

SECTION 251

1 ***-1211/P10.169* SECTION 251.** 111.81 (1) of the statutes is amended to read:

2 111.81 (1) "Collective bargaining" means the performance of the mutual
3 obligation of the state as an employer, by its officers and agents, and the
4 representatives of its employees, to meet and confer at reasonable times, in good
5 faith, with respect to the subjects of bargaining provided in s. 111.91 (1), with respect
6 to public safety employees, and to the subjects of bargaining provided in s. 111.91 (3),
7 with respect to general employees, with the intention of reaching an agreement, or
8 to resolve questions arising under such an agreement. The duty to bargain, however,
9 does not compel either party to agree to a proposal or require the making of a
10 concession. Collective bargaining includes the reduction of any agreement reached
11 to a written and signed document.

12 ***-1211/P10.170* SECTION 252.** 111.81 (3h) of the statutes is repealed.

13 ***-1211/P10.171* SECTION 253.** 111.81 (3n) of the statutes is created to read:

14 111.81 (3n) "Consumer price index change" means the average annual
15 percentage change in the consumer price index for all urban consumers, U.S. city
16 average, as determined by the federal department of labor, for the 12 months
17 immediately preceding the current date.

18 ***-1211/P10.172* SECTION 254.** 111.81 (7) (g) of the statutes is repealed.

19 ***-1211/P10.173* SECTION 255.** 111.81 (7) (gm), (h) and (i) of the statutes are
20 created to read:

21 111.81 (7) (gm) Research assistants of the University of Wisconsin-Madison
22 and University of Wisconsin-Extension.

23 (h) Research assistants of the University of Wisconsin-Milwaukee.

1 (i) Research assistants of the Universities of Wisconsin-Eau Claire, Green Bay,
2 La Crosse, Oshkosh, Parkside, Platteville, River Falls, Stevens Point, Stout,
3 Superior, and Whitewater.

4 ***-1211/P10.174* SECTION 256.** 111.81 (9) of the statutes is amended to read:

5 111.81 (9) "Fair-share agreement" means an agreement between the employer
6 and a labor organization representing public safety employees ~~or supervisors~~
7 ~~specified in s. 111.825 (5)~~ under which all of the public safety employees ~~or~~
8 ~~supervisors~~ in a collective bargaining unit are required to pay their proportionate
9 share of the cost of the collective bargaining process and contract administration
10 measured by the amount of dues uniformly required of all members.

11 ***-1211/P10.175* SECTION 257.** 111.81 (9g) of the statutes is created to read:

12 111.81 (9g) "General employee" means an employee who is not a public safety
13 employee.

14 ***-1211/P10.176* SECTION 258.** 111.81 (9k) of the statutes is repealed.

15 ***-1211/P10.177* SECTION 259.** 111.81 (12) (intro.) of the statutes is amended
16 to read:

17 111.81 (12) (intro.) "Labor organization" means any employee organization
18 whose purpose is to represent employees in collective bargaining with the employer,
19 or its agents, on matters ~~pertaining to terms and conditions of employment that are~~
20 subject to collective bargaining under s. 111.91 (1) or (3), whichever is applicable; but
21 the term shall not include any organization:

22 ***-1211/P10.178* SECTION 260.** 111.81 (12m) of the statutes is amended to
23 read:

24 111.81 (12m) "Maintenance of membership agreement" means an agreement
25 between the employer and a labor organization representing public safety employees

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1 ~~or supervisors specified in s. 111.825 (5)~~ which requires that all of the public safety
2 employees ~~or supervisors~~ whose dues are being deducted from earnings under s.
3 20.921 (1) or 111.84 (1) (f) at the time the agreement takes effect shall continue to
4 have dues deducted for the duration of the agreement, and that dues shall be
5 deducted from the earnings of all public safety employees ~~or supervisors~~ who are
6 hired on or after the effective date of the agreement.

7 ***-1211/P10.179* SECTION 261.** 111.81 (15r) of the statutes is created to read:

8 111.81 (15r) "Public safety employee" means any individual under s. 40.02 (48)
9 (am) 7. or 8.

10 ***-1211/P10.180* SECTION 262.** 111.81 (16) of the statutes is amended to read:

11 111.81 (16) "Referendum" means a proceeding conducted by the commission in
12 which public safety employees, ~~or supervisors specified in s. 111.825 (5)~~, in a
13 collective bargaining unit may cast a secret ballot on the question of directing the
14 labor organization and the employer to enter into a fair-share or maintenance of
15 membership agreement or to terminate such an agreement.

16 ***-0732/3.9* SECTION 263.** 111.815 (1) of the statutes is amended to read:

17 111.815 (1) In the furtherance of this subchapter, the state shall be considered
18 as a single employer and employment relations policies and practices throughout the
19 state service shall be as consistent as practicable. The office shall negotiate and
20 administer collective bargaining agreements except that the department of health
21 services, subject to the approval of the federal centers for medicare and medicaid
22 services to use collective bargaining as the method of setting rates for
23 reimbursement of home care providers, shall negotiate and administer collective
24 bargaining agreements entered into with the collective bargaining unit specified in
25 s. 111.825 (2g). To coordinate the employer position in the negotiation of agreements,

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

18 ***-1211/P10.181* SECTION 264.** 111.815 (1) of the statutes is amended to read:

19 111.815 (1) In the furtherance of this subchapter, the state shall be considered
20 as a single employer and employment relations policies and practices throughout the
21 state service shall be as consistent as practicable. The office shall negotiate and
22 administer collective bargaining agreements ~~except that the department of health~~
23 ~~services, subject to the approval of the federal centers for medicare and medicaid~~
24 ~~services to use collective bargaining as the method of setting rates for~~
25 ~~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~~ unit specified in s. 111.825 (1m), (2) (f), ~~and (2g),~~
8 the 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 ~~*-0732/3.10* SECTION 265. 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 ***-1211/P10.182* SECTION 266.** 111.815 (2) of the statutes is amended to read:

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

11 ***-1211/P10.183* SECTION 267.** 111.82 of the statutes is amended to read:

12 **111.82 Rights of employees.** Employees shall have the right of
13 self-organization and the right to form, join, or assist labor organizations, to bargain
14 collectively through representatives of their own choosing under this subchapter,
15 and to engage in lawful, concerted activities for the purpose of collective bargaining
16 or other mutual aid or protection. Employees shall also have the right to refrain from
17 any or all of such activities. A general employee has the right to refrain from paying
18 dues while remaining a member of a collective bargaining unit.

19 ***-0732/3.11* SECTION 268.** 111.825 (1) (intro.) of the statutes is amended to
20 read:

21 111.825 (1) (intro.) It is the legislative intent that in order to foster meaningful
22 collective bargaining, units must be structured in such a way as to avoid excessive
23 fragmentation whenever possible. In accordance with this policy, collective
24 bargaining units for employees in the classified service of the state, except employees
25 in the collective bargaining units specified in sub. (1m), are structured on a statewide

1 basis with one collective bargaining unit for each of the following occupational
2 groups:

3 ***-1211/P10.184* SECTION 269.** 111.825 (1) (intro.) of the statutes is amended
4 to read:

5 111.825 (1) (intro.) It is the legislative intent that in order to foster meaningful
6 collective bargaining, units must be structured in such a way as to avoid excessive
7 fragmentation whenever possible. In accordance with this policy, collective
8 bargaining units for employees in the classified service of the state, ~~except employees~~
9 ~~in the collective bargaining units specified in sub. (1m),~~ are structured on a statewide
10 basis with one collective bargaining unit for each of the following occupational
11 groups:

12 ***-1211/P10.185* SECTION 270.** 111.825 (1) (g) of the statutes is created to read:
13 111.825 (1) (g) Public safety employees.

14 ***-0732/3.12* SECTION 271.** ~~111.825 (1m)~~ of the statutes is repealed.

