

425-EMPLOYMENT RELATIONS COMMISSION

Dept # 1425/ Department Name EMPLOYMENT RELATIONS COMMISSION

RDA # RDA Title Retention Disposition PII

00001000. FACT FINDING CASE FILES EVT+1 DEST N
 Fact finding case files created pursuant to Wis. Stat. §§ 111.70(4)(c)3 and 111.88 and Wis. Admin. Code ch. Erc 14 and 25 are utilized by the Commission in maintaining a legal record of municipal and state fact finding cases. Any recommendations are kept by the Commission (see RDA #00035). Also, the docket sheet for each case containing all important case file information which may or may not appear in the recommendation is kept by the Commission (see RDA #00016).

If the case file was created after July 1, 2014, it is in electronic form. The Commission is committed to meeting the requirements of Wis. Admin. Code ch. Adm 12 for the electronic version of all case files.

RETENTION: EVENT (Date closed) + 1 year and destroy

00002000. INTEREST ARBITRATION CASE FILES (NON-POLICE AND FIRE FIGHTERS) EVT+1 DEST N
 Interest arbitration case files created pursuant to Wis. Stat. §§ 111.70(4)(cm) and 111.70(4)(jm) and Wis. Admin. Code ch. Erc 31 and 32 are utilized by the Commission in maintaining a legal record of non-police and fire fighting municipal bargaining units interest arbitration cases and Milwaukee Police interest arbitration cases. Any awards are kept by the Commission (see RDA #00024). Also, the docket sheet for each case containing all important case file information which may or may not appear in the award is kept by the Commission (see RDA #00016).

If the case file was created after July 1, 2014, it is in electronic form. The Commission is committed to meeting the requirements of Wis. Admin. Code ch. Adm 12 for the electronic version of all case files.

RETENTION: EVENT (Date closed) + 1 year and destroy

00003000. MUNICIPAL INTEREST ARBITRATION CASE FILES (POLICE AND FIRE FIGHTERS) EVT+1 DEST N
 Municipal interest arbitration case files created pursuant to Wis. Stat. § 111.77 and Wis. Admin. Code ch. Erc 30 are utilized by the Commission in maintaining a legal record of public safety bargaining units interest arbitration cases. Any awards are kept by the Commission (see RDA #00024). Also, the docket sheet for each case containing all important case file information which may or may not appear in the award is kept by the Commission (see RDA #0016).

If the file was created after July 1, 2014, it is in electronic form. The Commission is committed to meeting the requirements of Wis. Admin. Code ch. Adm 12 for the electronic version of all case files.

RETENTION: EVENT (Date closed) + 1 year and destroy

00004000. GRIEVANCE ARBITRATION CASE FILES EVT+1 DEST N
 Grievance arbitration case files created pursuant to Wis. stat. § 111.10, 111.70(4)(c)2 and 111.86 and Wis. Admin. Code ch. Erc 5, 16 and 23, are utilized by the Commission in maintaining a legal record of grievance arbitration cases. Any awards are kept by the Commission (see RDA # 00036). Also, the docket sheet for each case containing all important case file information which may or may not appear in the award is kept by the Commission (see RDA #00016).

If the case file was created after July 1, 2014, it is in electronic form. The Commission is committed to meeting the requirements of Wis. Admin. Code ch. Adm 12 for the electronic version of all case files.

RETENTION: EVENT (Date closed) + 1 year and destroy

00005000. REFERENDUM CASE FILES EVT+1 DEST N
 Union security referendum case files created pursuant to Wis. Stat. §§ 111.70(2) and 111.85 and Wis. Admin. Code ch. Erc 15 and 26 are utilized by the Commission in maintaining a legal record of the referendum cases. Any decisions, Directions of Referendum and Certifications of Results are kept by the Commission (see RDA #00038). Also, the docket sheet for each case containing all important case file information is kept by the Commission (see RDA #00016).

If the case file was created after July 1, 2014, it is in electronic form. The Commission is committed to meeting the requirements of Wis. Admin. Code ch. Adm 12 for the electronic version of all case files.

RETENTION: EVENT (Date closed) + 1 year and destroy

00006000. DECLARATORY RULING CASE FILES - DECISIONS ISSUED EVT+5 DEST N
 Declaratory ruling case files created pursuant to Wis. Stat. §§ 111.70(4)(b) and 227.41 and Wis Admin. Code ch. Erc 9, 18, 19, and 28 are utilized by the Commission in maintaining a legal record of declaratory ruling cases. Any decisions are kept by the Commission (see RDA #00037). Also, the docket sheet for each case containing all important case file information which may or may not appear in the decision is kept by the Commission (see RDA #00016)

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If the case file was created after July 1, 2014, it is in electronic form. The Commission is committed to meeting the requirements of Wis. Admin. Code ch. Adm 12 for the electronic version of all case files.

