



**SENATE AMENDMENT 35,
TO ASSEMBLY BILL 40**

June 20, 2013 – Offered by Senators ERPENBACH and RISSER.

1 At the locations indicated, amend the bill, as shown by assembly substitute
2 amendment 1, as follows:

3 **1.** Page 490, line 17: after that line insert:

4 “**SECTION 758g.** 40.95 (1) (a) 3. of the statutes is amended to read:

5 40.95 (1) (a) 3. The employee has his or her compensation established in a
6 collective bargaining agreement under subch. I V of ch. 111 and the employee is
7 employed by the University of Wisconsin Hospitals and Clinics Authority.”

8 **2.** Page 960, line 11: after that line insert:

9 “**SECTION 1724b.** 111.81 (7) (g) of the statutes is created to read:

10 111.81 (7) (g) Any employee of the University of Wisconsin Hospitals and
11 Clinics Authority.

12 **SECTION 1724d.** 111.815 (1) of the statutes, as affected by 2011 Wisconsin Acts
13 10 and 32, is amended to read:

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

8 **(b) 1.** ~~Except with respect to the collective bargaining unit specified in s.~~
9 ~~111.825 (1r), (1t),~~ as provided in subds. 2., 3., 4., and 5., the office is responsible for
10 the employer functions of the executive branch under this subchapter, and shall
11 coordinate its collective bargaining activities with operating state agencies on
12 matters of agency concern.

13 **(c)** The legislative branch shall act upon those portions of tentative agreements
14 negotiated by the office that require legislative action.

15 **(b) 2.** With respect to the collective bargaining units specified in s. 111.825 (1r),
16 the Board of Regents of the University of Wisconsin System is responsible for the
17 employer functions under this subchapter.

18 **(b) 3.** With respect to the collective bargaining units specified in s. 111.825 (1t),
19 the chancellor of the University of Wisconsin-Madison is responsible for the
20 employer functions under this subchapter.

21 **(b) 4.** With respect to the collective bargaining unit specified in s. 111.825 (1r)
22 (ef), the governing board of the charter school established by contract under s. 118.40
23 (2r) (cm) is responsible for the employer functions under this subchapter.

24 **SECTION 1724f.** 111.815 (1) (b) 5. of the statutes is created to read:

1 111.815 (1) (b) 5. With respect to the collective bargaining units specified in s.
2 111.825 (1g), the University of Wisconsin Hospitals and Clinics Authority is
3 responsible for the employer functions under this subchapter.

4 **SECTION 1724h.** 111.815 (2) of the statutes, as affected by 2011 Wisconsin Acts
5 10 and 32, is amended to read:

6 111.815 (2) The director of the office shall, together with the appointing
7 authorities or their representatives, represent the state in its responsibility as an
8 employer under this subchapter except with respect to negotiations in the collective
9 bargaining unit specified in s. 111.825 (1g), (1r), and (1t). The director of the office
10 shall establish and maintain, wherever practicable, consistent employment
11 relations policies and practices throughout the state service.

12 **SECTION 1724j.** 111.825 (1) (intro.) of the statutes is amended to read:

13 111.825 (1) (intro.) It is the legislative intent that in order to foster meaningful
14 collective bargaining, units must be structured in such a way as to avoid excessive
15 fragmentation whenever possible. In accordance with this policy, collective
16 bargaining units for employees in the classified service of the state, except employees
17 in the collective bargaining units specified in sub. (1g), are structured on a statewide
18 basis with one collective bargaining unit for each of the following occupational
19 groups:

20 **SECTION 1724L.** 111.825 (1g) of the statutes is created to read:

21 111.825 (1g) Collective bargaining units for employees who are employed by
22 the University of Wisconsin Hospitals and Clinics Authority are structured with one
23 collective bargaining unit for each of the following occupational groups:

24 (a) Clerical and related.

25 (b) Blue collar and nonbuilding trades.

- 1 (c) Building trades crafts.
2 (d) Security and public safety.
3 (e) Technical.
4 (f) Fiscal and staff services.
5 (g) Patient care.
6 (h) Science.

7 **SECTION 1724n.** 111.825 (3) of the statutes, as affected by 2011 Wisconsin Acts
8 10 and 32, is amended to read:

9 111.825 (3) The commission shall assign employees to the appropriate
10 collective bargaining units set forth in subs. (1), ~~(1g)~~, (1r), (1t), and (2).

11 **SECTION 1724p.** 111.825 (4) of the statutes, as affected by 2011 Wisconsin Acts
12 10 and 32, is amended to read:

13 111.825 (4) Any labor organization may petition for recognition as the exclusive
14 representative of a collective bargaining unit specified in sub. (1), ~~(1g)~~, (1r), (1t), or
15 (2) in accordance with the election procedures set forth in s. 111.83, provided the
16 petition is accompanied by a 30% showing of interest in the form of signed
17 authorization cards. Each additional labor organization seeking to appear on the
18 ballot shall file petitions within 60 days of the date of filing of the original petition
19 and prove, through signed authorization cards, that at least 10% of the employees
20 in the collective bargaining unit want it to be their representative.

21 **SECTION 1724r.** 111.825 (4m) of the statutes is created to read:

22 111.825 (4m) If a single representative is certified to represent more than one
23 of the collective bargaining units specified in sub. (1g), that representative and the
24 employer may jointly agree to combine the collective bargaining units, subject to the
25 right of the employees in any of the collective bargaining units that were combined

1 to petition for an election under s. 111.83 (6). Any agreement under this subsection
2 is effective upon written notice of the agreement by the parties to the commission and
3 terminates upon written notice of termination by the parties to the commission or
4 upon decertification of the representative entering into the agreement as
5 representative of one of the combined collective bargaining units, whichever occurs
6 first.

7 **SECTION 1724t.** 111.92 (1) (b) of the statutes is created to read:

8 111.92 (1) (b) Any tentative agreement reached between the University of
9 Wisconsin Hospitals and Clinics Authority, acting for the state, and any labor
10 organization representing a collective bargaining unit specified in s. 111.825 (1g)
11 shall, after official ratification by the labor organization, be executed by the parties.”.

12 **3.** Page 1104, line 23: after that line insert:

13 “**SECTION 2055ad.** 233.10 (2) (intro.) of the statutes is amended to read:

14 233.10 (2) (intro.) Subject to subs. (3), (3r) and (3t) and ch. 40 and the duty to
15 engage in collective bargaining with employees in a collective bargaining unit for
16 which a representative is certified under subch. V of ch. 111, the authority shall
17 establish any of the following:”.

18 (END)