15 ***-1211/P10.186* SECTION 272.** 111.825 (1m) of the statutes is repealed.

16 ***-1211/P10.187* SECTION 273.** 111.825 (2g) of the statutes is repealed.

17 ***-0732/3.13* SECTION 274.** 111.825 (3) of the statutes is amended to read:
18 111.825 (3) The commission shall assign employees to the appropriate
19 collective bargaining units set forth in subs. (1), ~~(1m)~~, (2), and (2g).

20 ***-1211/P10.188* SECTION 275.** 111.825 (3) of the statutes is amended to read:
21 111.825 (3) The commission shall assign employees to the appropriate
22 collective bargaining units set forth in subs. (1), ~~(1m)~~, and (2), and ~~(2g)~~.

23 ***-0732/3.14* SECTION 276.** 111.825 (4) of the statutes is amended to read:
24 111.825 (4) Any labor organization may petition for recognition as the exclusive
25 representative of a collective bargaining unit specified in sub. (1), ~~(1m)~~, (2), or (2g)

1 in accordance with the election procedures set forth in s. 111.83, provided the petition
2 is accompanied by a 30% showing of interest in the form of signed authorization
3 cards. Each additional labor organization seeking to appear on the ballot shall file
4 petitions within 60 days of the date of filing of the original petition and prove,
5 through signed authorization cards, that at least 10% of the employees in the
6 collective bargaining unit want it to be their representative.

7 ***-1211/P10.189* SECTION 277.** 111.825 (4) of the statutes is amended to read:

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

16 ***-0732/3.15* SECTION 278.** 111.825 (4m) of the statutes is repealed.

17 ***-1211/P10.190* SECTION 279.** 111.825 (4m) of the statutes is repealed.

18 ***-1211/P10.191* SECTION 280.** 111.825 (5) of the statutes is amended to read:

19 111.825 (5) Although supervisors are not considered employees for purposes
20 of this subchapter, the commission may consider a petition for a statewide collective
21 bargaining unit of professional supervisors or a statewide unit of nonprofessional
22 supervisors in the classified service, but the representative of supervisors may not
23 be affiliated with any labor organization representing employees. For purposes of
24 this subsection, affiliation does not include membership in a national, state, county
25 or municipal federation of national or international labor organizations. The

1 certified representative of supervisors who are not public safety employees may not
2 bargain collectively with respect to any matter other than wages ~~and fringe benefits~~
3 as provided in s. 111.91 (3), and the certified representative of supervisors who are
4 public safety employees may not bargain collectively with respect to any matter other
5 than wages and fringe benefits as provided in s. 111.91 (1).

6 ***-1211/P10.192* SECTION 281.** 111.825 (6) of the statutes is renumbered
7 111.825 (6) (a).

8 ***-1211/P10.193* SECTION 282.** 111.825 (6) (b) of the statutes is created to read:
9 111.825 (6) (b) The commission may assign only a public safety employee to the
10 collective bargaining unit under sub. (1) (g).

11 ***-1211/P10.194* SECTION 283.** 111.83 (1) of the statutes is amended to read:
12 111.83 (1) Except as provided in ~~subs.~~ sub. (5) ~~and (5m)~~, a representative
13 chosen for the purposes of collective bargaining by a majority of the employees voting
14 in a collective bargaining unit shall be the exclusive representative of all of the
15 employees in such unit for the purposes of collective bargaining. Any individual
16 employee, or any minority group of employees in any collective bargaining unit, may
17 present grievances to the employer in person, or through representatives of their own
18 choosing, and the employer shall confer with said employee or group of employees in
19 relation thereto if the majority representative has been afforded the opportunity to
20 be present at the conference. Any adjustment resulting from such a conference may
21 not be inconsistent with the conditions of employment established by the majority
22 representative and the employer.

23 ***-1211/P10.195* SECTION 284.** 111.83 (3) of the statutes is renumbered 111.83
24 (3) (a).

25 ***-1211/P10.196* SECTION 285.** 111.83 (3) (b) of the statutes is created to read:

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

21 ***-1211/P10.197* SECTION 286.** 111.83 (4) of the statutes is amended to read:

22 111.83 (4) Whenever an election has been conducted under sub. (3) (a) in which
23 the name of more than one proposed representative appears on the ballot and results
24 in no conclusion, the commission may, if requested by any party to the proceeding
25 within 30 days from the date of the certification of the results of the election, conduct

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1 a runoff election. In that runoff election, the commission shall drop from the ballot
2 the name of the representative who received the least number of votes at the original
3 election. The commission shall drop from the ballot the privilege of voting against
4 any representative if the least number of votes cast at the first election was against
5 representation by any named representative.

6 ***-1211/P10.198* SECTION 287.** 111.83 (5m) of the statutes is repealed.

7 ***-1211/P10.199* SECTION 288.** 111.83 (7) of the statutes is repealed.

8 ***-1211/P10.200* SECTION 289.** 111.84 (1) (b) of the statutes is amended to read:

9 111.84 (1) (b) Except as otherwise provided in this paragraph, to initiate,
10 create, dominate or interfere with the formation or administration of any labor or
11 employee organization or contribute financial support to it. Except as provided in
12 ss. 40.02 (22) (e) and 40.23 (1) (f) 4., no change in any law affecting the Wisconsin
13 retirement system under ch. 40 and no action by the employer that is authorized by
14 such a law constitutes a violation of this paragraph unless an applicable collective
15 bargaining agreement covering a collective bargaining unit under s. 111.825 (1) (g)
16 specifically prohibits the change or action. No such change or action affects the
17 continuing duty to bargain collectively with a collective bargaining unit under s.
18 111.825 (1) (g) regarding the Wisconsin retirement system under ch. 40 to the extent
19 required by s. 111.91 (1). It is not an unfair labor practice for the employer to
20 reimburse an employee at his or her prevailing wage rate for the time spent during
21 the employee's regularly scheduled hours conferring with the employer's officers or
22 agents and for attendance at commission or court hearings necessary for the
23 administration of this subchapter. Professional supervisory or craft personnel may
24 maintain membership in professional or craft organizations; however, as members

1 of such organizations they shall be prohibited from those activities related to
2 collective bargaining in which the organizations may engage.

3 ***-1211/P10.201* SECTION 290.** 111.84 (1) (d) of the statutes is amended to read:

4 111.84 (1) (d) To refuse to bargain collectively on matters set forth in s. 111.91
5 (1) or (3), whichever is appropriate, with a representative of a majority of its
6 employees in an appropriate collective bargaining unit. Where the employer has a
7 good faith doubt as to whether a labor organization claiming the support of a majority
8 of its employees in appropriate collective bargaining unit does in fact have that
9 support, it may file with the commission a petition requesting an election as to that
10 claim. It is not deemed to have refused to bargain until an election has been held and
11 the results thereof certified to it by the commission. A violation of this paragraph
12 includes, but is not limited to, the refusal to execute a collective bargaining
13 agreement previously orally agreed upon.

14 ***-1211/P10.202* SECTION 291.** 111.84 (1) (f) of the statutes is amended to read:

15 111.84 (1) (f) To deduct labor organization dues from ~~an employee's~~ the
16 earnings of a public safety employee, unless the employer has been presented with
17 an individual order therefor, signed by the public safety employee personally, and
18 terminable by at least the end of any year of its life or earlier by the public safety
19 employee giving at least 30 but not more than 120 days' written notice of such
20 termination to the employer and to the representative labor organization, except if
21 there is a fair-share or maintenance of membership agreement in effect. The
22 employer shall give notice to the labor organization of receipt of such notice of
23 termination.

