



## Joint Committee on Employment Relations

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The Joint Committee on Employment Relations (JCOER) approves state employee compensation plans and contracts with represented state employees. In addition, JCOER may review or approve other matters relating to state employment, as required by the statutes or the Legislature.

The membership of JCOER is established by statute. The committee is composed of the following eight members: (1) speaker of the Assembly; (2) president of the Senate; (3) Assembly majority leader; (4) Senate majority leader; (5) Assembly minority leader; (6) Senate minority leader; (7) Assembly co-chair of the Joint Committee on Finance (JCF); and (8) Senate JCF co-chair. The Assembly speaker and Senate president serve as co-chairs of JCOER.<sup>1</sup>

### STATE EMPLOYEE COMPENSATION PLANS

The administrator of the Division of Personnel Management (DPM) in the Department of Administration is required to submit, to JCOER, any proposed changes to the following state employee compensation plans:<sup>2</sup>

- The compensation plan for classified and certain unclassified employees, including executive salary group (ESG) employees and elected officials.
- The compensation and benefit adjustments for employees of the University of Wisconsin (UW) System. The DPM administrator submits the plan to JCOER after receiving recommendations from the UW Board of Regents and UW-Madison chancellor.
- The compensation and benefit adjustments for certain employees of the Wisconsin Technical College System (WTCS). The DPM administrator submits the plan to JCOER after receiving recommendations from the WTCS Board.

After receiving proposed changes to a compensation plan from the DPM administrator, JCOER must hold a public hearing on the proposal. JCOER may approve or modify the proposal. However, any modifications made by JCOER may be disapproved by the governor within 10 calendar days. If the governor disapproves a modification, JCOER may set aside the governor's disapproval by a vote of six of the committee's eight members. Once this process is complete, the proposal, together with the unchanged provisions of the compensation plan, constitutes the compensation plan for the ensuing fiscal year or until a new or modified plan is adopted.<sup>3</sup>

Provisions of a compensation plan approved by JCOER that require legislative action for implementation, such as changes in fringe benefits and any proposed amendments to the statutes, must be introduced by JCOER in a bill, or companion bills, to be put on the legislative calendar. The bill must be accompanied by a message that JCOER concurs in the matters under consideration and recommends passage of the bill without change. The bill is not subject to referral to the JCF or the Joint Survey Committee on Retirement Systems (JSCRS). In addition, the bill is not subject to the prohibition against the passage of any bill increasing or decreasing state revenues by more than \$10,000 before passage of the biennial budget bill.<sup>4</sup>

### CONTRACTS WITH REPRESENTED STATE EMPLOYEES

The DPM generally negotiates collective bargaining agreements with labor organizations representing state employees, other than UW employees. With the exception of public safety employees, state employees have the right to collectively bargain with the state only with respect to base wages, and then only within certain limits. The DPM has the responsibility for making and accepting offers on behalf of

the state. However, during this process, the DPM is required to maintain close liaison with the Legislature and notify and consult with JCOER. To keep informed regarding the status of collective bargaining, it has been the practice of JCOER to occasionally hold closed meetings to deliberate on the status and ramifications of collective bargaining activities.<sup>5</sup>

For UW employees, the UW Board of Regents has the authority to negotiate with labor organizations representing UW System employees, other than employees assigned to UW-Madison, and the UW-Madison chancellor has the authority to negotiate with labor organizations representing UW-Madison employees.<sup>6</sup>

When the DPM, UW Board of Regents, or UW-Madison chancellor and a labor organization representing employees reach a tentative agreement, a ratification vote is held by the labor organization. If the labor organization ratifies a tentative agreement, the agreement is then submitted by the DPM, UW Board of Regents, or UW-Madison chancellor to JCOER for approval or disapproval. When JCOER receives a tentative agreement, it must hold a public hearing on the agreement before approving or disapproving it. JCOER may not modify a tentative agreement; it may only approve or disapprove an agreement. If the committee does not approve a tentative agreement, it must be returned to the parties for renegotiation.<sup>7</sup>

If JCOER approves a tentative agreement, JCOER must introduce a bill, or companion bills, to be put on the legislative calendar, that includes that portion of the agreement that requires legislative action for implementation, such as salary adjustments, changes in fringe benefits, and any proposed amendments to the statutes. Generally, the bill takes the form of a statement that the Legislature ratifies the agreement, as negotiated by the DPM, UW Board of Regents, or UW-Madison chancellor and the labor organization and as recommended by JCOER. The bill must be accompanied by a message that JCOER concurs with the matters under consideration and recommends passage of the legislation without change. The bill is not subject to referral to the JCF or the JSCRS. In addition, the bill is not subject to the prohibition against the passage of any bill increasing or decreasing state revenues by more than \$10,000 before passage of the biennial budget bill. If the Legislature does not adopt, without change, that portion of the tentative agreement introduced by JCOER, the agreement is returned to the parties for renegotiation.<sup>8</sup>

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<sup>1</sup> s. 13.111, Stats.

<sup>2</sup> s. 230.12 (3) (a) and (e), Stats.

<sup>3</sup> s. 230.12 (3) (b) and (e), Stats.

<sup>4</sup> s. 230.12 (1) (bf), Stats.

<sup>5</sup> ss. 19.85 (1) (e), 111.815, and 111.915, Stats.

<sup>6</sup> s. 111.815 (1), Stats.

<sup>7</sup> s. 111.92 (1) (a), Stats.

<sup>8</sup> s. 111.92 (1) (a) 4., Stats.