

ORDER OF THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

The Wisconsin Employment Relations Commission hereby promulgates and adopts an order to amend ERC 1.06 (1)(2) and (3), 10.21 (1)(2)(3)(4) and (5), and 20.21 (1)(2)(3) and (4) relating to increased filing fees.

These rules increase existing filing fees for Commission dispute resolution services in amounts necessary to fund 2.0 Program Revenue positions as authorized by 2003 Wisconsin Act 33.

Sections 111.09, 111.71, 111.94, and 227.11, Stats., authorize promulgation of these rules.

SECTION 1. ERC 1.06 (1)(2) and (3) are amended to read:

ERC 1.06 Fees. (1) COMPLAINTS. At the time a complaint is received alleging that an unfair labor practice has been committed under s. 111.06, Stats., the complaining party or parties shall pay the commission a filing fee of ~~\$40.~~ \$80. The complaint is not filed until the fee is paid.

(2) GRIEVANCE ARBITRATION. At the time a request is received asking that the commission or its staff act as a grievance arbitrator under s. 111.10, Stats., the parties to the dispute shall each pay the commission a filing fee of ~~\$125.~~ \$250.

(3) MEDIATION. At the time a request is received asking the commission or its staff to act as a mediator under s. 111.11, Stats., the parties to the dispute shall each pay the commission a filing fee of ~~\$125.~~ \$250.

SECTION 2. ERC 10.21 (1)(2)(3)(4) and (5) are amended to read:

ERC 10.21 Fees. (1) COMPLAINTS. At the time a complaint is received alleging that a prohibited practice has been committed under s. 111.70(3), Stats., the complaining party or parties shall pay the commission a filing fee of ~~\$40.~~ \$80. The complaint is not filed until the fee is paid.

(2) GRIEVANCE ARBITRATION. At the time a request is received asking that the commission or its staff act as a grievance arbitrator under s. 111.70 (4) (c) 2., or (cm) 4., Stats., the parties to the dispute shall each pay the commission a filing fee of ~~\$125.~~ \$250.

(3) MEDIATION. At the time a request is received asking the commission or its staff to act as a mediator under s. 111.70(4)(c)1. or (cm)3., Stats., the parties to the dispute shall each pay the commission a filing fee of ~~\$125.~~ \$250.

(4) FACT-FINDING. At the time a request is received asking the commission to initiate fact-finding under s. 111.70 (4) (c) 3., Stats., the parties to the dispute shall each pay the commission a filing fee of ~~\$125.~~ \$250. except that if the parties have previously paid a mediation filing fee for the same dispute under sub. (3), no fee shall be paid.

(5) INTEREST ARBITRATION. At the time a request is received asking the commission to initiate interest arbitration under s. 111.70 (4)(cm)6., (4)(jm) or

111.77(3), Stats., the parties to the dispute shall each pay the commission a filing fee of ~~\$125, \$250~~, except that if the parties have previously paid a mediation filing fee for the same dispute under sub. (3), no fee shall be paid.

SECTION 3. ERC 20.21 (1)(2)(3) and (4) are amended to read:

ERC 20.21 Fees. (1) COMPLAINTS. At the time a complaint is received alleging that an unfair labor practice has been committed under s. 111.84, Stats., the complaining party or parties shall pay the commission a filing fee of ~~\$40- \$80~~. The complaint is not filed until the fee is paid.

(2) GRIEVANCE ARBITRATION. At the time a request is received asking that the commission or its staff act as a grievance arbitrator under s. 111.86, Stats., the parties to the dispute shall each pay the commission a filing fee of ~~\$125- \$250~~.

(3) MEDIATION. At the time a request is received asking the commission or its staff to act as a mediator under s. 111.87, Stats., the parties to the dispute shall each pay the commission a filing fee of ~~\$125- \$250~~.

(4) FACT-FINDING. At the time a request is received asking the commission to initiate fact-finding under s. 111.88, Stats., the parties to the dispute shall each pay the commission a filing fee of ~~\$125- \$250~~, except that if the parties have previously paid a mediation filing fee for the same dispute under sub. (3), no fee shall be paid.

These rules shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2) (intro.), Stats.

Given under our hands and seal at the City of Madison, Wisconsin, this 23rd day of February, 2004.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Judith Neumann /s/

Judith Neumann, Chair

Judith Neumann /s/

Paul Gordon, Commissioner

Susan J. M. Bauman /s/

Susan J. M. Bauman, Commissioner