



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-2044/P3
CMH&MIM:cdc&wlj

DOA:.....Sherwin, BB0568 - State and local collective bargaining changes

FOR 2025-2027 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

EMPLOYMENT

Collective bargaining for state and local employees; employee rights

Under current law, state and local governments are prohibited from collectively bargaining with employees except as expressly provided in the statutes. Current law allows certain protective occupation participants under the Wisconsin Retirement System, known as public safety employees, and certain municipal transit employees to collectively bargain over wages, hours, and conditions of employment. Under current law, other state and municipal employees may collectively bargain only over a percentage increase in base wages that does not exceed the percentage increase in the consumer price index. In addition, under current law, the Employment Relations Commission assigns employees to collective bargaining units, but current law requires that public safety employees and municipal transit employees be placed in separate collective bargaining units that do not contain other state or municipal employees.

This bill adds frontline workers to the groups that may collectively bargain over wages, hours, and conditions of employment. In the bill, "frontline workers" are state or municipal employees with regular job duties that include interacting with members of the public or with large populations of people or that directly involve the maintenance of public works. Under the bill, the ERC determines which state and municipal employees meet the criteria. Also, the bill allows the ERC to place in the same collective bargaining unit both frontline workers and employees who are not frontline workers. If the ERC places employees of both types in a collective bargaining unit, the entire collective bargaining unit is treated as if all members are frontline workers and all members may collectively bargain over wages, hours, and conditions of employment.

Under current law, state or municipal employees in a collective bargaining unit elect their representative. The representative for a unit containing public safety employees or transit employees requires the support of the majority of the employees who are voting in the election, and the representative for a unit containing other employees requires the support of the majority of all of the employees who are in the collective bargaining unit. Under the bill, the

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representative for any collective bargaining unit containing any state or municipal employees requires the support of the majority of the employees who are voting in the election regardless of the number of employees who are in the collective bargaining unit.

Under current law, the ERC must conduct an annual election to certify each representative of a collective bargaining unit representing state or municipal employees who are not public safety employees or transit employees. At the election, if a representative fails to receive at least 51 percent of the votes of all of the members of the collective bargaining unit, the representative is decertified and the employees are unrepresented. The bill eliminates this annual recertification process.

The bill requires state and municipal employers to consult about wages, hours, and conditions of employment with their employees who are not public safety employees, transit employees, or frontline workers. The employers must consult either when policy changes that affect wages, hours, or conditions are proposed or implemented or, in the absence of policy changes, at least quarterly.

This bill adds that employees of authorities, such as the University of Wisconsin Hospitals and Clinics Authority, WHEDA, and WEDC, may collectively bargain as state employees, and adds faculty employed by the University of Wisconsin System, including those assigned to the University of Wisconsin-Madison, to the state employees who may collectively bargain.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 20.425 (1) (i) of the statutes is amended to read:

20.425 (1) (i) *Fees, collective bargaining training, publications, and appeals.*

The amounts in the schedule for the performance of fact-finding, mediation, certification, and arbitration functions, for the provision of copies of transcripts, for the cost of operating training programs under ss. 111.09 (3), 111.71 (5m), and 111.94 (3), for the preparation of publications, transcripts, reports, and other copied material, and for costs related to conducting appeals under s. 230.45. All moneys received under ss. 111.09 (1) and (2), ~~111.70 (4) (d) 3. b.~~, 111.71 (1) and (2), ~~111.83 (3) (b).~~, 111.94 (1) and (2), and 230.45 (3), all moneys received from arbitrators and

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arbitration panel members, and individuals who are interested in serving in such positions, and from individuals and organizations who participate in other collective bargaining training programs conducted by the commission, and all moneys received from the sale of publications, transcripts, reports, and other copied material shall be credited to this appropriation account.

SECTION 2. 20.505 (1) (ks) of the statutes is amended to read:

20.505 (1) (ks) *Collective bargaining grievance arbitrations.* The amounts in the schedule for the payment of the state's share of costs related to collective bargaining grievance arbitrations under s. 111.86. All moneys received from state agencies or authorities for the purpose of reimbursing the state's share of the costs related to grievance arbitrations under s. 111.86 and to reimburse the state's share of costs for training related to grievance arbitrations shall be credited to this appropriation account.

SECTION 3. 20.921 (1) (a) 2. of the statutes is amended to read:

20.921 (1) (a) 2. If the state employee is a public safety employee under s. 111.81 (15r) or is in a collective bargaining unit containing a frontline worker under s. 111.81 (9b), payment of dues to employee organizations.

SECTION 4. 40.51 (7) (a) of the statutes is amended to read:

40.51 (7) (a) Any employer, other than the state, including an employer that is not a participating employer, may offer to all of its employees a health care coverage plan through a program offered by the group insurance board. Notwithstanding sub. (2) and ss. 40.05 (4) and 40.52 (1), the department may by rule establish different eligibility standards or contribution requirements for such employees and

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employers. Beginning on January 1, 2012, except as otherwise provided in a collective bargaining agreement under subch. IV of ch. 111 that covers public safety employees, transit employees, or frontline workers and except as provided in par. (b), an employer may not offer a health care coverage plan to its employees under this subsection if the employer pays more than 88 percent of the average premium cost of plans offered in any tier with the lowest employee premium cost under this subsection.

SECTION 5. 46.2895 (8) (a) 1. of the statutes is amended to read:

46.2895 (8) (a) 1. If the long-term care district offers employment to any individual who was previously employed by a county, which participated in creating the district and at the time of the offer had not withdrawn or been removed from the district under sub. (14), and who while employed by the county performed duties relating to the same or a substantially similar function for which the individual is offered employment by the district and ~~whose wages were established in~~ who was covered by a collective bargaining agreement with the county under subch. IV of ch. 111 that is in effect on the date that the individual commences employment with the district, with respect to that individual, abide by the terms of the collective bargaining agreement ~~concerning the individual's wages~~ until the time of the expiration of that collective bargaining agreement or adoption of a collective bargaining agreement with the district under subch. IV of ch. 111 covering the individual as an employee of the district, whichever occurs first.

SECTION 6. 109.03 (1) (b) of the statutes is amended to read:

109.03 (1) (b) School district employees, cooperative educational service

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agency employees, and private school employees who voluntarily request payment over a 12-month period for personal services performed during the school year, unless, ~~with respect to private school employees,~~ the employees are covered under a valid collective bargaining agreement which precludes this method of payment.

