

James R. Scott  
Chairman  
Rodney G. Pasch  
Commissioner



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**State of Wisconsin  
Employment Relations Commission**

August 18, 2014

The Honorable Scott Walker  
Office of the Governor  
115 East, State Capitol  
Madison, WI 53702

Dear Governor:

The following is the Biennial Report of the Wisconsin Employment Relations Commission for the 2011-2013 biennium. The Commission continues to maintain its statewide and national recognition for competence, fairness and integrity as the agency responsible for administering labor relations laws for the state of Wisconsin.

As a Commission, we look forward to maintaining that hard working reputation through the continued exercise of diligence and professionalism in the performance of our duties.

Respectfully Submitted,

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

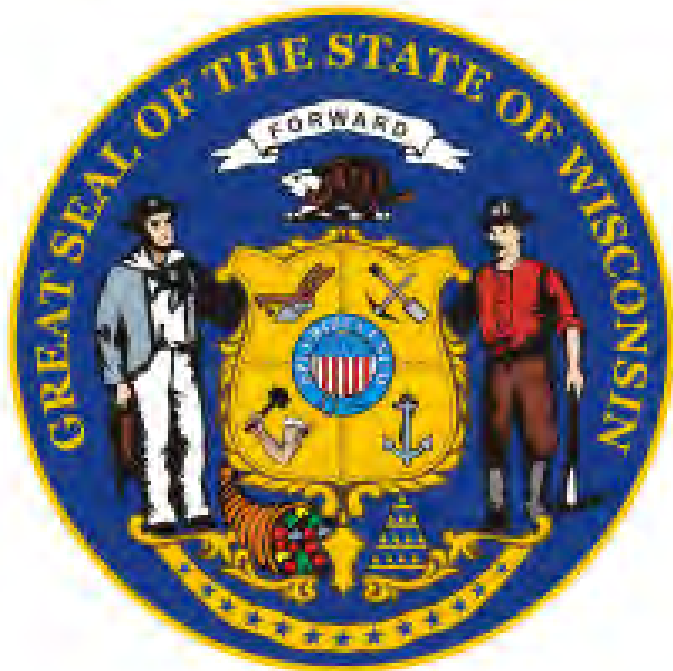
A handwritten signature in black ink, appearing to read "J. R. Scott".

James R. Scott  
Chairman

A handwritten signature in black ink, appearing to read "R. G. Pasch".

