

2001 DRAFTING REQUEST

Bill

Received: 03/09/2001

Received By: champra

Wanted: As time permits

Identical to LRB:

For: Peggy Krusick (608) 266-1733

By/Representing: Christian Moran

This file may be shown to any legislator: NO

Drafter: champra

May Contact:

Addl. Drafters:

Subject: **Employ Pub - collective bargain**

Extra Copies:

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

Municipal employment relations act coverage for fire department 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 03/13/2001	jdyer 03/13/2001	pgreensl 03/14/2001	_____	lrb_docadmin 03/14/2001	lrb_docadminS&L 12/04/2001	

FE Sent For: 09/17/2001.

<END>

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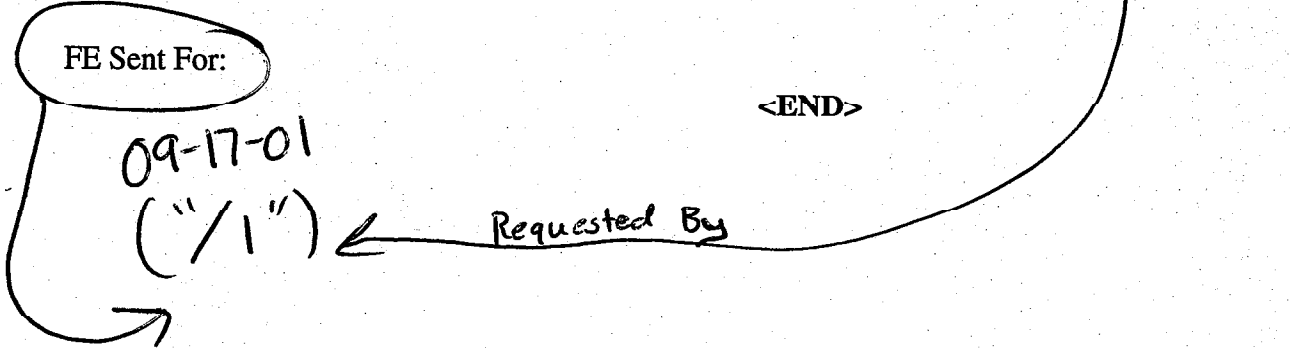
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09-17-01
("/1")

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1/?	champra	1 3/13 J	3/14 PG	3/14 Self			

FE Sent For:

<END>

TO: GORDON MALAISE, SENIOR ATTORNEY
FROM: Christian Moran (Peggy Krusick's office, 6-1733)
DATE: March 8, 2001
SUBJECT: Amendment to Section 111.70(8)

Attached you will find the bill draft request I mentioned in my voice mail message today. Please call with any questions. Thanks.

February 15, 2001

Representative Peggy Krusick
3426 South 69th Street
Milwaukee, WI 53219

Representative Krusick:

On behalf of the Chief Officers Association, the undersigned are requesting your support of Statutory Reform to enable Milwaukee Fire Department Supervisors to engage more effectively in collective bargaining.

Our counsel has recommended the following reform to permit us the opportunity to engage in meaningful collective bargaining. Our suggestion is a simple amendment to the Sec. 111.70(8), Stats. As amended it would read (the proposed new language is underlined):

(8) SUPERVISORY UNITS. (a) This section, except subs. (1)(nm), 4(cm) and (7m), applies to law enforcement supervisors employed by a 1st class city. This section applies to fire department supervisors employed by a 1st class city. This section, except subs. (1)(nm), 4(cm) and (jm) and (7m), applies to law enforcement supervisors employed by a county having a population of 500,000 or more. For purposes of such application, the term "municipal employee" includes such supervisor.

This amendment would place the Milwaukee Fire Department supervisors in essentially the same position as the rest of the City's firefighters. This change would also enable fire supervisors the opportunity to engage in bargaining as police supervisors currently do.

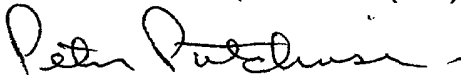
Your support and assistance in this initiative would be greatly appreciated. As you review this proposal, please contact any of us as questions may arise.

Sincerely,

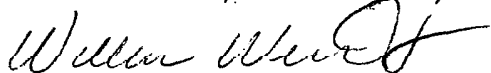
Brian Glassel, President, Chief Officers Association (414) 276 - 6896



Peter Putchinski, Member (414) 543 - 4508



William Wentlandt, Member (414) 545 - 0344





2001 BILL

gen

1 AN ACT ...; relating to: collective bargaining and binding arbitration coverage
 2 under the Municipal Employment Relations Act[✓] for fire fighting supervisors
 3 employed by a[✓] 1st class city.

Analysis by the Legislative Reference Bureau

Under current law, fire fighters are covered under the Municipal Employment Relations Act (MERA)[✓] and, for those fire fighters employed by a city, village, or town^{*} having a population of 2,500 or more, are entitled to binding arbitration. The binding arbitration process that applies to fire fighters provides that 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. Current law, however, does not provide coverage under MERA to fire fighting supervisors.

