



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-3131/1
CMH&RAC:kjf:rs

2011 SENATE BILL 264

October 28, 2011 – Introduced by Senators DARLING and GROTHMAN, cosponsored by Representatives WYNN, KNILANS, MARKLEIN and LEMAHIEU. Referred to Committee on Labor, Public Safety, and Urban Affairs.

1 **AN ACT relating to:** reductions in cost of compensation or fringe benefits to
2 municipal employers without modifying an existing collective bargaining
3 agreement for purposes of 2011 Wisconsin Act 10.

Analysis by the Legislative Reference Bureau

Under current law, a school district or a technical college district and the representative of a collective bargaining unit containing employees of that district may enter into one memorandum of understanding to reduce the cost of compensation or fringe benefits in the collective bargaining agreement that covers the employees if the collective bargaining agreement was in effect on July 1, 2011. The reduction is not a modification of the collective bargaining agreement for purposes of 2011 Wisconsin Act 10, which applies to the employees when the collective bargaining agreement is modified. The memorandum has to be entered into within 90 days after July 1, 2011.

This bill allows any municipal employer to enter into one memorandum of understanding to reduce the cost of compensation or fringe benefits, and the reduction is not a modification for purposes of 2011 Wisconsin Act 10. The memorandum has to be entered into within 90 days after the effective date of this bill.

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

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

SENATE BILL 264**SECTION 1****SECTION 1. Nonstatutory provisions.**

(1) Notwithstanding 2011 Wisconsin Act 32, section 9132 (1d) (a), a municipal employer, as defined in section 111.70 (1) (j) of the statutes, and the representative of a collective bargaining unit containing employees of that municipal employer may enter into one memorandum of understanding that reduces the cost of compensation or fringe benefits in the collective bargaining agreement under subchapter IV of chapter 111 of the statutes that covers the employees, that was entered into before February 11, 2011, and that is in effect on the effective date of this subsection. Such a modification is not a modification of the collective bargaining agreement for purposes of 2011 Wisconsin Act 10, sections 9315 (1) and (2) and 9332 (1), or any provisions that are substantially similar to 2011 Wisconsin Act 10, sections 9315 (1) and (2) and 9332 (1), that may be enacted under separate legislation. The memorandum of understanding entered into under this subsection remains effective for the duration of the current collective bargaining agreement and continues to be effective after the collective bargaining agreement expires until a new collective bargaining agreement takes effect except that, if the memorandum contains a provision addressing a subject that, at the expiration of the collective bargaining agreement, becomes a prohibited subject of bargaining, that provision is no longer effective. No memorandum of understanding as described in this subsection may be entered into later than 90 days after the effective date of this subsection.

(END)