

1 SECTION 133. 111.70 (3p) of the statutes is repealed.

2 SECTION 134. 111.70 (4) (intro.) of the statutes is amended to read:

3 111.70 (4) POWERS OF THE COMMISSION. (intro.) The commission shall conduct  
4 any election under this subsection by secret ballot and shall be governed by adhere  
5 to the following provisions relating to bargaining in municipal employment in  
6 addition to other powers and duties provided in this subchapter:

7 SECTION 135. 111.70 (4) (am) of the statutes is created to read:

8 111.70 (4) (am) *Mandatory provision for general municipal employees.* The  
9 commission shall ensure that each collective bargaining agreement covering general  
10 municipal employees contains a provision allowing the contract to be terminated  
11 under par. (d) 3. b.

12 SECTION 136. 111.70 (4) (c) (title) of the statutes is amended to read:

13 111.70 (4) (c) (title) *Methods for peaceful settlement of disputes; law enforcement*  
14 *and fire fighting personnel* <sup>① → public safety employees</sup> ~~protective occupation participants.~~

15 SECTION 137. 111.70 (4) (c) 1. of the statutes is amended to read:

16 111.70 (4) (c) 1. 'Mediation.' The commission may function as a mediator in  
17 labor disputes involving a collective bargaining unit containing a <sup>public safety</sup> ~~protective~~  
18 ~~occupation participant~~ <sup>employee</sup>. Such mediation may be carried on by a person designated  
19 to act by the commission upon request of one or both of the parties or upon initiation  
20 of the commission. The function of the mediator shall be to encourage voluntary  
21 settlement by the parties but no mediator shall have the power of compulsion.

22 SECTION 138. 111.70 (4) (c) 2. of the statutes is amended to read:

23 111.70 (4) (c) 2. 'Arbitration.' a. Parties to a dispute pertaining to the meaning  
24 or application of the terms of a written collective bargaining agreement involving a  
25 collective bargaining unit containing a <sup>public safety employee</sup> ~~protective occupation participant~~ may agree

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1 in writing to have the commission or any other appropriate agency serve as  
2 arbitrator or may designate any other competent, impartial and disinterested person  
3 to so serve.

4 b. A collective bargaining agreement involving a collective bargaining unit  
5 containing a ~~protective occupation participant~~ <sup>public safety employee</sup> may, notwithstanding s. 62.13 (5),  
6 contain dispute resolution procedures, including arbitration, that address the  
7 suspension, reduction in rank, suspension and reduction in rank, or removal of such  
8 personnel. If the procedures include arbitration, the arbitration hearing shall be  
9 public and the decision of the arbitrator shall be issued within 180 days of the  
10 conclusion of the hearing.

11 **SECTION 139.** 111.70 (4) (c) 3. of the statutes is amended to read:

12 111.70 (4) (c) 3. 'Fact-finding.' If ~~Unless s. 111.77 applies, if a dispute involving~~  
13 a collective bargaining unit containing a ~~protective occupation participant~~ <sup>public safety employee</sup> has not  
14 been settled after a reasonable period of negotiation and after the settlement  
15 procedures, if any, established by the parties have been exhausted, and the parties  
16 are deadlocked with respect to any dispute between them arising in the collective  
17 bargaining process, either party, or the parties jointly, may petition the commission,  
18 in writing, to initiate fact-finding, ~~as provided hereafter,~~ and to make  
19 recommendations to resolve the deadlock, as follows:

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

1           b. The fact finder appointed under subd. 3. a. may establish dates and place of  
2 hearings which shall be where feasible, and shall conduct the hearings pursuant to  
3 rules established by the commission. Upon request, the commission shall issue  
4 subpoenas for hearings conducted by the fact finder. The fact finder may administer  
5 oaths. Upon completion of the hearing, the fact finder shall make written findings  
6 of fact and recommendations for solution of the dispute and shall cause the same to  
7 be served on the parties and the commission. Cost of fact-finding proceedings shall  
8 be divided equally between the parties. At the time the fact finder submits a  
9 statement of his or her costs to the parties, the fact finder shall submit a copy thereof  
10 of the statement to the commission at its Madison office.

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

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

20           **SECTION 140.** 111.70 (4) (c) 4. of the statutes is repealed.

21           **SECTION 141.** 111.70 (4) (cm) (title), 1., 2., 3. and 4. of the statutes are amended  
22 to read:

23           111.70 (4) (cm) (title) *Methods for peaceful settlement of disputes; other*  
24 *personnel general municipal employees.* 1. 'Notice of commencement of contract  
25 negotiations.' For the purpose of advising the commission of the commencement of

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1 contract negotiations involving a collective bargaining unit containing general  
2 municipal employees, whenever either party requests the other to reopen  
3 negotiations under a binding collective bargaining agreement, or the parties  
4 otherwise commence negotiations if no such agreement exists, the party requesting  
5 negotiations shall immediately notify the commission in writing. Upon failure of the  
6 requesting party to provide such notice, the other party may so notify the  
7 commission. The notice shall specify the expiration date of the existing collective  
8 bargaining agreement, if any, and shall set forth any additional information the  
9 commission may require on a form provided by the commission.

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

18 3. 'Mediation.' The commission or its designee shall function as mediator in  
19 labor disputes involving general municipal employees upon request of one or both of  
20 the parties, or upon initiation of the commission. The function of the mediator shall  
21 be to encourage voluntary settlement by the parties. No mediator has the power of  
22 compulsion.

23 4. 'Grievance arbitration.' Parties to a dispute pertaining to the meaning or  
24 application of the terms of a written collective bargaining agreement involving a  
25 collective bargaining unit containing a general municipal employee may agree in

1 writing to have the commission or any other appropriate agency serve as arbitrator  
2 or may designate any other competent, impartial and disinterested person to so  
3 serve.

4 **SECTION 142.** 111.70 (4) (cm) 5., 6., 7., 7g., 7r. and 8. of the statutes are repealed.

5 **SECTION 143.** 111.70 (4) (cm) 8m. of the statutes is amended to read:

6 111.70 (4) (cm) 8m. 'Term of agreement; reopening of negotiations.' Except for  
7 the initial collective bargaining agreement between the parties and except as the  
8 parties otherwise agree, every collective bargaining agreement covering general  
9 municipal employees ~~subject to this paragraph~~ shall be for a term of 2 years, but in  
10 ~~no case may a collective bargaining agreement for any collective bargaining unit~~  
11 ~~consisting of municipal employees subject to this paragraph other than school~~  
12 ~~district employees be for a term exceeding 3 years nor may a collective bargaining~~  
13 ~~agreement for any collective bargaining unit consisting of school district employees~~  
14 ~~subject to this paragraph be for a term exceeding 4 years~~ one year and may not be  
15 extended. No arbitration award may contain a provision for reopening of  
16 negotiations during the term of a collective bargaining agreement, covering general  
17 municipal employees may be reopened for negotiations unless both parties agree to  
18 ~~such a provision~~ reopen the collective bargaining agreement. The requirement for  
19 agreement by both parties does not apply to a provision for reopening of negotiations  
20 with respect to any portion of an agreement that is declared invalid by a court or  
21 administrative agency or rendered invalid by the enactment of a law or promulgation  
22 of a federal regulation.

23 **SECTION 144.** 111.70 (4) (cm) 9. of the statutes is repealed.

24 **SECTION 145.** 111.70 (4) (d) 2. a. of the statutes is amended to read:

1           111.70 (4) (d) 2. a. The commission shall determine the appropriate collective  
2 bargaining unit for the purpose of collective bargaining and shall whenever possible,  
3 ~~unless otherwise required under this subchapter,~~ avoid fragmentation by  
4 maintaining as few collective bargaining units as practicable in keeping with the size  
5 of the total municipal workforce. ~~In making such a determination, the~~ The  
6 commission may decide whether, in a particular case, the municipal employees in the  
7 same or several departments, divisions, institutions, crafts, professions, or other  
8 occupational groupings constitute a collective bargaining unit. Before making its  
9 determination, the commission may provide an opportunity for the municipal  
10 employees concerned to determine, by secret ballot, whether they desire to be  
11 established as a separate collective bargaining unit. The commission ~~shall~~ may not  
12 decide, however, that any group of municipal employees constitutes an appropriate  
13 collective bargaining unit if the group includes both professional employees and  
14 nonprofessional employees, unless a majority of the professional employees vote for  
15 inclusion in the unit. The commission may not decide that any group of municipal  
16 employees constitutes an appropriate collective bargaining unit if the group includes  
17 both school district employees and general municipal employees who are not school  
18 district employees. The commission may not decide that any group of municipal  
19 employees constitutes an appropriate collective bargaining unit if the group includes  
20 both <sup>public safety employees</sup> ~~protective occupation participants~~ and general municipal employees. The  
21 commission ~~shall~~ may not decide that any group of municipal employees constitutes  
22 an appropriate collective bargaining unit if the group includes both craft employees  
23 and noncraft employees unless a majority of the craft employees vote for inclusion  
24 in the unit. The commission shall place the professional employees who are assigned  
25 to perform any services at a charter school, as defined in s. 115.001 (1), in a separate

1 collective bargaining unit from a unit that includes any other professional employees  
2 whenever at least 30% of those professional employees request an election to be held  
3 to determine that issue and a majority of the professional employees at the charter  
4 school who cast votes in the election decide to be represented in a separate collective  
5 bargaining unit. Upon the expiration of any collective bargaining agreement in  
6 force, the commission shall combine into a single collective bargaining unit 2 or more  
7 collective bargaining units consisting of school district employees if a majority of the  
8 employees voting in each collective bargaining unit vote to combine. ~~Any vote taken~~  
9 ~~under this subsection shall be by secret ballot.~~

10 **SECTION 146.** 111.70 (4) (d) 3. of the statutes is amended to read:

11 111.70 (4) (d) 3. a. Whenever, in a particular case, a question arises concerning  
12 representation or appropriate unit, calling for a vote, the commission shall certify the  
13 results in writing to the municipal employer and the labor organization involved and  
14 to any other interested parties.

