



2013 SENATE BILL 312

September 24, 2013 - Introduced by Senators SHILLING, LASSA, T. CULLEN, ERPENBACH, HANSEN, HARRIS, C. LARSON, LEHMAN, MILLER, RISSER and VINEHOUT, cosponsored by Representatives HESSELBEIN, MASON, BARCA, BERCEAU, BERNARD SCHABER, BILLINGS, CLARK, DANOU, GENRICH, GOYKE, HEBL, HINTZ, JOHNSON, JORGENSEN, KAHL, KOLSTE, MILROY, OHNSTAD, POPE, RICHARDS, RINGHAND, SARGENT, SHANKLAND, SINICKI, C. TAYLOR, WACHS and WRIGHT. Referred to Committee on Judiciary and Labor.

1 **AN ACT** *to renumber and amend* 111.91 (3); *to amend* 111.825 (5) and 111.91
2 (3q); and *to create* 111.91 (3) (bm) of the statutes; **relating to:** collective
3 bargaining over workplace safety for employees of the Department of
4 Corrections.

Analysis by the Legislative Reference Bureau

Current law limits a person who is employed by the state who is not a police officer or fire fighter from collectively bargaining with the state over any issue except a percentage increase in base wages that does not exceed the percentage change in the consumer price index. This bill allows employees of the Department of Corrections to collectively bargain over workplace safety for the employees.

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

5 **SECTION 1.** 111.825 (5) of the statutes is amended to read:
6 111.825 (5) Although supervisors are not considered employees for purposes
7 of this subchapter, the commission may consider a petition for a statewide collective
8 bargaining unit of professional supervisors or a statewide unit of nonprofessional

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1 supervisors in the classified service, but the representative of supervisors may not
2 be affiliated with any labor organization representing employees. For purposes of
3 this subsection, affiliation does not include membership in a national, state, county
4 or municipal federation of national or international labor organizations. The
5 certified representative of supervisors who are not public safety employees may not
6 bargain collectively with respect to any matter other than wages as matters provided
7 in s. 111.91 (3), and the certified representative of supervisors who are public safety
8 employees may not bargain collectively with respect to any matter other than wages
9 and fringe benefits as provided in s. 111.91 (1).

10 **SECTION 2.** 111.91 (3) of the statutes is renumbered 111.91 (3) (am), and 111.91
11 (3) (am) 2. (intro.), as renumbered, is amended to read:

12 111.91 (3) (am) 2. (intro.) Unless the electors in a statewide referendum approve
13 a total base wages increase that exceeds the total base wages expenditure described
14 in this ~~paragraph~~ subdivision, any proposal that does any of the following:

15 **SECTION 3.** 111.91 (3) (bm) of the statutes is created to read:

16 111.91 (3) (bm) Notwithstanding par. (am), if a collective bargaining unit
17 contains employees of the department of corrections, workplace safety for the
18 employees of the department of corrections is subject to collective bargaining.

19 **SECTION 4.** 111.91 (3q) of the statutes is amended to read:

20 111.91 (3q) For purposes of determining compliance with sub. (3) (am), the
21 commission shall provide, upon request, to the employer or to any representative of
22 a collective bargaining unit containing a general employee, the consumer price index
23 change during any 12-month period. The commission may get the information from
24 the department of revenue.

25 **SECTION 5. Initial applicability.**

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1 (1) COLLECTIVE BARGAINING FOR DEPARTMENT OF CORRECTIONS EMPLOYEES. The
2 treatment of sections 111.825 (5) and 111.91 (3q) of the statutes, the renumbering
3 and amendment of section 111.91 (3) of the statutes, and the creation of section
4 111.91 (3) (bm) of the statutes first apply to an employee who is covered by a collective
5 bargaining agreement on the day on which the collective bargaining agreement
6 expires or is extended, modified, or renewed, whichever occurs first.

7

(END)