Rodney G. Pasch  
Commissioner

Enclosure



STATE OF WISCONSIN  
**EMPLOYMENT RELATIONS COMMISSION**

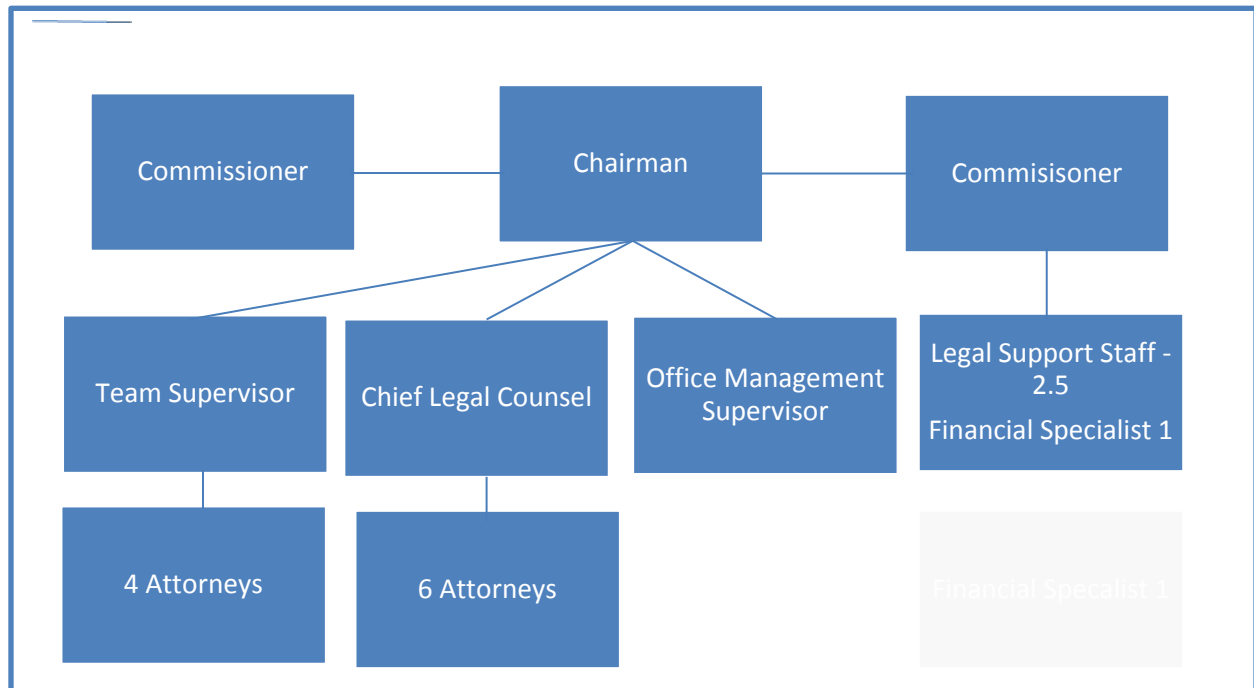
**BIENNIAL REPORT**

**JULY 1, 2011  
JUNE 30, 2013**

**Agency Functions and Organization:**

**Functions:** The primary mission of the Wisconsin Employment Relations Commission (WERC) is to promote peaceful labor relations and collective bargaining throughout the State of Wisconsin and thereby avoid costly consequences of strikes and lockouts and other interruptions of services and production. To accomplish its mission, the WERC has jurisdiction over certain private sector labor relations matters under the Wisconsin Employment Peace Act (WEPA) (Subchapter 1, Chapter 111, Wis. Stats.), over municipal labor relations under the Municipal Employment Relations Act (MERA) (Subchapter IV, Chapter 111, Wis. Stats.), over state labor relations under the State Employment Labor Relations Act (SELRA) (Subchapter V, Chapter 111, Wis. Stats.), and over appeals of certain state personnel actions under Sec. 230.45 (1), Stats. The WERC’s labor relations work includes conducting elections to determine bargaining units and bargaining representative; issuing decisions regarding unfair labor practice, election, unit clarification, and declaratory ruling cases; mediating collective bargaining disputes; and providing arbitration services for grievances arising over the interpretation and application of existing collective bargaining agreements. The WERC also issues decisions regarding appeals of certain state personnel actions, and provides labor management consensus bargaining training, designed to enable the parties to work together to achieve common goals.

**Organization:** The WERC consists of three Commissions appointed by the Governor, with the consent of the Senate, for six-year terms with one Commissioner designated by the Governor to serve as Chairperson for a two-year term. The WERC also has a staff of professional hearing examiners/mediators/arbitrators, as well as administrative support personnel. The Agency’s organization is charted as follows:



## **Performance and Operations during the Biennium**

During the biennium, the size of the WERC staff was substantially reduced due to 2011 Act 10. The WERC has continued its commitment to improving the quality and the timeliness of its services. The WERC also successfully met its new statutory obligation to conduct annual certification elections for state and municipal employees.

## **Major Program Goals and Objectives**

The WERC has established performance measures by which the timeliness and effectiveness of service delivery can be evaluated (See Appendix A). Using those performance measures, the WERC continues to provide excellent mediation services, but needs to improve the timeliness of decision issuance.

Technology development continues to be a goal of the agency. The content of the website maintained by the WERC has been expanded to include substantial full-text searchable archives of labor relations decisions, grievance awards, municipal interest awards and personnel appeal decisions. The WERC's grievance awards and labor relations decisions continue to be made available on the State Bar of Wisconsin's website, as well. The WERC has encouraged its personnel and its customers to make use of e-mail whenever possible, and our administrative rules are designed to remove obstacles to the use of e-mail in nearly all aspects of communication to and from the WERC.

## **Flexible Time Work Schedules**

Because many of those served by the WERC are members of locally elected governing bodies, a good deal of the work is performed in the evening or at late afternoon meetings in locations throughout the state. This requires all Commissioners and professional staff to have flexible working hours and to coordinate meeting, hearing, and writing schedules. With a very high professional-to-support staff ratio, support hours and schedules are occasionally adjusted to meet the needs of the WERC and to respond to the normal operating hours expected of state agencies. In addition, support staff employee hours are occasionally adjusted to accommodate the personal/family needs of those employees.

## **Biennial Caseload Summary**

During the 2011-2013 biennium there were 1,308 new cases filed with the WERC and 1,213 cases closed. The Commission itself issued 52 decisions, the Commissioners and professional staff issued 128 grievance arbitration awards, and the professional staff issued 29 unfair labor practice/prohibited practice decisions.

**APPENDIX A  
PERFORMANCE MEASURES**

2011 AND 2012 GOALS AND ACTUALS

Prog. No.	Performance Measure	Goal 2011	Actual 2011	Goal 2012	Actual 2012
1.	Percentage of medication-type cases closed without interest arbitration award or fact finding recommendation.	90%	95%	90%	97%
1.	Percentage of labor relations decisions issued by attorney—mediator staff, commissioners or commission in compliance with time guidelines. <sup>1</sup>	90%	73%	90%	53%
1.	Percentage of grievance awards issued by attorney-mediator staff and commissioners in compliance with time guidelines.	85%	66%	85%	65%
1.	Percentage of personnel appeals and drafts issued by attorney-mediator staff, commissioners or commission in compliance with time guidelines.	90%	89%	90%	60%

Note: Based on fiscal year.

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<sup>1</sup> Individual staff members may prepare drafts of decisions for the commission, and, in those cases, the staff member's timeliness guideline for the draft is separate from the commission's timeliness guideline for its decision.