

WISCONSIN SCHOOL ATTORNEYS ASSOCIATION

February 23, 2022

WERC - Anything You Need to Know?

By Peter G. Davis-Attorney**

I. AGENCY INFORMATION

A. Chairman and Staff

Chairman James Daley-appointed and confirmed by the Senate for a term expiring March 1, 2023.

Attorney Peter Davis (1975-present)

Attorney Raleigh Jones (1982-2022)

Attorney Anfin Jaw (2022-present)

Attorney (Summer 2022)

Paralegal Carolyn Gallagher (2020-present)

Office Manager Elena Lugo (2020-present)

B. General Agency Contact Information

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Website: <http://werc.wi.gov>

C. Agency Operations During COVID

** As always, the speaker's views and remarks are not necessarily those of the WERC.

D. Labor Law Decisions

Madison Schools, Dec. No. 38944-A (Davis, 1/22), aff'd by operation of law, Dec. No. 38944-B (WERC, 1/22)

Employer violated its duty to bargain by communicating directly with union represented employees regarding base wages.

Kettle Moraine Schools, Dec. No. 39585-A (WERC, 4/21)

WERC prospectively prohibits election raffles.

Waukesha County, Dec. No. 38742-A (Davis, 5/21), aff'd Dec. No. 38742-B (WERC, 8/21)

Employer interfered with employee rights by denying request for union representation and inaccurately minimizing the role of a union representative. Representation right exists even if no discipline issued.

Waukesha County, Dec. No. 38743-A (Davis, 4/21), aff'd by operation of law, Dec. No. 38743-B (WERC, 5/21)

Employer interfered with employee rights by advising union representative she was not needed and could leave because no discipline would be imposed.

City of Milwaukee, Dec. No. 37964-A (Davis, 8/20), aff'd by operation of law, Dec. No. 37964-B (WERC, 9/20)

Union not entitled to Employer's investigative file prior to Weingarten meeting.

City of Beloit, Dec. No. 38484-A (Davis, 9/20) aff'd 38484-B (WERC, 12/20)

Sec. 111.70 (4) (d)1, Stats. does not create an enforceable employee statutory right to present a grievance to the Employer.

General Heating and Air Conditioning, Dec. No. 37777-A (Davis, 3/19) aff'd 37777-B (WERC, 4/19); Wis Sup Ct. oral argument pending

Employer did not violate the limited portion of Wisconsin's Right to Work law that is not pre-empted by federal law.