

1987 Assembly Bill 492

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1987 Wisconsin Act 153

AN ACT to amend 63.15 (3), 111.70 (1) (a) and 851.71 (4); and to create 63.10 (3) and 63.43 (3) of the statutes, relating to application of collective bargaining agreements concerning disciplinary procedure to employes of certain counties and 1st class cities.

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

SECTION 1. 63.10 (3) of the statutes is created to read:

63.10 (3) If the county and a labor organization representing employes of the county enter into a collective bargaining agreement under subch. IV of ch. 111, the agreement may provide that the provisions of the agreement relating to dismissal, demotion and suspension shall supersede this section with respect to employes covered by the agreement while the agreement is in effect. This subsection does not apply to any action under sub. (1) to suspend an employe with pay.

SECTION 2. 63.15 (3) of the statutes is amended to read:

63.15 (3) No provision ~~under of~~ this section ~~may prevent~~ prevents suspension, demotion or discharge ~~under s. 63.10~~ of any employe subject to ss. 63.01 to 63.16 under s. 63.10 or an applicable collective bargaining agreement.

SECTION 3. 63.43 (3) of the statutes is created to read:

63.43 (3) If such city and a labor organization representing employes of the city enter into a collective bargaining agreement under subch. IV of ch. 111, the agreement may provide that the provisions of that agreement relating to removal, discharge, suspension and reduction shall supersede this section with respect to employes covered by the agreement while the agreement is in effect. This subsection does not apply to any action under sub. (1) to suspend an employe with pay.

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

111.70 (1) (a) "Collective bargaining" means the performance of the mutual obligation of a municipal employer, through its officers and agents, and the rep-

resentatives of its employes, to meet and confer at reasonable times, in good faith, with the intention of reaching an agreement, or to resolve questions arising under such an agreement, with respect to wages, hours and conditions of employment, except as provided in s. 40.81 (3), ~~with the intention of reaching an agreement, or to resolve questions arising under such an agreement~~ and except that a municipal employer shall not meet and confer with respect to any proposal to diminish or abridge the rights guaranteed to municipal employes under ch. 164. The duty to bargain, however, does not compel either party to agree to a proposal or require the making of a concession. Collective bargaining includes the reduction of any agreement reached to a written and signed document. The employer shall not be required to bargain on subjects reserved to management and direction of the governmental unit except insofar as the manner of exercise of such functions affects the wages, hours and conditions of employment of the employes. In creating this subchapter the legislature recognizes that the public employer must exercise its powers and responsibilities to act for the government and good order of the municipality, its commercial benefit and the health, safety and welfare of the public to assure orderly operations and functions within its jurisdiction, subject to those rights secured to public employes by the constitutions of this state and of the United States and by this subchapter.

SECTION 5. 851.71 (4) of the statutes is amended to read:

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