

**LABOR AND EMPLOYMENT RELATIONS ASSOCIATION**

**WERC UPDATE**

September 12, 2025

By Peter G. Davis-WERC Chairman

**Agency Information**

**Commission and Staff**

Chairman Peter Davis appointed September 9, 2025 for a term expiring March 1, 2031. Appointment subject to Senate confirmation. 608 243-2421

Prior WERC Chairman James Daley resigned effective July 11, 2025.

Attorney Anfin Jaw Wise (2022-present) 608 243-2426

Attorney Katherine Scott Lisiecki (2022-present) 608 243-2431

Attorney ?-to be filled when budget allows.

Legal Assistant Carolyn Gallagher (2020-present) 608 243-2434

Office Manager Elena Lugo (2020-present) 608 243-2427

**General Agency Contact Information**

Website = <https://werc.wi.gov>

Email = [werc@werc.state.wi.us](mailto:werc@werc.state.wi.us)

Street and Mailing Address: 2418 Crossroads Drive, Suite 1000 Madison, WI 53718-7896

General Phone (608) 243-2424; Fax (608) 243-2433

## **LABOR RELATIONS MATTERS DECIDED BY THE WISCONSIN SUPREME COURT**

Unanimous Court concludes WERC correctly determined that the University of Wisconsin Hospital and Clinics Authority is not an “employer” under the Wisconsin Employment Peace Act. 2025 WI 29 (6/25) Case No. 2022CV003199.

In Green Bay Prof. Police Ass’n v City of Green Bay, 2021 AP 102 (4/23) Wisconsin Supreme Court determines the arbitrator’s award did not “manifestly disregard the law” articulated in Loudermill.

## **LABOR RELATIONS MATTERS DECIDED BY THE WERC**

### **City of Racine**, Dec. No. 39447-B (WERC, 4/25 and Dec. No. 39446-B (WERC, 5/25)

WERC resolves health insurance related duty to bargain disputes under newly amended Sec. 111.70 (4)(mc) 6. Wis. Stats.

### **State of Wisconsin**, Dec. No. 40693-A (WERC, 12/24)

WERC announces it will return to its pre-COVID practice of not counting mail ballots received after the date ballots are counted.

### **State of Wisconsin**, Dec. No. 40699-A (Davis, 11/24) aff’d by operation of law

State of Wisconsin Department of Corrections found to have committed an unfair labor practice (interference with lawful concerted activity) by prohibiting union members from wearing jackets with a union insignia while working in a prison.

### **City of Madison**, Dec. No. 40357-A (Davis, 5/24) aff’d by operation of law

Complaint filed by union steward dismissed for failing to prove that City actions impacting him had interfered with his protected rights or were based on hostility toward his exercise of protected rights.

### **City of New Richmond**, Dec. No. 39954-A (Davis, 2/24) aff’d 39954-B (WERC, 5/24)

Where disciplinary charges are pending before the PFC, WERC will not exercise jurisdiction over a complaint alleging that the Employer is acting out of animus toward the employee’s concerted activity.

**City of Milwaukee**, Dec. No. 40246 (WERC, 4/24)

WERC concludes that at least absent knowing employee consent, Section 111.70(3)(a) 6. of the Municipal Employment Relations Act does not allow for payment of dues monies to a union for any period of time prior to the date an employee authorizes the payment.

**MISCELLANEOUS LABOR RELATIONS MATTERS**

**Life after Abbotsford-????**

**Milwaukee County** Deputies grievance arbitration award (Davis 3/24) resolves dispute over contractual right to retroactive back pay for former employees and discusses *Beaudette v. Eau Claire Cnty. Sheriff's Dep't*, 2003 WI App 153, 265 Wis. 2d 744, 668 N.W.2d 133 where the Court concluded that retroactive payments were part of a contractual agreement even where there was no specific reference to retroactivity for former employees.

**CPI applicable to base wage bargaining**

For agreements beginning 1/1/25 3.3%

For agreements beginning 7/1/25 2.95%

For agreements beginning 1/1/26 2.62%

**WERC Caseload Statistics**

	<b>21/22</b>	<b>22/23</b>	<b>23/24</b>	<b>24/25</b>
Mediation	32	15	33	27
Grievance Arbitration	44	21	29	36
Unfair Labor Practice Complaints	10	14	9	15
Petitions for Declaratory Ruling	1	3	1	1
Independent Hearing Officer	5	10	14	13
Elections	22	25	32	24
Recertification Elections	331	319	323	323
State Employee Civil Service Appeals	106	84	90	182