



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-1211/7 P1
CMH:.....
wy

Tues if possible

DOA:.....Frederick, BAB0021b - Modifications to Peace, MERA, and SELRA, repeal UWELRA

FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION

Do Not Gen

1 AN ACT ...; **relating to:** eliminating collective bargaining rights for employees of
 2 the University of Wisconsin System, the University of Wisconsin Hospitals and
 3 Clinics Authority, and home care and child care providers; ^{limiting} collective bargaining
 4 rights for state employees and municipal employees who are not law
 5 enforcement or fire fighting personnel; prohibiting the deduction of labor
 6 organization dues by public employers; eliminating the Wisconsin Quality
 7 Home Care Authority; and making an appropriation.

Analysis by the Legislative Reference Bureau

****NOTE: A complete analysis will be provided in a later version of the draft.

Under current law, University of Wisconsin (UW) System employees, employees of the UW Hospitals and Clinics Authority, and certain home care and child care providers have the right to collectively bargain over wages, hours, and conditions of employment. This bill eliminates the rights of these employees to collectively bargain.

Current law provides that state and municipal employees who are represented by a labor organization have the organization dues deducted from their salary. This

salaries

bill prohibits the salary deductions for labor organization dues and makes such deductions a prohibited labor practice.

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:

SECTION 1. 20.545 (1) (km) of the statutes is amended to read:

~~20.545 (1) (km) *Collective bargaining grievance arbitrations.* The amounts in the schedule for the payment of the state's share of costs related to collective bargaining grievance arbitrations under s. 111.86 and related to collective bargaining grievance arbitrations under s. 111.993. All moneys received from state agencies for the purpose of reimbursing the state's share of the costs related to grievance arbitrations under s. 111.86 and to reimburse the state's share of costs for training related to grievance arbitrations, and all moneys received from institutions, as defined in s. 36.05 (9), for the purpose of reimbursing the state's share of the costs related to grievance arbitrations under s. 111.993 and to reimburse the state's share of costs for training related to grievance arbitrations shall be credited to this appropriation account.~~

History: 2003 a. 33 ss. 623 to 630d, 646m, 9160; 2007 a. 20; 2009 a. 28.

SECTION 2. 111.70 (1) (a) of the statutes is amended to read:

111.70 (1) (a) "Collective bargaining" means the performance of the mutual obligation of a municipal employer, through its officers and agents, and the representative of its municipal employees in a collective bargaining unit, to meet and confer at reasonable times, in good faith, with the intention of reaching an agreement, or to resolve questions arising under such an agreement, with respect to wages, hours, and conditions of employment for protective occupation participants

Handwritten notes in the left margin: 1 INS 2-1A ✓, 2 INS 2-1A ✓, 3 INS 2-1C ✓, 4 INS 2-1D ✓, 5 INS 2-1E ✓, 6 INS 2-1F ✓, 7 INS 2-1F ✓, 8 INS 2-1F ✓, 9 INS 2-1G ✓, 10 INS 2-1H ✓, 11 INS 2-1H ✓, 12 INS 2-1I ✓, 13 INS 2-1I ✓, 14 INS 2-1J ✓, 15 INS 2-1J ✓, 16 INS 2-1K ✓, 17 INS 2-1K ✓, 18 INS 2-1L ✓, 19 INS 2-1M ✓, 20 INS 2-1N ✓, 21 INS 2-1O ✓.

1 and with respect to wages for general municipal employees, and with respect to a
 2 requirement of the municipal employer for a municipal employee to perform law
 3 enforcement and fire fighting services under s. 61.66 ~~(d)~~ and for a school district with
 4 ~~respect to any matter under sub. (4) (n) and (o)~~ and for a school district with respect
 5 to ~~any matter under sub. (4) (n)~~ except as provided in subs. (3m), (3p), and sub. (4)
 6 ~~(m)~~ (mb) and (mc) and s. 40.81 (3) and except that a municipal employer shall not
 7 meet and confer with respect to any proposal to diminish or abridge the rights
 8 guaranteed to ~~municipal employees~~ law enforcement officers under ch. 164.
 9 Collective bargaining includes the reduction of any agreement reached to a written
 10 and signed document.

11 √ (3) (d) Duties. The duty to bargain, however, does not compel either party to
 12 agree to a proposal or require the making of a concession. ~~Collective bargaining~~
 13 ~~includes the reduction of any agreement reached to a written and signed document.~~

14 The
 15 √ (4) (p) Permissive subjects of collective bargaining; protective occupation
 16 participants. A municipal employer shall is not be required to bargain with
 17 protective occupation participants on subjects reserved to management and
 18 direction of the governmental unit except insofar as the manner of exercise of such
 19 functions affects the wages, hours, and conditions of employment of the ~~municipal~~
 20 employees protective occupation participants in a collective bargaining unit.

21 √ (1b) (b) In creating this subchapter the legislature recognizes that the
 22 municipal employer must exercise its powers and responsibilities to act for the
 23 government and good order of the jurisdiction which it serves, its commercial benefit
 24 and the health, safety, and welfare of the public to assure orderly operations and
 25 functions within its jurisdiction, subject to those rights secured to municipal

1 employees by the constitutions of this state and of the United States and by this
2 subchapter.

NOTE: NOTE: Par. (g) is shown as affected by 2009 Wisconsin Acts 15, 28, 34, and 60 and as merged by the legislative reference bureau under s. 13.92(2)(i). A necessary comma is shown in brackets. Corrective legislation is pending. NOTE:

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; 2001 a. 16; 2005 a. 253; 2007 a. 20; 2009 a. 15, 21, 28, 34, 60, 402; s. 13.92(2)(i).

3 SECTION 3. 111.70 (1) (cm) of the statutes is created to read:

4 111.70 (1) (cm) "Consumer price index change" means the average annual
5 percentage change in the consumer price index for all urban consumers, U.S. city
6 average, as determined by the bureau of labor statistics of the federal department
7 of labor, for the 12 months immediately preceding the current date.

8 SECTION 4. 111.70 (1) (f) of the statutes is amended to read:

9 111.70 (1) (f) "Fair-share agreement" means an agreement between a
10 municipal employer and a labor organization under which all or any of the employees
11 in the collective bargaining unit are required to pay their proportionate share of the
12 cost of the collective bargaining process and contract administration measured by
13 the amount of dues uniformly required of all members. ~~Such an agreement shall
14 contain a provision requiring the employer to deduct the amount of dues as certified
15 by the labor organization from the earnings of the employees affected by said
16 agreement and to pay the amount so deducted to the labor organization.~~

****NOTE: The draft repeals paycheck deductions for dues for all municipal employees, including law enforcement and fire fighting personnel. OK?

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; 2001 a. 16; 2005 a. 253; 2007 a. 20; 2009 a. 15, 21, 28, 34, 60, 402; s. 13.92(2)(i).

17 SECTION 5. 111.70 (1) (fm) of the statutes is created to read:

18 111.70 (1) (fm) "General municipal employee" means a municipal employee
19 who is not a protective occupation participant.

20 SECTION 6. 111.70 (1) (mm) of the statutes is created to read:

1 111.70 (1) (mm) "Protective occupation participant" means any municipal
 2 employee who is employed in a position that, on the effective date of this paragraph
 3 [LRB inserts date] is classified as a protective occupation participant under s.
 4 40.02 (48) (am) 9., 10., 13., 15., or 22. or under a comparable provision in a county or
 5 city retirement system.

6 **SECTION 7.** 111.70 (1) (nm) of the statutes is amended to read:

7 111.70 (1) (nm) "Strike" includes any strike or other concerted stoppage of work
 8 by municipal employees, and any concerted slowdown or other concerted
 9 interruption of operations or services by municipal employees, or any concerted
 10 refusal to work or perform their usual duties as municipal employees, for the purpose
 11 of enforcing demands upon a municipal employer. Such conduct by municipal
 12 employees which is not authorized or condoned by a labor organization constitutes
 13 a "strike", but does not subject such labor organization to the penalties under this
 14 subchapter. ~~This paragraph does not apply to collective bargaining units composed~~
 15 ~~of municipal employees who are engaged in law enforcement or fire fighting~~
 16 ~~functions.~~

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; 2001 a. 16; 2005 a. 253; 2007 a. 20; 2009 a. 15, 21, 28, 34, 60, 402; s. 13.92 (2) (i).

****NOTE: Please review this section. Law enforcement and fire fighting employees seem to be subject to sub. (4) (L) and the penalties for striking. See current law sub. (7), which I combined with sub. (7m) since strikes can no longer be authorized under sub. (4) (cm). I don't understand what definition of "strike" would be applied to law enforcement and fire fighting employees if not this one.