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

111.70 (1) (a) “Collective bargaining” means the performance of the mutual obligation of a municipal employer, through its officers and agents, and the representative of its municipal employees in a collective bargaining unit, to meet and confer at reasonable times, in good faith, with the intention of reaching an agreement, or to resolve questions arising under such an agreement, with respect to wages, hours, and conditions of employment for public safety employees ~~or, for~~ transit employees ~~and, or for municipal employees in a collective bargaining unit that contains a frontline worker;~~ with respect to wages for general municipal employees, who are in a collective bargaining unit that does not contain a frontline worker; and with respect to a requirement of the municipal employer for a municipal employee to perform law enforcement and fire fighting services under s. 60.553, 61.66, or 62.13 (2e), except as provided in sub. (4) (mb) and (mc) and s. 40.81 (3) and except that a municipal employer shall not meet and confer with respect to any proposal to diminish or abridge the rights guaranteed to any public safety employees under ch. 164. Collective bargaining includes the reduction of any agreement reached to a written and signed document.

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

111.70 (1) (f) “Fair-share agreement” means an agreement between a

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municipal employer and a labor organization that represents public safety employees ~~or~~, transit employees, or a frontline worker under which all or any of the public safety employees or transit employees in the collective bargaining unit or all or any of the employees in a collective bargaining unit containing a frontline worker are required to pay their proportionate share of the cost of the collective bargaining process and contract administration measured by the amount of dues uniformly required of all members.

SECTION 9. 111.70 (1) (fd) of the statutes is created to read:

111.70 (1) (fd) “Frontline worker” means a municipal employee who is determined to be a frontline worker under sub. (4) (bm) 2.

SECTION 10. 111.70 (1) (fm) of the statutes is amended to read:

111.70 (1) (fm) “General municipal employee” means a municipal employee who is not a public safety employee ~~or~~, a transit employee, or a frontline worker.

SECTION 11. 111.70 (1) (n) of the statutes is amended to read:

111.70 (1) (n) “Referendum” means a proceeding conducted by the commission in which public safety employees or transit employees in a collective bargaining unit or municipal employees in a collective bargaining unit containing a frontline worker may cast a secret ballot on the question of authorizing a labor organization and the employer to continue a fair-share agreement.

SECTION 12. 111.70 (1) (p) of the statutes is amended to read:

111.70 (1) (p) “Transit employee” means a municipal employee who is determined to be a transit employee under sub. (4) (bm) 1.

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SECTION 13. 111.70 (2) of the statutes is renumbered 111.70 (2) (a) and amended to read:

111.70 (2) (a) Municipal employees have the right of self-organization, and the right to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in lawful, concerted activities for the purpose of collective bargaining or other mutual aid or protection. Municipal employees have the right to refrain from any and all such activities. A general municipal employee may not be covered by a fair-share agreement unless the general municipal employee is in a collective bargaining unit containing a frontline worker. Unless the general municipal employee is covered by a fair-share agreement, a general municipal employee has the right to refrain from paying dues while remaining a member of a collective bargaining unit. A public safety employee ~~or, a transit employee, however, or a municipal employee in a collective bargaining unit containing a frontline worker~~ may be covered by a fair-share agreement and be required to pay dues in the manner provided in ~~a~~ the fair-share agreement; a fair-share agreement ~~covering a public safety employee or a transit employee~~ must contain a provision requiring the municipal employer to deduct the amount of dues as certified by the labor organization from the earnings of the employee affected by the fair-share agreement and to pay the amount deducted to the labor organization. A fair-share agreement ~~covering a public safety employee or transit employee~~ is subject to the right of the municipal employer or a labor organization to petition the commission to conduct a referendum. Such petition must be supported by proof that at least 30 percent of the employees in the collective bargaining unit desire that

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the fair-share agreement be terminated. Upon so finding, the commission shall conduct a referendum. If the continuation of the agreement is not supported by at least the majority of the eligible employees, it shall terminate. The commission shall declare any fair-share agreement suspended upon such conditions and for such time as the commission decides whenever it finds that the labor organization involved has refused on the basis of race, color, sexual orientation, creed, or sex to receive as a member any ~~public safety employee or transit~~ eligible municipal employee of the ~~municipal employer~~ in the bargaining unit involved, and such agreement is subject to this duty of the commission. Any of the parties to such agreement or any ~~public safety employee or transit~~ municipal employee covered by the agreement may come before the commission, as provided in s. 111.07, and ask the performance of this duty.

SECTION 14. 111.70 (2) (b) of the statutes is created to read:

111.70 (2) (b) General municipal employees who are not in a collective bargaining unit containing a frontline worker have the right to have their municipal employer consult with them, through a representative of their own choosing, with no intention of reaching an agreement, with respect to wages, hours, and conditions of employment. The right may be exercised either when the municipal employer proposes or implements policy changes affecting wages, hours, or conditions of employment or, if no policy changes are proposed or implemented, at least quarterly.

SECTION 15. 111.70 (3) (a) 3. of the statutes is amended to read:

111.70 (3) (a) 3. To encourage or discourage a membership in any labor

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organization by discrimination in regard to hiring, tenure, or other terms or conditions of employment; but the prohibition shall not apply to a fair-share agreement ~~that covers public safety employees or transit employees.~~

SECTION 16. 111.70 (3) (a) 5. of the statutes is amended to read:

111.70 (3) (a) 5. To violate any collective bargaining agreement previously agreed upon by the parties with respect to wages, hours, and conditions of employment affecting public safety employees ~~or~~, transit employees, or municipal employees in a collective bargaining unit containing a frontline worker, including an agreement to arbitrate questions arising as to the meaning or application of the terms of a collective bargaining agreement or to accept the terms of such arbitration award, where previously the parties have agreed to accept such award as final and binding upon them or to violate any collective bargaining agreement affecting a collective bargaining unit containing only general municipal employees, that was previously agreed upon by the parties with respect to wages.

SECTION 17. 111.70 (3) (a) 6. of the statutes is amended to read:

111.70 (3) (a) 6. To deduct labor organization dues from the earnings of a public safety employee ~~or~~, a transit employee, or a municipal employee who is in a collective bargaining unit containing a frontline worker unless the municipal employer has been presented with an individual order therefor, signed by the employee personally, and terminable by at least the end of any year of its life or earlier by the ~~public safety employee or transit~~ municipal employee giving at least 30 days' written notice of such termination to the municipal employer and to the representative organization, except when a fair-share agreement is in effect.