24 ***-1211/P10.203* SECTION 292.** 111.84 (2) (c) of the statutes is amended to read:

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

9 ***-1211/P10.204*** **SECTION 293.** 111.84 (3) of the statutes is amended to read:

10 111.84 (3) It is an unfair labor practice for any person to do or cause to be done
11 on behalf of or in the interest of employers or employees, or in connection with or to
12 influence the outcome of any controversy as to employment relations, any act
13 prohibited by ~~subs.~~ sub. (1) ~~and~~ or (2).

14 ***-1211/P10.205*** **SECTION 294.** 111.845 of the statutes is created to read:

15 **111.845 Wage deduction prohibition.** The employer may not deduct labor
16 organization dues from a general employee's earnings.

17 ***-1211/P10.206*** **SECTION 295.** 111.85 (1), (2) and (4) of the statutes are
18 amended to read:

19 111.85 (1) (a) No fair-share or maintenance of membership agreement
20 covering public safety employees may become effective unless authorized by a
21 referendum. The commission shall order a referendum whenever it receives a
22 petition supported by proof that at least 30% of the public safety employees ~~or~~
23 ~~supervisors specified in s. 111.825 (5)~~ in a collective bargaining unit desire that a
24 fair-share or maintenance of membership agreement be entered into between the
25 employer and a labor organization. A petition may specify that a referendum is

1 requested on a maintenance of membership agreement only, in which case the ballot
2 shall be limited to that question.

3 (b) For a fair-share agreement to be authorized, at least two-thirds of the
4 eligible public safety employees ~~or supervisors~~ voting in a referendum shall vote in
5 favor of the agreement. For a maintenance of membership agreement to be
6 authorized, at least a majority of the eligible public safety employees ~~or supervisors~~
7 voting in a referendum shall vote in favor of the agreement. In a referendum on a
8 fair-share agreement, if less than two-thirds but more than one-half of the eligible
9 public safety employees ~~or supervisors~~ vote in favor of the agreement, a maintenance
10 of membership agreement is authorized.

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

1 (d) Under each fair-share or maintenance of membership agreement, ~~an a~~
2 public safety employee ~~or supervisor~~ who has religious convictions against dues
3 payments to a labor organization based on teachings or tenets of a church or religious
4 body of which he or she is a member shall, on request to the labor organization, have
5 his or her dues paid to a charity mutually agreed upon by the public safety employee
6 ~~or supervisor~~ and the labor organization. Any dispute concerning this paragraph
7 may be submitted to the commission for adjudication.

8 (2) (a) Once authorized, a fair-share or maintenance of membership
9 agreement covering public safety employees shall continue in effect, subject to the
10 right of the employer or labor organization concerned to petition the commission to
11 conduct a new referendum. Such petition must be supported by proof that at least
12 30% of the public safety employees ~~or supervisors~~ in the collective bargaining unit
13 desire that the fair-share or maintenance of membership agreement be
14 discontinued. Upon so finding, the commission shall conduct a new referendum. If
15 the continuance of the fair-share or maintenance of membership agreement is
16 approved in the referendum by at least the percentage of eligible voting public safety
17 employees ~~or supervisors~~ required for its initial authorization, it shall be continued
18 in effect, subject to the right of the employer or labor organization to later initiate a
19 further vote following the procedure prescribed in this subsection. If the
20 continuation of the agreement is not supported in any referendum, it is deemed
21 terminated at the termination of the collective bargaining agreement, or one year
22 from the date of the certification of the result of the referendum, whichever is earlier.

23 (b) The commission shall declare any fair-share or maintenance of
24 membership agreement suspended upon such conditions and for such time as the
25 commission decides whenever it finds that the labor organization involved has

1 refused on the basis of race, color, sexual orientation or creed to receive as a member
2 any public safety employee ~~or supervisor~~ in the collective bargaining unit involved,
3 and the agreement shall be made subject to the findings and orders of the
4 commission. Any of the parties to the agreement, or any public safety employee ~~or~~
5 ~~supervisor~~ covered thereby, may come before the commission, as provided in s.
6 111.07, and petition the commission to make such a finding.

7 (4) The commission may, under rules adopted for that purpose, appoint as its
8 agent an official of a state agency whose public safety employees are entitled to vote
9 in a referendum to conduct a referendum provided for herein.

10 ***-1211/P10.207* SECTION 296.** 111.85 (5) of the statutes is repealed.

11 ***-0732/3.16* SECTION 297.** 111.90 (2) of the statutes is amended to read:

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

15 ***-1211/P10.208* SECTION 298.** 111.90 (2) of the statutes is amended to read:

16 111.90 (2) ~~Subject to s. 111.91 (1) (am), manage~~ Manage the employees of a state
17 agency; hire, promote, transfer, assign or retain employees in positions within the
18 agency; and in that regard establish reasonable work rules.

19 ***-1211/P10.209* SECTION 299.** 111.905 of the statutes is repealed.

20 ***-1211/P10.210* SECTION 300.** 111.91 (1) (a) of the statutes is amended to read:

21 111.91 (1) (a) Except as provided in pars. (b) to ~~(e)~~ (d), with regard to a collective
22 bargaining unit under s. 111.825 (1) (g), matters subject to collective bargaining to
23 the point of impasse are wage rates, consistent with sub. (2), the assignment and
24 reassignment of classifications to pay ranges, determination of an incumbent's pay
25 status resulting from position reallocation or reclassification, and pay adjustments

1 upon temporary assignment of classified public safety employees to duties of a higher
2 classification or downward reallocations of a classified public safety employee's
3 position; fringe benefits consistent with sub. (2); hours and conditions of
4 employment.

5 ***-0732/3.17* SECTION 301.** 111.91 (1) (am) of the statutes is repealed.

6 ***-1211/P10.211* SECTION 302.** 111.91 (1) (am) of the statutes is repealed.

7 ***-1211/P10.212* SECTION 303.** 111.91 (1) (b) of the statutes is amended to read:

8 111.91 (1) (b) The employer ~~shall not be~~ is not required to bargain with a
9 collective bargaining unit under s. 111.825 (1) (g) on management rights under s.
10 111.90, except that procedures for the adjustment or settlement of grievances or
11 disputes arising out of any type of disciplinary action referred to in s. 111.90 (3) shall
12 be a subject of bargaining.

13 ***-1211/P10.213* SECTION 304.** 111.91 (1) (c) of the statutes is amended to read:

14 111.91 (1) (c) The employer is prohibited from bargaining with a collective
15 bargaining unit under s. 111.825 (1) (g) on matters contained in sub. (2).

16 ***-1211/P10.214* SECTION 305.** 111.91 (1) (cg) of the statutes is repealed.

17 ***-1211/P10.215* SECTION 306.** 111.91 (1) (cm) of the statutes is amended to
18 read:

19 111.91 (1) (cm) Except as provided in sub. (2) (g) and (h) and ss. 40.02 (22) (e)
20 and 40.23 (1) (f) 4., all laws governing the Wisconsin retirement system under ch. 40
21 and all actions of the employer that are authorized under any such law which apply
22 to nonrepresented individuals employed by the state shall apply to similarly situated
23 public safety employees, unless otherwise specifically provided in a collective
24 bargaining agreement that applies to ~~those~~ the public safety employees.

25 ***-1211/P10.216* SECTION 307.** 111.91 (1) (d) of the statutes is amended to read:

1 111.91 (1) (d) Demands In the case of a collective bargaining unit under s.
2 111.825 (1) (g), demands relating to retirement and group insurance shall be
3 submitted to the employer at least one year prior to commencement of negotiations.

4 ***-1211/P10.217* SECTION 308.** 111.91 (1) (e) of the statutes is repealed.