17 **SECTION 8.** 111.70 (2) of the statutes is amended to read:

18 111.70 (2) RIGHTS OF MUNICIPAL EMPLOYEES. Municipal employees shall have the
 19 right of self-organization, and the right to form, join or assist labor organizations,
 20 to bargain collectively through representatives of their own choosing, and to engage
 21 in lawful, concerted activities for the purpose of collective bargaining or other mutual

1 aid or protection, ~~and such~~. Municipal employees shall have the right to refrain from
 2 any and all such activities. Municipal employees have the right to refrain from
 3 paying dues and remain members of a collective bargaining unit, except that
 4 municipal employees may be required to pay dues [↓] ~~in the manner provided in~~ if they
 5 are subject to a fair-share agreement. Such fair-share agreement ~~shall be~~ is subject
 6 to the right of the municipal employer or a labor organization to petition the
 7 commission to conduct a referendum. Such petition must be supported by proof that
 8 at least 30% of the employees in the collective bargaining unit desire that the
 9 fair-share agreement be terminated. Upon so finding, the commission shall conduct
 10 a referendum. If the continuation of the agreement is not supported by at least the
 11 majority of the eligible employees, it shall ~~be deemed terminated~~ terminate. The
 12 commission shall declare any fair-share agreement suspended upon such conditions
 13 and for such time as the commission decides whenever it finds that the labor
 14 organization involved has refused on the basis of race, color, sexual orientation, creed
 15 or sex to receive as a member any employee of the municipal employer in the
 16 bargaining unit involved, and such agreement ~~shall be made~~ is subject to this duty
 17 of the commission. Any of the parties to such agreement or any municipal employee
 18 covered ~~thereby~~ by the agreement may come before the commission, as provided in
 19 s. 111.07, and ask the performance of this duty.

20 ~~Cross-reference: Cross-reference: Cross-reference:~~ See also ch. ERC 15, Wis. adm. code. ~~Cross-reference:~~

~~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; 2001 a. 16; 2005 a. 253; 2007 a. 20; 2009 a. 15, 21, 28, 34, 60, 402; s. 13.92 (2) (i).

21 > **SECTION 9.** 111.70 (3) (a) 6. of the statutes is amended to read:

1105 22 111.70 (3) (a) 6. To deduct labor organization dues from an employee's or
 6-21 23 supervisor's earnings, ~~unless the municipal employer has been presented with an~~
 24 ~~individual order therefor, signed by the municipal employee personally, and~~

1 ~~terminable by at least the end of any year of its life or earlier by the municipal~~
2 ~~employee giving at least 30 days' written notice of such termination to the municipal~~
3 ~~employer and to the representative organization, except where there is a fair-share~~
4 ~~agreement in effect.~~

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; 2001 a. 16; 2005 a. 253; 2007 a. 20; 2009 a. 15, 21, 28, 34, 60, 402; s. 13.92 (2) (i).

5 **SECTION 10.** 111.70 (4) (intro.) of the statutes is amended to read:

6 111.70 (4) **POWERS OF THE COMMISSION.** (intro.) The commission shall conduct
7 any election under this subsection by secret ballot and shall be governed by adhere
8 to the following provisions relating to bargaining in municipal employment in
9 addition to other powers and duties provided in this subchapter:

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; 2001 a. 16; 2005 a. 253; 2007 a. 20; 2009 a. 15, 21, 28, 34, 60, 402; s. 13.92 (2) (i).

10 **SECTION 11.** 111.70 (4) (am) of the statutes is created to read:

11 111.70 (4) (am) *Mandatory provision for general municipal employees.* The
12 commission shall ensure that each collective bargaining agreement covering general
13 municipal employees contains a provision allowing the contract to be terminated
14 under par. (d) 3. b.

15 **SECTION 12.** 111.70 (4) (bm) of the statutes is created to read:

16 111.70 (4) (bm) *Determination of consumer price index change.* For purposes
17 ^{of} determining compliance with par. (mb) 2., the commission shall provide, upon
18 request, to any municipal employer or any representative of a collective bargaining
19 unit containing a general municipal employee, the consumer price index change
20 during any 12-month period. The commission may get the information from the
21 department of revenue.

****NOTE: The provision requiring DOR to provide this information will appear in the next version under s. 73.03.

22 **SECTION 13.** 111.70 (4) (c) 1. of the statutes is amended to read:

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1 111.70 (4) (c) 1. 'Mediation.' The commission may function as a mediator in
2 labor disputes involving a collective bargaining unit containing a protective
3 occupation participant. Such mediation may be carried on by a person designated
4 to act by the commission upon request of one or both of the parties or upon initiation
5 of the commission. The function of the mediator shall be to encourage voluntary
6 settlement by the parties but no mediator shall have the power of compulsion.

7 ~~Cross-reference: Cross-reference: Cross-reference:~~ See also ch. ERC 13, Wis. adm. code.~~Cross-reference:~~

~~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; 2001 a. 16; 2005 a. 253;
2007 a. 20; 2009 a. 15, 21, 28, 34, 60, 402; s. 13.92 (2) (i).

8 **SECTION 14.** 111.70 (4) (c) 2. of the statutes is amended to read:

9 111.70 (4) (c) 2. 'Arbitration.' a. Parties to a dispute pertaining to the meaning
10 or application of the terms of a written collective bargaining agreement involving a
11 collective bargaining unit containing a protective occupation participant may agree
12 in writing to have the commission or any other appropriate agency serve as
13 arbitrator or may designate any other competent, impartial and disinterested person
14 to so serve.

15 b. A collective bargaining agreement involving a collective bargaining unit
16 containing a protective occupation participant may, notwithstanding s. 62.13 (5),
17 contain dispute resolution procedures, including arbitration, that address the
18 suspension, reduction in rank, suspension and reduction in rank, or removal of such
19 personnel. If the procedures include arbitration, the arbitration hearing shall be
20 public and the decision of the arbitrator shall be issued within 180 days of the
21 conclusion of the hearing.

22 ~~Cross-reference: Cross-reference: Cross-reference:~~ See also ch. ERC 16, Wis. adm. code.~~Cross-reference:~~

~~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; 2001 a. 16; 2005 a. 253;
2007 a. 20; 2009 a. 15, 21, 28, 34, 60, 402; s. 13.92 (2) (i).

23 **SECTION 15.** 111.70 (4) (c) 3. of the statutes is amended to read:

1 111.70 (4) (c) 3. 'Fact-finding.' ~~If~~ Unless s. 111.77 applies, if a dispute involving
2 a collective bargaining unit containing a protective occupation participant has not
3 been settled after a reasonable period of negotiation and after the settlement
4 procedures, if any, established by the parties have been exhausted, and the parties
5 are deadlocked with respect to any dispute between them arising in the collective
6 bargaining process, either party, or the parties jointly, may petition the commission,
7 in writing, to initiate fact-finding, ~~as provided hereafter,~~ and to make
8 recommendations to resolve the deadlock, as follows:

9 a. Upon receipt of ~~a~~ the petition to initiate fact-finding, the commission shall
10 make an investigation with or without a formal hearing, to determine whether a
11 deadlock in fact exists. After its investigation the commission shall certify the
12 results thereof. If the commission decides that fact-finding should be initiated, it
13 shall appoint a qualified, disinterested person or 3-member panel, when jointly
14 requested by the parties, to function as a fact finder.

15 b. The fact finder appointed under subd. 3. a. may establish dates and place of
16 hearings which shall be where feasible, and shall conduct the hearings pursuant to
17 rules established by the commission. Upon request, the commission shall issue
18 subpoenas for hearings conducted by the fact finder. The fact finder may administer
19 oaths. Upon completion of the hearing, the fact finder shall make written findings
20 of fact and recommendations for solution of the dispute and shall cause the same to
21 be served on the parties and the commission. Cost of fact-finding proceedings shall
22 be divided equally between the parties. At the time the fact finder submits a
23 statement of his or her costs to the parties, the fact finder shall submit a copy ~~thereof~~
24 of the statement to the commission at its Madison office.

1 c. Nothing herein shall be construed as prohibiting in this subdivision prohibits
2 any fact finder appointed under subd. 3. a. from endeavoring to mediate the dispute,
3 in which the fact finder is involved, at any time prior to the issuance of the fact
4 finder's recommendations.

5 d. Within 30 days of the receipt of the fact finder's recommendations under
6 subd. 3. b., or within the time period mutually agreed upon by the parties, each party
7 shall advise give notice to the other party, in writing as to its acceptance or rejection,
8 in whole or in part, of the fact finder's recommendations and, at the same time,
9 transmit a copy of such the notice to the commission at its Madison office.

10 Cross-reference: Cross-reference: Cross-reference: See also chs. ERC 14 and 40, Wis. adm. code. Cross-reference:

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; 2001 a. 16; 2005 a. 253; 2007 a. 20; 2009 a. 15, 21, 28, 34, 60, 402; s. 13.92 (2) (i).

