

1975 Senate Bill 176

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CHAPTER 74, Laws of 1975

AN ACT to repeal 111.06 (1) (c) 2; to renumber 111.06 (1) (c) 1; and to amend 111.06 (1) (c) 1, as renumbered, of the statutes, relating to authorization of all-union agreements.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 111.06 (1) (c) 1 of the statutes is renumbered 111.06 (1) (c) and 111.06 (1) (c) 1 of the statutes, as renumbered, is amended to read:

111.06 (1) (c) 1. To encourage or discourage membership in any labor organization, employe agency, committee, association or representation plan by discrimination in regard to hiring, tenure or other terms or conditions of employment. An employer ~~may~~ is not be prohibited from entering into an all-union agreement with the ~~representatives voluntarily recognized representative~~ of his employes in a collective bargaining unit, where at least a majority of such employes voting ~~(provided such majority of the employes also constitutes at least a majority of the employes in such collective bargaining unit)~~ have voted affirmatively, by secret ballot, in favor of such all-union agreement in a referendum conducted by the commission, except that where the bargaining representative has been certified by either the commission or the national labor relations board as the result of a representation election, no referendum is required to authorize the entry into such an all-union agreement. Such authorization of an all-union agreement shall be deemed to continue thereafter, subject to the right of either party to the all-union agreement to ~~request~~ petition the commission ~~in writing~~ to conduct a ~~new~~ referendum on the subject. Upon receipt of such ~~request by either party to the agreement~~ petition, the commission shall determine whether there is reasonable ground to believe that ~~there exists a change in the attitude~~ of the employes concerned have changed their attitude toward the all-union agreement ~~since the prior referendum~~ and upon so finding the commission shall conduct a ~~new~~ referendum. If the continuance of the all-union agreement is supported on any such referendum by a vote at least equal to that ~~hereinabove~~ provided in this subdivision for its initial authorization, it may be continued in force thereafter, subject to the right to ~~request~~ petition for a further vote by the procedure ~~hereinabove~~ set forth in this subdivision. If the continuance of the all-union agreement is not thus supported on any such referendum, it ~~shall be~~ is deemed terminated at the termination of the contract of which it is then a part or at the end of one year from the date of the announcement by the commission of the result of the referendum, whichever ~~proves to be the~~ is earlier date. The commission shall declare any ~~such~~ all-union agreement terminated whenever it finds that the labor organization involved has unreasonably refused to receive as a member any employe of such employer, and each such all-union agreement shall be made subject to this duty of the commission. Any person interested may come before the commission as provided in s. 111.07 and ask the performance of this duty. Any all-union agreement in ~~existence on May 5, 1939, and renewed or amended continuously since that time shall be deemed valid and enforceable in all respects~~ effect on the effective date of this act (1975), made in accordance with the law in effect at the time it is made is valid.

SECTION 2. 111.06 (1) (c) 2 of the statutes is repealed.