15 c. Any ballot used in a representation proceeding under this subdivision shall  
16 include the names of all persons having an interest in representing or the results.  
17 The ballot should be so designed as to permit a vote against representation by any  
18 candidate named on the ballot. The findings of the commission, on which a  
19 certification is based, shall be conclusive unless reviewed as provided by s. 111.07 (8).

20 **SECTION 147.** 111.70 (4) (d) 3. b. of the statutes is created to read:

21 111.70 (4) (d) 3. b. Annually, the commission shall conduct an election to certify  
22 the representative of the collective bargaining unit that contains a general municipal  
23 employee. The election shall occur no later than December 1 for a collective  
24 bargaining unit containing school district employees and no later than May 1 for a  
25 collective bargaining unit containing general municipal employees who are not

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1 school district employees. The commission shall certify any representative that  
2 receives at least 51 percent of the votes of all of the general municipal employees in  
3 the collective bargaining unit. If no representative receives at least 51 percent of the  
4 votes of all of the general municipal employees in the collective bargaining unit, the  
5 commission shall decertify the current representative and terminate the contract  
6 and the general municipal employees shall be nonrepresented. Notwithstanding  
7 sub. (2), if a contract is terminated under this subd. 3. b., the affected general  
8 municipal employees may not be included in a substantially similar collective  
9 bargaining unit for 12 months from the date the contract is terminated. The  
10 commission shall assess and collect a certification fee for each election conducted  
11 under this subd. 3. b. Fees collected under this subd. 3. b. shall be credited to the  
12 appropriation account under s. 20.425 (1) (i).

13 **SECTION 148.** 111.70 (4) (L) of the statutes is amended to read:

14 111.70 (4) (L) *Strikes prohibited.* ~~Except as authorized under par. (cm) 5. and~~  
15 ~~6. c., nothing~~ Nothing contained in this subchapter constitutes a grant of the right  
16 to strike by any municipal employee or labor organization, and such strikes are  
17 hereby expressly prohibited. ~~Paragraph (cm) does not authorize any strike after an~~  
18 ~~injunction has been issued against such strike under sub. (7m).~~

19 **SECTION 149.** 111.70 (4) (m) of the statutes is repealed.

20 **SECTION 150.** 111.70 (4) (mb) of the statutes is created to read:

21 111.70 (4) (mb) *Prohibited subjects of bargaining; general municipal employees.*  
22 The municipal employer is prohibited from bargaining collectively with a collective  
23 bargaining unit containing a general municipal employee with respect to any of the  
24 following:



1           1. Any factor or condition of employment except wages, which is limited for  
2 general municipal employees to include only base wages and to exclude overtime or  
3 supplemental compensation, pay schedules, and automatic pay progressions.

4           2. Except as provided in s. 66.0506 or 118.245, whichever is applicable, any  
5 proposal that <sup>does any of the following</sup> (a) <sup>If the consumer price index change is positive,</sup>  
6 provides for a wage expenditure per employee in the contract that,  
7 after adjustment for pay schedules and automatic pay progressions, exceeds the  
8 wage expenditure per employee in the previous contract by a greater percentage  
9 than the consumer price index change.

10           **SECTION 151.** 111.70 (4) (mc) (intro.) of the statutes is amended to read:

11           111.70 (4) (mc) *Prohibited subjects of bargaining:* ~~protective occupation~~ <sup>(I) → public safety employees</sup>

12 *participants.* (intro.) The municipal employer is prohibited from bargaining  
13 collectively with a collective bargaining unit containing a ~~protective occupation~~ <sup>public safety employee</sup>  
~~participant~~ with respect to any of the following:

14           **SECTION 152.** 111.70 (4) (mc) 4. of the statutes is repealed.

15           **SECTION 153.** 111.70 (4) (n) and (o) of the statutes are repealed.

16           **SECTION 154.** 111.70 (6) (title) of the statutes is renumbered 111.70 (1b) (title).

17           **SECTION 155.** 111.70 (6) of the statutes is renumbered 111.70 (1b) (a).

18           **SECTION 156.** 111.70 (7) of the statutes is repealed.

19           **SECTION 157.** 111.70 (7m) (b) of the statutes is repealed.

20           **SECTION 158.** 111.70 (7m) (c) 1. a. of the statutes is amended to read:

21           111.70 (7m) (c) 1. a. Any labor organization which violates sub. (4) (L) ~~shall be~~  
22 ~~penalized by the suspension of~~ may not collect any dues check-off under a collective  
23 bargaining agreement and or under a fair-share agreement between the from any  
24 municipal employer and such labor organization employee covered by either  
25 agreement for a period of one year. At the end of the period of suspension, any such

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1 agreement shall be reinstated unless the labor organization is no longer authorized  
2 to represent the municipal employees covered by ~~such dues check-off~~ the collective  
3 bargaining agreement or fair-share agreement or the agreement is no longer in  
4 effect.

5 **SECTION 159.** 111.70 (7m) (c) 3. of the statutes is repealed.

6 **SECTION 160.** 111.70 (7m) (e) and (f) of the statutes are repealed.

7 **SECTION 161.** 111.70 (8) (a) of the statutes is amended to read:

8 111.70 (8) (a) This section, except ~~subs. (1) (nm), sub. (4) (cm) and (7m)~~, applies  
9 to law enforcement supervisors employed by a 1st class city. This section, except  
10 ~~subs. (1) (nm), sub. (4) (cm) and (jm) and (7m)~~, applies to law enforcement supervisors  
11 employed by a county having a population of 500,000 or more. For purposes of such  
12 application, the ~~term~~ terms "municipal employee" includes and protective  
13 occupation participant include such a supervisor. <sup>✓ public safety</sup>  
<sub>employee</sub>

14 **SECTION 162.** 111.71 (2) of the statutes is amended to read:

15 111.71 (2) The commission shall assess and collect a filing fee for filing a  
16 complaint alleging that a prohibited practice has been committed under s. 111.70 (3).  
17 The commission shall assess and collect a filing fee for filing a request that the  
18 commission act as an arbitrator to resolve a dispute involving the interpretation or  
19 application of a collective bargaining agreement under s. 111.70 (4) (c) 2. or (cm) 4.  
20 The commission shall assess and collect a filing fee for filing a request that the  
21 commission initiate fact-finding under s. 111.70 (4) (c) 3. The commission shall  
22 assess and collect a filing fee for filing a request that the commission act as a  
23 mediator under s. 111.70 (4) (c) 1. or (cm) 3. The commission shall assess and collect  
24 a filing fee for filing a request that the commission initiate compulsory, final and  
25 binding arbitration under s. 111.70 (4) ~~(em) 6. or (jm)~~ or 111.77 (3). For the

1 performance of commission actions under ss. 111.70 (4) (c) 1., 2. and 3., (cm) 3., and  
2 4. ~~and 6.~~ and (jm) and 111.77 (3), the commission shall require that the parties to the  
3 dispute equally share in the payment of the fee and, for the performance of  
4 commission actions involving a complaint alleging that a prohibited practice has  
5 been committed under s. 111.70 (3), the commission shall require that the party filing  
6 the complaint pay the entire fee. If any party has paid a filing fee requesting the  
7 commission to act as a mediator for a labor dispute and the parties do not enter into  
8 a voluntary settlement of the dispute, the commission may not subsequently assess  
9 or collect a filing fee to initiate fact-finding or arbitration to resolve the same labor  
10 dispute. If any request for the performance of commission actions concerns issues  
11 arising as a result of more than one unrelated event or occurrence, each such  
12 separate event or occurrence shall be treated as a separate request. The commission  
13 shall promulgate rules establishing a schedule of filing fees to be paid under this  
14 subsection. Fees required to be paid under this subsection shall be paid at the time  
15 of filing the complaint or the request for fact-finding, mediation or arbitration. A  
16 complaint or request for fact-finding, mediation or arbitration is not filed until the  
17 date such fee or fees are paid, except that the failure of the respondent party to pay  
18 the filing fee for having the commission initiate compulsory, final and binding  
19 arbitration under s. 111.70 (4) ~~(cm) 6. or~~ (jm) or 111.77 (3) ~~shall~~ may not prohibit the  
20 commission from initiating such arbitration. The commission may initiate collection  
21 proceedings against the respondent party for the payment of the filing fee. Fees  
22 collected under this subsection shall be credited to the appropriation account under  
23 s. 20.425 (1) (i).

