### Public Employes Bargaining Provisions

**Policy Declaration**
Recognizes the interests of the public, state employes and the state as employer in the collective bargaining process.

**Employee Definition**
Any state employe in the classified service except limited term employes, sessional employes, project employes, managers, supervisors and employes privy to confidential matters affecting the employer-employe relationship.

**Management Definition**
Personnel performing executive and managerial functions as determined by the Employment Relations Commission.

### SB 121 Bargaining Provisions

**Policy Declaration**
States intent to preserve academic freedom and insulation of the University from political influence. Further, recognizes joint decision making between the administration, faculty and students of the University.

**Employee Definition**
Unclassified personnel with appointments of half-time or more. Includes department chairmen or their equivalents; but excludes managers, supervisors, etc., as under public employes.

**Management Definition**
Same as public employes except that participation in decisions regarding courses, curriculum, personnel and other educational policies is not sufficient for inclusion in management and department chairmen are explicitly excluded.

### Substitute Amendment 1 Bargaining Provisions

**Policy Declaration**
Same as public employes.

**Employee Definition**
Same as SB 121 but does not define the status of department chairman which would be determined by the Employment Relations Commission. In addition, academic staff teaching half time or more would be defined as faculty.

**Management Definition**
Same as public employes.
STATE NEGOTIATOR

Department of Employment Relations.

Board of Regents.

SB 121
Bargaining Provisions

Same as public employees.

Substitute Amendment 1
Bargaining Provisions

Fragmentation of Bargaining Units

Legislative intent to avoid excessive fragmentation with statewide units for specified occupational groups.

Deletes expression of intent to avoid fragmentation (8A 2 would restore it) and creates separate bargaining units: at the Madison and Milwaukee campuses for faculty and for academic staff; at each of the other campuses for unclassified employees.

Same as public employees but with the following units created: Madison and Milwaukee faculty; Madison and Milwaukee academic staff; faculty at the nondoncultural institutions; academic staff at the nondoncultural institutions; Center System faculty and academic staff; Extension faculty and academic staff.

Merger of Bargaining Units

No provisions.

Provides for merger of units upon petition of 30% of the membership of each unit and affirmative majority vote in an election by those voting in each unit.

No provisions.
MANAGEMENT RIGHTS

Reserves to management rights to: carry out agency goals, manage personnel; suspend, demote, discharge or take other disciplinary action for just cause; lay off employees in the event of lack of work or funds or under conditions where continuation of such work would be inefficient and nonproductive.

REGENTS BARGAINING PROVISIONS

Regents are not required to bargain subjects related to management and direction of the University except insofar as they affect the compensation, hours and conditions of employment.

SUBSTITUTE AMENDMENT 1

Same as public employees.

PRECEDENCE OF CONTRACTS

Contract is inclusive in regard to wages, hours and conditions of employment and no provisions pertain that are not included in a contract. A contract supersedes any statutory provisions.

Contract supersedes only those statutory provisions and rules and policies of the Board of Regents addressed by the contract. Provisions not explicitly dealt with by a contract remain in effect.

Same as public employees.
SUBJECTS OF BARGAINING

Matters subject to collective bargaining relating to the point of impasse are wage rates, fringe benefits, hours and conditions of employment. The employer is not required to bargain on occupancy of housing or on management rights except that grievance handling procedures are subject to bargaining. In addition, demands related to retirement and group insurance must be submitted one year in advance of negotiations. The employer is prohibited from bargaining on: the mission and goals of state agencies; civil service policies, practices and procedures relating to original appointments, promotions and the job evaluation system; and amendments to the collective bargaining statutes.

Matters subject to collective bargaining relating to the point of impasse are salaries, fringe benefits, hours and conditions of employment, including practices and procedures concerning the role of faculty and academic staff in implementing Chapter 36. The employer is not required to bargain on management rights except that grievance handling procedures and disputes concerning the exercise of Regent authority are bargainable. The structure of the University, institutional missions and goals, academic programs and requirements, and individual personnel decisions are not bargainable; however the procedures, processes and criteria for making decisions in these areas are bargainable. (SA 2 would include the provisions pertaining to housing and advance submission of retirement and group insurance items as under public employee bargaining.)
ELECTIONS AND REPRESENTATION

Upon petition accompanied by signed authorization cards from 30% of employees in a bargaining unit, elections are held to determine representation. The election ballot includes the petitioning organizations, other organizations with authorization cards from 10% of the employees in the bargaining unit and no representation. Elections are held until one alternative has a majority vote. Elections are unit-wide. Upon petition supported by 30% of the employees in the unit, elections are held to determine changes in representation or withdrawal from collective bargaining. Changes in representation can occur only in the October prior to the expiration of a contract. No group of employees can withdraw from the collective bargaining process except by a majority vote of all employees in the unit.

Same as public employes.

'Same as public employes for the first institution or institutions holding representation elections except that petitions must be accompanied by cards signed by 30% of employees at each institution. Where "no representative" receives a majority vote, employees would not be included in the collective bargaining process. Subsequent elections, upon petition, at other institutions would be held on the sole question of engaging in collective bargaining. An affirmative vote on the question of bargaining would include the employees in the provisions of the next contract to be negotiated with representation by the labor organization already chosen by other institutions. Changes in representation occur as under state employes; however, if "no representation" receives a majority vote at any institution, the employees of the institution would no longer be included in the collective bargaining process. Upon petition of 30% of the employees at any institution, an election would be held on the question of continuation in the collective bargaining process. If the vote is against continuation, the institution would no longer be included in collective bargaining effective with expiration of the current contract.