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SECTION 18. 111.70 (3) (a) 9. of the statutes is amended to read:

111.70 (3) (a) 9. If the collective bargaining unit contains a public safety employee ~~or~~, transit employee, or frontline worker, after a collective bargaining agreement expires and before another collective bargaining agreement takes effect, to fail to follow any fair-share agreement in the expired collective bargaining agreement.

SECTION 19. 111.70 (3g) of the statutes is amended to read:

111.70 (3g) WAGE DEDUCTION PROHIBITION. A municipal employer may not deduct labor organization dues from the earnings of a general municipal employee, unless the general municipal employee is in a collective bargaining unit that contains a frontline worker, or from the earnings of a supervisor.

SECTION 20. 111.70 (4) (bm) (title) of the statutes is amended to read:

111.70 (4) (bm) (title) *Transit employee or frontline worker determination.*

SECTION 21. 111.70 (4) (bm) of the statutes is renumbered 111.70 (4) (bm) 1.

SECTION 22. 111.70 (4) (bm) 2. of the statutes is created to read:

111.70 (4) (bm) 2. The commission shall determine that a municipal employee is a frontline worker if the commission finds that the municipal employee has regular job duties that include interacting with members of the public or with large populations of people or that directly involve the maintenance of public works. The commission may not determine that a public safety employee or a transit employee is a frontline worker.

SECTION 23. 111.70 (4) (cg) (title), 1., 2., 3., 4. and 5. of the statutes are amended to read:

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111.70 (4) (cg) (title) *Methods for peaceful settlement of disputes; transit employees and municipal employees in a collective bargaining unit containing a frontline worker*. 1. 'Notice of commencement of contract negotiations.' To advise the commission of the commencement of contract negotiations involving a collective bargaining unit containing transit employees or a collective bargaining unit containing a frontline worker, whenever either party requests the other to reopen negotiations under a binding collective bargaining agreement, or the parties otherwise commence negotiations if no collective bargaining agreement exists, the party requesting negotiations shall immediately notify the commission in writing. Upon failure of the requesting party to provide notice, the other party may provide notice to the commission. The notice shall specify the expiration date of the existing collective bargaining agreement, if any, and shall provide any additional information the commission may require on a form provided by the commission.

2. 'Presentation of initial proposals; open meetings.' The meetings between parties to a collective bargaining agreement or proposed collective bargaining agreement under this subchapter that involve a collective bargaining unit containing a transit employee or a frontline worker and that are held to present initial bargaining proposals, along with supporting rationale, are open to the public. Each party shall submit its initial bargaining proposals to the other party in writing. Failure to comply with this subdivision does not invalidate a collective bargaining agreement under this subchapter.

3. 'Mediation.' The commission or its designee shall function as mediator in labor disputes involving transit employees or municipal employees in a collective

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bargaining unit containing a frontline worker upon request of one or both of the parties, or upon initiation of the commission. The function of the mediator is to encourage voluntary settlement by the parties. No mediator has the power of compulsion.

4. ‘Grievance arbitration.’ Parties to a dispute pertaining to the meaning or application of the terms of a written collective bargaining agreement involving a collective bargaining unit containing a transit employee or a frontline worker may agree in writing to have the commission or any other appropriate agency serve as arbitrator or may designate any other competent, impartial, and disinterested person to serve as an arbitrator.

5. ‘Voluntary impasse resolution procedures.’ In addition to the other impasse resolution procedures provided in this paragraph, a municipal employer that employs a transit employee or a municipal employee in a collective bargaining unit containing a frontline worker and a labor organization may at any time, as a permissive subject of bargaining, agree in writing to a dispute settlement procedure, including binding interest arbitration, which is acceptable to the parties for resolving an impasse over terms of any collective bargaining agreement under this subchapter. The parties shall file a copy of the agreement with the commission. If the parties agree to any form of binding interest arbitration, the arbitrator shall give weight to the factors enumerated under subds. 7. and 7g.

SECTION 24. 111.70 (4) (cg) 6. a. of the statutes is amended to read:

111.70 (4) (cg) 6. a. If, in any collective bargaining unit containing transit employees or a frontline worker, a dispute has not been settled after a reasonable

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period of negotiation and after mediation by the commission under subd. 3. and other settlement procedures, if any, established by the parties have been exhausted, and the parties are deadlocked with respect to any dispute between them over wages, hours, or conditions of employment to be included in a new collective bargaining agreement, either party, or the parties jointly, may petition the commission, in writing, to initiate compulsory, final, and binding arbitration, as provided in this paragraph. At the time the petition is filed, the petitioning party shall submit in writing to the other party and the commission its preliminary final offer containing its latest proposals on all issues in dispute. Within 14 calendar days after the date of that submission, the other party shall submit in writing its preliminary final offer on all disputed issues to the petitioning party and the commission. If a petition is filed jointly, both parties shall exchange their preliminary final offers in writing and submit copies to the commission when the petition is filed.

SECTION 25. 111.70 (4) (cg) 7r. d., e. and f. of the statutes are amended to read:

111.70 (4) (cg) 7r. d. Comparison of wages, hours, and conditions of employment of the ~~transit~~ municipal employees involved in the arbitration proceedings with the wages, hours, and conditions of employment of other employees performing similar services.

e. Comparison of the wages, hours, and conditions of employment of the ~~transit~~ municipal employees involved in the arbitration proceedings with the wages,

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hours, and conditions of employment of other employees generally in public employment in the same community and in comparable communities.

f. Comparison of the wages, hours, and conditions of employment of the ~~transit~~ municipal employees involved in the arbitration proceedings with the wages, hours, and conditions of employment of other employees in private employment in the same community and in comparable communities.

SECTION 26. 111.70 (4) (cg) 7r. h. of the statutes is amended to read:

111.70 (4) (cg) 7r. h. The overall compensation presently received by the ~~transit~~ municipal employees involved in the arbitration proceedings, including direct wage compensation, vacation, holidays, and excused time, insurance and pensions, medical and hospitalization benefits, the continuity and stability of employment, and all other benefits received.

