

## Chapter ERC 25

### FACT-FINDING IN STATE SECTOR DISPUTES

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**Note:** Chapter ERB 25 was renumbered chapter ERC 25 under s. 13.93 (2m) (b) 1., Stats., Register, December, 1994, No. 468. Chapter ERC 25 as it existed on June 30, 2006 was repealed and a new chapter ERC 25 was created, Register June 2006 No. 606, effective July 1, 2006.

**Note:** See s. 111.88, Stats.

**ERC 25.01 Scope.** This chapter governs the general procedure relating to fact-finding in state sector employment under s. 111.88, Stats., affecting bargaining units of state employees specified in s. 111.825, Stats., or bargaining units of supervisors specified in s. 111.825 (5), Stats.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06.

**ERC 25.02 Petition for fact-finding.** A petition to initiate fact-finding may only be filed jointly, by the employer and the exclusive collective bargaining representative of personnel in an appropriate collective bargaining unit, or by their authorized representatives. Practice and procedure for filing a petition to initiate fact-finding under this chapter shall otherwise be as set forth in s. ERC 14.02.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 25.03 Withdrawal of petition; effect on filing fee.** Practice and procedure regarding withdrawal of a petition for fact finding and the effect of a withdrawal on the filing fee shall be as set forth in s. ERC 14.03.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 25.04 Commission investigation.** After a petition has been filed, the commission shall conduct an investigation to determine whether the parties are deadlocked after a reasonable period of negotiation. Practice and procedure for the investigation in a fact-finding proceeding shall be as set forth in s. ERC 14.04.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 25.05 Consolidation of proceedings.** The commission may consolidate fact-finding proceedings to avoid unnecessary costs, delay, or multiplicity of proceedings or to otherwise serve the purposes of the State Employment Labor Relations Act.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06.

**ERC 25.06 Certification of results of investigation.** Practice and procedure regarding commission certification of the results of an investigation in a fact-finding proceeding shall be as set forth in s. ERC 14.06, except that the reference to the "Municipal Employment Relations Act" shall be to the "State Employment Labor Relations Act."

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 25.07 Hearing before the fact finder.** Practice and procedure regarding hearings before the fact finder shall be as set forth in s. ERC 14.07.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 25.08 Fact-finding recommendations.** After the close of the hearing, the fact finder shall prepare and issue fact-finding recommendations. Practice and procedure regarding fact-finding recommendations shall be as set forth in s. ERC 14.08.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 25.09 Compensation of fact finder and other costs.** Practice and procedure regarding compensation of the fact finder and the allocation of other costs in a fact finding proceeding shall be as set forth in s. ERC 14.09.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 25.10 Fact finder's report of fees and expenses.** Practice and procedure regarding the fact finder's report of fees and expenses shall be as set forth in s. ERC 14.10.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 25.11 Notification of acceptance or rejection of recommendations of the fact finder.** Each party involved in fact-finding shall notify, in writing, the other parties and the commission of its acceptance or rejection, in whole or in part, of the fact finder's recommendations. Practice and procedure regarding notification of acceptance or rejections of recommendations of the fact finder shall be as set forth in s. ERC 14.11.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.