurance, disability
10 insurance, vision insurance, long-term care insurance, worker's compensation and

1 unemployment insurance, social security benefits, vacation pay, holiday pay, lead
2 worker pay, temporary assignment pay, retirement contributions, supplemental
3 retirement benefits, severance or other separation pay, hazardous duty pay,
4 certification or license payment, job security provisions, limitations on layoffs that
5 create a new or increased financial liability on the employer and contracting or
6 subcontracting of work that would otherwise be performed by municipal employes
7 in the collective bargaining unit with which there is a labor dispute.”.

8 **2.** Page 1093, line 2: after that line insert:

9 **“SECTION 2035m.** 111.70 (4) (cm) 5s. of the statutes is amended to read:

10 111.70 (4) (cm) 5s. ‘Issues subject to arbitration.’ In a collective bargaining unit
11 consisting of school district professional employes, the municipal employer or the
12 labor organization may petition the commission to determine whether the municipal
13 employer has submitted a qualified economic offer. The commission shall appoint an
14 investigator for that purpose. If the investigator finds that the municipal employer
15 has submitted a qualified economic offer, the investigator shall determine whether
16 a deadlock exists between the parties with respect to all economic issues. If the
17 municipal employer submits a qualified economic offer applicable to any period
18 beginning on or after July 1, 1993, no economic issues are subject to interest
19 arbitration under subd. 6. for that period, except that only the impact of contracting
20 out or subcontracting work that would otherwise be performed by municipal
21 employes in the collective bargaining unit is subject to interest arbitration under
22 subd. 6. In such a collective bargaining unit, economic issues concerning the wages,
23 hours or conditions of employment of the school district professional employes in the
24 unit for any period prior to July 1, 1993, are subject to interest arbitration under

1 subd. 6. for that period. In such a collective bargaining unit, noneconomic issues
2 applicable to any period on or after July 1, 1993, are subject to interest arbitration
3 after the parties have reached agreement and stipulate to agreement on all economic
4 issues concerning the wages, hours or conditions of employment of the school district
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6 unit, if the commission's investigator finds that the municipal employer has
7 submitted a qualified economic offer and that a deadlock exists between the parties
8 with respect to all economic issues, the municipal employer may implement the
9 qualified economic offer. On the 90th day prior to expiration of the period included
10 within the qualified economic offer, if no agreement exists on that day, the parties are
11 deemed to have stipulated to the inclusion in a new or revised collective bargaining
12 agreement of all provisions of any predecessor collective bargaining agreement
13 concerning economic issues, or of all provisions of any existing collective bargaining
14 agreement concerning economic issues if the parties have reopened negotiations
15 under an existing agreement, as modified by the terms of the qualified economic offer
16 and as otherwise modified by the parties. In such a collective bargaining unit, on and
17 after that 90th day, a municipal employer that refuses to bargain collectively with
18 respect to the terms of that stipulation, applicable to the 90-day period prior to
19 expiration of the period included within the qualified economic offer, does not violate
20 sub. (3)(a) 4. Any such unilateral implementation after August 11, 1993, during the
21 90-day period prior to expiration of the period included within a qualified economic
22 offer, operates as a full, final and complete settlement of all economic issues between
23 the parties for the period included within the qualified economic offer. The failure
24 of a labor organization to recognize the validity of such a lawful qualified economic

1 offer does not affect the obligation of the municipal employer to submit economic
2 issues to arbitration under subd. 6.”.

3 **3.** Page 1589, line 5: after that line insert:

4 “(3g) QUALIFIED ECONOMIC OFFERS. The treatment of section 111.70 (1) (dm) and
5 (4) (cm) 5s. of the statutes first applies to petitions for arbitration filed under section
6 111.70 (4) (cm) 6. of the statutes relating to collective bargaining agreements that
7 cover periods of time beginning after June 30, 2001.”.

8 (END)