

**STATE OF WISCONSIN  
EMPLOYMENT RELATIONS COMMISSION**

**BIENNIAL REPORT**

**JULY 1, 2015  
JUNE 30, 2017**



**STATE OF WISCONSIN**  
**Employment Relations Commission**

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**James J. Daley**  
Chairman

October 24, 2017

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 2015-2017 biennium. The Commission continues to maintain its statewide and national recognition for competence, fairness and integrity as the agency responsible for administering Wisconsin's labor relations and civil service laws.

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 "James J. Daley".

James J. Daley  
Chairman

JJD/ckl  
Enclosure

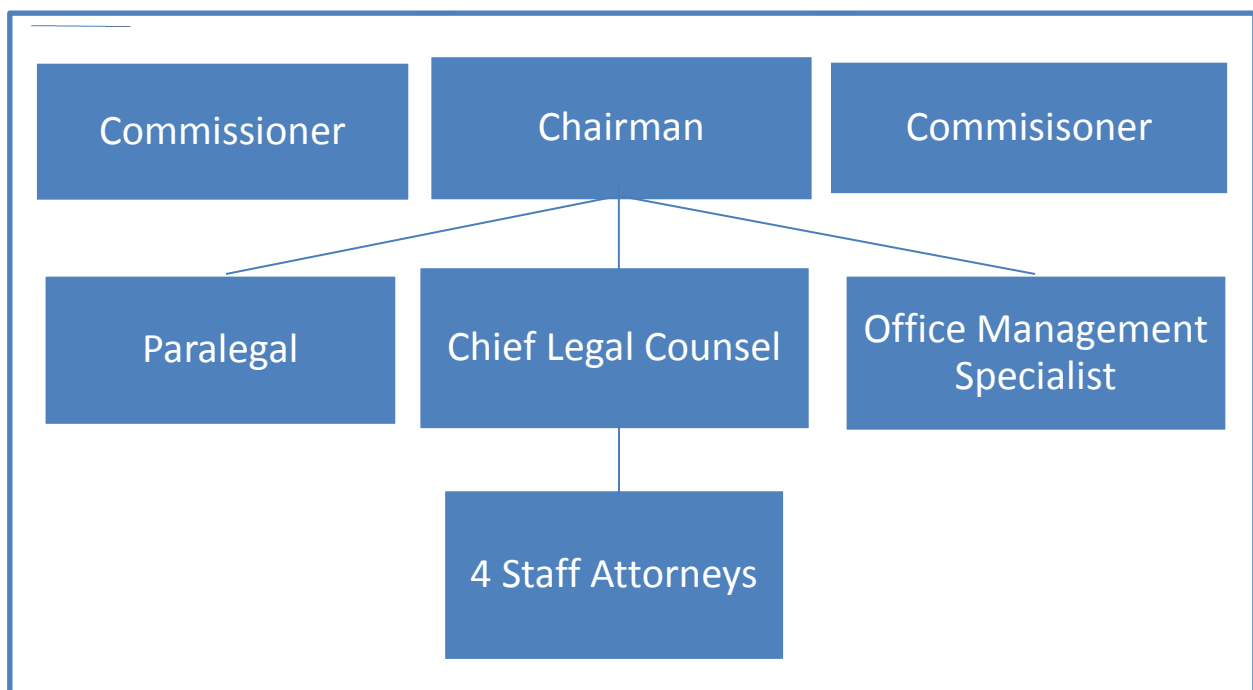
## Agency Functions and Organization:

**Functions:** The mission of the Wisconsin Employment Relations Commission (WERC) is to promote peaceful labor relations and collective bargaining throughout the State of Wisconsin and to serve as a neutral decision-maker regarding State employee civil service appeals. To accomplish that 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 civil service appeals filed pursuant to Sec. 230.45 (1), Stats.

The WERC's labor relations work includes conducting elections to determine if employees wish to continue to be represented by their current collective bargaining representative; issuing decisions regarding unfair labor practice, election, unit clarification, and declaratory ruling cases; mediating collective bargaining disputes; providing arbitration services for grievances arising over the interpretation and application of existing collective bargaining agreements; and serving as independent hearing officers. The WERC also provides training designed to enable the employees, employers and unions to work together to achieve common goals.

The WERC's State employee civil service work primarily involves the issuance of decisions determining whether the State acted within its authority when disciplining, hiring or classifying employees.

**Organization:** During the 2015-2017 biennium the WERC consisted of three Commissioners 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 had a staff of five attorney hearing examiners/mediators/arbitrators and two administrative support personnel. The Agency's organization was as follows and does not reflect changes made in the FY2017-19 biennial budget:



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

The WERC has continued its commitment to improving the quality and the timeliness of its services. WERC Commissioners and professional staff have significantly improved the timeliness of issuance of both civil service and labor relations decisions. The WERC also successfully met its 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 provides excellent mediation services and timely decisions in statutory civil service and labor relations matters and contractual grievance arbitration awards. WERC will continue to provide quality and timely service during the 2017-2019 biennium.

Technology development continues to be a goal of the agency. The content of the website maintained by the WERC includes 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, some 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. Support staff 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 2015-2017 biennium, 1,328 new cases were filed with the WERC. The Commission and its professional staff issued 205 civil service appeal decisions, 22 labor relations decisions and 28 contractual grievance arbitration awards.

**APPENDIX A  
PERFORMANCE MEASURES**

**2014 ACTUALS AND 2015 AND 2016 GOALS AND ACTUALS**

Program No.	Performance Measure	Actual 2014	Goal 2015	Actual 2015	Goal 2016	Actual 2016
1.	Percentage of mediation-type cases successfully settled without an interest arbitration award or fact-finding recommendation.	97%	90%	97%	90%	95%
2.	Percentage of labor relations decisions issued by attorney staff, commissioners or the commission in compliance with time guidelines. <sup>1</sup>	69%	90%	61%	90%	89%
3.	Percentage of personnel appeals and drafts issued by attorney staff, commissioners or the commission in compliance with time guidelines	80%	85%	86%	85%	89%
4.	Percentage of grievance arbitration awards/impartial hearing officer decisions issued by attorney staff and commissioners in compliance with time guidelines.	38%	90%	88%	90%	91%

Note: Based on fiscal year.

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<sup>1</sup> Staff drafts of decisions for the commission are included.