



State of Wisconsin  
2013 - 2014 LEGISLATURE



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## 2013 ASSEMBLY BILL 792

February 20, 2014 – Introduced by Representatives HESSELBEIN, WACHS, BERCEAU, CLARK, HEBL, HULSEY, JOHNSON, KAHL, MASON, MILROY, OHNSTAD, PASCH, POPE, SARGENT, SHANKLAND, SINICKI and C. TAYLOR, cosponsored by Senators ERPENBACH, CARPENTER, HARRIS, LASSA, MILLER, RISSER and WIRCH. Referred to Committee on Labor.

1     **AN ACT** *to amend* 66.0509 (4); and *to create* 66.0509 (1r) of the statutes;  
2             **relating to:** requiring a local governmental unit to create a civil service system  
3             with a just cause standard of discipline for its employees.

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### ***Analysis by the Legislative Reference Bureau***

Under current law, a local governmental unit (which includes a city, village, town, county, school district, and sewerage district) may establish a civil service system that governs issues related to the selection, tenure, and status of most of its governmental employees. A local governmental unit that does not have a civil service system must have a grievance system that addresses employee termination and discipline and workplace safety.

Under this bill, local governmental units, other than a sewerage commission established by a 1st class city (currently only Milwaukee), must establish a civil service system by January 1, 2015, that provides that an employee with permanent status in class may be removed, suspended without pay, discharged, reduced in base pay, or demoted, or has his or her contract nonrenewed, only for just cause. This provision is similar to a provision in current law that applies to state employees in the classified service with permanent status in class and to certain assistant district attorneys. The bill also requires that the civil service system include a grievance procedure that provides for a hearing before an impartial hearing officer mutually agreed to by the parties.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 66.0509 (1r) of the statutes is created to read:

2           66.0509 (1r) (a) Except as provided in par. (b), a local governmental unit, as  
3 defined in s. 66.0131 (1) (a), shall establish a civil service system by January 1, 2015.  
4 The civil service system shall include the provisions under sub. (1m) (c) and (d) and  
5 shall include a grievance procedure that provides for a hearing before an impartial  
6 hearing officer mutually agreed to by the parties, unless explicitly provided  
7 otherwise by statute. The system shall also provide that an employee with  
8 permanent status in class, as defined in the system, may be removed, suspended  
9 without pay, discharged, reduced in base pay, or demoted, or have his or her contract  
10 nonrenewed, only for just cause.

11           (b) Paragraph (a) does not apply to a metropolitan sewerage district created  
12 under subch. II of ch. 200.

13           **SECTION 2.** 66.0509 (4) of the statutes is amended to read:

14           66.0509 (4) Any civil service system established under the provisions of this  
15 section shall provide for the appointment of a civil service board or commission and  
16 for the removal of the members of the board or commission for cause by the mayor  
17 with approval of the council, by the city manager and the council in a city organized  
18 under ss. 64.01 to 64.15, ~~and~~, by the board in a village or town, by the board of a  
19 county to which subch. I of ch. 63 does not apply, and by the governing body of a  
20 special purpose district.

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(END)