SECTION 27. 111.70 (4) (cg) 8m. of the statutes is amended to read:

111.70 (4) (cg) 8m. 'Term of agreement; reopening of negotiations.' Except for the initial collective bargaining agreement between the parties and except as the parties otherwise agree, every collective bargaining agreement covering transit employees or a frontline worker shall be for a term of 2 years, but in no case may a collective bargaining agreement for any collective bargaining unit ~~consisting of transit employees~~ subject to this paragraph be for a term exceeding 3 years. No arbitration award involving transit employees or a frontline worker may contain a provision for reopening of negotiations during the term of a collective bargaining agreement, unless both parties agree to such a provision. The requirement for agreement by both parties does not apply to a provision for reopening of

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negotiations with respect to any portion of an agreement that is declared invalid by a court or administrative agency or rendered invalid by the enactment of a law or promulgation of a federal regulation.

SECTION 28. 111.70 (4) (d) 1. of the statutes is amended to read:

111.70 (4) (d) 1. A representative chosen for the purposes of collective bargaining by a majority of the ~~public safety employees or transit~~ municipal employees voting in a collective bargaining unit shall be the exclusive representative of all employees in the unit for the purpose of collective bargaining. ~~A representative chosen for the purposes of collective bargaining by at least 51 percent of the general municipal employees in a collective bargaining unit shall be the exclusive representative of all employees in the unit for the purpose of collective bargaining.~~ Any individual employee, or any minority group of employees in any collective bargaining unit, shall have the right to present grievances to the municipal employer in person or through representatives of their own choosing, and the municipal employer shall confer with the employee in relation thereto, if the majority representative has been afforded the opportunity to be present at the conferences. Any adjustment resulting from these conferences may not be inconsistent with the conditions of employment established by the majority representative and the municipal employer.

SECTION 29. 111.70 (4) (d) 2. a. of the statutes is amended to read:

111.70 (4) (d) 2. a. The commission shall determine the appropriate collective bargaining unit for the purpose of collective bargaining and shall whenever possible avoid fragmentation by maintaining as few collective bargaining units as

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practicable in keeping with the size of the total municipal workforce. The commission may decide whether, in a particular case, the municipal employees in the same or several departments, divisions, institutions, crafts, professions, or other occupational groupings constitute a collective bargaining unit. Before making its determination, the commission may provide an opportunity for the municipal employees concerned to determine, by secret ballot, whether they desire to be established as a separate collective bargaining unit. The commission may not decide, however, that any group of municipal employees constitutes an appropriate collective bargaining unit if the group includes both professional employees and nonprofessional employees, unless a majority of the professional employees vote for inclusion in the unit. The commission may not decide that any group of municipal employees constitutes an appropriate collective bargaining unit if the group includes both school district employees and general municipal employees who are not school district employees. The commission may not ~~decide that any group of municipal employees constitutes an appropriate collective bargaining unit if the group includes both public safety employees and general municipal employees, if the group includes both transit employees and general municipal employees, or if the group includes both transit employees and public safety employees~~ place public safety employees in a collective bargaining unit with employees who are not public safety employees or place transit employees in a collective bargaining unit with employees who are not transit employees. The commission may place frontline workers in a collective bargaining unit with municipal employees who are not frontline workers if the commission determines it is appropriate; if the commission

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places in a collective bargaining unit frontline workers and municipal employees who are not frontline workers, the collective bargaining unit is treated as if all employees in the collective bargaining unit are frontline workers. The commission may not decide that any group of municipal employees constitutes an appropriate collective bargaining unit if the group includes both craft employees and noncraft employees unless a majority of the craft employees vote for inclusion in the unit. The commission shall place the professional employees who are assigned to perform any services at a charter school, as defined in s. 115.001 (1), in a separate collective bargaining unit from a unit that includes any other professional employees whenever at least 30 percent of those professional employees request an election to be held to determine that issue and a majority of the professional employees at the charter school who cast votes in the election decide to be represented in a separate collective bargaining unit.

SECTION 30. 111.70 (4) (d) 3. a. and c. of the statutes are consolidated and renumbered 111.70 (4) (d) 3.

SECTION 31. 111.70 (4) (d) 3. b. of the statutes is repealed.

SECTION 32. 111.70 (4) (mb) (intro.) of the statutes is amended to read:

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

SECTION 33. 111.70 (4) (mbb) of the statutes is amended to read:

111.70 (4) (mbb) *Consumer price index change.* For purposes of determining

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compliance with par. (mb), the commission shall provide, upon request, to a municipal employer or to any representative of a collective bargaining unit containing ~~a~~ only general municipal ~~employee~~ employees, the consumer price index change during any 12-month period. The commission may get the information from the department of revenue.

SECTION 34. 111.70 (4) (mc) (intro.), 6., 7. and 8. of the statutes are amended to read:

111.70 (4) (mc) *Prohibited subjects of bargaining; public safety employees, transit employees, and frontline workers.* (intro.) The municipal employer is prohibited from bargaining collectively with a collective bargaining unit containing a public safety employee, transit employee, or frontline worker with respect to any of the following:

6. Except for whether or not to provide health care coverage and the employee premium contribution, all costs and payments associated with health care coverage plans and the design and selection of health care coverage plans by the municipal employer ~~for public safety employees~~, and the impact of such costs and payments and the design and selection of the health care coverage plans on the wages, hours, and conditions of employment of the ~~public safety~~ employee. For purposes of this subdivision, “design” does not include the decision as to who is covered by a health care coverage plan selected by the municipal employer.

7. In any bargaining unit composed of public safety employees, in a municipality with a retirement system established under [chapter 396, laws of 1937](#), any terms of such a retirement system, including, but not limited to, the contribution rates, pension benefit calculation, or factors used to calculate a

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pension benefit under the system, ~~with any bargaining unit composed of public safety employees.~~ For such a retirement system, the terms of the system, including, but not limited to, the contribution rates, pension benefit calculation, or factors used to calculate a pension benefit under the system for employees who are part of a bargaining unit composed of public safety employees, shall be the same as those in effect on December 30, 2022.