11 SECTION 16. 111.70 (4) (cm) (title), 1., 2., 3. and 4. of the statutes are amended

12 to read:

13 111.70 (4) (cm) (title) *Methods for peaceful settlement of disputes; other*
14 *personnel general municipal employees.* 1. 'Notice of commencement of contract
15 negotiations.' For the purpose of advising the commission of the commencement of
16 contract negotiations involving a collective bargaining unit containing general
17 municipal employees, whenever either party requests the other to reopen
18 negotiations under a binding collective bargaining agreement, or the parties
19 otherwise commence negotiations if no such agreement exists, the party requesting
20 negotiations shall immediately notify the commission in writing. Upon failure of the
21 requesting party to provide such notice, the other party may so notify the
22 commission. The notice shall specify the expiration date of the existing collective
23 bargaining agreement, if any, and shall set forth any additional information the
24 commission may require on a form provided by the commission.

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1 2. 'Presentation of initial proposals; open meetings.' The meetings between
2 parties to a collective bargaining agreement or proposed collective bargaining
3 agreement under this subchapter ~~which~~ that involve a collective bargaining unit
4 containing a general municipal employee and that are held for the purpose of
5 presenting initial bargaining proposals, along with supporting rationale, shall be
6 open to the public. Each party shall submit its initial bargaining proposals to the
7 other party in writing. Failure to comply with this subdivision is not cause to
8 invalidate a collective bargaining agreement under this subchapter.

9 3. 'Mediation.' The commission or its designee shall function as mediator in
10 labor disputes involving general municipal employees upon request of one or both of
11 the parties, or upon initiation of the commission. The function of the mediator shall
12 be to encourage voluntary settlement by the parties. No mediator has the power of
13 compulsion.

14 Cross-reference: Cross-reference: Cross-reference: See also ch. ERC 13, Wis. adm. code. Cross-reference:

15 4. 'Grievance arbitration.' Parties to a dispute pertaining to the meaning or
16 application of the terms of a written collective bargaining agreement involving a
17 collective bargaining unit containing a general municipal employee may agree in
18 writing to have the commission or any other appropriate agency serve as arbitrator
19 or may designate any other competent, impartial and disinterested person to so
20 serve.

21 Cross-reference: Cross-reference: Cross-reference: See also ch. ERC 16, Wis. adm. code. Cross-reference:

22 **SECTION 17.** 111.70 (4) (cm) 8m. of the statutes is amended to read:

23 111.70 (4) (cm) 8m. 'Term of agreement; reopening of negotiations.' Except for
24 the initial collective bargaining agreement between the parties and except as the
25 parties otherwise agree, every collective bargaining agreement covering general
26 municipal employees ~~subject to this paragraph~~ shall be for a term of 2 years, but in

INSERT 11-20 →

1 ~~no case may a collective bargaining agreement for any collective bargaining unit~~
2 ~~consisting of municipal employees subject to this paragraph other than school~~
3 ~~district employees be for a term exceeding 3 years nor may a collective bargaining~~
4 ~~agreement for any collective bargaining unit consisting of school district employees~~
5 ~~subject to this paragraph be for a term exceeding 4 years~~ one year and may not be
6 extended. No arbitration award may contain a provision for reopening of
7 negotiations during the term of a collective bargaining agreement; covering general
8 municipal employees may be reopened for negotiations unless both parties agree to
9 such a provision to reopen the collective bargaining agreement. The requirement for
10 agreement by both parties does not apply to a provision for reopening of negotiations
11 with respect to any portion of an agreement that is declared invalid by a court or
12 administrative agency or rendered invalid by the enactment of a law or promulgation
13 of a federal regulation.

14 ~~Cross-reference: Cross-reference: Cross-reference:~~ See also chs. ERC 32 and 33, Wis. adm. code. ~~Cross-reference:~~

~~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; 2001 a. 16; 2005 a. 253; 2007 a. 20; 2009 a. 15, 21, 28, 34, 60, 402; s. 13.92 (2) (i).

15 **SECTION 18.** 111.70 (4) (cm) 9. of the statutes is repealed.

16 **SECTION 19.** 111.70 (4) (d) 2. a. of the statutes is amended to read:

17 111.70 (4) (d) 2. a. The commission shall determine the appropriate collective
18 bargaining unit for the purpose of collective bargaining and shall whenever possible,
19 ~~unless otherwise required under this subchapter,~~ avoid fragmentation by
20 maintaining as few collective bargaining units as practicable in keeping with the size
21 of the total municipal workforce. ~~In making such a determination, the~~ the
22 commission may decide whether, in a particular case, the municipal employees in the
23 same or several departments, divisions, institutions, crafts, professions, or other
24 occupational groupings constitute a collective bargaining unit. Before making its

1 determination, the commission may provide an opportunity for the municipal
2 employees concerned to determine, by secret ballot, whether they desire to be
3 established as a separate collective bargaining unit. The commission shall may not
4 decide, however, that any group of municipal employees constitutes an appropriate
5 collective bargaining unit if the group includes both professional employees and
6 nonprofessional employees, unless a majority of the professional employees vote for
7 inclusion in the unit. The commission may not decide that any group of municipal
8 employees constitutes an appropriate collective bargaining unit if the group includes
9 both school district employees and ^{general} municipal employees who are not school district
10 employees. The commission may not decide that any group of municipal employees
11 constitutes an appropriate collective bargaining unit if the group includes both
12 protective occupation participants and general municipal employees. The
13 commission shall may not decide that any group of municipal employees constitutes
14 an appropriate collective bargaining unit if the group includes both [✓]craft employees
15 and noncraft employees unless a majority of the craft employees vote for inclusion
16 in the unit. The commission shall place the professional employees who are assigned
17 to perform any services at a charter school, as defined in s. 115.001 (1), in a separate
18 collective bargaining unit from a unit that includes any other professional employees
19 whenever at least 30% of those professional employees request an election to be held
20 to determine that issue and a majority of the professional employees at the charter
21 school who cast votes in the election decide to be represented in a separate collective
22 bargaining unit. Upon the expiration of any collective bargaining agreement in
23 force, the commission shall combine into a single collective bargaining unit 2 or more
24 collective bargaining units consisting of school district employees if a majority of the

1 employees voting in each collective bargaining unit vote to combine. ~~Any vote taken~~
2 ~~under this subsection shall be by secret ballot.~~

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; 2001 a. 16; 2005 a. 253; 2007 a. 20; 2009 a. 15, 21, 28, 34, 60, 402; s. 13.92 (2) (i).

3 **SECTION 20.** 111.70 (4) (d) 3. of the statutes is renumbered 111.70 (4) (d) 3. a.
4 and amended to read:

5 111.70 (4) (d) 3. a. Whenever, in a particular case involving a collective
6 bargaining unit containing a protective occupation participant, a question arises
7 concerning representation or appropriate unit, calling for a vote, the commission
8 shall certify the results in writing to the municipal employer and the labor
9 organization involved and to any other interested parties. Any ballot used in a
10 representation proceeding shall include the names of all persons having an interest
11 in representing or the results. The ballot should be so designed as to permit a vote
12 against representation by any candidate named on the ballot. The findings of the
13 commission, on which a certification is based, shall be conclusive unless reviewed as
14 provided by s. 111.07 (8).

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; 2001 a. 16; 2005 a. 253; 2007 a. 20; 2009 a. 15, 21, 28, 34, 60, 402; s. 13.92 (2) (i).

15 **SECTION 21.** 111.70 (4) (d) 3. b. of the statutes is created to read:

16 111.70 (4) (d) 3. b. Annually, no later than 3 months before a collective
17 bargaining agreement involving a general municipal employee is to expire, the
18 commission shall conduct an election to certify the representative of the collective
19 bargaining unit. The commission shall certify any representative that receives at
20 least 51 percent of the votes of the general municipal employees in the collective
21 bargaining unit. If no representative receives at least 51 percent of the votes of the
22 general municipal employees in the collective bargaining unit, the commission shall
23 decertify the current representative and terminate the contract and the general

1 municipal employees shall be nonrepresented. If, in a particular case involving a
 2 collective bargaining unit containing a general municipal employee, a question
 3 arises concerning ~~concerning~~ representation or appropriate unit, calling for a vote,
 4 the commission shall conduct an election for the collective bargaining unit. In any
 5 election under this ~~subdivision~~ 3. b., the commission shall certify the results in
 6 writing to the municipal employer and the labor organization involved and to any
 7 other interested parties. Any ballot used in a representation proceeding under this
 8 ~~subdivision~~ 3. b. shall include the names of all persons having an interest in
 9 representing or the results. The ballot should be so designed as to permit a vote
 10 against representation by any candidate named on the ballot. The findings of the
 11 commission, on which a certification is based, shall be conclusive unless reviewed as
 12 provided by s. 111.07 (8).[↓]

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; 2001 a. 16; 2005 a. 253; 2007 a. 20; 2009 a. 15, 21, 28, 34, 60, 402; s. 13.92 (2) (i).