24 **SECTION 163.** 111.71 (4) of the statutes is repealed.

25 **SECTION 164.** 111.71 (5) of the statutes is repealed.

## SECTION 165

1 SECTION 165. 111.77 (intro.) of the statutes is amended to read:

2 111.77 Settlement of disputes in collective bargaining units composed  
3 of law enforcement personnel and fire fighters. (intro.) In fire departments  
4 and city and county law enforcement agencies municipal Municipal employers and  
5 employees ~~protective occupation participants~~ <sup>public safety employees</sup>, as provided in sub. (8), have the duty  
6 to bargain collectively in good faith including the duty to refrain from strikes or  
7 lockouts and to comply with the ~~procedures set forth below~~ following:

8 SECTION 166. 111.77 (8) (a) of the statutes is amended to read:

9 111.77 (8) (a) This section applies to law enforcement ~~protective occupation~~ <sup>public safety employees</sup>  
10 ~~participants~~ who are supervisors employed by a county having a population of  
11 500,000 or more. For purposes of such application, the term "municipal employee"  
12 includes such a supervisor.

13 SECTION 167. 111.81 (1) of the statutes is amended to read:

14 111.81 (1) "Collective bargaining" means the performance of the mutual  
15 obligation of the state as an employer, by its officers and agents, and the  
16 representatives of its employees, to meet and confer at reasonable times, in good  
17 faith, with respect to the subjects of bargaining provided in s. 111.91 (1), with respect  
18 to ~~protective occupation participants~~ <sup>public safety employees</sup>, and to the subjects of bargaining provided in  
19 s. 111.91 (3), with respect to general employees, with the intention of reaching an  
20 agreement, or to resolve questions arising under such an agreement. The duty to  
21 bargain, however, does not compel either party to agree to a proposal or require the  
22 making of a concession. Collective bargaining includes the reduction of any  
23 agreement reached to a written and signed document.

24 SECTION 168. 111.81 (3h) of the statutes is repealed.

25 SECTION 169. 111.81 (3n) of the statutes is created to read:

1           111.81 (3n) "Consumer price index change" means the average annual  
2 percentage change in the consumer price index for all urban consumers, U.S. city  
3 average, as determined by the federal department of labor, for the 12 months  
4 immediately preceding the current date.

5           **SECTION 170.** 111.81 (7) (g) of the statutes is repealed.

6           **SECTION 171.** 111.81 (9g) of the statutes is created to read:

7           111.81 (9g) "General employee" means an employee who is not a ~~protective~~<sup>public</sup>  
8 ~~occupational participant~~ safety employee

9           **SECTION 172.** 111.81 (9k) of the statutes is repealed.

10          **SECTION 173.** 111.81 (12m) of the statutes is renumbered 111.81 (12m) (intro.)  
11 and amended to read:

12          111.81 (12m) (intro.) "Maintenance of membership agreement" means an  
13 agreement between the employer and a labor organization representing employees  
14 or supervisors specified in s. 111.825 (5) which requires that all one of the employees  
15 or supervisors following: public safety employees

16          (a) The ~~protective occupational participants~~ whose dues are being deducted from  
17 earnings under s. 20.921 (1) or 111.84 (1) (f) at the time the agreement takes effect  
18 shall continue to have dues deducted for the duration of the agreement, and that dues  
19 shall be deducted from the earnings of all ~~protective occupational participants~~ who are  
20 hired on or after the effective date of the agreement.

21          (b) The general employees or supervisors who are required to pay dues at the  
22 time the agreement takes effect shall continue to be required to pay dues for the  
23 duration of the agreement, and all general employees or supervisors who are hired  
24 on or after the effective date of the agreement shall be required to pay dues for the  
25 duration of the agreement.

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1           **SECTION 174.** 111.81 (15r) of the statutes is created to read:

2           111.81 (15r) "~~Protective occupation participant~~" means any individual under  
3 s. 40.02 (48) (am) 8. or 110.07 (2). *Public safety employee*

4           **SECTION 175.** 111.815 (1) of the statutes is amended to read:

5           111.815 (1) In the furtherance of this subchapter, the state shall be considered  
6 as a single employer and employment relations policies and practices throughout the  
7 state service shall be as consistent as practicable. The office shall negotiate and  
8 administer collective bargaining agreements ~~except that the department of health~~  
9 ~~services, subject to the approval of the federal centers for medicare and medicaid~~  
10 ~~services to use collective bargaining as the method of setting rates for~~  
11 ~~reimbursement of home care providers, shall negotiate and administer collective~~  
12 ~~bargaining agreements entered into with the collective bargaining unit specified in~~  
13 ~~s. 111.825 (2g). To coordinate the employer position in the negotiation of agreements,~~  
14 ~~the office, or the department of health services with regard to collective bargaining~~  
15 ~~agreements entered into with the collective bargaining unit specified in s. 111.825~~  
16 ~~(2g), shall maintain close liaison with the legislature relative to the negotiation of~~  
17 ~~agreements and the fiscal ramifications of those agreements. Except with respect~~  
18 ~~to the collective bargaining units specified in s. 111.825 (1m), (2) (f), and (2g), the~~  
19 ~~office is responsible for the employer functions of the executive branch under this~~  
20 ~~subchapter, and shall coordinate its collective bargaining activities with operating~~  
21 ~~state agencies on matters of agency concern. The legislative branch shall act upon~~  
22 ~~those portions of tentative agreements negotiated by the office that require~~  
23 ~~legislative action. With respect to the collective bargaining units specified in s.~~  
24 ~~111.825 (1m), the University of Wisconsin Hospitals and Clinics Board is responsible~~  
25 ~~for the employer functions under this subchapter. With respect to the collective~~

1 bargaining unit specified in s. 111.825 (2) (f), the governing board of the charter  
2 school established by contract under s. 118.40 (2r) (cm) is responsible for the  
3 employer functions under this subchapter. ~~With respect to the collective bargaining~~  
4 ~~unit specified in s. 111.825 (2g), the department of health services is responsible for~~  
5 ~~the employer functions of the executive branch under this subchapter.~~

6 **SECTION 176.** 111.815 (2) of the statutes is amended to read:

7 111.815 (2) In the furtherance of the policy under s. 111.80 (4), the director of  
8 the office shall, together with the appointing authorities or their representatives,  
9 represent the state in its responsibility as an employer under this subchapter except  
10 with respect to negotiations in the collective bargaining units specified in s. 111.825  
11 ~~(1m), (2) (f), and (2g)~~. The director of the office shall establish and maintain,  
12 wherever practicable, consistent employment relations policies and practices  
13 throughout the state service.

14 **SECTION 177.** 111.82 of the statutes is amended to read:

15 **111.82 Rights of employees.** Employees shall have the right of  
16 self-organization and the right to form, join, or assist labor organizations, to bargain  
17 collectively through representatives of their own choosing under this subchapter,  
18 and to engage in lawful, concerted activities for the purpose of collective bargaining  
19 or other mutual aid or protection. Employees shall also have the right to refrain from  
20 any or all of such activities. A general employee has the right to refrain from paying  
21 dues while remaining a member of a collective bargaining unit except that general  
22 employees may be required to pay dues if they are subject to a fair-share agreement.

23 **SECTION 178.** 111.825 (1) (intro.) of the statutes is amended to read:

24 111.825 (1) (intro.) It is the legislative intent that in order to foster meaningful  
25 collective bargaining, units must be structured in such a way as to avoid excessive

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1 fragmentation whenever possible. In accordance with this policy, collective  
2 bargaining units for employees in the classified service of the state, ~~except employees~~  
3 ~~in the collective bargaining units specified in sub. (1m)~~, are structured on a statewide  
4 basis with one collective bargaining unit for each of the following occupational  
5 groups:

6 **SECTION 179.** 111.825 (1) (g) of the statutes is created to read:

7 111.825 (1) (g) ~~Protective occupation participants~~ *Public safety employees*

8 **SECTION 180.** 111.825 (1m) of the statutes is repealed.

9 **SECTION 181.** 111.825 (2g) of the statutes is repealed.

10 **SECTION 182.** 111.825 (3) of the statutes is amended to read:

11 111.825 (3) The commission shall assign employees to the appropriate  
12 collective bargaining units set forth in subs. (1), ~~(1m)~~, and (2), ~~and~~ ~~(2g)~~.