RETENTION: EVENT (Date closed) + 1 year and destroy

00010000. **MEDIATION CASE FILES** **EVT+1** **DEST** **N**

Mediation case files created pursuant to Wis. Stat §§ 111.11, 111.70(4)(c)1 and (4)(cg)3 and 111.87 and Wis. Admin. Code ch. Erc 6, 13 and 24 are utilized by the Commission in maintaining a legal record of mediation cases. The docket sheet for each case containing all important case file information is kept by the Commission (see RDA #00016).

If the case file was created after July 1, 2014, it is in electronic form. The Commission is committed to meeting the requirements of Wis. Admin. Code ch. Adm 12 for the electronic version of all case files.

RETENTION: EVENT (Date closed) + 1 year and destroy

00011000. **LANDMARK CASE FILES** **EVT+10** **SHSW** **N**

Significant, precedent-setting case files that may have permanent research value. These case files were previously opened as declaratory ruling, complaint, fact finding, interest arbitration, mediation, or referendum case types; however, because it was decided that they should be landmark cases, the Commission keeps them separate from their original case type and this RDA should be followed. Only commissioners or the chief legal counsel may select landmark cases for inclusion. The decision is kept by the Commission according to the respective RDA. Also, the docket sheet for each case containing all important case file information which may or may not appear in the decision is kept by the Commission (see RDA #00016).

If the case file was created before July 1, 2014, it is in electronic form. The Commission is committed to meeting the requirements of Wis Admin. Code ch. Adm 12 for the electronic version of all case files.

RETENTION: EVENT (Date closed) + 10 years and transfer to State Archives (WHS)

00012000. **GRIEVANCE ARBITRATION AD HOC PANEL REQUESTS** **FIS+1** **DEST** **N**

Pursuant to Wis. Stat. §§ 111.10, 111.70(4)(c)2 and (4)(cg)4, 111.86 and Wis. Admin. Code ch. Erc 40, the Commission receives request to supply panels of ad hoc grievance arbitrators.

If the case file was created before July 1, 2014, it is in electronic form. The Commission is committed to meeting the requirements of Wis Admin. Code ch. Adm 12 for the electronic version of all case files.

RETENTION: EVENT (Fiscal) + 1 year and destroy

00013000. **COMPLAINT DECISIONS AND INDEX** **EVT+10** **SHSW** **N**

Commission complaint decisions derived from case files created pursuant to Wis. Stat. §§ 111.70, 111.70(3) and 111.84 and Wis. Admin. Code ch Erc 2, 12 and 22 are the original formal record. Decisions contain formal orders relating to prohibited and unfair labor practices under the Wisconsin Employment Peace Act (Subchapter I), the Municipal Employment Relations Act (Subchapter IV), and the State Employment Labor Relations Act (Subchapter V) of the Wisconsin Statutes. The Commission maintains the original decisions and an index. The index provides specific information related to each decision.

If the case file in which the decision was derived from was created after July 1, 2014, the decision is in electronic form. The Commission is committed to meeting the requirements of Wis. Admin. Code ch. Adm 12 for the electronic version of decisions

RETENTION: EVENT (Date of issuance) + 10 years and transfer to State Archives (WHS)

00015000. **DISPUTE NOTICES** **FIS+4** **DEST** **N**

Federal law requires that the state mediation agency (Wisconsin Employment Relations Commission) receive a copy of a notice from a Wisconsin private sector employer or union indicating that it intends to modify or terminate an existing bargaining agreement. State law (Wis. Stat. §§ 111.70(4)(cg)1 and cm(1)) requires that a public sector employer of transit or general employees or the union representing such employees notify the Commission when it has asked the other party to begin negotiations. Sections 111.77(1)(c) and (2) of the Wisconsin Statutes, require that a municipal employer of public safety employees (except the City of Milwaukee Police) or the union representing such employees notify the Commission of a bargaining dispute.

RETENTION: EVENT (Fiscal) + 4 years and destroy

00016000. **DOCKET SHEETS** **P** **PERM** **N**

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Interest arbitration awards are received by the Commission from arbitrators selected by the parties and appointed by the Commission to hear and decide a case pursuant to Wis. Stat. §§ 111.70(4)(cm)6, 111.70(4)(jm) and 111.77. Commission maintains the original awards and an index. The index provides specific information related to each award.

If the case file in which the award was derived from was created after July 1, 2014, it is in electronic form. The Commission is committed to meeting the requirements of Wis. Admin. Code ch. ADM 12 for the electronic version of all awards.

RETENTION: EVENT (Date of issuance) + 10 years and transfer to State Archives (WHS)

<u>00025000.</u>	<u>PERSONNEL APPEAL DECISIONS AND INDEX</u>	<u>EVT+10</u>	<u>SHSW</u>	<u>N</u>
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Personnel appeal decisions derived from case files created pursuant to Wis. Stat. §§ 230.44(1) and 230.45(1)(a), (c), (d) and (e) are the original formal record of the former Personnel Commission (prior to 2003) and the Commission. Decisions contain formal orders of the Commission relative to the outcome of State employee's appeals of employment actions. The Commission maintains the original decisions and an index. The index provides specific information related to each decision.

If the case file in which the decision was derived from was created after July 1, 2014, it is in electronic form. The Commission is committed to meeting the requirements of Wis. Admin. Code ch. Adm 12 for the electronic version of all decisions.