13 **SECTION 22.** 111.70 (4) (mb) of the statutes is created to read:

14 111.70 (4) (mb) *Prohibited subjects of bargaining; general municipal employees.*

15 The municipal employer is prohibited from bargaining collectively with a collective
 16 bargaining unit containing a general municipal employee with respect to any of the
 17 following:

18 1. Any factor or condition of employment except wages, which is limited for
 19 general municipal employees to include only pay rate and to exclude overtime or
 20 supplemental compensation; pay schedules; and automatic pay progressions.

****NOTE: Please review this provision. I wasn't sure in your sentence whether "pay schedule and progression" followed "pay rate and" and were permitted subjects or "pay schedule and progression" followed "excluding" and thus were prohibited subjects.

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1 2. Except as provided in xx.xx, any proposal that provides for ~~an~~ wage
2 expenditure per employee in the contract that exceeds the wage expenditure per
3 employee in the previous contract by more than the consumer price index change.

****NOTE: This cross-reference xx.xx will be the referendum provision. It will involve other people so I will do it later.

4 SECTION 23. 111.70 (4) (mc) (intro.) of the statutes is amended to read:

5 111.70 (4) (mc) *Prohibited subjects of bargaining; protective occupation*
6 *participants.* (intro.) The municipal employer is prohibited from bargaining
7 collectively with a collective bargaining unit containing a protective occupation
8 participant with respect to any of the following:

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; 2001 a. 16; 2005 a. 253; 2007 a. 20; 2009 a. 15, 21, 28, 34, 60, 402; s. 13.92 (2) (i).

9 SECTION 24. 111.70 (4) (n) and (o) of the statutes are repealed.

10 SECTION 25. 111.70 (6) (title) of the statutes is renumbered 111.70 (1b) (title).

11 SECTION 26. 111.70 (6) of the statutes is renumbered 111.70 (1b) (a).

12 SECTION 27. 111.70 (7) of the statutes is repealed.

13 SECTION 28. 111.70 (7m) (b) of the statutes is repealed.

14 SECTION 29. 111.70 (7m) (c) 1. a. of the statutes is amended to read:

15 111.70 (7m) (c) 1. a. Any labor organization which violates sub. (4) (L) shall be
16 ~~penalized by the suspension of~~ may not collect any dues check-off under a collective
17 bargaining agreement and or under a fair-share agreement between the from any
18 municipal employer and such labor organization employee covered by either
19 agreement for a period of one year. At the end of the period of suspension, any such
20 agreement shall be reinstated unless the labor organization is no longer authorized
21 to represent the municipal employees covered by ~~such dues check-off~~ the collective

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plain space

1 bargaining agreement or fair-share agreement or the agreement is no longer in
2 effect.

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; 2001 a. 16; 2005 a. 253; 2007 a. 20; 2009 a. 15, 21, 28, 34, 60, 402; s. 13.92 (2) (i).

3 **SECTION 30.** 111.70 (7m) (c) 3. of the statutes is repealed.

4 **SECTION 31.** 111.70 (7m) (e) and (f) of the statutes are repealed.

5 **SECTION 32.** 111.81 (1) of the statutes is amended to read:

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6 111.81 (1) "Collective bargaining" means the performance of the mutual
7 obligation of the state as an employer, by its officers and agents, and the
8 representatives of its employees, to meet and confer at reasonable times, in good
9 faith, with respect to the subjects of bargaining provided in s. 111.91 (1), with respect
10 to protective occupation participants, and to the subjects of bargaining provided in
11 s. 111.91 (3), with respect to general employees, with the intention of reaching an
12 agreement, or to resolve questions arising under such an agreement. The duty to
13 bargain, however, does not compel either party to agree to a proposal or require the
14 making of a concession. Collective bargaining includes the reduction of any
15 agreement reached to a written and signed document.

History: 1971 c. 270; 1975 c. 238; 1977 c. 196; 1981 c. 112; 1983 a. 160, 189, 538; 1985 a. 29, 42; 1989 a. 31; 1993 a. 492; 1995 a. 27, 324; 1997 a. 35; 2001 a. 16; 2003 a. 33 ss. 1987m, 1988m, 9160; 2009 a. 28.

16 **SECTION 33.** 111.81 (3h) of the statutes is repealed.

17 **SECTION 34.** 111.81 (3n) of the statutes is created to read:

18 111.81 (3n) "Consumer price index change" means the average annual
19 percentage change in the consumer price index for all urban consumers, U.S. city
20 average, as determined by the bureau of labor statistics of the federal department
21 of labor, for the 12 months immediately preceding the current date.

22 **SECTION 35.** 111.81 (7) (g) of the statutes is repealed.

23 **SECTION 36.** 111.81 (9g) of the statutes is created to read:

1 111.81 (9g) "General employee" means an employee who is not a protective
2 occupation participant.

3 **SECTION 37.** 111.81 (9k) of the statutes is repealed.

4 **SECTION 38.** 111.81 (12m) of the statutes is amended to read:

5 111.81 (12m) "Maintenance of membership agreement" means an agreement
6 between the employer and a labor organization representing employees or
7 supervisors specified in s. 111.825 (5) which requires that all of the employees or
8 supervisors ~~whose dues are being deducted from earnings under s. 20.921 (1) or~~
9 ~~111.84 (1) (f) who are required to pay dues~~ at the time the agreement takes effect shall
10 continue to ~~have~~ be required to pay dues deducted for the duration of the agreement
11 and that ~~dues shall be deducted from the earnings of all employees or supervisors~~
12 who are hired on or after the effective date of the agreement shall be required to pay
13 dues for the duration of the agreement.

14 **SECTION 39.** 111.81 (15r) of the statutes is created to read:

15 111.81 (15r) "Protective occupation participant" means any individual under
16 110.07 (2).

 ****NOTE: Please review this provision; is this it?

17 **SECTION 40.** 111.815 (1) of the statutes is amended to read:

18 111.815 (1) In the furtherance of this subchapter, the state shall be considered
19 as a single employer and employment relations policies and practices throughout the
20 state service shall be as consistent as practicable. The office shall negotiate and
21 administer collective bargaining agreements ~~except that the department of health~~
22 ~~services, subject to the approval of the federal centers for medicare and medicaid~~
23 ~~services to use collective bargaining as the method of setting rates for~~
24 ~~reimbursement of home care providers, shall negotiate and administer collective~~

1 ~~bargaining agreements entered into with the collective bargaining unit specified in~~
2 ~~s. 111.825 (2g).~~ To coordinate the employer position in the negotiation of agreements,
3 ~~the office, or the department of health services with regard to collective bargaining~~
4 ~~agreements entered into with the collective bargaining unit specified in s. 111.825~~
5 ~~(2g),~~ shall maintain close liaison with the legislature relative to the negotiation of
6 agreements and the fiscal ramifications of those agreements. Except with respect
7 to the collective bargaining units specified in s. 111.825 ~~(1m),~~ (2) (f), ~~and (2g),~~ the
8 office is responsible for the employer functions of the executive branch under this
9 subchapter, and shall coordinate its collective bargaining activities with operating
10 state agencies on matters of agency concern. The legislative branch shall act upon
11 those portions of tentative agreements negotiated by the office that require
12 legislative action. ~~With respect to the collective bargaining units specified in s.~~
13 ~~111.825 (1m),~~ the University of Wisconsin Hospitals and Clinics Board is responsible
14 ~~for the employer functions under this subchapter.~~ With respect to the collective
15 bargaining unit specified in s. 111.825 (2) (f), the governing board of the charter
16 school established by contract under s. 118.40 (2r) (cm) is responsible for the
17 employer functions under this subchapter. ~~With respect to the collective bargaining~~
18 ~~unit specified in s. 111.825 (2g),~~ the department of health services is responsible for
19 ~~the employer functions of the executive branch under this subchapter.~~

20 **SECTION 41.** 111.815 (2) of the statutes is amended to read:

21 111.815 (2) In the furtherance of the policy under s. 111.80 (4), the director of
22 the office shall, together with the appointing authorities or their representatives,
23 represent the state in its responsibility as an employer under this subchapter except
24 with respect to negotiations in the collective bargaining units specified in s. 111.825
25 ~~(1m),~~ (2) (f), ~~and (2g).~~ The director of the office shall establish and maintain,

1 wherever practicable, consistent employment relations policies and practices
2 throughout the state service.

3 **SECTION 42.** 111.82 of the statutes is amended to read:

4 **111.82 Rights of employees.** Employees shall have the right of
5 self-organization and the right to form, join or assist labor organizations, to bargain
6 collectively through representatives of their own choosing under this subchapter,
7 and to engage in lawful, concerted activities for the purpose of collective bargaining
8 or other mutual aid or protection. Employees shall also have the right to refrain from
9 any or all of such activities. Employees have the right to refrain from paying dues
10 and remain members of a collective bargaining unit.