13 **SECTION 183.** 111.825 (4) of the statutes is amended to read:

14 111.825 (4) Any labor organization may petition for recognition as the exclusive  
15 representative of a collective bargaining unit specified in sub. (1), ~~(1m)~~, or (2), ~~or~~ ~~(2g)~~  
16 in accordance with the election procedures set forth in s. 111.83, provided the petition  
17 is accompanied by a 30% showing of interest in the form of signed authorization  
18 cards. Each additional labor organization seeking to appear on the ballot shall file  
19 petitions within 60 days of the date of filing of the original petition and prove,  
20 through signed authorization cards, that at least 10% of the employees in the  
21 collective bargaining unit want it to be their representative.

22 **SECTION 184.** 111.825 (4m) of the statutes is repealed.

23 **SECTION 185.** 111.825 (5) of the statutes is amended to read:

24 111.825 (5) Although supervisors are not considered employees for purposes  
25 of this subchapter, the commission may consider a petition for a statewide collective



1 bargaining unit of professional supervisors or a statewide unit of nonprofessional  
2 supervisors in the classified service, but the representative of supervisors may not  
3 be affiliated with any labor organization representing employees. For purposes of  
4 this subsection, affiliation does not include membership in a national, state, county  
5 or municipal federation of national or international labor organizations. The  
6 certified representative of supervisors who are not ~~protective occupation~~ <sup>public safety employees</sup>  
7 participants may not bargain collectively with respect to any matter other than  
8 wages and fringe benefits as provided in s. 111.91 (3), and the certified representative  
9 of supervisors who are ~~protective occupation~~ <sup>public safety employees</sup> participants may not bargain  
10 collectively with respect to any matter other than wages and fringe benefits as  
11 provided in s. 111.91 (1).

12 **SECTION 186.** 111.825 (6) of the statutes is renumbered 111.825 (6) (a).

13 **SECTION 187.** 111.825 (6) (b) of the statutes is created to read:

14 111.825 (6) (b) The commission may assign only a ~~protective occupation~~ <sup>public safety employee</sup>  
15 participant to the collective bargaining unit under sub. (1) (g).

16 **SECTION 188.** 111.83 (1) of the statutes is amended to read:

17 111.83 (1) Except as provided in subs. sub. (5) and ~~(5m)~~, a representative  
18 chosen for the purposes of collective bargaining by a majority of the employees voting  
19 in a collective bargaining unit shall be the exclusive representative of all of the  
20 employees in such unit for the purposes of collective bargaining. Any individual  
21 employee, or any minority group of employees in any collective bargaining unit, may  
22 present grievances to the employer in person, or through representatives of their own  
23 choosing, and the employer shall confer with said employee or group of employees in  
24 relation thereto if the majority representative has been afforded the opportunity to  
25 be present at the conference. Any adjustment resulting from such a conference may

1 not be inconsistent with the conditions of employment established by the majority  
2 representative and the employer.

3 **SECTION 189.** 111.83 (3) of the statutes is renumbered 111.83 (3) (a).

4 **SECTION 190.** 111.83 (3) (b) of the statutes is created to read:

5 111.83 (3) (b) Annually, no later than December 1, the commission shall  
6 conduct an election to certify the representative of a collective bargaining unit that  
7 contains a general employee. There shall be included on the ballot the names of all  
8 labor organizations having an interest in representing the general employees  
9 participating in the election. The commission may exclude from the ballot one who,  
10 at the time of the election, stands deprived of his or her rights under this subchapter  
11 by reason of a prior adjudication of his or her having engaged in an unfair labor  
12 practice. The commission shall certify any representative that receives at least 51  
13 percent of the votes of all of the general employees in the collective bargaining unit.  
14 If no representative receives at least 51 percent of the votes of all of the general  
15 employees in the collective bargaining unit, the commission shall decertify the  
16 current representative and terminate the contract and the general employees shall  
17 be nonrepresented. Notwithstanding s. 111.82, if a contract is terminated under this  
18 paragraph, the affected general employees may not be included in a substantially  
19 similar collective bargaining unit for 12 months from the date the contract is  
20 terminated. The commission's certification of the results of any election is conclusive  
21 unless reviewed as provided by s. 111.07 (8). The commission shall assess and collect  
22 a certification fee for each election conducted under this paragraph. Fees collected  
23 under this paragraph shall be credited to the appropriation account under s. 20.425  
24 (1) (i).

25 **SECTION 191.** 111.83 (4) of the statutes is amended to read:

1           111.83 (4) Whenever an election has been conducted under sub. (3) (a) in which  
2           the name of more than one proposed representative appears on the ballot and results  
3           in no conclusion, the commission may, if requested by any party to the proceeding  
4           within 30 days from the date of the certification of the results of the election, conduct  
5           a runoff election. In that runoff election, the commission shall drop from the ballot  
6           the name of the representative who received the least number of votes at the original  
7           election. The commission shall drop from the ballot the privilege of voting against  
8           any representative if the least number of votes cast at the first election was against  
9           representation by any named representative.

10           **SECTION 192.** 111.83 (5m) of the statutes is repealed.

11           **SECTION 193.** 111.83 (7) of the statutes is repealed.

12           **SECTION 194.** 111.84 (1) (b) of the statutes is amended to read:

13           111.84 (1) (b) Except as otherwise provided in this paragraph, to initiate,  
14           create, dominate or interfere with the formation or administration of any labor or  
15           employee organization or contribute financial support to it. Except as provided in  
16           ss. 40.02 (22) (e) and 40.23 (1) (f) 4., no change in any law affecting the Wisconsin  
17           retirement system under ch. 40 and no action by the employer that is authorized by  
18           such a law constitutes a violation of this paragraph unless an applicable collective  
19           bargaining agreement covering a collective bargaining unit under s. 111.825 (1) (g)  
20           specifically prohibits the change or action. No such change or action affects the  
21           continuing duty to bargain collectively with a collective bargaining unit under s.  
22           111.825 (1) (g) regarding the Wisconsin retirement system under ch. 40 to the extent  
23           required by s. 111.91 (1). It is not an unfair labor practice for the employer to  
24           reimburse an employee at his or her prevailing wage rate for the time spent during  
25           the employee's regularly scheduled hours conferring with the employer's officers or

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1 agents and for attendance at commission or court hearings necessary for the  
2 administration of this subchapter. Professional supervisory or craft personnel may  
3 maintain membership in professional or craft organizations; however, as members  
4 of such organizations they shall be prohibited from those activities related to  
5 collective bargaining in which the organizations may engage.

6 **SECTION 195.** 111.84 (1) (d) of the statutes is amended to read:

7 111.84 (1) (d) To refuse to bargain collectively on matters set forth in s. 111.91  
8 (1) or (3), whichever is appropriate, with a representative of a majority of its  
9 employees in an appropriate collective bargaining unit. Where the employer has a  
10 good faith doubt as to whether a labor organization claiming the support of a majority  
11 of its employees in appropriate collective bargaining unit does in fact have that  
12 support, it may file with the commission a petition requesting an election as to that  
13 claim. It is not deemed to have refused to bargain until an election has been held and  
14 the results thereof certified to it by the commission. A violation of this paragraph  
15 includes, but is not limited to, the refusal to execute a collective bargaining  
16 agreement previously orally agreed upon.

17 **SECTION 196.** 111.84 (1) (f) of the statutes is renumbered 111.84 (1) (f) 1. and  
18 amended to read:

19 111.84 (1) (f) 1. To deduct labor organization dues from ~~an employee's~~ the  
20 earnings of a general employee.

21 2. To deduct labor organization dues from the earnings of a ~~protective~~  
22 ~~occupation participant,~~ unless the employer has been presented with an individual  
23 order therefor, signed by the ~~employee~~ <sup>public safety</sup> ~~protective occupation participant~~ personally,  
24 and terminable by at least the end of any year of its life or earlier by the ~~employee~~ <sup>public safety</sup> employee  
25 protective occupation participant giving at least 30 but not more than 120 days'

*public safety employee*

*public safety plan*

*public safety employee*

*plan*

1 written notice of such termination to the employer and to the representative labor  
2 organization, except if there is a fair-share or maintenance of membership  
3 agreement in effect. The employer shall give notice to the labor organization of  
4 receipt of such notice of termination.

5 **SECTION 197.** 111.84 (2) (c) of the statutes is amended to read:

6 111.84 (2) (c) To refuse to bargain collectively on matters set forth in s. 111.91  
7 (1) or (3), whichever is appropriate, with the duly authorized officer or agent of the  
8 employer which is the recognized or certified exclusive collective bargaining  
9 representative of employees specified in s. 111.81 (7) (a) in an appropriate collective  
10 bargaining unit or with the certified exclusive collective bargaining representative  
11 of employees specified in s. 111.81 (7) (b) to ~~(g)~~ (f) in an appropriate collective  
12 bargaining unit. Such refusal to bargain shall include, but not be limited to, the  
13 refusal to execute a collective bargaining agreement previously orally agreed upon.