5 ***-1211/P10.218* SECTION 309.** 111.91 (2) (intro.) of the statutes is amended
6 to read:

7 111.91 (2) (intro.) The employer is prohibited from bargaining ~~on~~ with a
8 collective bargaining unit under s. 111.825 (1) (g) with respect to all of the following:

9 ***-1211/P10.219* SECTION 310.** 111.91 (2) (gu) of the statutes is amended to
10 read:

11 111.91 (2) (gu) The right of ~~an~~ a public safety employee, who is an employee,
12 as defined in s. 103.88 (1) (d), and who is a fire fighter, emergency medical technician,
13 first responder, or ambulance driver for a volunteer fire department or fire company,
14 a public agency, as defined in s. 256.15 (1) (n), or a nonprofit corporation, as defined
15 in s. 256.01 (12), to respond to an emergency as provided under s. 103.88 (2).

16 ***-1211/P10.220* SECTION 311.** 111.91 (2c) of the statutes is repealed.

17 ***-1211/P10.221* SECTION 312.** 111.91 (3) of the statutes is created to read:

18 111.91 (3) The employer is prohibited from bargaining with a collective
19 bargaining unit containing a general employee with respect to any of the following:

20 (a) Any factor or condition of employment except wages, which includes only
21 total base wages and excludes any other compensation, which includes, but is not
22 limited to, overtime, premium pay, merit pay, performance pay, supplemental
23 compensation, pay schedules, and automatic pay progressions.

1 (b) Unless the electors in a statewide referendum approve a total base wages
2 increase that exceeds the total base wages expenditure described in this paragraph,
3 any proposal that does any of the following:

4 1. If there is an increase in the consumer price index change, provides for total
5 base wages for authorized positions in the proposed collective bargaining agreement
6 that exceeds the total base wages for authorized positions 180 days before the
7 expiration of the previous collective bargaining agreement by a greater percentage
8 than the consumer price index change.

9 2. If there is a decrease in the consumer price index change, provides for total
10 base wages for authorized positions in the proposed collective bargaining agreement
11 that exceeds the total base wages for authorized positions 180 days before the
12 expiration of the previous collective bargaining agreement decreased by a
13 percentage of that expenditure that is equal to the decrease in the consumer price
14 index change.

15 ***-1211/P10.222* SECTION 313.** 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 ***-1211/P10.223* SECTION 314.** 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

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 ***-0732/3.18* SECTION 315.** ~~111.92 (1) (b) of the statutes is repealed.~~

21 ***-1211/P10.224* SECTION 316.** 111.92 (1) (b) of the statutes is repealed.

22 ***-1211/P10.225* SECTION 317.** 111.92 (2m) of the statutes is repealed.

23 ***-1211/P10.226* SECTION 318.** 111.92 (3) of the statutes is renumbered 111.92

24 (3) (a) and amended to read:

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

3 ***-1211/P10.227* SECTION 319.** 111.92 (3) (b) of the statutes is created to read:

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

8 ***-1211/P10.228* SECTION 320.** 111.93 (2) of the statutes is renumbered 111.93

9 (2) (a) and amended to read:

10 111.93 (2) (a) All civil service and other applicable statutes concerning wages,
11 fringe benefits, hours and conditions of employment apply to ~~employees specified in~~
12 ~~s. 111.81 (7) (a) who are not included in collective bargaining units for which a~~
13 ~~representative is recognized or certified and to employees specified in s. 111.81 (7)~~
14 ~~(b) to (f) public safety employees~~ who are not included in a collective bargaining unit
15 for which a representative is certified.

16 ***-1211/P10.229* SECTION 321.** 111.93 (2) (b) of the statutes is created to read:

17 111.93 (2) (b) 1. All civil service and other applicable statutes concerning wages
18 apply to general employees who are not included in a collective bargaining units for
19 which a representative is recognized or certified.

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

23 ***-1211/P10.230* SECTION 322.** 111.93 (3) of the statutes is renumbered 111.93

24 (3) (intro.) and 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 ***-1211/P10.231* SECTION 323.** 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 ***-1211/P10.232* SECTION 324.** Subchapter VI of chapter 111 [precedes 111.95]
19 of the statutes is repealed.

20 ***-1211/P10.233* SECTION 325.** 118.22 (4) of the statutes is repealed.

21 ***-1211/P10.234* SECTION 326.** 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 ***-1211/P10.235* SECTION 327.** 118.23 (5) of the statutes is repealed.

25 ***-1211/P10.236* SECTION 328.** 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 total base wages of its employees in an amount that exceeds
3 the limit under s. 111.70 (4) (mb) 2., the school board shall adopt a resolution to that
4 effect. The resolution shall specify the amount by which the proposed total base
5 wages increase will exceed the limit under s. 111.70 (4) (mb) 2. The resolution may
6 not take effect unless it is approved in a referendum called for that purpose. The
7 referendum shall occur in April for collective bargaining agreements that begin in
8 July of that year. The results of a referendum apply to the total base wages only in
9 the next collective bargaining agreement.

10 (2) The question submitted in the referendum shall be substantially as follows:
11 “Shall the employees in the [school district] receive a total increase on wages from
12 \$....[current total base wages] to \$....[proposed total base wages], which is a
13 percentage wage increase that is [x] percent higher than the percent of the
14 consumer price index increase, for a total percentage increase in wages of [x]?”

15 *-1211/P10.237* SECTION 329. 118.40 (2r) (b) 3. a. of the statutes is amended
16 to read:

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

24 *-1211/P10.238* SECTION 330. 118.42 (3) (a) 4. of the statutes is amended to
25 read:

1 118.42 (3) (a) 4. Implement changes in administrative and personnel
2 structures ~~that are consistent with applicable collective bargaining agreements.~~

3 ***-1211/P10.239* SECTION 331.** 118.42 (5) of the statutes is amended to read:

4 118.42 (5) Nothing in this section alters or otherwise affects the rights or
5 remedies afforded school districts and school district employees under federal or
6 state law ~~or under the terms of any applicable collective bargaining agreement.~~

7 ***-1211/P10.240* SECTION 332.** 119.04 (1) of the statutes is amended to read:

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

18 ***-1211/P10.241* SECTION 333.** 120.12 (4m) of the statutes is created to read:

19 120.12 (4m) CALCULATION OF TOTAL BASE WAGES INCREASE FOR COLLECTIVE
20 BARGAINING. If collectively bargaining with employees of the school district,
21 determine the maximum total base wages expenditure that is subject to collective
22 bargaining under s. 111.70 (4) (mb) 2., calculating the consumer price index change
23 using the method the department of revenue uses under s. 73.03 (68).

24 ***-1211/P10.242* SECTION 334.** 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 ***-1211/P10.243*** SECTION 335. 120.18 (1) (gm) of the statutes is amended to
9 read:

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

1 public accountant licensed or certified under ch. 442 certifying the school district
2 audit.

3 ***-0732/3.19* SECTION 336.** 146.59 of the statutes is repealed.

4 ***-1211/P10.244* SECTION 337.** 146.59 (3) (a) of the statutes is amended to
5 read:

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

12 ***-1130/4.6* SECTION 338.** 196.025 (7) of the statutes is created to read:

13 196.025 (7) REGULATION OF CERTAIN PLANTS. If the department of administration
14 sells or contracts for the operation of any plant under s. 16.896 (1), and the purchaser
15 or contractor is not a public utility because the purchaser or contractor does not use
16 the plant to provide service directly or indirectly to or for the public, the commission
17 shall, upon petition at any time by the department of administration, regulate the
18 purchaser or contractor as a public utility under this chapter if the commission
19 determines that such regulation is in the public interest.

20 ***-1211/P10.245* SECTION 339.** 230.01 (3) of the statutes is amended to read:

21 230.01 (3) Nothing in this chapter shall be construed to either infringe upon
22 or supersede the rights guaranteed state employees under subch. V or VI of ch. 111.