RETENTION: EVENT (Date of issuance) + 10 years and transfer to State Archives (WHS)

<u>00026000.</u>	<u>ANNUAL CERTIFICATION ELECTION CASE FILES - ELECTION HELD</u>	<u>EVT+5</u>	<u>DEST</u>	<u>N</u>
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Annual certification election case files created pursuant to Wis. Stat. §§ 111.83(3)(b) or 111.70(4)(d)3.b. are utilized by the Commission in maintaining a legal record of bargaining units and representatives which information is used by the Commission and other interested parties. Any decisions are kept by the Commission (see RDA #00033). Also, the docket sheet for each case containing all important case file information which may or may not appear in the decision is kept by the Commission (see RDA #00016).

If the case file is created after July 1, 2014, it is in electronic form. The Commission is committed to meeting the requirements of Wis. Admin. Code ch. ADM 12 for the electronic version of all case files.

RETENTION: EVENT (Date closed) + 5 years and destroy

<u>00026A00.</u>	<u>ANNUAL CERTIFICATION ELECTION CASE FILES - NO COMMISSION ACTION</u>	<u>EVT+1</u>	<u>DEST</u>	<u>N</u>
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Annual certification election case files created pursuant to Wis. Stat. §§ 111.83(3)(b) or 111.70(4)(d)3.b. are utilized by the Commission and other interested parties. The docket sheet for each case containing all important case file information is kept by the Commission and other interested parties. The docket sheet for each case containing all important case file information is kept by the Commission (see RDA #00016).

If the case file is created after July 1, 2014, it is in electronic form. The Commission is committed to meeting the requirements of Wis. Admin. Code ch. ADM 12 for the electronic version of all case files.

RETENTION: EVENT (Date closed) + 1 year and destroy

<u>00027000.</u>	<u>LABOR MANAGEMENT COOPERATION CASE FILES</u>	<u>EVT+1</u>	<u>DEST</u>	<u>N</u>
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Pursuant to Wis. Stat. §§ 111.09(3), 111.71(5m) and 111.94(3), the Commission offers training programs in (private, municipal and State sectors) collective bargaining, as well as in labor management cooperation. Formal records of each individual training program are maintained by the Commission. The docket sheet for each case containing all important case file information is kept by the Commission (see RDA #00016).

If the case file is created after July 1, 2014, it is in electronic form. The Commission is committed to meeting the requirements of Wis. Admin. Code ch. ADM 12 for the electronic version of all case files.

RETENTION: EVENT (Date closed) + 1 year and destroy

<u>00028000.</u>	<u>IMPARTIAL HEARING OFFICER CASE FILES</u>	<u>EVT+1</u>	<u>DEST</u>	<u>N</u>
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Impartial hearing officer case files are created pursuant to Wis. Stat. §§ 36.115(4)(b) and 66.0509 and utilized by the Commission in maintaining a legal record of impartial hearing officer cases. Any decisions are kept by the Commission (see RDA #00034). Also, the docket sheet for each case containing all important case files information which may or may not appear in the decision is kept by the Commission (see RDA #00016).

If the case file is created after July 1, 2014, it is in electronic form. The Commission is committed to meeting the requirements of Wis. Admin. Code ch. ADM 12 for the electronic version of all case files.

RETENTION: EVENT (Date closed) + 1 year and destroy

<u>00030000.</u>	<u>NOTICES OF CONSEQUENCE</u>	<u>EVT+2</u>	<u>DEST</u>	<u>N</u>
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Notices of consequences created pursuant to Wis. Admin. Code ch. Erc 70.03, 71.03, and 80.03 are utilized by the Commission in maintaining a legal record of requests for documentation of the consequences of not participating in an annual certification election.

Sections 111.70(4)(b) and 227.41 of the Wisconsin Statutes authorize the Commission to issue declaratory ruling decisions interpreting the laws the Commission administers. These decisions are the original formal record. The Commission maintains the original decisions and an index. The index provides specific information related to each decision.

If the case file in which the decision was derived from was created after July 1, 2014, it is in electronic form. The Commission is committed to meeting the requirements of Wis. Admin. Code ch. ADM 12 for the electronic version of all decisions.

RETENTION: EVENT (Date of issuance) + 10 years and transfer to State Archives (WHS)

00038000. REFERENDUM CASE ORIGINAL DECISIONS AND INDEX **EVT+10** **SHSW** **N**

Section 111.06(1)(c) - until repealed by 2015 Act 1 - and Sections 111.70(2) and 111.85 of the Wisconsin Statutes authorize the Commission to conduct referenda to determine whether a union security agreement can be created or should continue. During this process the Commission issues Directions, Certifications of Results and decisions on motions and/or objections. The index provides specific information related to each decision.

If the case file in which the decision was derived from was created after July 1, 2014, it is in electronic form. The Commission is committed to meeting the requirements of Wis. Admin. Code ch. ADM 12 for the electronic version of all decisions.

RETENTION: EVENT (Date of issuance) + 10 years and transfer to State Archives (WHS)