14 **SECTION 198.** 111.84 (3) of the statutes is amended to read:

15 111.84 (3) It is an unfair labor practice for any person to do or cause to be done  
16 on behalf of or in the interest of employers or employees, or in connection with or to  
17 influence the outcome of any controversy as to employment relations, any act  
18 prohibited by ~~subs.~~ sub. (1) ~~and or~~ (2).

19 **SECTION 199.** 111.85 (1) (c) of the statutes is renumbered 111.85 (1) (c) 1. and  
20 amended to read:

21 111.85 (1) (c) 1. If general employees authorize a fair-share or maintenance of  
22 membership agreement ~~is authorized~~ in a referendum, the employer shall enter into  
23 such an agreement with the labor organization named on the ballot in the  
24 referendum. Unless the parties agree to an earlier date, the agreement shall take

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1 effect 60 days after certification by the commission that the referendum vote  
2 authorized the agreement.

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

18 **SECTION 200.** 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~~ covering general employees or supervisors, a general employee or  
21 supervisor who has religious convictions against dues payments to a labor  
22 organization based on teachings or tenets of a church or religious body of which he  
23 or she is a member shall, on request to the labor organization, pay his or her dues  
24 to a charity mutually agreed upon by the general employee or supervisor and the  
25 labor organization. Under each fair-share or maintenance of membership

1 agreement covering ~~protective occupation participants~~, a ~~protective occupation~~  
 2 ~~participant~~ <sup>employee</sup> who has religious convictions against dues payments to a labor  
 3 organization based on teachings or tenets of a church or religious body of which he  
 4 or she is a member shall, on request to the labor organization, have his or her dues  
 5 paid to a charity mutually agreed upon by the employee or supervisor ~~protective~~  
 6 ~~occupation participant~~ <sup>public safety employee</sup> and the labor organization. Any dispute concerning this  
 7 paragraph may be submitted to the commission for adjudication.

8 SECTION 201. 111.85 (5) of the statutes is repealed.

9 SECTION 202. 111.90 (2) of the statutes is amended to read:

10 111.90 (2) Subject to s. 111.91 (1) (am), manage Manage the employees of a state  
 11 agency; hire, promote, transfer, assign or retain employees in positions within the  
 12 agency; and in that regard establish reasonable work rules.

13 SECTION 203. 111.905 of the statutes is repealed.

14 SECTION 204. 111.91 (1) (a) of the statutes is amended to read:

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

24 SECTION 205. 111.91 (1) (am) of the statutes is repealed.

25 SECTION 206. 111.91 (1) (b) of the statutes is amended to read:

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1           111.91 (1) (b) The employer ~~shall not be~~ is not required to bargain with a  
2 collective bargaining unit under s. 111.825 (1) (g) on management rights under s.  
3 111.90, except that procedures for the adjustment or settlement of grievances or  
4 disputes arising out of any type of disciplinary action referred to in s. 111.90 (3) shall  
5 be a subject of bargaining.

6           **SECTION 207.** 111.91 (1) (c) of the statutes is amended to read:

7           111.91 (1) (c) The employer is prohibited from bargaining with a collective  
8 bargaining unit under s. 111.825 (1) (g) on matters contained in sub. (2).

9           **SECTION 208.** 111.91 (1) (cg) of the statutes is repealed.

10          **SECTION 209.** 111.91 (1) (cm) of the statutes is amended to read:

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

18          **SECTION 210.** 111.91 (1) (d) of the statutes is amended to read:

19          111.91 (1) (d) ~~Demands~~ In the case of a collective bargaining unit under s.  
20 111.825 (1) (g), demands relating to retirement and group insurance shall be  
21 submitted to the employer at least one year prior to commencement of negotiations.

22          **SECTION 211.** 111.91 (1) (e) of the statutes is repealed.

23          **SECTION 212.** 111.91 (2) (intro.) of the statutes is amended to read:

24          111.91 (2) (intro.) The employer is prohibited from bargaining ~~on~~ with a  
25 collective bargaining unit under s. 111.825 (1) (g) with respect to all of the following:



1           **SECTION 213.** 111.91 (2) (gu) of the statutes is repealed.

2           **SECTION 214.** 111.91 (2c) of the statutes is repealed.

3           **SECTION 215.** 111.91 (3) of the statutes is created to read:

4           111.91 (3) The employer is prohibited from bargaining with a collective  
5 bargaining unit containing a general employee with respect to any of the following:

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

9           (b) Unless the electors in a statewide referendum approve a wage increase that  
10 exceeds the wage expenditure described in this paragraph, any proposal that  
11 *does any of the following: (1) If the consumer price index change is positive,*  
12 provides for a wage expenditure per employee in the contract that, after adjustment  
13 for pay schedules and automatic pay progressions, exceeds the wage expenditure per  
14 employee in the previous contract by a greater percentage than the consumer price  
15 index change.

15           **SECTION 216.** 111.91 (3q) of the statutes is created to read:

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

21           **SECTION 217.** 111.92 (1) (a) of the statutes is amended to read:

22           111.92 (1) (a) Any tentative agreement reached between the office, ~~or, as~~  
23 ~~provided in s. 111.815 (1), the department of health services, acting for the state, and~~  
24 any labor organization representing a collective bargaining unit specified in s.  
25 111.825 (1), or (2) (a) to (e), ~~or (2g)~~ shall, after official ratification by the labor

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

20 **SECTION 218.** 111.92 (1) (b) of the statutes is repealed.

21 **SECTION 219.** 111.92 (2m) of the statutes is repealed.

22 **SECTION 220.** 111.92 (3) of the statutes is renumbered 111.92 (3) (a) and  
23 amended to read:

24 111.92 (3) (a) Agreements covering a collective bargaining unit specified under  
25 s. 111.825 (1) (g) shall coincide with the fiscal year or biennium.

1           **SECTION 221.** 111.92 (3) (b) of the statutes is created to read:

2           111.92 (3) (b) No agreements covering a collective bargaining unit containing  
3 a general employee may be for a period that exceeds one year, and each agreement  
4 must coincide with the fiscal year. Agreements may not be extended.

5           **SECTION 222.** 111.92 (6) of the statutes is created to read:

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

9           **SECTION 223.** 111.93 (2) of the statutes is renumbered 111.93 (2) (a) and  
10 amended to read:

11           111.93 (2) (a) All civil service and other applicable statutes concerning wages,  
12 fringe benefits, hours and conditions of employment apply to ~~employees specified in~~  
13 ~~s. 111.81 (7) (a) who are not included in collective bargaining units for which a~~  
14 ~~representative is recognized or certified and to employees specified in s. 111.81 (7)~~  
15 (b) to (f) ~~protective occupation participants~~ <sup>public safety employees</sup> who are not included in a collective  
16 bargaining unit for which a representative is recognized or certified.

17           **SECTION 224.** 111.93 (2) (b) of the statutes is created to read:

18           111.93 (2) (b) 1. All civil service and other applicable statutes concerning wages  
19 apply to general employees who are not included in a collective bargaining units for  
20 which a representative is recognized or certified.

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

24           **SECTION 225.** 111.93 (3) of the statutes is renumbered 111.93 (3) (intro.) and  
25 amended to read:

1           111.93 (3) (intro.) Except as provided in ss. 7.33 (4), 40.05, 40.80 (3), 111.91 (1)  
2 (cm), 230.35 (2d) and (3) (e) 6., and 230.88 (2) (b), if all of the following apply:

3           (a) If a collective bargaining agreement exists between the employer and a  
4 labor organization representing employees in a collective bargaining unit under s.  
5 111.825 (1) (g), the provisions of that agreement shall supersede the provisions of  
6 civil service and other applicable statutes, as well as rules and policies of the board  
7 of regents of the University of Wisconsin System, related to wages, fringe benefits,  
8 hours, and conditions of employment whether or not the matters contained in those  
9 statutes, rules, and policies are set forth in the collective bargaining agreement.

10           **SECTION 226.** 111.93 (3) (b) of the statutes is created to read:

11           111.93 (3) (b) If a collective bargaining agreement exists between the employer  
12 and a labor organization representing general employees in a collective bargaining  
13 unit, the provisions of that agreement shall supersede the provisions of civil service  
14 and other applicable statutes, as well as rules and policies of the board of regents of  
15 the University of Wisconsin System, related to wages, whether or not the matters  
16 contained in those statutes, rules, and policies are set forth in the collective  
17 bargaining agreement.

18           **SECTION 227.** Subchapter VI of chapter 111 [precedes 111.95] of the statutes is  
19 repealed.

20           **SECTION 228.** 118.22 (4) of the statutes is repealed.

21           **SECTION 229.** 118.223 of the statutes is created to read:

22           **118.223 Collective bargaining.** Except as provided under subch. IV of ch.  
23 111, no school board may collectively bargain with its employees.

24           **SECTION 230.** 118.23 (5) of the statutes is repealed.