8. In any bargaining unit composed of public safety employees or employees treated as public safety employees under par. (bn), in a municipality with a retirement system established under [chapter 201, laws of 1937](#), any terms of such a retirement system, including, but not limited to, the costs, payments, contribution rates, pension benefit calculation, or design, including all impacts or effects that any changes made to the retirement system might have upon the wages, hours, or conditions of employment, ~~with any bargaining unit composed of public safety employees or any employees treated as public safety employees under par. (bn).~~

SECTION 35. 111.70 (7m) (c) 1. a. of the statutes is amended to read:

111.70 (**7m**) (c) 1. a. Any labor organization that represents public safety employees ~~or~~ transit employees, or a frontline worker which violates sub. (4) (L) may not collect any dues under a collective bargaining agreement or under a fair-share agreement from any employee covered by either agreement for a period of one year. At the end of the period of suspension, any such agreement shall be reinstated unless the labor organization is no longer authorized to represent the ~~public safety employees or transit~~ municipal employees covered by the collective bargaining agreement or fair-share agreement or the agreement is no longer in effect.

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SECTION 36. 111.81 (1) of the statutes is renumbered 111.81 (1s) and amended to read:

111.81 (1s) “Collective bargaining” means the performance of the mutual obligation of the state as an employer, by its officers and agents, and the representatives of its employees, to meet and confer at reasonable times, in good faith, with respect to the subjects of bargaining provided in s. 111.91 (1), ~~with respect to~~ for public safety employees, with respect to the subjects of bargaining provided in s. 111.91 (1w) for employees in a collective bargaining unit containing a frontline worker, and with respect to the subjects of bargaining provided in s. 111.91 (3), ~~with respect to~~ for general employees who are in a collective bargaining unit that does not contain a frontline worker, with the intention of reaching an agreement, or to resolve questions arising under such an agreement. 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.

SECTION 37. 111.81 (1b) of the statutes is created to read:

111.81 (1b) “Academic staff” has the meaning given in s. 36.05 (1) but does not include academic staff under s. 36.15 (1) (a) that are supervisors, management employees, and individuals who are privy to confidential matters affecting the employer-employee relationship.

SECTION 38. 111.81 (1d) of the statutes is created to read:

111.81 (1d) “Authority” means a body created under subch. II of ch. 114 or ch. 231, 232, 233, 234, 237, 238, or 279.

SECTION 39. 111.81 (7) (ag) of the statutes is created to read:

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111.81 (7) (ag) An employee of an authority.

SECTION 40. 111.81 (7) (ar) of the statutes is amended to read:

111.81 (7) (ar) Any employee who is employed by the University of Wisconsin System, except an employee who is assigned to the University of Wisconsin-Madison, ~~and except~~ including faculty; and ~~except~~ academic staff ~~under s. 36.15~~.

SECTION 41. 111.81 (7) (at) of the statutes is amended to read:

111.81 (7) (at) Any employee who is employed by the University of Wisconsin System and assigned to the University of Wisconsin-Madison ~~except~~ including faculty and ~~except~~ academic staff ~~under s. 36.15~~.

SECTION 42. 111.81 (8) of the statutes is amended to read:

111.81 (8) “Employer” means the state of Wisconsin and includes an authority.

SECTION 43. 111.81 (8p) of the statutes is created to read:

111.81 (8p) “Faculty” has the meaning given in s. 36.05 (8) and includes faculty who are supervisors or management employees but excludes faculty holding a limited appointment under s. 36.17 and deans.

SECTION 44. 111.81 (9) of the statutes is amended to read:

111.81 (9) “Fair-share agreement” means an agreement between the employer and a labor organization representing public safety employees or a frontline worker under which all of the public safety employees in the collective bargaining unit or all of the employees in a collective bargaining unit containing a frontline worker are required to pay their proportionate share of the cost of the collective bargaining process and contract administration measured by the amount of dues uniformly required of all members.

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SECTION 45. 111.81 (9b) of the statutes is created to read:

111.81 **(9b)** “Frontline worker” means an employee who is determined to be a frontline worker under s. 111.817.

SECTION 46. 111.81 (9g) of the statutes is amended to read:

111.81 **(9g)** “General employee” means an employee who is not a public safety employee or a frontline worker.

SECTION 47. 111.81 (12) (intro.) of the statutes is amended to read:

111.81 **(12)** (intro.) “Labor organization” means any employee organization whose purpose is to represent employees in collective bargaining with the employer, or its agents, on matters that are subject to collective bargaining under s. 111.91 (1), (1w), or (3), whichever is applicable; but the term shall not include any organization:

SECTION 48. 111.81 (12m) of the statutes is amended to read:

111.81 **(12m)** “Maintenance of membership agreement” means an agreement between the employer and a labor organization representing public safety employees or a frontline worker which requires that all of the public safety employees or employees who are in a collective bargaining unit containing a frontline worker whose dues are being deducted from earnings under s. 20.921 (1) or 111.84 (1) (f) at the time the agreement takes effect shall continue to have dues deducted for the duration of the agreement, and that dues shall be deducted from the earnings of all ~~public safety~~ such employees who are hired on or after the effective date of the agreement.

SECTION 49. 111.81 (15m) of the statutes is amended to read:

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111.81 (15m) “Program assistant” or “project assistant” means a graduate student enrolled in the University of Wisconsin System who is assigned to conduct research, training, administrative responsibilities or other academic or academic support projects or programs, except regular preparation of instructional materials for courses or manual or clerical assignments, under the supervision of a member of the faculty or academic staff, ~~as defined in s. 36.05 (1) or (8)~~, primarily for the benefit of the university, faculty or academic staff supervisor or a granting agency. “Project assistant” or “program assistant” does not include a graduate student who does work which is primarily for the benefit of the student’s own learning and research and which is independent or self-directed.

SECTION 50. 111.81 (16) of the statutes is amended to read:

111.81 (16) “Referendum” means a proceeding conducted by the commission in which public safety employees in a collective bargaining unit or all employees in a collective bargaining unit containing a frontline worker may cast a secret ballot on the question of directing the labor organization and the employer to enter into a fair-share or maintenance of membership agreement or to terminate such an agreement.