23 ***-1211/P10.246* SECTION 340.** 230.03 (3) of the statutes, as affected by 2011
24 Wisconsin Act (January 2011 Special Session Senate Bill 6), is amended to read:

1 230.03 (3) "Agency" means any board, commission, committee, council, or
2 department in state government or a unit thereof created by the constitution or
3 statutes if such board, commission, committee, council, department, unit, or the
4 head thereof, is authorized to appoint subordinate staff by the constitution or
5 statute, except a legislative or judicial board, commission, committee, council,
6 department, or unit thereof or an authority created under subch. II of ch. 114 or
7 subch. III of ch. 149 or under ch. 52, 231, 232, 233, 234, 235, 237, 238, or 279.
8 "Agency" does not mean any local unit of government or body within one or more local
9 units of government that is created by law or by action of one or more local units of
10 government.

11 ***-1222/5.2* SECTION 341.** 230.04 (16) of the statutes is amended to read:

12 230.04 (16) The director may appoint either a deputy director or an executive
13 assistant outside the classified service.

14 ***-1211/P10.247* SECTION 342.** 230.046 (10) (a) of the statutes is amended to
15 read:

16 230.046 (10) (a) Conduct off-the-job employee development and training
17 programs relating to functions under this chapter or subch. V ~~or VI~~ of ch. 111.

18 ***-1222/5.3* SECTION 343.** 230.08 (2) (e) 1. of the statutes is amended to read:

19 230.08 (2) (e) 1. Administration — ~~14~~ 13.

20 ***-1222/5.4* SECTION 344.** 230.08 (2) (e) 2. of the statutes is amended to read:

21 230.08 (2) (e) 2. Agriculture, trade and consumer protection — ~~6~~ 9.

22 ***-1222/5.5* SECTION 345.** 230.08 (2) (e) 2m. of the statutes is amended to read:

23 230.08 (2) (e) 2m. Children and families — ~~5~~ 8.

24 ***-1222/5.6* SECTION 346.** 230.08 (2) (e) 3e. of the statutes is amended to read:

25 230.08 (2) (e) 3e. Corrections — ~~4~~ 7.

- 1 ***-1222/5.7* SECTION 347.** 230.08 (2) (e) 4f. of the statutes is amended to read:
2 230.08 (2) (e) 4f. Financial institutions — 3 5.
- 3 ***-1222/5.8* SECTION 348.** 230.08 (2) (e) 5. of the statutes is amended to read:
4 230.08 (2) (e) 5. Health services — 6 9.
- 5 ***-1222/5.9* SECTION 349.** 230.08 (2) (e) 6. of the statutes is amended to read:
6 230.08 (2) (e) 6. Workforce development — 6 8.
- 7 ***-1222/5.10* SECTION 350.** 230.08 (2) (e) 8. of the statutes is amended to read:
8 230.08 (2) (e) 8. Natural resources — 7 10.
- 9 ***-1222/5.11* SECTION 351.** 230.08 (2) (e) 8h. of the statutes is created to read:
10 230.08 (2) (e) 8h. Office of the commissioner of insurance — 2.
- 11 ***-1222/5.12* SECTION 352.** 230.08 (2) (e) 8j. of the statutes is created to read:
12 230.08 (2) (e) 8j. Office of state employment relations — 3.
- 13 ***-1222/5.13* SECTION 353.** 230.08 (2) (e) 9m. of the statutes is amended to
14 read:
15 230.08 (2) (e) 9m. Public service commission — 5 8.
- 16 ***-1222/5.14* SECTION 354.** 230.08 (2) (e) 10. of the statutes is amended to read:
17 230.08 (2) (e) 10. Regulation and licensing — 4 6.
- 18 ***-1222/5.15* SECTION 355.** 230.08 (2) (e) 11. of the statutes is amended to read:
19 230.08 (2) (e) 11. Revenue — 4 7.
- 20 ***-1222/5.16* SECTION 356.** 230.08 (2) (e) 12. of the statutes is amended to read:
21 230.08 (2) (e) 12. Transportation — 6 9.
- 22 ***-1222/5.17* SECTION 357.** 230.08 (2) (e) 15. of the statutes is created to read:
23 230.08 (2) (e) 15. Tourism — 1.
- 24 ***-1222/5.18* SECTION 358.** 230.08 (2) (ya) of the statutes is amended to read:

1 230.08 (2) (ya) The director, deputy director, and executive assistant to the
2 director of the office of state employment relations ~~in the department of~~
3 ~~administration.~~

4 ***-1222/5.19*** SECTION 359. 230.08 (4) (a) of the statutes is amended to read:

5 230.08 (4) (a) The number of administrator positions specified in sub. (2) (e)
6 includes all administrator positions specifically authorized by law to be employed
7 outside the classified service in each department, board or commission and the
8 historical society, and any other managerial position determined by an appointing
9 authority. In this paragraph, “department” has the meaning given under s. 15.01 (5),
10 “board” means the educational communications board, government accountability
11 board, investment board, public defender board and technical college system board
12 and “commission” means the public service commission. Notwithstanding sub. (2)
13 (z), no division administrator position exceeding the number authorized in sub. (2)
14 (e) may be created in the unclassified service.

15 ***-0732/3.20*** SECTION 360. 230.09 (2) (g) of the statutes is amended to read:

16 230.09 (2) (g) When filling a new or vacant position, if the director determines
17 that the classification for a position is different than that provided for by the
18 legislature as established by law or in budget determinations, or as authorized by the
19 joint committee on finance under s. 13.10, or as specified by the governor creating
20 positions under s. 16.505 (1) (c) or (2), ~~the University of Wisconsin Hospitals and~~
21 ~~Clinics Board creating positions under s. 16.505 (2n)~~ or the board of regents of the
22 University of Wisconsin System creating positions under s. 16.505 (2m), or is
23 different than that of the previous incumbent, the director shall notify the
24 administrator and the secretary of administration. The administrator shall
25 withhold action on the selection and certification process for filling the position. The

1 secretary of administration shall review the position to determine that sufficient
2 funds exist for the position and that the duties and responsibilities of the proposed
3 position reflect the intent of the legislature as established by law or in budget
4 determinations, the intent of the joint committee on finance acting under s. 13.10,
5 the intent of the governor creating positions under s. 16.505 (1) (c) or (2), ~~the~~
6 ~~University of Wisconsin Hospitals and Clinics Board creating positions under s.~~
7 ~~16.505 (2n)~~ or the intent of the board of regents of the University of Wisconsin System
8 creating positions under s. 16.505 (2m). The administrator may not proceed with the
9 selection and certification process until the secretary of administration has
10 authorized the position to be filled.

11 ***-1211/P10.248* SECTION 361.** 230.10 (1) of the statutes is amended to read:

12 230.10 (1) Except as provided under sub. (2), the compensation plan provisions
13 of s. 230.12 apply to all employees of the classified service, ~~unless they are covered~~
14 ~~by a collective bargaining agreement under subch. V of ch. 111. If an employee is~~
15 covered under a collective bargaining agreement under subch. V of ch. 111, the
16 compensation plan provisions of s. 230.12 apply to that employee, except for those
17 provisions relating to matters that are subject to bargaining under a collective
18 bargaining agreement that covers the employee.

19 ***-1211/P10.249* SECTION 362.** 230.12 (3) (e) 1. of the statutes is amended to
20 read:

21 230.12 (3) (e) 1. The director, after receiving recommendations from the board
22 of regents, shall submit to the joint committee on employment relations a proposal
23 for adjusting compensation and employee benefits for employees under ss. 20.923
24 (4g), (5) and (6) (m) and 230.08 (2) (d) who are not included in a collective bargaining
25 unit under subch. V ~~or VI~~ of ch. 111 for which a representative is certified. The

1 proposal shall include the salary ranges and adjustments to the salary ranges for the
2 university senior executive salary groups 1 and 2 established under s. 20.923 (4g).
3 The proposal shall be based upon the competitive ability of the board of regents to
4 recruit and retain qualified faculty and academic staff, data collected as to rates of
5 pay for comparable work in other public services, universities and commercial and
6 industrial establishments, recommendations of the board of regents and any special
7 studies carried on as to the need for any changes in compensation and employee
8 benefits to cover each year of the biennium. The proposal shall also take proper
9 account of prevailing pay rates, costs and standards of living and the state's
10 employment policies. The proposal for such pay adjustments may contain
11 recommendations for across-the-board pay adjustments, merit or other
12 adjustments and employee benefit improvements. Paragraph (b) and sub. (1) (bf)
13 shall apply to the process for approval of all pay adjustments for such employees
14 under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d). The proposal as approved
15 by the joint committee on employment relations and the governor shall be based
16 upon a percentage of the budgeted salary base for such employees under ss. 20.923
17 (4g), (5) and (6) (m) and 230.08 (2) (d). The amount included in the proposal for merit
18 and adjustments other than across-the-board pay adjustments is available for
19 discretionary use by the board of regents.