25           **SECTION 231.** 118.245 of the statutes is created to read:

1           **118.245 Referendum; increase in employee wages.** (1) If a school board  
2 wishes to increase the wages of its employees in an amount that exceeds the limit  
3 under s. 111.70 (4) (mb) 2., the school board shall adopt a resolution to that effect.  
4 The resolution shall specify the amount by which the proposed wage increase will  
5 exceed the limit under s. 111.70 (4) (mb) 2. The resolution may not take effect unless  
6 it is approved in a referendum called for that purpose. The referendum shall occur  
7 in April for collective bargaining agreements that begin in July of that year. The  
8 results of a referendum apply to the wages only in the next collective bargaining  
9 agreement.

10           (2) The question submitted in the referendum shall be substantially as follows:  
11 “Shall the employees in the ... [school district] receive a percentage wage increase  
12 that is ... [x] percent higher than the percent of the consumer price index increase?”

\*\*\*\*NOTE: Someone should review that question.

13           **SECTION 232.** 118.40 (2r) (b) 3. a. of the statutes is amended to read:

14           118.40 (2r) (b) 3. a. Delegate to the governing board of the charter school the  
15 board of regents' authority to establish and adjust all compensation ~~and fringe~~  
16 ~~benefits~~ of instructional staff, subject to the terms of any collective bargaining  
17 agreement under subch. V of ch. 111 that covers the instructional staff. In the  
18 absence of a collective bargaining agreement, the governing board may establish and  
19 adjust all compensation ~~and fringe benefits~~ of the instructional staff only with the  
20 approval of the chancellor of the University of Wisconsin-Parkside.

21           **SECTION 233.** 118.40 (2r) (b) 3. am. of the statutes is created to read:

22           118.40 (2r) (b) 3. am. Delegate to the governing board of the charter school the  
23 board of regents' authority to establish and adjust all fringe benefits of instruction  
24 staff with the approval of the chancellor of the University of Wisconsin-Parkside.

1           **SECTION 234.** 118.42 (3) (a) 4. of the statutes is amended to read:

2           118.42 **(3)** (a) 4. Implement changes in administrative and personnel  
3 structures ~~that are consistent with applicable collective bargaining agreements.~~

4           **SECTION 235.** 118.42 (5) of the statutes is amended to read:

5           118.42 **(5)** Nothing in this section alters or otherwise affects the rights or  
6 remedies afforded school districts and school district employees under federal or  
7 state law ~~or under the terms of any applicable collective bargaining agreement.~~

8           **SECTION 236.** 119.04 (1) of the statutes is amended to read:

9           119.04 **(1)** Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),  
10 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,  
11 115.345, 115.361, 115.365 (3), 115.38 (2), 115.445, 115.45, 118.001 to 118.04, 118.045,  
12 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4),  
13 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.223,  
14 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.255, 118.258, 118.291,  
15 118.30 to 118.43, 118.46, 118.51, 118.52, 118.55, 120.12 (4m), (5), and (15) to (27),  
16 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and  
17 (38), 120.14, 120.21 (3), and 120.25 are applicable to a 1st class city school district  
18 and board.

19           **SECTION 237.** 120.12 (4m) of the statutes is created to read:

20           120.12 **(4m)** CALCULATION OF WAGE INCREASE FOR COLLECTIVE BARGAINING. If  
21 collectively bargaining with employees of the school district, determine the  
22 maximum wage expenditure that is subject to collective bargaining under s. 111.70  
23 (4) (mb) 2., calculating the consumer price index change using the method the  
24 department of revenue uses under s. 73.03 (68).

25           **SECTION 238.** 120.12 (15) of the statutes is amended to read:

1           120.12 (15) SCHOOL HOURS. Establish rules scheduling the hours of a normal  
2 school day. The school board may differentiate between the various elementary and  
3 high school grades in scheduling the school day. The equivalent of 180 such days, as  
4 defined in s. 115.01 (10), shall be held during the school term. ~~This subsection shall~~  
5 ~~not be construed to eliminate a school district's duty to bargain with the employee's~~  
6 ~~collective bargaining representative over any calendaring proposal which is~~  
7 ~~primarily related to wages, hours and conditions of employment.~~

8           **SECTION 239.** 120.18 (1) (gm) of the statutes is amended to read:

9           120.18 (1) (gm) Payroll and related benefit costs for all school district  
10 employees in the previous school year. ~~Costs~~ Payroll costs for represented employees  
11 shall be based upon the costs of wages of any collective bargaining agreements  
12 covering such employees for the previous school year. If, as of the time specified by  
13 the department for filing the report, the school district has not entered into a  
14 collective bargaining agreement for any portion of the previous school year with the  
15 recognized or certified representative of any of its employees ~~and the school district~~  
16 ~~and the representative have been required to submit final offers under s. 111.70 (4)~~  
17 ~~(em) 6.~~, increased costs ~~limited to the lower of the school district's offer or the~~  
18 ~~representative's offer shall be~~ of wages reflected in the report shall be equal to the  
19 maximum wage expenditure that is subject to collective bargaining under s. 111.70  
20 (4) (mb) 2. for the employees. The school district shall amend the annual report to  
21 reflect any change in such costs as a result of any ~~award or settlement under s. 111.70~~  
22 ~~(4) (em) 6. collective bargaining agreement entered into~~ between the date of filing the  
23 report and October 1. Any such amendment shall be concurred in by the certified  
24 public accountant licensed or certified under ch. 442 certifying the school district  
25 audit.

1           **SECTION 240.** 146.59 (3) (a) of the statutes is amended to read:

2           146.59 (3) (a) Any contractual services agreement under sub. (2) may include  
3 a provision that authorizes the authority to perform specified duties for the board  
4 with respect to employees of the board. This authorization may include duties  
5 related to supervising employees, taking disciplinary action, or recommending new  
6 hires or layoffs, or with respect to collective bargaining, claims, or complaints, ~~or~~  
7 ~~benefits~~ and records administration.

8           **SECTION 241.** 230.01 (3) of the statutes is amended to read:

9           230.01 (3) Nothing in this chapter shall be construed to either infringe upon  
10 or supersede the rights guaranteed state employees under subch. V ~~or~~ VI of ch. 111.

11           **SECTION 242.** 230.03 (3) of the statutes is amended to read:

12           230.03 (3) "Agency" means any board, commission, committee, council, or  
13 department in state government or a unit thereof created by the constitution or  
14 statutes if such board, commission, committee, council, department, unit, or the  
15 head thereof, is authorized to appoint subordinate staff by the constitution or  
16 statute, except a legislative or judicial board, commission, committee, council,  
17 department, or unit thereof or an authority created under subch. II of ch. 114 or  
18 subch. III of ch. 149 or under ch. 52, 231, 232, 233, 234, 235, 237, or 279. "Agency"  
19 does not mean any local unit of government or body within one or more local units  
20 of government that is created by law or by action of one or more local units of  
21 government.

22           **SECTION 243.** 230.046 (10) (a) of the statutes is amended to read:

23           230.046 (10) (a) Conduct off-the-job employee development and training  
24 programs relating to functions under this chapter or subch. V ~~or~~ VI of ch. 111.

25           **SECTION 244.** 230.12 (3) (e) 1. of the statutes is amended to read:



1           230.12 (3) (e) 1. The director, after receiving recommendations from the board  
2 of regents, shall submit to the joint committee on employment relations a proposal  
3 for adjusting compensation and employee benefits for employees under ss. 20.923  
4 (4g), (5) and (6) (m) and 230.08 (2) (d) who are not included in a collective bargaining  
5 unit under subch. V ~~or~~ VI of ch. 111 for which a representative is certified. The  
6 proposal shall include the salary ranges and adjustments to the salary ranges for the  
7 university senior executive salary groups 1 and 2 established under s. 20.923 (4g).  
8 The proposal shall be based upon the competitive ability of the board of regents to  
9 recruit and retain qualified faculty and academic staff, data collected as to rates of  
10 pay for comparable work in other public services, universities and commercial and  
11 industrial establishments, recommendations of the board of regents and any special  
12 studies carried on as to the need for any changes in compensation and employee  
13 benefits to cover each year of the biennium. The proposal shall also take proper  
14 account of prevailing pay rates, costs and standards of living and the state's  
15 employment policies. The proposal for such pay adjustments may contain  
16 recommendations for across-the-board pay adjustments, merit or other  
17 adjustments and employee benefit improvements. Paragraph (b) and sub. (1) (bf)  
18 shall apply to the process for approval of all pay adjustments for such employees  
19 under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d). The proposal as approved  
20 by the joint committee on employment relations and the governor shall be based  
21 upon a percentage of the budgeted salary base for such employees under ss. 20.923  
22 (4g), (5) and (6) (m) and 230.08 (2) (d). The amount included in the proposal for merit  
23 and adjustments other than across-the-board pay adjustments is available for  
24 discretionary use by the board of regents.