11 History: 1971 c. 270; 1995 a. 27.

11 **SECTION 43.** 111.825 (1) (intro.) of the statutes is amended to read:

12 111.825 (1) (intro.) It is the legislative intent that in order to foster meaningful
13 collective bargaining, units must be structured in such a way as to avoid excessive
14 fragmentation whenever possible. In accordance with this policy, collective
15 bargaining units for employees in the classified service of the state, ~~except employees~~
16 ~~in the collective bargaining units specified in sub. (1m),~~ are structured on a statewide
17 basis with one collective bargaining unit for each of the following occupational
18 groups:

19 History: 1985 a. 29; 1985 a. 42 ss. 4 to 6, 8, 18; 1985 a. 332; 1987 a. 331; 1989 a. 31; 1995 a. 27, 251, 324; 1997 a. 24; 2001 a. 16; 2005 a. 253; 2009 a. 28.

19 **SECTION 44.** 111.825 (1) (g) of the statutes is created to read:

20 111.825 (1) (g) Protective occupation participants.

21 ~~RP; 111.825 (1m)~~
21 **SECTION 45.** 111.825 (2g) of the statutes is repealed.

22 **SECTION 46.** 111.825 (3) of the statutes is amended to read:

23 111.825 (3) The commission shall assign employees to the appropriate
24 collective bargaining units set forth in subs. (1), ~~(1m),~~ and (2), ~~and (2g).~~

1 **SECTION 47.** 111.825 (4)[√] of the statutes is amended to read:

2 111.825 (4) Any labor organization may petition for recognition as the exclusive
3 representative of a collective bargaining unit specified in sub. (1), ~~(1m)~~, [√]or (2), ~~or (2g)~~ [√]
4 in accordance with the election procedures set forth in s. 111.83, provided the petition
5 is accompanied by a 30% showing of interest in the form of signed authorization
6 cards. Each additional labor organization seeking to appear on the ballot shall file
7 petitions within 60 days of the date of filing of the original petition and prove,
8 through signed authorization cards, that at least 10% of the employees in the
9 collective bargaining unit want it to be their representative.

10 **SECTION 48.** 111.825 (4m)[√] of the statutes is repealed.

11 **SECTION 49.** 111.825 (5)[√] of the statutes is amended to read:

12 111.825 (5) Although supervisors are not considered employees for purposes
13 of this subchapter, the commission may consider a petition for a statewide collective
14 bargaining unit of professional supervisors or a statewide unit of nonprofessional
15 supervisors in the classified service, but the representative of supervisors may not
16 be affiliated with any labor organization representing employees. For purposes of
17 this subsection, affiliation does not include membership in a national, state, county
18 or municipal federation of national or international labor organizations. The
19 certified representative of supervisors who are not protective occupation
20 participants may not bargain collectively with respect to any matter other than
21 wages and fringe benefits as provided in s. 111.91 (3), and the certified representative
22 of supervisors who are protective occupation participants may not bargain
23 collectively with respect to any matter other than wages and fringe benefits as
24 provided in s. 111.91 (1).

1 **SECTION 50.** 111.825 (6) of the statutes is renumbered 111.825 (6) (a).

2 **SECTION 51.** 111.825 (6) (b) of the statutes is created to read:

3 111.825 (6) (b) The commission may assign only a protective occupation
4 participant to the collective bargaining unit under sub. (1) (g).

5 **SECTION 52.** 111.83 (1) of the statutes is amended to read:

6 111.83 (1) Except as provided in ~~subs. sub. (5) and (5m)~~, a representative
7 chosen for the purposes of collective bargaining by a majority of the employees voting
8 in a collective bargaining unit shall be the exclusive representative of all of the
9 employees in such unit for the purposes of collective bargaining. Any individual
10 employee, or any minority group of employees in any collective bargaining unit, may
11 present grievances to the employer in person, or through representatives of their own
12 choosing, and the employer shall confer with said employee or group of employees in
13 relation thereto if the majority representative has been afforded the opportunity to
14 be present at the conference. Any adjustment resulting from such a conference may
15 not be inconsistent with the conditions of employment established by the majority
16 representative and the employer.

17 **SECTION 53.** 111.83 (3) of the statutes is renumbered 111.83 (3) (a).

18 **SECTION 54.** 111.83 (3) (b) of the statutes is created to read:

19 111.83 (3) (b) Annually, no later than 3 months before a collective bargaining
20 agreement involving a general employee is to expire, the commission shall conduct
21 an election to certify the representative of the collective bargaining unit. There shall
22 be included on the ballot the names of all labor organizations having an interest in
23 representing the general employees participating in the election. The commission
24 may exclude from the ballot one who, at the time of the election, stands deprived of
25 his or her rights under this subchapter by reason of a prior adjudication of his or her

1 having engaged in an unfair labor practice. The commission shall certify any
2 representative that receives at least 51 percent of the votes of the general employees
3 in the collective bargaining unit. If no representative receives at least 51 percent of
4 the votes of the general employees in the collective bargaining unit, the commission
5 shall decertify the current representative and terminate the contract and the general
6 employees shall be nonrepresented. The commission's certification of the results of
7 any election is conclusive unless reviewed as provided by s. 111.07 (8).[↓]

8 **SECTION 55.** 111.83 (4) of the statutes is amended to read:

9 111.83 (4) Whenever an election has been conducted under sub. (3) (a)[↓] in which
10 the name of more than one proposed representative appears on the ballot and results
11 in no conclusion, the commission may, if requested by any party to the proceeding
12 within 30 days from the date of the certification of the results of the election, conduct
13 a runoff election. In that runoff election, the commission shall drop from the ballot
14 the name of the representative who received the least number of votes at the original
15 election. The commission shall drop from the ballot the privilege of voting against
16 any representative if the least number of votes cast at the first election was against
17 representation by any named representative.

18 History: 1971 c. 270; 1975 c. 238; 1985 a. 42; 1989 a. 336; 1995 a. 27; 2003 a. 33; 2009 a. 28.

18 **SECTION 56.** 111.83 (5m)[↓] of the statutes is repealed.

19 **SECTION 57.** 111.83 (7)[↓] of the statutes is repealed.

20 **SECTION 58.** 111.84 (1) (b) of the statutes is amended to read:

21 111.84 (1) (b) Except as otherwise provided in this paragraph, to initiate,
22 create, dominate or interfere with the formation or administration of any labor or
23 employee organization or contribute financial support to it. Except as provided in
24 ss. 40.02 (22) (e) and 40.23 (1) (f) 4., no change in any law affecting the Wisconsin

1 retirement system under ch. 40 and no action by the employer that is authorized by
2 such a law constitutes a violation of this paragraph unless an applicable collective
3 bargaining agreement covering a collective bargaining unit under s. 111.825 (1) (g)
4 specifically prohibits the change or action. No such change or action affects the
5 continuing duty to bargain collectively with a collective bargaining unit under s.
6 111.825 (1) (g) regarding the Wisconsin retirement system under ch. 40 to the extent
7 required by s. 111.91 (1). It is not an unfair labor practice for the employer to
8 reimburse an employee at his or her prevailing wage rate for the time spent during
9 the employee's regularly scheduled hours conferring with the employer's officers or
10 agents and for attendance at commission or court hearings necessary for the
11 administration of this subchapter. Professional supervisory or craft personnel may
12 maintain membership in professional or craft organizations; however, as members
13 of such organizations they shall be prohibited from those activities related to
14 collective bargaining in which the organizations may engage.

15 **History:** 1971 c. 270; 1973 c. 212; 1983 a. 160; 1985 a. 42; 1989 a. 13, 31; 1991 a. 289; 1993 a. 492; 1995 a. 27; 2001 a. 16; 2009 a. 28, 289.

15 **SECTION 59.** 111.84 (1) (d) of the statutes is amended to read:

16 111.84 (1) (d) To refuse to bargain collectively on matters set forth in s. 111.91
17 (1) or (3), whichever is appropriate, with a representative of a majority of its
18 employees in an appropriate collective bargaining unit. Where the employer has a
19 good faith doubt as to whether a labor organization claiming the support of a majority
20 of its employees in appropriate collective bargaining unit does in fact have that
21 support, it may file with the commission a petition requesting an election as to that
22 claim. It is not deemed to have refused to bargain until an election has been held and
23 the results thereof certified to it by the commission. A violation of this paragraph

1 includes, but is not limited to, the refusal to execute a collective bargaining
2 agreement previously orally agreed upon.

3 **History:** 1971 c. 270; 1973 c. 212; 1983 a. 160; 1985 a. 42; 1989 a. 13, 31; 1991 a. 289; 1993 a. 492; 1995 a. 27; 2001 a. 16; 2009 a. 28, 289.