20 ***-0946/1.1* SECTION 363.** 230.24 (4) of the statutes is created to read:

21 230.24 (4) An appointing authority may reassign an employee in a career
22 executive position to a career executive position in any agency if the appointing
23 authority in the agency to which the employee is to be reassigned approves of the
24 reassignment.

25 ***-1121/2.4* SECTION 364.** 230.26 (4) of the statutes is amended to read:

1 230.26 (4) Fringe benefits specifically authorized by statutes, with the
2 exception of deferred compensation plan participation under subch. VII of ch. 40,
3 worker's compensation, unemployment insurance, ~~group insurance, retirement,~~ and
4 social security coverage, shall be denied employees hired under this section. Such
5 employees may not be considered permanent employees and do not qualify for
6 tenure, vacation, paid holidays, sick leave, performance awards, or the right to
7 compete in promotional examinations.

8 ***-0732/3.21*** SECTION 365. 230.29 (1) of the statutes is renumbered 230.29 and
9 amended to read:

10 **230.29 Transfers.** ~~Subject to sub. (2), a~~ A transfer may be made from one
11 position to another only if specifically authorized by the administrator.

12 ***-0732/3.22*** SECTION 366. 230.29 (2) of the statutes is repealed.

13 ***-1211/P10.250*** SECTION 367. 230.34 (1) (ar) of the statutes is amended to
14 read:

15 230.34 (1) (ar) Paragraphs (a) and (am) apply to all employees with permanent
16 status in class in the classified service and all employees who have served with the
17 state as an assistant district attorney for a continuous period of 12 months or more,
18 ~~except that for employees specified in s. 111.81 (7) (a) in a collective bargaining unit~~
19 ~~for which a representative is recognized or certified, or for employees specified in s.~~
20 ~~111.81 (7) (b) or (c) in a collective bargaining unit for which a representative is~~
21 ~~certified, if a collective bargaining agreement is in effect covering employees in the~~
22 ~~collective bargaining unit, the determination of just cause and all aspects of the~~
23 ~~appeal procedure shall be governed by the provisions of the collective bargaining~~
24 ~~agreement.~~

25 ***-1151/3.1*** SECTION 368. 230.34 (1) (ax) of the statutes is created to read:

1 230.34 (1) (ax) 1. Notwithstanding pars. (a), (am), and (ar), during a state of
2 emergency declared by the governor under s. 323.10, an appointing authority may
3 discharge any employee who does any of the following:

4 a. Fails to report to work as scheduled for any 3 working days during the state
5 of emergency and the employee's absences from work are not approved leaves of
6 absence.

7 b. Participates in a strike, work stoppage, sit-down, stay-in, slowdown, or
8 other concerted interruption of operations or services, including specifically
9 purported mass resignations or sick calls.

10 2. Engaging in any action under subd. 1. constitutes just cause for discharge.

11 3. Before discharging an employee, the appointing authority shall provide the
12 employee notice of the action and shall furnish to the employee in writing the reasons
13 for the action. The appointing authority shall provide the employee an opportunity
14 to respond to the reasons for the discharge.

15 ***-1211/P10.251*** SECTION 369. 230.35 (1s) of the statutes is amended to read:

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

23 ***-1211/P10.252*** SECTION 370. 230.35 (2d) (e) of the statutes is amended to
24 read:

1 230.35 (2d) (e) 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 subsection shall apply unless otherwise provided in a collective bargaining
4 agreement.

5 ***-1211/P10.253* SECTION 371.** 230.35 (3) (e) 6. of the statutes is amended to
6 read:

7 230.35 (3) (e) 6. For employees who are included in a collective bargaining unit
8 for which a representative is recognized or certified under subch. V or VI of ch. 111,
9 this paragraph shall apply unless otherwise provided in a collective bargaining
10 agreement.

11 ***-1211/P10.254* SECTION 372.** 230.88 (2) (b) of the statutes is amended to
12 read:

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

22 ***-0732/3.23* SECTION 373.** 233.02 (1) (h) of the statutes is amended to read:

23 233.02 (1) (h) ~~Two~~ One nonvoting members member appointed by the governor,
24 ~~one of whom shall be~~ who is either an employee or a representative of a labor
25 organization recognized or certified to represent employees in one of the collective

1 bargaining units specified in s. 111.05 (5) (a) and one of whom shall be an employee
2 or a representative of a labor organization recognized or certified to represent
3 employees in one of the collective bargaining units specified in s. 111.825 (1m).

4 ***-1211/P10.255* SECTION 374.** 233.02 (1) (h) of the statutes is repealed.

5 ***-1211/P10.256* SECTION 375.** 233.02 (8) of the statutes is amended to read:

6 233.02 (8) The members of the board of directors shall annually elect a
7 chairperson and may elect other officers as they consider appropriate. Eight voting
8 members of the board of directors constitute a quorum for the purpose of conducting
9 the business and exercising the powers of the authority, notwithstanding the
10 existence of any vacancy. The members of the board of directors specified under sub.
11 (1) (c) and (g) may not be the chairperson of the board of directors for purposes of 1995
12 Wisconsin Act 27, section 9159 (2). The board of directors may take action upon a vote
13 of a majority of the members present, unless the bylaws of the authority require a
14 larger number.

15 ***-1211/P10.257* SECTION 376.** 233.03 (7) of the statutes is amended to read:

16 233.03 (7) Subject to s. 233.10 and ch. 40 and 1995 Wisconsin Act 27, section
17 9159 (4) and the duty to engage in collective bargaining with employees in a collective
18 bargaining unit for which a representative is recognized or certified under subch. I
19 of ch. 111, employ any agent, employee or special advisor that the authority finds
20 necessary and fix his or her compensation and provide any employee benefits,
21 including an employee pension plan.

22 ***-0732/3.24* SECTION 377.** 233.04 (2) of the statutes is amended to read:

23 233.04 (2) Subject to subs. (4) to (4r) and s. 233.10, develop and implement a
24 personnel structure and other employment policies for employees of the authority.

25 ***-1211/P10.258* SECTION 378.** 233.04 (2) of the statutes is amended to read:

1 233.04 (2) Subject to subs. ~~(4) to (4r) and (4m)~~ and s. 233.10, develop and
2 implement a personnel structure and other employment policies for employees of the
3 authority.

4 ***-0732/3.25* SECTION 379.** 233.04 (4) of the statutes is repealed.

5 ***-0732/3.26* SECTION 380.** 233.04 (4m) of the statutes is repealed.

6 ***-0732/3.27* SECTION 381.** 233.04 (4r) of the statutes is repealed.

7 ***-1211/P10.259* SECTION 382.** ~~233.04~~ (4r) of the statutes is repealed.

8 ***-0732/3.28* SECTION 383.** 233.10 (1) of the statutes is amended to read:

9 233.10 (1) Subject to s. ~~233.04 (4) to (4r) and 1995 Wisconsin Act 27, section~~
10 ~~9159 (2) and (4), the~~ The authority shall employ such employees as it may require
11 and shall determine the qualifications and duties of its employees. Appointments
12 to and promotions in the authority shall be made according to merit and fitness.