25           **SECTION 245.** 230.34 (1) (ar) of the statutes is amended to read:

1           230.34 (1) (ar) Paragraphs (a) and (am) apply to all employees with permanent  
2 status in class in the classified service and all employees who have served with the  
3 state as an assistant district attorney for a continuous period of 12 months or more,  
4 ~~except that for employees specified in s. 111.81 (7) (a) in a collective bargaining unit~~  
5 ~~for which a representative is recognized or certified, or for employees specified in s.~~  
6 ~~111.81 (7) (b) or (c) in a collective bargaining unit for which a representative is~~  
7 ~~certified, if a collective bargaining agreement is in effect covering employees in the~~  
8 ~~collective bargaining unit, the determination of just cause and all aspects of the~~  
9 ~~appeal procedure shall be governed by the provisions of the collective bargaining~~  
10 ~~agreement.~~

11           **SECTION 246.** 230.35 (1s) of the statutes is amended to read:

12           230.35 (1s) Annual leave of absence with pay for instructional staff employed  
13 by the board of regents of the University of Wisconsin System who provide services  
14 for a charter school established by contract under s. 118.40 (2r) (cm) shall be  
15 determined by the governing board of the charter school established by contract  
16 under s. 118.40 (2r) (cm), as approved by the chancellor of the University of  
17 Wisconsin-Parkside and ~~subject to the terms of any collective bargaining agreement~~  
18 ~~under subch. V of ch. 111 covering the instructional staff.~~

19           **SECTION 247.** 230.35 (2d) (e) of the statutes is amended to read:

20           230.35 (2d) (e) For employees who are included in a collective bargaining unit  
21 for which a representative is recognized or certified under subch. V ~~or VI~~ of ch. 111,  
22 this subsection shall apply unless otherwise provided in a collective bargaining  
23 agreement.

24           **SECTION 248.** 230.35 (3) (e) 6. of the statutes is amended to read:

1           230.35 (3) (e) 6. For employees who are included in a collective bargaining unit  
2 for which a representative is recognized or certified under subch. V ~~or~~ VI of ch. 111,  
3 this paragraph shall apply unless otherwise provided in a collective bargaining  
4 agreement.

5           **SECTION 249.** 230.88 (2) (b) of the statutes is amended to read:

6           230.88 (2) (b) No collective bargaining agreement supersedes the rights of an  
7 employee under this subchapter. However, nothing in this subchapter affects any  
8 right of an employee to pursue a grievance procedure under a collective bargaining  
9 agreement under subch. V ~~or~~ VI of ch. 111, and if the division of equal rights  
10 determines that a grievance arising under such a collective bargaining agreement  
11 involves the same parties and matters as a complaint under s. 230.85, it shall order  
12 the arbitrator's final award on the merits conclusive as to the rights of the parties  
13 to the complaint, on those matters determined in the arbitration which were at issue  
14 and upon which the determination necessarily depended.

15           **SECTION 250.** 233.02 (1) (h) of the statutes is repealed.

16           **SECTION 251.** 233.02 (8) of the statutes is amended to read:

17           233.02 (8) The members of the board of directors shall annually elect a  
18 chairperson and may elect other officers as they consider appropriate. Eight ~~voting~~  
19 members of the board of directors constitute a quorum for the purpose of conducting  
20 the business and exercising the powers of the authority, notwithstanding the  
21 existence of any vacancy. The members of the board of directors specified under sub.  
22 (1) (c) and (g) may not be the chairperson of the board of directors for purposes of 1995  
23 Wisconsin Act 27, section 9159 (2). The board of directors may take action upon a vote  
24 of a majority of the members present, unless the bylaws of the authority require a  
25 larger number.

1           **SECTION 252.** 233.03 (7) of the statutes is amended to read:

2           233.03 (7) Subject to s. 233.10 and ch. 40 and 1995 Wisconsin Act 27, section  
3 9159 (4) ~~and the duty to engage in collective bargaining with employees in a collective~~  
4 ~~bargaining unit for which a representative is recognized or certified under subch. I~~  
5 ~~of ch. 111, employ any agent, employee or special advisor that the authority finds~~  
6 necessary and fix his or her compensation and provide any employee benefits,  
7 including an employee pension plan.

8           **SECTION 253.** 233.04 (2) of the statutes is amended to read:

9           233.04 (2) Subject to subs. (4) ~~to (4r)~~ and (4m) and s. 233.10, develop and  
10 implement a personnel structure and other employment policies for employees of the  
11 authority.

12           **SECTION 254.** 233.04 (4r) of the statutes is repealed.

13           **SECTION 255.** 233.10 (1) of the statutes is amended to read:

14           233.10 (1) Subject to s. 233.04 (4) ~~to (4r)~~ and (4m) and 1995 Wisconsin Act 27,  
15 section 9159 (2) and (4), the authority shall employ such employees as it may require  
16 and shall determine the qualifications and duties of its employees. Appointments  
17 to and promotions in the authority shall be made according to merit and fitness.

18           **SECTION 256.** 233.10 (2) (intro.) of the statutes is amended to read:

19           233.10 (2) (intro.) Subject to subs. (3), ~~(3m)~~, (3r) and (3t) and ch. 40 ~~and the duty~~  
20 ~~to engage in collective bargaining with employees in a collective bargaining unit for~~  
21 ~~which a representative is recognized or certified under subch. I of ch. 111, the~~  
22 authority shall establish any of the following:

23           **SECTION 257.** 233.10 (3) (a) (intro.) of the statutes is amended to read:

24           233.10 (3) (a) (intro.) In this subsection and ~~subs. (3m)~~ and sub. (4), “carry-over  
25 employee” means an employee of the authority who satisfies all of the following:

1           **SECTION 258.** 233.10 (3) (b) of the statutes is repealed.

2           **SECTION 259.** 233.10 (3) (c) (intro.) of the statutes is amended to read:

3           233.10 (3) (c) (intro.) If an employee of the authority is a carry-over employee  
4 ~~and is an employee to whom par. (b) does not apply~~, the authority shall, when setting  
5 the terms of the carry-over employee's employment during the period beginning on  
6 June 29, 1996, and ending on June 30, 1997, do all of the following:

7           **SECTION 260.** 233.10 (3) (d) of the statutes is amended to read:

8           233.10 (3) (d) If an employee of the authority is not a carry-over employee ~~and~~  
9 ~~is an employee to whom par. (b) does not apply~~, the authority shall, from June 29,  
10 1996, to June 30, 1997, provide that employee the same rights, benefits and  
11 compensation provided to a carry-over employee under par. (c) who holds a position  
12 at the authority with similar duties.

13           **SECTION 261.** 233.10 (3m) of the statutes is repealed.

14           **SECTION 262.** 281.75 (4) (b) 3. of the statutes is amended to read:

15           281.75 (4) (b) 3. An authority created under subch. II of ch. 114 or ch. 52, 231,  
16 233, 234, or 237.

17           **SECTION 263.** 285.59 (1) (b) of the statutes is amended to read:

18           285.59 (1) (b) "State agency" means any office, department, agency, institution  
19 of higher education, association, society or other body in state government created  
20 or authorized to be created by the constitution or any law which is entitled to expend  
21 moneys appropriated by law, including the legislature and the courts, the Wisconsin  
22 Housing and Economic Development Authority, the Bradley Center Sports and  
23 Entertainment Corporation, the University of Wisconsin Hospitals and Clinics  
24 Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace

1 Authority, ~~the Wisconsin Quality Home Care Authority~~, and the Wisconsin Health  
2 and Educational Facilities Authority.

3 **SECTION 264.** 704.31 (3) of the statutes is amended to read:

4 704.31 (3) This section does not apply to a lease to which a local professional  
5 baseball park district created under subch. III of ch. 229, ~~the Wisconsin Quality~~  
6 ~~Home Care Authority~~, or the Fox River Navigational System Authority is a party.

7 **SECTION 265.** 851.71 (4) of the statutes is amended to read:

8 851.71 (4) In counties having a population of 500,000 or more, the appointment  
9 under subs. (1) and (2) shall be made as provided in those subsections but the judges  
10 shall not remove the register in probate and deputy registers, except through charges  
11 for dismissal made and sustained under s. 63.10 ~~or an applicable collective~~  
12 ~~bargaining agreement~~.

13 **SECTION 266.** 978.12 (1) (c) of the statutes is amended to read:

14 978.12 (1) (c) *Assistant district attorneys.* Assistant district attorneys shall be  
15 employed outside the classified service. For purposes of salary administration, the  
16 director of the office of state employment relations shall establish one or more  
17 classifications for assistant district attorneys in accordance with the classification  
18 or classifications allocated to assistant attorneys general. Except as provided in s.  
19 111.93 (3) (b), the salaries of assistant district attorneys shall be established and  
20 adjusted in accordance with the state compensation plan for assistant attorneys  
21 general whose positions are allocated to the classification or classifications  
22 established by the director of the office of state employment relations.

23 **SECTION 9101. Nonstatutory provisions; Administration.**

24 (1) EVALUATION OF STAFFING NEEDS AT THE WISCONSIN EMPLOYMENT RELATIONS  
25 COMMISSION. The department of administration shall evaluate the staffing

1 requirements of the Wisconsin employment relations commission and shall submit  
2 the report of the evaluation to the joint committee on finance under section 13.10 of  
3 the statutes.

