

2001 ASSEMBLY BILL 324

April 18, 2001 – Introduced by Representatives FRISKE, BIES, SERATTI, D. MEYER, SCHNEIDER, AINSWORTH, MUSSER, JOHNSRUD, SYKORA, POWERS, LIPPERT, HUBER, GRONEMUS and OTT, cosponsored by Senators BRESKE and ZIEN. Referred to Committee on Labor and Workforce Development.

1 **AN ACT to amend** 111.70 (8) (a), 111.70 (8) (b) and 111.77 (8) (a); and **to create**
2 111.70 (8) (a) 3. of the statutes; **relating to:** collective bargaining and binding
3 arbitration coverage for certain law enforcement supervisors under the
4 Municipal Employment Relations Act.

Analysis by the Legislative Reference Bureau

Under current law, law enforcement supervisors employed by a 1st class city (currently only Milwaukee) and law enforcement supervisors employed by a county having a population of 500,000 or more are covered under the Municipal Employment Relations Act (MERA) and are entitled to binding arbitration. (Generally, municipal employees who are supervisors are not entitled to coverage under MERA.) In the case of law enforcement supervisors employed by a 1st class city, the arbitrator may determine individually the items relating to wages, hours, and conditions of employment on which there is no mutual agreement. In the case of law enforcement supervisors employed by a county having a population of 500,000 or more, the arbitrator must select the final offer of either of the parties on all of the matters on which there is no mutual agreement, unless the parties agree to allow the arbitrator to determine individually the items relating to wages, hours, and conditions of employment on which there is no mutual agreement.

This bill provides that law enforcement supervisors who are employed by any city, village, or town having a population of 2,500 or more or any county and who work a comparable shift to that of the municipal employees they supervise are covered under MERA and are subject to the same binding arbitration law covering law

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enforcement supervisors employed by a county having a population of 500,000 or more.

For further information see the *state and 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:

1 **SECTION 1.** 111.70 (8) (a) of the statutes is amended to read:

2 111.70 (8) (a) 1. This section, except subs. (1) (nm), (4) (cm) and (7m), applies
3 to law enforcement supervisors employed by a 1st class city.

4 2. This section, except subs. (1) (nm), (4) (cm) and (jm) and (7m), applies to law
5 enforcement supervisors employed by a county having a population of 500,000 or
6 more.

7 4. For purposes of such application as required under subs. 1. to 3., the term
8 “municipal employee” includes such a supervisor.

9 **SECTION 2.** 111.70 (8) (a) 3. of the statutes is created to read:

10 111.70 (8) (a) 3. Except as provided in subs. 1. and 2., this section except subs.
11 (1) (nm), (4) (cm) and (jm) and (7m), applies to law enforcement supervisors who are
12 employed by any city, village, or town having a population of 2,500 or more or any
13 county and who work a comparable shift to that of the municipal employees they
14 supervise.

15 **SECTION 3.** 111.70 (8) (b) of the statutes is amended to read:

16 111.70 (8) (b) This subchapter does not preclude law enforcement supervisors
17 employed by municipal employers ~~other than 1st class cities and counties having a~~
18 ~~population of 500,000 or more~~ or fire fighting supervisors from organizing in
19 separate units of supervisors for the purpose of negotiating with their municipal
20 employers.