SECTION 51. 111.815 (1) of the statutes is amended to read:

111.815 (1) In the furtherance of this subchapter, the state shall be considered as a single employer and employment relations policies and practices throughout the state service shall be as consistent as practicable. The division shall negotiate and administer collective bargaining agreements. To coordinate the employer position in the negotiation of agreements, the division shall maintain close liaison with the legislature relative to the negotiation of agreements and the

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fiscal ramifications of those agreements. Except with respect to the collective bargaining units specified in s. 111.825 (1r) and (1t), the division is responsible for the employer functions of the executive branch under this subchapter, and shall coordinate its collective bargaining activities with operating state agencies on matters of agency concern and with operating authorities on matters of authority concern. The legislative branch shall act upon those portions of tentative agreements negotiated by the division that require legislative action. With respect to the collective bargaining units specified in s. 111.825 (1r), the Board of Regents of the University of Wisconsin System is responsible for the employer functions under this subchapter. With respect to the collective bargaining units specified in s. 111.825 (1t), the chancellor of the University of Wisconsin-Madison is responsible for the employer functions under this subchapter. With respect to the collective bargaining unit specified in s. 111.825 (1r) (ef), the governing board of the charter school established by contract under s. 118.40 (2r) (cm), 2013 stats., is responsible for the employer functions under this subchapter.

SECTION 52. 111.817 of the statutes is created to read:

111.817 Duty of commission; determination of frontline workers. The commission shall determine that an employee is a frontline worker if the commission finds that the employee has regular job duties that include interacting with members of the public or with large populations of people or that directly involve the maintenance of public works. The commission may not determine that a public safety employee is a frontline worker.

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SECTION 53. 111.82 of the statutes is renumbered 111.82 (1) and amended to read:

111.82 (1) Employees have the right of self-organization and the right to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing under this subchapter, and to engage in lawful, concerted activities for the purpose of collective bargaining or other mutual aid or protection. Employees also have the right to refrain from any or all of such activities. A general employee may not be covered by a fair-share agreement unless the general employee is in a collective bargaining unit containing a frontline worker. Unless the general employee is covered by a fair-share agreement, a general employee has the right to refrain from paying dues while remaining a member of a collective bargaining unit.

SECTION 54. 111.82 (2) of the statutes is created to read:

111.82 (2) General employees who are not in a collective bargaining unit containing a frontline worker have the right to have their employer consult with them, through a representative of their own choosing, with no intention of reaching an agreement, with respect to wages, hours, and conditions of employment. The right may be exercised either when the employer proposes or implements policy changes affecting wages, hours, or conditions of employment or, if no policy changes are proposed or implemented, at least quarterly.

SECTION 55. 111.825 (1) (intro.) of the statutes is amended to read:

111.825 (1) (intro.) It is the legislative intent that in order to foster meaningful collective bargaining, units must be structured in such a way as to avoid excessive fragmentation whenever possible. In accordance with this policy,

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collective bargaining units for employees in the classified service of the state and for employees of authorities are structured on a statewide basis with one collective bargaining unit for each of the following occupational groups:

SECTION 56. 111.825 (1r) (am) and (ar) of the statutes are created to read:

111.825 (1r) (am) Faculty.

(ar) Academic staff.

SECTION 57. 111.825 (1t) (am) and (ar) of the statutes are created to read:

111.825 (1t) (am) Faculty.

(ar) Academic staff.

SECTION 58. 111.825 (3) of the statutes is amended to read:

111.825 (3) The commission shall assign employees to the appropriate collective bargaining units set forth in subs. (1), (1r), (1t), and (2). The commission may place frontline workers in a collective bargaining unit with employees who are not frontline workers if the commission determines it is appropriate; if the commission places in a collective bargaining unit frontline workers and employees who are not frontline workers, the collective bargaining unit is treated as if all employees in the collective bargaining unit are frontline workers and may bargain as provided in s. 111.91 (1w).

SECTION 59. 111.825 (5) of the statutes is amended to read:

111.825 (5) Although supervisors are not considered employees for purposes of this subchapter, the commission may consider a petition for a statewide collective bargaining unit of professional supervisors or a statewide unit of nonprofessional supervisors in the classified service, but the representative of supervisors may not be affiliated with any labor organization representing employees. For purposes of

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this subsection, affiliation does not include membership in a national, state, county or municipal federation of national or international labor organizations. The certified representative of supervisors who are not public safety employees or frontline workers may not bargain collectively with respect to any matter other than wages as provided in s. 111.91 (3), ~~and the certified representative of supervisors who are public safety employees may not bargain collectively with respect to any matter other than wages and fringe benefits as provided in s. 111.91 (1), and the~~ certified representative of supervisors who are frontline workers may bargain as provided in s. 111.91 (1w).

SECTION 60. 111.83 (1) of the statutes is amended to read:

111.83 (1) Except as provided in sub. (5), a ~~representative chosen for the purposes of collective bargaining by at least 51 percent of the general employees in a collective bargaining unit shall be the exclusive representative of all of the employees in such unit for the purposes of collective bargaining.~~ A representative chosen for the purposes of collective bargaining by a majority of the ~~public safety~~ employees voting in a collective bargaining unit shall be the exclusive representative of all of the employees in such unit for the purposes of collective bargaining. Any individual employee, or any minority group of employees in any collective bargaining unit, may present grievances to the employer in person, or through representatives of their own choosing, and the employer shall confer with the employee or group of employees in relation thereto if the majority representative has been afforded the opportunity to be present at the conference. Any adjustment

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resulting from such a conference may not be inconsistent with the conditions of employment established by the majority representative and the employer.

SECTION 61. 111.83 (3) (a) of the statutes is renumbered 111.83 (3).

SECTION 62. 111.83 (3) (b) of the statutes is repealed.

SECTION 63. 111.83 (4) of the statutes is amended to read:

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

SECTION 64. 111.84 (1) (d) of the statutes is amended to read:

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

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

SECTION 65. 111.84 (1) (f) of the statutes is amended to read:

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

SECTION 66. 111.84 (2) (c) of the statutes is amended to read:

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

SECTION 67. 111.85 (1) of the statutes is amended to read:

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111.85 (1) (a) No fair-share or maintenance of membership agreement ~~covering public safety employees under this subchapter~~ may become effective unless authorized by a referendum. The commission shall order a referendum whenever it receives a petition supported by proof that at least 30 percent of the public safety employees in a collective bargaining unit or at least 30 percent of the employees in a collective bargaining unit containing a frontline worker desire that a fair-share or maintenance of membership agreement be entered into between the employer and a labor organization. A petition may specify that a referendum is requested on a maintenance of membership agreement only, in which case the ballot shall be limited to that question.