4 **SECTION 9132. Nonstatutory provisions; Local Government.**

5 (1) UNION REPRESENTATIVE CERTIFICATION VOTE.

6 (a) In this subsection:

7 1. "General municipal employee" has the meaning given in section 111.70 (1)  
8 (fm) of the statutes, as created by this act.

9 2. "School district employee" has the meaning given in section 111.70 (1) (ne)  
10 of the statutes.

11 (b) Each collective bargaining unit under subchapter IV of chapter 111 of the  
12 statutes, as affected by this act, containing general municipal employees shall vote  
13 to certify or decertify their representatives as provided in section 111.70 (4) (d) 3. b.  
14 of the statutes, as created by this act. Notwithstanding the date provided under  
15 section 111.70 (4) (d) 3. b. of the statutes, as created by this act, for collective  
16 bargaining units containing school district employees, the vote shall be held in the  
17 May that follows the termination of the collective bargaining agreement covering the  
18 collective bargaining unit, and for collective bargaining units containing general  
19 municipal employees who are not school district employees, the vote shall be held in  
20 the December that follows the termination of the collective bargaining agreement  
21 covering the collective bargaining unit.

22 **SECTION 9155. Nonstatutory provisions; Other.**

23 (1) UNION REPRESENTATIVE CERTIFICATION VOTE.

24 (a) In this subsection, "general employee" has the meaning given in section  
25 111.81 (9g) of the statutes, as created by this act.

1 (b) Each collective bargaining unit under subchapter V of chapter 111 of the  
2 statutes, as affected by this act, containing general employees shall vote to certify or  
3 decertify their representatives as provided in section 111.83 (3) (b) of the statutes,  
4 as created by this act. Notwithstanding the date provided under section 111.83 (3)  
5 (b) of the statutes, as created by this act, the vote shall be held in April 2011.

6 (2) WISCONSIN QUALITY HOME CARE AUTHORITY ASSETS, LIABILITIES, PERSONAL  
7 PROPERTY, AND CONTRACTS.

8 (a) On the effective date of this paragraph, the assets and liabilities of the  
9 Wisconsin Quality Home Care Authority shall become the assets and liabilities of the  
10 department of health services.

11 (b) On the effective date of this paragraph, all tangible personal property,  
12 including records, of the Wisconsin Quality Home Care Authority is transferred to  
13 the department of health services.

14 (c) All contracts entered into by the Wisconsin Quality Home Care Authority  
15 in effect on the effective date of this paragraph remain in effect and are transferred  
16 to the department of health services. The department of health services shall carry  
17 out any obligations under such a contract until the contract is modified or rescinded  
18 by the department of health services to the extent allowed under the contract.

19 **SECTION 9332. Initial applicability; Local Government.**

20 (1) COLLECTIVE BARGAINING; MUNICIPAL EMPLOYEES. For municipal employees  
21 who are covered by a collective bargaining agreement under subchapter IV of chapter  
22 111 of the statutes that expires on or after the effective date of this subsection, the  
23 treatment of sections 20.425 (1) (i), 46.2895 (8) (a) 1., 49.825 (3) (b) 4., 49.826 (3) (b)  
24 4., 66.0506, 66.0508, ~~78.08 (6A)~~ 109.03 (1) (b), 111.70 (1) (a), (b), (cm), (f), (fm), (j),  
25 (mm), (n), and (nm), (2), (3) (a) 4., 6., and 7. and (b) 6., (3m), (3p), (4) (intro.), (am),



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1 (c) (title), 1., 2., 3., and 4. (cm) (title), 1., 2., 3., 4., 5., 6., 7., 7g., 7r., 8., 8m., and 9., (d)  
 2 a., (L), (m), (mb), (mc) (intro.) and 4., (n), and (o), (6), (7) (a) and (b), (7m) (b), (c)  
 3 1. a. and 3., (e), and (f), and (8) (a), 111.71 (2), (4), and (5), 111.77 (intro.) and (8) (a),  
 4 118.22 (4), 118.223, 118.23 (5), 118.245, 118.42 (3) (a) 4. and (5), 119.04 (1), 120.12  
 5 (4m) and (15), 120.18 (1) (gm), and 851.71 (4) of the statutes, the amendment of  
 6 section 111.70 (4) (d) 3. of the statutes, and the creation of section 111.70 (4) (d) 3. b.  
 7 of the statutes first apply when the collective bargaining agreement expires

**SECTION 9355. Initial applicability; Other.**

(1) COLLECTIVE BARGAINING; STATE EMPLOYEES, UNIVERSITY OF WISCONSIN EMPLOYEES, AND EMPLOYEES OF AUTHORITIES.

(a) For employees who are covered by a collective bargaining agreement under subchapter V of chapter 111 of the statutes that expired on June 30, 2009, but which has been extended, the treatment of sections 20.921 (1) (a) 2. and (b), 73.03 (68), 111.81 (1), (3h), (3n), (7) (g), (9g), (9k), (12m), and (15r), 111.815 (1) and (2), 111.82, 111.825 (1) (intro.) and (g), (1m), (2g), (3), (4), (4m), and (5), 111.83 (1), (4), (5m), and (7), 111.84 (1) (b), (d), and (f), (2) and (3), 111.85 (1) (b) and (d) and (5), 111.90 (2), 111.905, 111.91 (1) (a), (am), (b), (c), (cg), (cm), (d), and (e), (2) (intro.) and (gu), (2c), (3), and (3q), 111.92 (1) (a) and (b), (2m), and (6), 118.40 (2r) (b) 3. a. and am, 146.59 (3) (a), 230.34 (1) (ar), 230.35 (1s), and 978.12 (1) (c) of the statutes, the renumbering of sections 111.825 (6) and 111.83 (3) of the statutes, the renumbering and amendment of sections 111.92 (3) and 111.93 (2) and (3) of the statutes, and the creation of sections 111.825 (6) (b), 111.83 (3) (b), 111.92 (3) (b), and 111.93 (2) (b) and (3) (b) of the statutes first apply on the date on which the collective bargaining agreement is terminated or on the effective date of this paragraph, whichever occurs later

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1 (b) For employees who are covered by a collective bargaining agreement under  
 2 subchapter I or VI of chapter 111 of the statutes, the treatment of sections 7.33 (4),  
 3 13.111 (2), 15.07 (1) (a) 6., 15.96 (1) (h) and (2), 16.50 (3) (e), 16.705 (3) (c), 19.82 (1),  
 4 19.85 (3), 19.86, 20.425 (1) (a) and (i), 20.545 (1) (k) and (km), 20.865 (1) (ci), (cm),  
 5 (ic), (im), (si), and (sm), 20.917 (3) (b), 20.921 (1) (a) 2. and (b), 20.923 (6) (intro.),  
 6 20.928 (1), 36.09 (1) (j), 36.25 (13g) (c) 1. and 2., 40.02 (25) (b) 8., 40.05 (1) (b), (4) (ag)  
 7 (intro.), (ar), (b), and (bw), (4g) (a) 4., (5) (intro.) and (b) 4., and (6) (a), 40.62 (2), 40.95  
 8 (1) (a) 2., 111.02 (1), (2), (3), (6) (am), (7) (a) (intro.), 1., 2., 3., and 4. and (b) 1., (7m),  
 9 (9m), and (10) (m), 111.05 (2), (3g), (5), (6), and (7), 111.06 (1) (c) 1., (d), (i), and (m)  
 10 and (2) (i), 111.075, 111.115 (title), (1) (intro.), (a), and (b), and (2), 111.17 (intro.), (1)  
 11 and (2), 230.01 (3), 230.046 (10) (a), 230.12 (3) (e) 1., 230.35 (2d) (e) and (3) (e) 6.,  
 12 230.88 (2) (b), and 233.02 (1) (h) and (8), 233.03 (7), 233.04 (2) and (4r), 233.10 (1),  
 13 (2) (intro.), (3) (a) (intro.), (b), (c) (intro.), and (d), and (3m) and subchapter VI of  
 14 chapter 111 of the statutes first applies when the collective bargaining agreement  
 15 expires or is extended, modified, or renewed, whichever occurs first.

\*\*\*\*\*NOTE: Caitlin, the next version will contain the effective date provisions that  
 will delay the effective date to March 13, 2011.

(END)

113  
99-14 ✓

**2011-2012 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1211/p5ins  
CMH:.....

1           Insert 51-9

2           b. If the consumer price index change is negative, provides for a wage  
3 expenditure per employee in the contract that, after adjustment for pay schedules  
4 and automatic pay progressions, exceeds the wages expenditure in the previous  
5 contract decreased by a percentage of that expenditure that is equal to the negative  
6 consumer price index change.

7

8           Insert 67-15

9           2. If the consumer price index change is negative, provides for a wage  
10 expenditure per employee in the contract that, after adjustment for pay schedules  
11 and automatic pay progressions, exceeds the wages expenditure in the previous  
12 contract decreased by a percentage of that expenditure that is equal to the negative  
13 consumer price index change.