13 ***-1211/P10.260* SECTION 384.** 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 ***-1211/P10.261* SECTION 385.** 233.10 (2) (intro.) of the statutes is amended
19 to read:

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

24 ***-1211/P10.262* SECTION 386.** 233.10 (3) (a) (intro.) of the statutes is amended
25 to read:

1 233.10 (3) (a) (intro.) In this subsection and ~~subs. (3m) and sub.~~ (4), “carry-over
2 employee” means an employee of the authority who satisfies all of the following:

3 ***-1211/P10.263*** SECTION 387. 233.10 (3) (b) of the statutes is repealed.

4 ***-1211/P10.264*** SECTION 388. 233.10 (3) (c) (intro.) of the statutes is amended
5 to read:

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

10 ***-1211/P10.265*** SECTION 389. 233.10 (3) (d) of the statutes is amended to
11 read:

12 233.10 (3) (d) If an employee of the authority is not a carry-over employee ~~and~~
13 ~~is an employee to whom par. (b) does not apply~~, the authority shall, from June 29,
14 1996, to June 30, 1997, provide that employee the same rights, benefits and
15 compensation provided to a carry-over employee under par. (c) who holds a position
16 at the authority with similar duties.

17 ***-1211/P10.266*** SECTION 390. 233.10 (3m) of the statutes is repealed.

18 ***-1211/P10.267*** SECTION 391. 281.75 (4) (b) 3. of the statutes, as affected by
19 2011 Wisconsin Act (January 2011 Special Session Senate Bill 6), is amended to
20 read:

21 281.75 (4) (b) 3. An authority created under subch. II of ch. 114 or ch. 52, 231,
22 233, 234, 237, or 238.

23 ***-1211/P10.268*** SECTION 392. 285.59 (1) (b) of the statutes, as affected by
24 2011 Wisconsin Act (January 2011 Special Session Senate Bill 6), is amended to
25 read:

1 285.59 (1) (b) "State agency" means any office, department, agency, institution
2 of higher education, association, society or other body in state government created
3 or authorized to be created by the constitution or any law which is entitled to expend
4 moneys appropriated by law, including the legislature and the courts, the Wisconsin
5 Housing and Economic Development Authority, the Bradley Center Sports and
6 Entertainment Corporation, the University of Wisconsin Hospitals and Clinics
7 Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace
8 Authority, ~~the Wisconsin Quality Home Care Authority~~, the Wisconsin Economic
9 Development Corporation, and the Wisconsin Health and Educational Facilities
10 Authority.

11 ***-1211/P10.269* SECTION 393.** 704.31 (3) of the statutes is amended to read:

12 704.31 (3) This section does not apply to a lease to which a local professional
13 baseball park district created under subch. III of ch. 229, ~~the Wisconsin Quality~~
14 ~~Home Care Authority~~, or the Fox River Navigational System Authority is a party.

15 ***-1211/P10.270* SECTION 394.** 851.71 (4) of the statutes is amended to read:

16 851.71 (4) In counties having a population of 500,000 or more, the appointment
17 under subs. (1) and (2) shall be made as provided in those subsections but the judges
18 shall not remove the register in probate and deputy registers, except through charges
19 for dismissal made and sustained under s. 63.10 ~~or an applicable collective~~
20 ~~bargaining agreement~~.

21 ***-1211/P10.271* SECTION 395.** 978.12 (1) (c) of the statutes is amended to read:

22 978.12 (1) (c) *Assistant district attorneys.* Assistant district attorneys shall be
23 employed outside the classified service. For purposes of salary administration, the
24 director of the office of state employment relations shall establish one or more
25 classifications for assistant district attorneys in accordance with the classification

1 or classifications allocated to assistant attorneys general. Except as provided in s.
2 111.93 (3) (b), the salaries of assistant district attorneys shall be established and
3 adjusted in accordance with the state compensation plan for assistant attorneys
4 general whose positions are allocated to the classification or classifications
5 established by the director of the office of state employment relations.

6 ***-1181/2.1* SECTION 396.** 2007 Wisconsin Act 20, section 9201 (1c) (a) is
7 amended to read:

8 [2007 Wisconsin Act 20] Section 9201 (1c) (a) Notwithstanding sections 20.001
9 (3) (a) to (c) and 25.40 (3) of the statutes, but subject to paragraph (d), the secretary
10 of administration shall lapse to the general fund or transfer to the general fund from
11 the unencumbered balances of state operations appropriations to executive branch
12 state agencies, other than sum sufficient appropriations and appropriations of
13 federal revenues, an amount equal to \$200,000,000 during the 2007-09 fiscal
14 biennium and ~~\$200,000,000~~ \$121,000,000 during the 2009-11 fiscal biennium. This
15 paragraph shall not apply to appropriations to the Board of Regents of the University
16 of Wisconsin System and to the technical college system board.

17 ***-0263/1.1* SECTION 397.** 2009 Wisconsin Act 28, section 9222 (1d) is repealed.

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

19 ***-1211/P10.9101*** (1) EVALUATION OF STAFFING NEEDS AT THE WISCONSIN
20 EMPLOYMENT RELATIONS COMMISSION. The department of administration shall
21 evaluate the staffing requirements of the Wisconsin employment relations
22 commission and shall submit the report of the evaluation to the joint committee on
23 finance under section 13.10 of the statutes.

24 ***-1222/5.9101*** (2) POSITION INCREASES AND DECREASES.

1 (a) The authorized FTE positions for the department of administration are
2 decreased by 1.0 FED position, funded from the appropriation under section 20.505
3 (1) (pz) of the statutes, for the purpose for which the appropriation is made. The
4 secretary of administration shall identify the position.

5 (b) The authorized FTE positions for the department of administration are
6 decreased by 1.0 PR position, funded from the appropriation under section 20.505 (1)
7 (kr) of the statutes, for the purpose for which the appropriation is made. The
8 secretary of administration shall identify the position.

9 (c) The authorized FTE positions for the department of administration are
10 increased by 1.0 PR position, funded from the appropriation under section 20.505 (1)
11 (ka) of the statutes, to provide for an unclassified division administrator.

12 (d) The authorized FTE positions for the department of administration are
13 increased by 1.0 PR position, funded from the appropriation under section 20.505 (1)
14 (kr) of the statutes, to provide for an unclassified division administrator.

15 (e) The authorized FTE positions for the department of administration are
16 increased by 1.0 PR position, funded from the appropriation under section 20.505 (5)
17 (ka) of the statutes, to provide for an unclassified division administrator.

18 ***-1222/5.9103* SECTION 9103. Nonstatutory provisions; Agriculture,**
19 **Trade and Consumer Protection.**

20 (1) POSITION INCREASES AND DECREASES.

21 (a) The authorized FTE positions for the department of agriculture, trade and
22 consumer protection are decreased by 3.0 GPR positions, funded from the
23 appropriation under section 20.115 (8) (a) of the statutes, for the purpose for which
24 the appropriation is made. The secretary of administration shall identify the
25 positions.

SECTION 9103

1 (b) The authorized FTE positions for the department of agriculture, trade and
2 consumer protection are increased by 3.0 GPR positions, funded from the
3 appropriation under section 20.115 (8) (a) of the statutes, to provide for additional
4 unclassified division administrators.

5 ***-1222/5.9108* SECTION 9108. Nonstatutory provisions; Children and**
6 **Families.**

7 (1) POSITION INCREASES AND DECREASES.

8 (a) The authorized FTE positions for the department of children and families
9 are decreased by 1.0 PR position, funded from the appropriation under section 20.437
10 (3) (k) of the statutes, for the purpose for which the appropriation is made. The
11 secretary of administration shall identify the position.