3 **SECTION 60.** 111.84 (1) (f) of the statutes is amended to read:

4 111.84 (1) (f) To deduct labor organization dues from an employee's earnings,
5 ~~unless the employer has been presented with an individual order therefor, signed by~~
6 ~~the employee personally, and terminable by at least the end of any year of its life or~~
7 ~~earlier by the employee giving at least 30 but not more than 120 days' written notice~~
8 ~~of such termination to the employer and to the representative labor organization,~~
9 ~~except if there is a fair-share or maintenance of membership agreement in effect.~~
10 The employer shall give notice to the labor organization of receipt of such notice of
11 termination.

12 **SECTION 61.** 111.84 (2) (c) of the statutes is amended to read:

13 111.84 (2) (c) To refuse to bargain collectively on matters set forth in s. 111.91
14 (1) or (3), whichever is appropriate, with the duly authorized officer or agent of the
15 employer which is the recognized or certified exclusive collective bargaining
16 representative of employees specified in s. 111.81 (7) (a) in an appropriate collective
17 bargaining unit or with the certified exclusive collective bargaining representative
18 of employees specified in s. 111.81 (7) (b) to ~~(g)~~ (f) in an appropriate collective
19 bargaining unit. Such refusal to bargain shall include, but not be limited to, the
20 refusal to execute a collective bargaining agreement previously orally agreed upon.

21 **SECTION 62.** 111.84 (3) of the statutes is amended to read:

22 111.84 (3) It is an unfair labor practice for any person to do or cause to be done
23 on behalf of or in the interest of employers or employees, or in connection with or to

1 influence the outcome of any controversy as to employment relations, any act
2 prohibited by ~~subs.~~ sub. (1) ~~and or~~ (2).

3 **History:** 1971 c. 270; 1973 c. 212; 1983 a. 160; 1985 a. 42; 1989 a. 3, 31; 1991 a. 289; 1993 a. 492; 1995 a. 27; 2001 a. 16; 2009 a. 28, 289.

3 **SECTION 63.** 111.85 (1) (c) of the statutes is amended to read:

4 111.85 (1) (c) If a fair-share or maintenance of membership agreement is
5 authorized in a referendum, the employer shall enter into such an agreement with
6 the labor organization named on the ballot in the referendum. ~~Each fair-share or~~
7 ~~maintenance of membership agreement shall contain a provision requiring the~~
8 ~~employer to deduct the amount of dues as certified by the labor organization from the~~
9 ~~earnings of the employees or supervisors affected by the agreement and to pay the~~
10 ~~amount so deducted to the labor organization.~~ Unless the parties agree to an earlier
11 date, the agreement shall take effect 60 days after certification by the commission
12 that the referendum vote authorized the agreement. ~~The employer shall be held~~
13 ~~harmless against any claims, demands, suits and other forms of liability made by~~
14 ~~employees or supervisors or local labor organizations which may arise for actions~~
15 ~~taken by the employer in compliance with this section.~~ All such lawful claims,
16 demands, suits and other forms of liability are the responsibility of the labor
17 organization entering into the agreement.

18 **SECTION 64.** 111.85 (1) (d) of the statutes is amended to read:

19 111.85 (1) (d) Under each fair-share or maintenance of membership
20 agreement, an employee or supervisor who has religious convictions against dues
21 payments to a labor organization based on teachings or tenets of a church or religious
22 body of which he or she is a member shall, on request to the labor organization, have
23 pay his or her dues ~~paid~~ to a charity mutually agreed upon by the employee or

1 supervisor and the labor organization. Any dispute concerning this paragraph may
2 be submitted to the commission for adjudication.

3 **SECTION 65.** 111.85 (5) of the statutes is repealed.

4 **SECTION 66.** 111.90 (2) of the statutes is amended to read:

5 111.90 (2) Subject to s. 111.91 (1) (am), ~~manage~~ Manage the employees of a state
6 agency; hire, promote, transfer, assign or retain employees in positions within the
7 agency; and in that regard establish reasonable work rules.

8 History: 1971 c. 270; 1995 a. 27.

8 **SECTION 67.** 111.905 of the statutes is repealed.

9 **SECTION 68.** 111.91 (1) (a) of the statutes is amended to read:

10 111.91 (1) (a) Except as provided in pars. (b) to ~~(e)~~, ^(d) with regard to a collective
11 bargaining unit under s. 111.825 (1) (g), matters subject to collective bargaining to
12 the point of impasse are wage rates, consistent with sub. (2), the assignment and
13 reassignment of classifications to pay ranges, determination of an incumbent's pay
14 status resulting from position reallocation or reclassification, and pay adjustments
15 upon temporary assignment of classified employees protective occupation
16 participants to duties of a higher classification or downward reallocations of a
17 classified ~~employee's~~ protective occupation participant's position; fringe benefits
18 consistent with sub. (2); hours and conditions of employment.

History: 1971 c. 270; 1975 c. 39, 224; 1977 c. 196; 1979 c. 221; 1983 a. 27; 1985 a. 42; 1987 a. 27, 287, 331; 1989 a. 13, 31, 323; 1991 a. 269, 289; 1995 a. 27, 289; 1995 a. 302 s. 48; 1997 a. 27, 35, 155, 237; 1999 a. 9, 95, 115, 155; 2001 a. 16, 26; 2003 a. 33; 2007 a. 36; 2009 a. 14, 28, 56, 140, 218, 276, 346; s. 13.92 (1) (bm) 2., (2) (i).

****NOTE: I don't know if these factors apply to state troopers.

19 **SECTION 69.** 111.91 (1) (am) of the statutes is repealed.

20 **SECTION 70.** 111.91 (1) (b) of the statutes is amended to read:

21 111.91 (1) (b) The employer ~~shall not be~~ is not required to bargain with a
22 collective bargaining unit under s. 111.825 (1) (g) on management rights under s.
23 111.90, except that procedures for the adjustment or settlement of grievances or

1 disputes arising out of any type of disciplinary action referred to in s. 111.90 (3) shall
2 be a subject of bargaining.

History: 1971 c. 270; 1975 c. 39, 224; 1977 c. 196; 1979 c. 221; 1983 a. 27; 1985 a. 42; 1987 a. 27, 287, 331; 1989 a. 13, 31, 323; 1991 a. 269, 289; 1995 a. 27, 289; 1995 a. 302 s. 48; 1997 a. 27, 35, 155, 237; 1999 a. 9, 95, 115, 155; 2001 a. 16, 26; 2003 a. 33; 2007 a. 36; 2009 a. 14, 28, 56, 140, 218, 276, 346; s. 13.92 (1) (bm) 2., (2) (i).

3 **SECTION 71.** 111.91 (1) (c) of the statutes is amended to read:

4 111.91 (1) (c) The employer is prohibited from bargaining with a collective
5 bargaining unit under s. 111.825 (1) (g) on matters contained in sub. (2).

History: 1971 c. 270; 1975 c. 39, 224; 1977 c. 196; 1979 c. 221; 1983 a. 27; 1985 a. 42; 1987 a. 27, 287, 331; 1989 a. 13, 31, 323; 1991 a. 269, 289; 1995 a. 27, 289; 1995 a. 302 s. 48; 1997 a. 27, 35, 155, 237; 1999 a. 9, 95, 115, 155; 2001 a. 16, 26; 2003 a. 33; 2007 a. 36; 2009 a. 14, 28, 56, 140, 218, 276, 346; s. 13.92 (1) (bm) 2., (2) (i).

6 **SECTION 72.** 111.91 (1) (cg) of the statutes is repealed.

7 **SECTION 73.** 111.91 (1) (cm) of the statutes is amended to read:

8 111.91 (1) (cm) Except as provided in sub. (2) (g) and (h) and ss. 40.02 (22) (e)
9 and 40.23 (1) (f) 4., all laws governing the Wisconsin retirement system under ch. 40
10 and all actions of the employer that are authorized under any such law which apply
11 to nonrepresented individuals employed by the state shall apply to similarly situated
12 employees protective occupation participants, unless otherwise specifically provided
13 in a collective bargaining agreement that applies to ~~those employees~~ the protective
14 occupation participants.

History: 1971 c. 270; 1975 c. 39, 224; 1977 c. 196; 1979 c. 221; 1983 a. 27; 1985 a. 42; 1987 a. 27, 287, 331; 1989 a. 13, 31, 323; 1991 a. 269, 289; 1995 a. 27, 289; 1995 a. 302 s. 48; 1997 a. 27, 35, 155, 237; 1999 a. 9, 95, 115, 155; 2001 a. 16, 26; 2003 a. 33; 2007 a. 36; 2009 a. 14, 28, 56, 140, 218, 276, 346; s. 13.92 (1) (bm) 2., (2) (i).

15 **SECTION 74.** 111.91 (1) (d) of the statutes is amended to read:

16 111.91 (1) (d) Demands In the case of a collective bargaining unit under s.
17 111.825 (1) (g), demands relating to retirement and group insurance shall be
18 submitted to the employer at least one year prior to commencement of negotiations.

