

Clearinghouse Rule 07-092

ORDER OF THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

The Wisconsin Employment Relations Commission proposes an order to amend ERC 10.08(1)(2)(3)(4) and (5) relating to increased filing fees.

The proposed rules increase existing filing fees for Commission dispute resolution services in amounts necessary to fund 5.0 Program Revenue positions.

Sections 111.09, 111.71, 111.94, and 227.11, Stats., authorize promulgation of these proposed rules:

ERC 10.08 Fee schedule. (1) COMPLAINTS. For a complaint alleging that a prohibited practice has been committed under s. 111.70(3), Stats., the complaining party or parties shall pay the commission a filing fee of ~~\$80.~~ \$100.

(2) GRIEVANCE ARBITRATION. For a request that the commission or its staff act as a grievance arbitrator under s. 111.70(4)(c)2., or (cm)4., Stats., the parties to the dispute shall each pay the commission a filing fee of ~~\$250.~~ \$400.

(3) MEDIATION. For a request that the commission or its staff act as a mediator under s. 111.70(4)(c)1. or (cm)3., Stats., the parties to the dispute shall each pay the commission a filing fee of ~~\$250.~~ \$400.

(4) FACT-FINDING. For a request that the commission initiate fact-finding under s. 111.70(4)(c)3., Stats., the parties to the dispute shall each pay the commission a filing fee of ~~\$250.~~ \$400., except that if the parties have previously paid a mediation filing fee for the same dispute under sub. (3), no fee shall be paid for the fact-finding.

(5) INTEREST ARBITRATION. For a request that the commission initiate interest arbitration under s. 111.70(4)(cm)6., (4)(jm) or 111.77(3), Stats., the parties to the dispute shall each pay the commission a filing fee of ~~\$250.~~ \$400., except that if the parties have previously paid a mediation filing fee for the same dispute under sub. (3), no fee shall be paid for the arbitration.

These rules shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s 227.22(2)(intro.), Stats.

During the last four fiscal years, WERC has averaged \$381,400 in filing fee revenue.

WERC estimates that increasing the existing filing fee levels will produce some reduction in the requests for WERC fee-related services but produce an additional \$167,800 in fee revenues annually.

Because the vast majority of filing fee revenue is derived from services for which the union and employer each pay 50% of the fee and because the vast majority of the WERC's fee-related services are provided to public sector employers and the unions representing their employees, WERC anticipates that doubling the existing fees will increase the aggregate costs of public sector employers by \$84,000 annually and will have a negligible cost impact on private sector employers and unions.