

State of Misconsin 2001 - 2002 LEGISLATURE

# 2001 SENATE BILL 42

February 7, 2001 – Introduced by Senator WELCH, cosponsored by Representatives MUSSER, OTT, MCCORMICK, BALOW and BERCEAU. Referred to Committee on Labor and Agriculture.

AN ACT to amend 111.77 (intro.) and 111.77 (8) (b) of the statutes; relating to: collective bargaining dispute settlement procedures for members of a police department employed by a city, village, or town having a population of less than 2,500.

## Analysis by the Legislative Reference Bureau

Under current law affecting fire departments and city and county law enforcement agencies, except police departments in 1st class cities (Milwaukee) and police departments in cities, villages, or towns having a population of less than 2,500, employers and recognized or certified representatives of employees have the duty to bargain collectively in good faith. If a collective bargaining dispute arises and an impasse has been reached, and the parties have no procedures for the settlement of a dispute, either party may petition the employment relations commission (commission) to initiate compulsory, final and binding arbitration of the dispute. If the commission determines that an impasse exists, it must issue an order requiring arbitration. Pursuant to this order, the commission is required to submit to the parties a panel of five arbitrators from which the parties alternately strike names until the name of a single arbitrator remains. The commission is required to appoint this person as the arbitrator. The arbitrator must select the final offer of one of the parties and issue an award incorporating that offer without modification, except when the parties agree to allow the arbitrator to determine all issues in a dispute involving wages, hours, and conditions of employment.

#### **SENATE BILL 42**

This bill applies this dispute settlement procedure to members of a police department employed by a city, village, or town having a population of less than 2,500.

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.** 111.77 (intro.) of the statutes is amended to read:

111.77 Settlement of disputes in collective bargaining units composed

**3 of law enforcement personnel and fire fighters.** (intro.) In fire departments

4 and city<u>, village, town</u>, and county law enforcement agencies, municipal employers

5 and <u>municipal</u> employees have the duty to bargain collectively in good faith,

6 including the duty to refrain from strikes or lockouts, and to comply with the

7 procedures set forth below:

## 8 SECTION 2. 111.77 (8) (b) of the statutes is amended to read:

9 111.77 (8) (b) This section shall not apply to members of a police department
10 employed by a 1st class city nor to any city, village or town having a population of less
11 than 2,500.

12 SECTION 3. Initial applicability.

(1) This act first applies to requests for arbitration under section 111.77 (3) of
the statutes that are submitted to the employment relations commission on the
effective date of this subsection.

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(END)