This bill provides that fire fighting supervisors who are employed by a[✓] 1st class city (currently, only Milwaukee) are covered under MERA and are subject to the same binding arbitration law covering fire fighters who are not supervisors.

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:

BILL

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

2 111.70 (8) (a) This section, except subs. (1) (nm), (4) (cm), and (7m), applies to
3 law enforcement supervisors employed by a 1st class city. This section, except subs.
4 (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. This section, except
6 subs. (1) (nm), (4) (cm) and (jm), and (7m), applies to fire fighting supervisors
7 employed by a 1st class city. For purposes of such application, the term "municipal
8 employee" includes any such a supervisor.

History: 1971 c. 124, 246, 247, 307, 336; 1973 c. 64, 65; 1977 c. 178, 486, 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.

9 SECTION 2. 111.77 (8) (a) of the statutes is amended to read:

10 111.77 (8) (a) This section applies to law enforcement supervisors employed by
11 a county having a population of 500,000 or more and to fire fighting supervisors
12 employed by a 1st class city. For purposes of such application, the term "municipal
13 employee" includes such a supervisor.

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.

14

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2797/1dn

RAC:.....

ald

It is difficult to discern your intent from the proposed text contained in your drafting request. Specifically, it was unclear from the amended text if you wished to provide fire fighting supervisors with the right to strike or to be covered under the QEO provisions, the binding arbitration provisions for law enforcement employees in 1st class cities, or the general binding arbitration provisions for municipal employees other than law enforcement and fire fighting employees.

In this version of the draft, therefore, I have provided fire fighting supervisors employed by a 1st class city[✓] with the same collective bargaining and binding arbitration coverage as provided to the fire fighting employees they supervise. As such, these fire fighting supervisors will be covered by s. 111.70[✓], with the exception of s. 111.70 (1) (nm), (4) (cm) and (jm)[✓], and (7m); and they will be covered by s. 111.77[✓]. Is this consistent with your intent?

Rick A. Champagne
Senior Legislative Attorney
Phone: (608) 266-9930
E-mail: rick.champagne@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2797/1dn
RAC:jld:pg

March 14, 2001

It is difficult to discern your intent from the proposed text contained in your drafting request. Specifically, it was unclear from the amended text if you wished to provide fire fighting supervisors with the right to strike or to be covered under the QEO provisions, the binding arbitration provisions for law enforcement employees in 1st class cities, or the general binding arbitration provisions for municipal employees other than law enforcement and fire fighting employees.

In this version of the draft, therefore, I have provided fire fighting supervisors employed by a 1st class city with the same collective bargaining and binding arbitration coverage as provided to the fire fighting employees they supervise. As such, these fire fighting supervisors will be covered by s. 111.70, with the exception of s. 111.70 (1) (nm), (4) (cm) and (jm), and (7m); and they will be covered by s. 111.77. Is this consistent with your intent?

Rick A. Champagne
Senior Legislative Attorney
Phone: (608) 266-9930
E-mail: rick.champagne@legis.state.wi.us

Barman, Mike

From: Barman, Mike
Sent: Thursday, September 20, 2001 11:03 AM
To: Rep.Krusick
Subject: LRB-2797/1 (attached) (requested by Christian)



01-2797/1

Mike Barman

Mike Barman - Senior Program Asst. (PH. 608-266-3561)
(E-Mail: mike.barman@legis.state.wi.us) (FAX: 608-264-6948)

State of Wisconsin
Legislative Reference Bureau - Legal Section - Front Office
100 N. Hamilton Street - 5th Floor
Madison, WI 53703

Emery, Lynn

From: Rep.Krusick
Sent: Tuesday, December 04, 2001 11:38 AM
To: LRB.Legal
Subject: Jacket Request (LRB-2797/1)

Please jacket LRB-2797/1 for the Assembly. Thank you.

Memo

To: Rep. Krusick

(The Bill's Requestor)

Attached is a fiscal estimate prepared for your 2001 draft that has not yet been introduced.

LRB Number: LRB - 2797

Version: "/ 1 "

Entered In Computer And Copy Sent To Requestor Via E-Mail: 09 / 20 / 2001

Fiscal Estimate Prepared By: (agency abbr.) ERC

If you have questions about the attached fiscal estimate, you may contact the agency/ individual who prepared the fiscal estimate. If you disagree with the enclosed fiscal estimate, please contact the LRB drafter of your proposal to discuss your options under the fiscal estimate procedure.

* * * * *

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 Lynn) to process.

THIS DRAFT WAS INTRODUCED AS: 2001 AB677

- 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. Have Mike (or Lynn) get the ball rolling on getting a fiscal estimate prepared for the introduced version.

Barman, Mike

From: Barman, Mike
Sent: Thursday, September 20, 2001 12:06 PM
To: Rep.Krusick
Subject: LRB-2797/1 (FE by ERC) (attached for your review)



FE_Krusick.pdf

FE_Krusick