(b) For a fair-share agreement to be authorized, at least two-thirds of the eligible public safety employees voting in a referendum shall vote in favor of the agreement or at least two-thirds of the employees in a collective bargaining unit containing a frontline worker shall vote in favor of the agreement. For a maintenance of membership agreement to be authorized, at least a majority of the eligible public safety employees voting in a referendum shall vote in favor of the agreement or at least a majority of the employees in a collective bargaining unit containing a frontline worker shall vote in favor of the agreement. In a referendum on a fair-share agreement, if less than two-thirds but more than one-half of the eligible ~~public safety~~ employees vote in favor of the agreement, a maintenance of membership agreement is authorized.

(c) If a fair-share or maintenance of membership agreement is authorized in a referendum ordered under par. (a), the employer shall enter into such an agreement

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

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

SECTION 68. 111.85 (2) of the statutes is amended to read:

111.85 (2) (a) Once authorized under sub. (1), a fair-share or maintenance of membership agreement ~~covering public-safety employees~~ shall continue in effect,

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subject to the right of the employer or labor organization concerned to petition the commission to conduct a new referendum. Such petition must be supported by proof that at least 30 percent of the public safety employees in the collective bargaining unit or at least 30 percent of the employees in a collective bargaining unit containing a frontline worker desire that the fair-share or maintenance of membership agreement be discontinued. Upon so finding, the commission shall conduct a new referendum. If the continuance of the fair-share or maintenance of membership agreement is approved in the referendum by at least the percentage of eligible voting ~~public safety~~ employees required for its initial authorization, it shall be continued in effect, subject to the right of the employer or labor organization to later initiate a further vote following the procedure prescribed in this subsection. If the continuation of the agreement is not supported in any referendum, it ~~is deemed terminated~~ terminates at the termination of the collective bargaining agreement, or one year from the date of the certification of the result of the referendum, whichever is earlier.

(b) The commission shall declare any fair-share or maintenance of membership agreement suspended upon such conditions and for such time as the commission decides whenever it finds that the labor organization involved has refused on the basis of race, color, sexual orientation or creed to receive as a member any ~~public safety~~ employee in the collective bargaining unit involved, and the agreement shall be made subject to the findings and orders of the commission. Any of the parties to the agreement, or any ~~public safety~~ employee covered thereby, may

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come before the commission, as provided in s. 111.07, and petition the commission to make such a finding.

SECTION 69. 111.85 (4) of the statutes is amended to read:

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

SECTION 70. 111.86 (2) of the statutes is amended to read:

111.86 (2) The division shall charge a state department ~~or~~ agency, or authority the employer's share of the cost related to grievance arbitration under sub. (1) for any arbitration that involves one or more employees of the state department ~~or~~ agency, or authority. Each state department ~~or~~ agency, or authority so charged shall pay the amount that the division charges from the appropriation account or accounts used to pay the salary of the grievant. Funds received under this subsection shall be credited to the appropriation account under s. 20.505 (1) (ks).

SECTION 71. 111.88 (1) of the statutes is amended to read:

111.88 (1) If a dispute has not been settled after a reasonable period of negotiation and after the settlement procedures, if any, established by the parties have been exhausted, the representative which has been certified by the commission after an election, or, in the case of a representative of employees specified in s. 111.81 (7) (a) or (ag), has been duly recognized by the employer, as the exclusive representative of employees in an appropriate collective bargaining unit,

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and the employer, its officers and agents, after a reasonable period of negotiation, are deadlocked with respect to any dispute between them arising in the collective bargaining process, the parties jointly, may petition the commission, in writing, to initiate fact-finding under this section, and to make recommendations to resolve the deadlock.

SECTION 72. 111.90 (1) of the statutes is amended to read:

111.90 (1) Carry out the statutory mandate and goals assigned to a state agency or authority by the most appropriate and efficient methods and means and utilize personnel in the most appropriate and efficient manner possible.

SECTION 73. 111.90 (2) of the statutes is amended to read:

111.90 (2) Manage the employees of a state agency or authority; hire, promote, transfer, assign or retain employees in positions within the agency or authority; and in that regard establish reasonable work rules.

SECTION 74. 111.91 (1w) of the statutes is created to read:

111.91 (1w) (a) Except as provided in pars. (b) and (c), with regard to a collective bargaining unit that contains at least one frontline worker, matters subject to collective bargaining to the point of impasse are wage rates, consistent with sub. (2), the assignment and reassignment of classifications to pay ranges, determination of an incumbent's pay status resulting from position reallocation or reclassification, and pay adjustments upon temporary assignment of classified employees to duties of a higher classification or downward reallocations of a classified employee's position; fringe benefits consistent with sub. (2); hours and conditions of employment.

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(b) With regard to a collective bargaining unit that contains at least one frontline worker, the employer is not required to bargain on management rights under s. 111.90, except that procedures for the adjustment or settlement of grievances or disputes arising out of any type of disciplinary action referred to in s. 111.90 (3) shall be a subject of bargaining.

(c) The employer is prohibited from bargaining on matters contained in sub. (2) with a collective bargaining unit that contains at least one frontline worker.

SECTION 75. 111.91 (2) (intro.) of the statutes is amended to read:

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

SECTION 76. 111.91 (3) (intro.) of the statutes is amended to read:

111.91 (3) (intro.) The employer is prohibited from bargaining with a collective bargaining unit containing ~~–a–~~ only general ~~employee~~ employees with respect to any of the following:

SECTION 77. 111.91 (3q) of the statutes is amended to read:

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

SECTION 78. 111.91 (4) of the statutes is amended to read:

111.91 (4) The administrator of the division, in connection with the

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development of tentative collective bargaining agreements to be submitted under s. 111.92 (1) (a) 1., shall endeavor to obtain tentative agreements with each recognized or certified labor organization representing employees or supervisors of employees specified in s. 111.81 (7) (a) or (ag) and with each certified labor organization representing employees specified in s. 111.81 (7) (b) to (e) which do not contain any provision for the payment to any employee of a cumulative or noncumulative amount of compensation in recognition of or based on the period of time an employee has been employed by the state.

SECTION 79. 111.92 (3) (a) of the statutes is amended to read:

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

SECTION 80. 111.92 (3) (b) of the statutes is amended to read:

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

SECTION 81. 111.93 (3) (a) of the statutes is amended to read:

111.93 (3) (a) If a collective bargaining agreement exists between the employer and a labor organization representing employees in a collective bargaining unit under s. 111.825 (1) (g) or in a collective bargaining unit containing a frontline worker, the provisions of that agreement shall supersede the provisions of civil

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service and other applicable statutes, ~~as well as~~ rules and policies of the University of Wisconsin-Madison and the board of regents of the University of Wisconsin System, and policies or determinations of an authority, that are related to wages, fringe benefits, hours, and conditions of employment, whether or not the matters contained in those statutes, rules, ~~and policies,~~ and determinations are set forth in the collective bargaining agreement.

