



2009 ASSEMBLY BILL 95

1 AN ACT *to amend* 111.70 (1) (a); and *to create* 111.70 (4) (n) of the statutes;
2 relating to: preparation time as a mandatory subject of collective bargaining.

Analysis by the Legislative Reference Bureau

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

3 SECTION 1. 111.70 (1) (a) of the statutes is amended to read:
4 111.70 (1) (a) "Collective bargaining" means the performance of the mutual
5 obligation of a municipal employer, through its officers and agents, and the
6 representative of its municipal employees in a collective bargaining unit, to meet and
7 confer at reasonable times, in good faith, with the intention of reaching an
8 agreement, or to resolve questions arising under such an agreement, with respect to
9 wages, hours, and conditions of employment, and with respect to a requirement of
10 the municipal employer for a municipal employee to perform law enforcement and

ASSEMBLY BILL 95

1 fire fighting services under s. 61.66, and for a school district with respect to any
2 matter under sub. (4) (n), except as provided in sub. (4) (m) and s. 40.81 (3) and except
3 that a municipal employer shall not meet and confer with respect to any proposal to
4 diminish or abridge the rights guaranteed to municipal employees under ch. 164.
5 The duty to bargain, however, does not compel either party to agree to a proposal or
6 require the making of a concession. Collective bargaining includes the reduction of
7 any agreement reached to a written and signed document. The municipal employer
8 shall not be required to bargain on subjects reserved to management and direction
9 of the governmental unit except insofar as the manner of exercise of such functions
10 affects the wages, hours, and conditions of employment of the municipal employees
11 in a collective bargaining unit. In creating this subchapter the legislature recognizes
12 that the municipal employer must exercise its powers and responsibilities to act for
13 the government and good order of the jurisdiction which it serves, its commercial
14 benefit and the health, safety, and welfare of the public to assure orderly operations
15 and functions within its jurisdiction, subject to those rights secured to municipal
16 employees by the constitutions of this state and of the United States and by this
17 subchapter.

18 **SECTION 2.** 111.70 (4) (n) of the statutes is created to read:

19 111.70 (4) (n) *Mandatory subjects of bargaining.* In a school district, in addition
20 to any subject of bargaining on which the municipal employer is required to bargain
21 under sub. (1) (a), the municipal employer is required to bargain collectively with
22 respect to time spent during the school day, separate from pupil contact time, to
23 prepare lessons, labs, or educational materials, to confer or collaborate with other
24 staff, or to complete administrative duties.

25 **SECTION 3. Initial applicability.**