History: 1971 c. 270; 1975 c. 39, 224; 1977 c. 196; 1979 c. 221; 1983 a. 27; 1985 a. 42; 1987 a. 27, 287, 331; 1989 a. 13, 31, 323; 1991 a. 269, 289; 1995 a. 27, 289; 1995 a. 302 s. 48; 1997 a. 27, 35, 155, 237; 1999 a. 9, 95, 115, 155; 2001 a. 16, 26; 2003 a. 33; 2007 a. 36; 2009 a. 14, 28, 56, 140, 218, 276, 346; s. 13.92 (1) (bm) 2., (2) (i).

19 **SECTION 75.** 111.91 (1) (e) of the statutes is repealed.

****NOTE: Please review this repeal. I didn't think this factor could apply to state troopers, but I could be wrong.

20 **SECTION 76.** 111.91 (2) (intro.) of the statutes is amended to read:

1 111.91 (2) (intro.) The employer is prohibited from bargaining ~~on~~ with a
2 collective bargaining unit under s. 111.825 (1) (g) with respect to all of the following:

History: 1971 c. 270; 1975 c. 39, 224; 1977 c. 196; 1979 c. 221; 1983 a. 27; 1985 a. 42; 1987 a. 27, 287, 331; 1989 a. 13, 31, 323; 1991 a. 269, 289; 1995 a. 27, 289; 1995 a. 302 s. 48; 1997 a. 27, 35, 155, 237; 1999 a. 9, 95, 115, 155; 2001 a. 16, 26; 2003 a. 33; 2007 a. 36; 2009 a. 14, 28, 56, 140, 218, 276, 346; s. 13.92 (1) (bm) 2., (2) (i).

3 SECTION 77. 111.91 (2) (gu) of the statutes is repealed.

4 SECTION 78. 111.91 (2c) of the statutes is repealed.

5 SECTION 79. 111.91 (3) of the statutes is created to read:

6 111.91 (3) The employer is prohibited from bargaining with a collective
7 bargaining unit containing a general employee with respect to any of the following:

8 (a) 1. Any factor or condition of employment except wages, which is limited for
9 general employees to include only pay rate and to exclude overtime or supplemental
10 compensation; pay schedules; and automatic pay progressions.

****NOTE: Please review this provision. I wasn't sure in your sentence whether "pay schedule and progression" followed "pay rate and" and were permitted subjects or "pay schedule and progression" followed "excluding" and thus were prohibited subjects.

11 (b) 2. Except as provided in xx.xx, any proposal that provides for a wage
12 expenditure per employee in the contract that exceeds the wage expenditure per
13 employee in the previous contract by more than the consumer price index change.

****NOTE: This cross-reference xx.xx will be the referendum provision. It will involve other people so I will do it later.

14 SECTION 80. 111.91 (3q) of the statutes is created to read:

15 111.91 (3q) For purposes ^{of} determining compliance with sub. (3), the commission
16 shall provide, upon request, to the employer or to any representative of a collective
17 bargaining unit containing a general employee, the consumer price index change
18 during any 12-month period. The commission may get the information from the
19 department of revenue.

****NOTE: The provision requiring DOR to provide this information will appear in the next version under s. 73.03.

20 SECTION 81. 111.92 (1) (a) of the statutes is amended to read:

SECTION 81

1 111.92 (1) (a) Any tentative agreement reached between the office, ~~or, as~~
2 ~~provided in s. 111.815 (1), the department of health services, acting for the state,~~ and
3 any labor organization representing a collective bargaining unit specified in s.
4 111.825 (1); or (2) (a) to (e), ~~or (2g)~~ shall, after official ratification by the labor
5 organization, be submitted by the office ~~or department of health services~~ to the joint
6 committee on employment relations, which shall hold a public hearing before
7 determining its approval or disapproval. If the committee approves the tentative
8 agreement, it shall introduce in a bill or companion bills, to be put on the calendar
9 or referred to the appropriate scheduling committee of each house, that portion of the
10 tentative agreement which requires legislative action for implementation, such as
11 salary and wage adjustments, changes in fringe benefits, and any proposed
12 amendments, deletions or additions to existing law. Such bill or companion bills are
13 not subject to ss. 13.093 (1), 13.50 (6) (a) and (b) and 16.47 (2). The committee may,
14 however, submit suitable portions of the tentative agreement to appropriate
15 legislative committees for advisory recommendations on the proposed terms. The
16 committee shall accompany the introduction of such proposed legislation with a
17 message that informs the legislature of the committee's concurrence with the
18 matters under consideration and which recommends the passage of such legislation
19 without change. If the joint committee on employment relations does not approve
20 the tentative agreement, it shall be returned to the parties for renegotiation. If the
21 legislature does not adopt without change that portion of the tentative agreement
22 introduced by the joint committee on employment relations, the tentative agreement
23 shall be returned to the parties for renegotiation.

24 **SECTION 82.** 111.92 (1) (b) ^x of the statutes is repealed.

25 **SECTION 83.** 111.92 (2m) [↓] of the statutes is repealed.

1 **SECTION 84.** 111.92 (3) of the statutes is renumbered 111.92 (3) (a) and amended
2 to read:

3 111.92 (3) (a) Agreements covering a collective bargaining unit specified under
4 s. 111.825 (1) (g) shall coincide with the fiscal year or biennium.

5 **History:** 1971 c. 270; 1977 c. 196 s. 130 (9); 1981 c. 20 s. 2202 (33) (b); 1981 c. 126, 391; 1985 a. 42 s. 29; 1989 a. 336; 1995 a. 27; 2001 a. 16; 2003 a. 33; 2009 a. 28.

6 **SECTION 85.** 111.92 (3) (b) of the statutes is created to read:

7 111.92 (3) (b) No agreements covering a collective bargaining unit containing
8 a general employee may be for a period that exceeds one year, and each agreement
9 must coincide with the fiscal year. Agreements may not be extended.

10 **SECTION 86.** 111.92 (6) of the statutes is created to read:

11 111.92 (6) Each collective bargaining agreement covering general employees
12 must contain a provision allowing the contract to be terminated under s. 111.83 (3)
13 (b).

14 **SECTION 87.** 111.93 (2) of the statutes is renumbered 111.93 (2) (a) and amended
15 to read:

16 111.93 (2) (a) All civil service and other applicable statutes concerning wages,
17 fringe benefits, hours and conditions of employment apply to employees specified in
18 ~~s. 111.81 (7) (a) who are not included in collective bargaining units for which a~~
19 ~~representative is recognized or certified and to employees specified in s. 111.81 (7)~~
20 ~~(b) to (f) protective occupation participants~~ who are not included in a collective
21 bargaining unit for which a representative is recognized or certified.

22 **SECTION 88.** 111.93 (2) (b) of the statutes is created to read:

23 111.93 (2) (b) 1. All civil service and other applicable statutes concerning wages
24 apply to general employees who are not included in a collective bargaining units for
which a representative is recognized or certified.

1 2. All civil service and other applicable statutes concerning fringe benefits,
2 hours, and conditions of employment apply to general employees without regard to
3 their inclusion in a collective bargaining unit.

History: 1971 c. 270, 336; 1977 c. 196 s. 131; 1981 c. 187; 1983 a. 46, 409; 1985 a. 42; 1989 a. 13, 31; 1999 a. 101, 125; 2001 a. 16, 38.

SECTION 89. 118.40 (2r) (b) 3. a. of the statutes is amended to read:

118.40 (2r) (b) 3. a. Delegate to the governing board of the charter school the
board of regents' authority to establish and adjust all compensation and fringe
benefits of instructional staff, subject to the terms of any collective bargaining
agreement under subch. V of ch. 111 that covers the instructional staff. In the
absence of a collective bargaining agreement, the governing board may establish and
adjust all compensation and fringe benefits of the instructional staff only with the
approval of the chancellor of the University of Wisconsin-Parkside.

History: 1993 a. 16, 490; 1995 a. 27 ss. 3983m to 3992m, 9145 (1); 1997 a. 27, 238, 252; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16, 105; 2003 a. 33, 156; 2005 a. 25, 111, 346; 2007 a. 222; 2009 a. 28, 61, 276.

SECTION 90. 118.40 (2r) (b) 3. am. of the statutes is created to read:

118.40 (2r) (b) 3. am. Delegate to the governing board of the charter school the
board of regents' authority to establish and adjust all fringe benefits of instruction
staff with the approval of the chancellor of the University of Wisconsin-Parkside.

SECTION 91. 120.18 (1) (gm) of the statutes is amended to read:

120.18 (1) (gm) Payroll and related benefit costs for all school district
employees in the previous school year. ~~Costs~~ Payroll costs for represented employees
shall be based upon the costs of any collective bargaining agreements covering such
employees for the previous school year. If, as of the time specified by the department
for filing the report, the school district has not entered into a collective bargaining
agreement for any portion of the previous school year with the recognized or certified
representative of any of its employees and the school district and the representative
have been required to submit final offers under s. 111.70 (4) (em) 6., increased costs

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INS
32-4A
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32-4B
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1 limited to the lower of the school district's offer or the representative's offer shall be
 2 reflected in the report shall be equal to the consumer price index change, as defined
 3 in s. 111.70 (1) (cm). The school district shall amend the annual report to reflect any
 4 change in such costs as a result of any ~~award or settlement under s. 111.70 (4) (cm)~~
 5 ~~6. collective bargaining agreement entered into~~ between the date of filing the report
 6 and October 1. Any such amendment shall be concurred in by the certified public
 7 accountant licensed or certified under ch. 442 certifying the school district audit.