12 (b) The authorized FTE positions for the department of children and families
13 are decreased by 1.85 GPR positions, funded from the appropriation under section
14 20.437 (3) (a) of the statutes, for the purpose for which the appropriation is made.
15 The secretary of administration shall identify the positions.

16 (c) The authorized FTE positions for the department of children and families
17 are decreased by 0.15 FED position, funded from the appropriation under section
18 20.437 (3) (n) of the statutes, for the purpose for which the appropriation is made.
19 The secretary of administration shall identify the position.

20 (d) The authorized FTE positions for the department of children and families
21 are increased by 1.0 PR position, funded from the appropriation under section 20.437
22 (3) (k) of the statutes, to provide for an unclassified division administrator.

23 (e) The authorized FTE positions for the department of children and families
24 are increased by 1.85 GPR positions, funded from the appropriation under section

1 20.437 (3) (a) of the statutes, to provide for additional unclassified division
2 administrators.

3 (f) The authorized FTE positions for the department of children and families
4 are increased by 0.15 FED position, funded from the appropriation under section
5 20.437 (3) (n) of the statutes, to provide for an unclassified division administrator.

6 ***-1222/5.9111* SECTION 9111. Nonstatutory provisions; Corrections.**

7 (1) POSITION INCREASES AND DECREASES.

8 (a) The authorized FTE positions for the department of corrections are
9 decreased by 3.0 GPR positions, funded from the appropriation under section 20.410
10 (1) (a) of the statutes, for the purpose for which the appropriation is made. The
11 secretary of administration shall identify the positions.

12 (b) The authorized FTE positions for the department of corrections are
13 increased by 3.0 GPR positions, funded from the appropriation under section 20.410
14 (1) (a) of the statutes, to provide for additional unclassified division administrators.

15 **SECTION 9115. Nonstatutory provisions; Employee Trust Funds.**

16 ***-0639/15.9115*** (1) STATE EMPLOYEE HEALTH CARE COVERAGE.

17 (a) Notwithstanding section 40.05 (4) (ag) and (c) of the statutes, as affected by
18 this act, beginning with health insurance premiums paid on the first day of the first
19 pay period after March 13, 2011, and ending on December 31, 2011, all of the
20 following shall apply:

21 1. Employees covered under section 40.05 (4) (ag) 2. of the statutes, as affected
22 by this act, shall pay \$84 a month for individual coverage and \$208 a month for family
23 coverage for health care coverage under any plan offered in the tier with the lowest
24 employee premium cost under section 40.51 (6) of the statutes; \$122 a month for
25 individual coverage and \$307 a month for family coverage for health care coverage

and craft employees, as defined in section 111.8 (4) of the statutes, and related non-represented employees

1 under any plan offered in the tier with the next lowest employee premium cost under
2 section 40.51 (6) of the statutes; and \$226 a month for individual coverage and \$567
3 a month for family coverage for health care coverage under any plan offered in the
4 tier with the highest employee premium cost under section 40.51 (6) of the statutes.

5 2. Eligible employees covered under section 40.02 (25) (b) 2. of the statutes, as
6 affected by this act, shall pay 50 percent of the amounts required for employees under
7 subdivision 1.

8 3. Employees covered under section 40.05 (4) (ag) 1. of the statutes, as affected
9 by this act, shall pay the same amounts that they are required to pay on the day
10 before the effective date of this subdivision.

11 (b) If an employer is unable to modify payroll procedures in sufficient time to
12 collect employees' increased share of the premium costs for health care coverage
13 under paragraph (a) before the first day of the first pay period after March 13, 2011,
14 the employer shall recover all amounts that employees owe for the increased share
15 of premium costs before July 1, 2011.

16 ***-0757/10.9115*** (2) EMPLOYER AND EMPLOYEE REQUIRED CONTRIBUTIONS FOR 2011.
17 Notwithstanding the employer and employee required contributions rates
18 established for 2011 under section 40.05 (1) and (2), 2009 stats., beginning on the first
19 day of the first pay period after March 13, 2011, the employee required contributions
20 under section 40.05 (1) (a) of the statutes, as affected by this act, shall be in effect for
21 the remainder of 2011, and the employer required contributions under section 40.05
22 (2) of the statutes shall be adjusted to reflect the increases in employee required
23 contributions for the remainder of 2011. In addition, beginning on the first day of the
24 first pay period after March 13, 2011, for the purpose of calculating employee
25 required contributions, the benefit adjustment contribution established under

1 section 40.05 (2m), 2009 stats., shall be treated as an employer required contribution
2 for the remainder of 2011. If an employer is unable to modify payroll procedures in
3 sufficient time to collect the increased employee required contributions before the
4 first day of the first pay period after March 13, 2011, the employer shall recover all
5 amounts that employees owe before July 1, 2011.

6 ***-0764/5.9115*** (3) MODIFICATIONS TO WISCONSIN RETIREMENT SYSTEM.

7 (a) The secretary of administration, the director of the office of state
8 employment relations, the secretary of employee trust funds, and the cochairpersons
9 of the joint survey committee on retirement systems shall study the structure of the
10 Wisconsin Retirement System and benefits provided under the Wisconsin
11 Retirement System. The study shall specifically address the following issues:

12 1. Establishing a defined contribution plan as an option for participating
13 employees, as defined in section 40.02 (46) of the statutes.

14 2. Establishing a vesting period of 1, 5, or 10 years for employer contributions
15 under section 40.05 (2) of the statutes and for eligibility for retirement benefits.

16 3. Modifying the supplemental health insurance premium credit program
17 under subchapter IX of chapter 40 of the statutes.

18 4. Permitting employees to not make employee required contributions under
19 section 40.05 (1) (a) of the statutes and limiting retirement benefits for employees
20 who do not make employee required contributions to a money purchase annuity
21 calculated under section 40.23 (3) of the statutes.

22 (b) No later than June 30, 2012, the secretary of administration, the director
23 of the office of state employment relations, the secretary of employee trust funds, and
24 the cochairpersons of the joint survey committee on retirement systems shall report

1 their findings and recommendations to the chief clerk of each house of the
2 legislature, for distribution to the legislature under section 13.172 (2) of the statutes.

3 ***-1180/1.9115*** (4) ALLOCATION OF CERTAIN EXCESS RESERVES IN THE PUBLIC
4 EMPLOYEE TRUST FUND TO REDUCE EMPLOYER HEALTH INSURANCE COSTS DURING 2011.
5 Notwithstanding any action of the group insurance board under section 40.03 (6) (d)
6 of the statutes, from reserve accounts established under section 20.515 (1) (r) of the
7 statutes for group health insurance and pharmacy benefits for state employees, the
8 secretary of employee trust funds shall allocate an amount equal to \$28,000,000 to
9 reduce employer costs for providing group health insurance for state employees for
10 the period beginning on July 1, 2011, and ending on December 31, 2011.

11 ***-1212/3.9115*** (5) AGREEMENTS TO MODIFY GROUP INSURANCE COVERAGE FOR
12 STATE EMPLOYEES. Section 40.03 (6) (c) of the statutes shall not apply to any
13 agreements entered into by the group insurance board to modify group insurance
14 coverage for the 2012 and 2013 calendar years.

15 (6) REDUCTIONS IN HEALTH CARE PREMIUM COSTS FOR HEALTH CARE COVERAGE
16 DURING 2012 CALENDAR YEAR. The group insurance board shall design health care
17 coverage plans for the 2012 calendar year that, after adjusting for any inflationary
18 increase in health benefit costs, as determined by the group insurance board, reduces
19 the average premium cost of plans offered in the tier with the lowest employee
20 premium cost under section 40.51 (6) of the statutes by at least 5 percent from the
21 cost of such plans offered during the 2011 calendar year. The group insurance board
22 shall include copayments in the health care coverage plans for the 2012 calendar
23 year and may require health risk assessments for state employees and participation
24 in wellness or disease management programs.