



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-4235/1  
CMH:emw

## 2015 ASSEMBLY BILL 813

January 27, 2016 - Introduced by Representatives HESSELBEIN, BARNES, HINTZ, KAHL, KOLSTE, BOWEN, RIEMER, BERCEAU, GOYKE, JOHNSON, BILLINGS, BROSTOFF, MASON, WACHS, BARCA, SINICKI, GENRICH, JORGENSEN, C. TAYLOR, SHANKLAND, SARGENT, ZEPNICK, DANOU, CONSIDINE, POPE and SPREITZER, cosponsored by Senators SHILLING, HARRIS DODD, ERPENBACH, L. TAYLOR, HANSEN, CARPENTER, LASSA, WIRCH, MILLER, BEWLEY and RINGHAND. Referred to Committee on State Affairs and Government Operations.

1     **AN ACT** *to renumber and amend* 111.91 (3); *to amend* 111.825 (5) and 111.91  
2           (3q); and *to create* 111.91 (3) (bm) of the statutes; **relating to:** collective  
3           bargaining over workplace safety for employees of the Department of  
4           Corrections.

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

This bill allows employees of the Department of Corrections to collectively bargain over workplace safety for the employees. Current law limits a person who is employed by the state who is not a police officer or fire fighter from collectively bargaining with the state over any issue except a percentage increase in base wages that does not exceed the percentage change in the consumer price index.

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

5           **SECTION 1.** 111.825 (5) of the statutes is amended to read:  
6           111.825 (5) Although supervisors are not considered employees for purposes  
7           of this subchapter, the commission may consider a petition for a statewide collective  
8           bargaining unit of professional supervisors or a statewide unit of nonprofessional

**ASSEMBLY BILL 813****SECTION 1**

1 supervisors in the classified service, but the representative of supervisors may not  
2 be affiliated with any labor organization representing employees. For purposes of  
3 this subsection, affiliation does not include membership in a national, state, county  
4 or municipal federation of national or international labor organizations. The  
5 certified representative of supervisors who are not public safety employees may not  
6 bargain collectively with respect to any matter other than wages as matters provided  
7 in s. 111.91 (3), and the certified representative of supervisors who are public safety  
8 employees may not bargain collectively with respect to any matter other than wages  
9 and fringe benefits as provided in s. 111.91 (1).

10 **SECTION 2.** 111.91 (3) of the statutes is renumbered 111.91 (3) (am), and 111.91  
11 (3) (am) 2. (intro.), as renumbered, is amended to read:

12 111.91 (3) (am) 2. (intro.) Unless the electors in a statewide referendum  
13 approve a total base wages increase that exceeds the total base wages expenditure  
14 described in this ~~paragraph~~ subdivision, any proposal that does any of the following:

15 **SECTION 3.** 111.91 (3) (bm) of the statutes is created to read:

16 111.91 (3) (bm) Notwithstanding par. (am), if a collective bargaining unit  
17 contains employees of the department of corrections, workplace safety for the  
18 employees of the department of corrections is subject to collective bargaining.

19 **SECTION 4.** 111.91 (3q) of the statutes is amended to read:

20 111.91 (3q) For purposes of determining compliance with sub. (3) (am), the  
21 commission shall provide, upon request, to the employer or to any representative of  
22 a collective bargaining unit containing a general employee, the consumer price index  
23 change during any 12-month period. The commission may get the information from  
24 the department of revenue.

25 **SECTION 5. Initial applicability.**

**ASSEMBLY BILL 813**

1           (1) COLLECTIVE BARGAINING FOR DEPARTMENT OF CORRECTIONS EMPLOYEES. The  
2 treatment of sections 111.825 (5) and 111.91 (3q) of the statutes, the renumbering  
3 and amendment of section 111.91 (3) of the statutes, and the creation of section  
4 111.91 (3) (bm) of the statutes first apply to an employee who is covered by a collective  
5 bargaining agreement on the day on which the collective bargaining agreement  
6 expires or is extended, modified, or renewed, whichever occurs first.

7

**(END)**