8 History: 1975 c. 189, 224; 1989 a. 31; 1993 a. 16; 1995 a. 27 s. 9145 (1); 1997 a. 27, 87; 2001 a. 16; 2003 a. 33; 2005 a. 252; 2009 a. 302.

SECTION 92. 230.315 (1) (c) of the statutes is amended to read:

9 230.315 (1) (c) The employee has received a military leave of absence under s.
 10 230.32 (3) (a) or 230.35 (3), under a collective bargaining agreement under subch. V
 11 of ch. 111, 2009 stats., or under rules promulgated by the office of employment
 12 relations or is eligible for reemployment with the state under s. 321.64 after
 13 completion of his or her service in the U.S. armed forces.

14 History: 2003 a. 162; 2005 a. 22, 469; 2007 a. 200.

SECTION 93. 230.315 (3) (a) of the statutes is amended to read:

15 230.315 (3) (a) Except as provided in par. (b), beginning on the day in which
 16 a state employee is activated to serve on military duty in the U.S. armed forces or to
 17 serve in the U.S. public health service, the employee shall receive the pay and
 18 benefits authorized under sub. (1) or (2) for a period of not more than 179 days. If
 19 a state employee is eligible to receive pay and benefits for military service under s.
 20 230.35 (3) (a) or a collective bargaining agreement under subch. V of ch. 111, 2009
 21 stats., the state employee shall become eligible to receive the pay and benefits
 22 authorized under sub. (1) or (2) only after receiving the pay and benefits for military

Handwritten notes in the left margin:
 INS 33-8A ✓
 INS 33-8B ✓
 INS 33-8C ✓
 INS 33-8D ✓

1 service under s. 230.35 (3) (a) or a collective bargaining agreement under subch. V
of ch. 111, 2009 stats.

History: 2003 a. 162; 2005 a. 22, 469; 2007 s. 200.

SECTION 9155. Nonstatutory provisions; Other.

(1) TERMINATION OF STATE EMPLOYEE AND UW SYSTEM EMPLOYEE CONTRACTS. State employees who are covered by a collective bargaining agreement under subchapter V or VI of the statutes that expired on June 30, 2009, but which has been extended shall be given notice that the contracts will terminate as soon as legally possible following the effective date of this subsection.

****NOTE: I do not know the procedure for terminating a collective bargaining agreement, including one that has been extended. I don't think we can require notice to be given on an introduction date because a bill cannot require action. Can't OSEK give notice without this provision?

SECTION 9332. Initial applicability; Local Government.

(1) COLLECTIVE BARGAINING; MUNICIPAL EMPLOYEES. For municipal employees who are covered by a collective bargaining agreement under subchapter IV of chapter 111 of the statutes that expires on or after the effective date of this subsection, the treatment of sections 19.356 (2) (b), 19.36 (10) (intro.), 20.425 (1) (i), 40.21 (3m), 46.2895 (8) (a) 1., 49.825 (3) (a) and (b) 4., 49.826 (3) (a) and (b) 4., 59.58 (4) (b) and (c), 66.1039 (6) (b), 111.70 (1) (a), (b), (d), (i), (j), (L), (n), (ne), and (nm), (2), (3) (a) 4. and 7. and (b) 6., (3m), (3p), (4) (c) (title), 3. (intro.), and 4., (cm), (d) 2. a., (L), (m), (mc) 4., (n), and (o), (7) (a) and (b), (7m), and (8) (a), 111.71 (2), (4), and (5), 111.77 (intro.) and (9), 117.25 (1) (d) 1., 2., and 3. and (3), 118.22 (4), 118.23 (5), 118.24 (9) (intro.), (a), and (b), 118.40 (2r) (b) 3. a. and b., (7) (ar), and (8) (a) (intro.), 118.42 (3) (a) 4. and (5), 120.12 (15) and (24), 120.13 (35) (b) 2., 120.18 (1) (gm), 120.25 (2) (a) and (6), 229.26 (10), 229.47, 251.01 (7m), 251.02 (1m) (intro.) and (1r), 851.71 (4), and 904.085 (2) (a) of the statutes first applies when the collective bargaining agreement expires.

SECTION 9355. Initial applicability; Other.

1 NS 34-32A
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4 NS 34-28B
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6 NS 34-37C
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10 NS 34-9
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1 (1) COLLECTIVE BARGAINING; STATE EMPLOYEES, UNIVERSITY OF WISCONSIN
2 EMPLOYEES, AND EMPLOYEES OF AUTHORITIES.

3 (a) For employees who are covered by a collective bargaining agreement under
4 subchapter V of chapter 111 of the statutes that expired on June 30, 2009, but which
5 has been extended, the treatment of sections 7.33 (4), 13.111 (2), 13.92 (3) (b), 13.94
6 (5), 15.07 (1) (a) 6., 15.96 (1) (h) and (2), 16.006, 16.40 (18), 16.50 (3) (e), 16.705 (3)
7 (c), 19.82 (1), 19.85 (3), 19.86, 20.425 (1) (a) and (i), 20.545 (1) (k) and (km), 20.865
8 (1) (c), (ci), (cj), (cm), (i), (ic), (im), (s), (si), and (sm), 20.917 (3) (b), 20.921 (1) (a) 2. and
9 (b), 20.923 (6) (intro.), 20.928 (1) and (3), 25.16 (7), 25.165 (1), 36.09 (1) (j), 36.25 (13g)
10 (c) 1. and 2., 40.02 (25) (b) 8., 40.05 (1) (b), (4) (ag) (intro.), (ar), (b), and (bw), (4g) (a)
11 4., (5) (intro.) and (b) 4., and (6) (a), 40.23 (1) (f) 4., 40.62 (2), 40.80 (3), 40.81 (3), 40.95
12 (1) (a) (intro.), 1., 2., and 3., 111.02 (1), (2), (3), (6) (am), (7) (a) (intro.), 1., 2., 3., and
13 4. and (b) 1., (7m), (9m) (intro.), (a), and (b), and (10m), 111.05 (2), (3g), (5), (6), and
14 (7), 111.06 (1) (c) 1., (d), (i), and (m) and (2) (i), 111.075, 111.115 (title), (1) (intro.), (a),
15 and (b), and (2), 111.17 (intro.), (1), and (2), 118.40 (2r) (b) 3. a., 146.59 (3) (a) and (b),
16 230.01 (3), 230.03 (7), 230.04 (4), 230.046 (10) (a), 230.10 (1) and (2), 230.12 (1) (bf)
17 and (g) and (3) (ad) and (e) 1., 230.28 (1) (a), 230.315 (1) (c) and (3) (a), 230.337, 230.34
18 (1) (ar), 230.35 (1s), (2d) (e), and (3) (e) 6., 230.81 (1) (intro.) and (3), 230.88 (2) (b),
19 233.02 (1) (h) and (8), 233.03 (7), 233.04 (2) and (4r), 233.10 (1), (2) (intro.), (3) (a)
20 (intro.), (b), (c) (intro.), and (d), and (3m), 904.085 (2) (a), and 978.12 (1) (c) first
21 applies on the date on which the collective bargaining agreement is terminated or
22 on the effective date of this subsection, whichever occurs later.

23 (b) For employees who are covered by a collective bargaining agreement under
24 subchapter I or VI of chapter 111 of the statutes, the treatment of sections 7.33 (4),
25 13.111 (2), 16.50 (3) (e), 16.705 (3) (c), 19.82 (1), 19.85 (3), 19.86, 20.425 (1) (a) and

1 (i), 20.545 (1) (k) and (km), 20.865 (1) (ci), (cm), (ic), (im), (si), and (sm), 20.917 (3) (b),
2 20.923 (6) (intro.), 20.928 (1), 36.09 (1) (j), 40.02 (25) (b) 8., 40.05 (1) (b), (4) (ag)
3 (intro.), (ar), (b), and (bw), (4g) (a) 4., (5) (intro.) and (b) 4., and (6) (a), 40.62 (2), 40.80
4 (3), 40.81 (3), 40.95 (1) (a) 2., 230.01 (3), 230.046 (10) (a), 230.12 (3) (e) 1., 230.35 (2d)
5 (e) and (3) (e) 6., and 230.88 (2) (b) and subchapter VI of chapter 111 of the statutes
6 first applies when the collective bargaining agreement expires or is extended,
7 modified, or renewed, whichever occurs first.

8 (END)