

2001 DRAFTING REQUEST

Bill

Received: 02/15/2001

Received By: champra

Wanted: As time permits

Identical to LRB:

For: Donald Friske (608) 266-7694

By/Representing: Tim Gray

This file may be shown to any legislator: NO

Drafter: champra

May Contact:

Addl. Drafters:

Subject: **Employ Pub - collective bargain**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Binding arbitration for law enforcement supervisors

Instructions:

See Attached.

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|-----------------------|---------------------|------------------------|----------------|----------------------------|-------------------------------|-----------------|
| /1 | champra 03/06/2001 | jdyer 03/06/2001 | pgreensl 03/06/2001 | _____ | lrb_docadmin 03/06/2001 | lrb_docadminS&L 03/08/2001 | |

FE Sent For:

<END>

Handwritten notes:

- 03-22-01
- 1"
- Per RAC

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|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| 1? | champra | 1/1 3/6 jld | 3/6 pg | 3/6 pg | | | |

FE Sent For:

<END>

Champagne, Rick

From: Gary, Tim
Sent: Thursday, February 15, 2001 12:23 PM
To: Champagne, Rick
Cc: Friske, Donald
Subject: Draft a bill

Rick, Don would like to draft a bill re: his notes below :

Draft a bill allowing Law Enforcement Supervisors to enter into binding arbitration.

This bill would only include those law enforcement supervisors that work a comparable shift to the Patrol Bargaining Unit (24 hr, 7 day/week coverage)

This bill will ensure those supervisors who perform both patrol and supervisory work are afforded the same representation that the personnel they supervise are entitled to.

Supervisors would form a separate and distinct unit and would bargain according to all statutes and rule already in place.

THIS BILL DOES NOT INCLUDE sworn or non-sworn personnel who are not routinely assigned in the course of their duties to Road Patrol and do not in the normal course of their duties work a shift comparable to the Road Patrol Bargaining Unit.

Tim Gary - Legislative Assistant
Representative Donald Friske (35th)
608-266-7694 phone
608-282-3635 fax
888-534-0035 toll free
Tim.Gary@legis.state.wi.us



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-2536/1

RAC: A:...

JLD

Fri.

2001 BILL

1

^{gen}
AN ACT ...; relating to: collective bargaining and binding arbitration coverage for
2 certain law enforcement supervisors under the municipal employment
3 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 ^{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 enforcement supervisors employed by a county having a population of 500,000 or more. ^{and}

BILL

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)^X 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.^{ff} 2. This section, except
 4 subs. (1) (nm), (4) (cm) and (jm) and (7m), applies to law enforcement supervisors
 5 employed by a county having a population of 500,000 or more.^{ff} 4. For purposes of such
 6 application as required under subs. 1. to 3.[✓], the term "municipal employee" includes
 7 such a supervisor.

History: 1971 c. 124, 246, 247, 307, 336; 1973 c. 64, 65; 1977 c. 178, 186, 272, 442, 449; 1979 c. 32 s. 92 (15); 1981 c. 20, 112, 187; 1983 a. 189, 192; 1985 a. 29; 1985 a. 182 s. 57; 1985 a. 318; 1987 a. 153, 399; 1991 a. 136; 1993 a. 16, 429, 492; 1995 a. 27, 225, 289; 1997 a. 27, 237; 1999 a. 9, 65; 1999 a. 150 s. 672.

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

9 111.70 (8) (a) 3. Except as provided in subs. 1. and 2.[✓], this section, except subs.
 10 (1) (nm), (4) (cm) and (jm)[✓] and (7m)[✓], applies to law enforcement supervisors ^{who are} employed
 11 by any city, village, or town having a population of 2,500 or more or any county ^{and} who
 12 work a comparable shift to that of the municipal employees [✓] they supervise.

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

14 111.70 (8) (b) This subchapter does not preclude law enforcement supervisors
 15 employed by municipal employers ~~other than 1st class cities and counties having a~~
 16 ~~population of 500,000 or more~~ or fire fighting supervisors from organizing in
 17 separate units of supervisors for the purpose of negotiating with their municipal
 18 employers.

History: 1971 c. 124, 246, 247, 307, 336; 1973 c. 64, 65; 1977 c. 178, 186, 272, 442, 449; 1979 c. 32 s. 92 (15); 1981 c. 20, 112, 187; 1983 a. 189, 192; 1985 a. 29; 1985 a. 182 s. 57; 1985 a. 318; 1987 a. 153, 399; 1991 a. 136; 1993 a. 16, 429, 492; 1995 a. 27, 225, 289; 1997 a. 27, 237; 1999 a. 9, 65; 1999 a. 150 s. 672.

19 **SECTION 4.** 111.77 (8) (a) of the statutes is amended to read:

BILL

1 111.77 (8) (a) This section applies to law enforcement supervisors employed by
 2 a county having a population of 500,000 or more and to law enforcement supervisors
 3 employed by any city, village, or town having a population of 2,500 or more or any
 4 county ^{and} who work a comparable shift to that of the municipal employees they
 5 supervise. For purposes of such application, the term "municipal employee" includes
 6 such a supervisor.

who are

History: 1971 c. 247, 307; 1973 c. 64; 1975 c. 259; 1977 c. 178; 1979 c. 32 s. 92 (15); 1989 a. 258; 1991 a. 136; 1993 a. 16; 1995 a. 27.

(END)

7



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

STEPHEN R. MILLER
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

March 6, 2001

MEMORANDUM

To: Representative Friske

From: Rick A. Champagne, Senior Attorney

Re: LRB-2536 Binding arbitration for law enforcement supervisors

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-9930 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.

Memo

Attached is a fiscal estimate prepared for a draft that has not yet been introduced.

LRB Number: LRB 01 -2536

Version: "/ 1 "

Requested By: Rep. Friske

Entered In Computer And Copy Sent To Requestor: ^{→ By E-Mail}

03 / 29 / 01

Fiscal Estimate Prepared By: (agency abbr.) ERC

To: LRB – Legal Section PA's

Subject: Fiscal Estimate Received For A Un-Introduced Draft

- If this is **re-drafted** to a new version please attach this early fiscal estimate to the back of the draft's file between the old version and the new version.
- If this draft gets **introduced** ... and the version of the attached fiscal estimate is correct ... please write the drafts intro. number below and give this fiscal estimate to Mike (or Landon) to process.

THIS DRAFT WAS INTRODUCED AS: 2001

- If this draft gets **introduced** ... and the version of the attached fiscal estimate is for a previous version ... please attach this early fiscal estimate to the back of the draft's file between the old version and the new version ... and get the ball rolling on getting a fiscal estimate prepared for the introduced version.

Barman, Mike

From: Barman, Mike
Sent: Thursday, March 29, 2001 9:58 AM
To: Rep.Friske
Subject: FE_Friske ... LRB-2536/1 by ERC ... for your review



FE_Friske.pdf

FE_Friske