SECTION 82. 111.93 (3) (b) of the statutes is amended to read:

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

SECTION 83. 118.22 (4) of the statutes is created to read:

118.22 (4) A collective bargaining agreement under subch. IV of ch. 111 may modify, waive, or replace any of the provisions of this section as they apply to teachers in the collective bargaining unit, but neither the employer nor the bargaining agent for the employees is required to bargain such modification, waiver, or replacement.

SECTION 84. 118.245 (1) of the statutes is amended to read:

118.245 (1) If a school board wishes to increase the total base wages of its general municipal employees, as defined in s. 111.70 (1) (fm), in an amount that

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exceeds the limit under s. 111.70 (4) (mb) 2., the school board shall adopt a resolution to that effect. The resolution shall specify the amount by which the proposed total base wages increase will exceed the limit under s. 111.70 (4) (mb) 2. The resolution may not take effect unless it is approved in a referendum called for that purpose. The referendum shall occur in April for collective bargaining agreements that begin in July of that year. The results of a referendum apply to the total base wages only in the next collective bargaining agreement.

SECTION 85. 118.42 (3) (a) 4. of the statutes is amended to read:

118.42 (3) (a) 4. Implement changes in administrative and personnel structures that are consistent with applicable collective bargaining agreements under subch. IV of ch. 111.

SECTION 86. 118.42 (5) of the statutes is amended to read:

118.42 (5) Nothing in this section alters or otherwise affects the rights or remedies afforded school districts and school district employees under federal or state law or under the terms of any applicable collective bargaining agreement under subch. IV of ch. 111.

SECTION 87. 120.12 (15) of the statutes is amended to read:

120.12 (15) SCHOOL HOURS. Establish rules scheduling the hours of a normal school day. The school board may differentiate between the various elementary and high school grades in scheduling the school day. This subsection does not eliminate a school district's duty under subch. IV of ch. 111 to bargain with its employees' collective bargaining representative over any calendaring proposal which is primarily related to wages, hours, or conditions of employment.

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SECTION 88. 120.18 (1) (gm) of the statutes is amended to read:

120.18 (1) (gm) Payroll and related benefit costs for all school district employees in the previous school year. ~~Payroll costs~~ Costs for represented employees shall be based upon the costs of wages of any collective bargaining agreements covering such employees for the previous school year. If, as of the time specified by the department for filing the report, the school district has not entered into a collective bargaining agreement for any portion of the previous school year with the recognized or certified representative of any of its employees, increased costs of wages reflected in the report shall be ~~equal to the maximum wage expenditure that is subject to collective bargaining under s. 111.70 (4) (mb) 2. for the employees~~ limited to the lower of the school district's offer or the representative's offer. The school district shall amend the annual report to reflect any change in such costs as a result of any collective bargaining agreement entered into between the date of filing the report and October 1. Any such amendment shall be concurred in by the certified public accountant licensed or certified under ch. 442 certifying the school district audit.

SECTION 89. 230.10 (2) of the statutes is amended to read:

230.10 (2) The compensation plan in effect at the time that a representative is recognized or certified to represent employees in a collective bargaining unit and the employee salary and benefit provisions under s. 230.12 (3) (e) in effect at the time that a representative is certified to represent employees in a collective bargaining unit under subch. V of ch. 111 constitute the compensation plan or employee salary and benefit provisions for employees in the collective bargaining

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unit until a collective bargaining agreement becomes effective for that unit. If a collective bargaining agreement under subch. V of ch. 111 expires prior to the effective date of a subsequent agreement, and a representative continues to be recognized or certified to represent employees specified in s. 111.81 (7) (a) or (ag) or certified to represent employees specified in s. 111.81 (7) (ar) to (f) in that collective bargaining unit, the wage rates of the employees in such a unit shall be frozen until a subsequent agreement becomes effective, and the compensation plan under s. 230.12 and salary and benefit changes adopted under s. 230.12 (3) (e) do not apply to employees in the unit.

SECTION 9351. Initial applicability; Other.

(1) COLLECTIVE BARGAINING; EMPLOYEE RIGHTS. The treatment of ss. 20.425 (1) (i), 20.505 (1) (ks), 20.921 (1) (a) 2., 40.51 (7) (a), 46.2895 (8) (a) 1., 109.03 (1) (b), 111.70 (1) (a), (f), (fd), (fm), (n), and (p), (3) (a) 3., 5., 6., and 9., (3g), (4) (bm) (title), (cg) (title), 1., 2., 3., 4., 5., 6. a., 7r. d., e., f., and h., and 8m., (d) 1., 2. a., and 3. a., b., and c., (mb) (intro.), (mbb), (mc) (intro.), 6., 7., and 8., and (p), and (7m) (c) 1. a., 111.81 (1), (1b), (1d), (7) (ag), (ar), and (at), (8), (8p), (9), (9b), (9g), (12) (intro.), (12m), (15m), and (16), 111.815 (1), 111.817, 111.825 (1) (intro.), (1r) (am) and (ar), (1t) (am) and (ar), (3), and (5), 111.83 (1), (3) (a) and (b), and (4), 111.84 (1) (d) and (f) and (2) (c), 111.85 (1), (2), and (4), 111.86 (2), 111.88 (1), 111.90 (1) and (2), 111.91 (1w), (2) (intro.), (3) (intro.), (3q), and (4), 111.92 (3) (a) and (b), 111.93 (3) (a) and (b), 118.22 (4), 118.245 (1), 118.42 (3) (a) 4. and (5), 120.12 (15), 120.18 (1) (gm), and 230.10 (2), the renumbering of s. 111.70 (4) (bm), the renumbering and amendment of ss. 111.70 (2) and 111.82, and the creation of ss. 111.70 (2) (b) and (4)

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(bm) 2. and 111.82 (2) first apply to employees who are covered by a collective bargaining agreement under ch. 111 that contains provisions inconsistent with those sections on the day on which the agreement expires or is terminated, extended, modified, or renewed, whichever occurs first.

(END)