425-EMPLOYMENT RELATIONS COMMISSION

Dept # **I425I** Department Name **EMPLOYMENT RELATIONS COMMISSION**

RDA #	RDA Title	Retention	Disposition	PII
00002000.	**ARBITRATION AND IMPARTIAL HEARING OFFICER CASE FILES**	**EVT+1**	**DEST**	**N**

Impartial Hearing Officer (IHO) and Arbitration (Interest Arbitration-Milwaukee Police, non-police and firefighting municipal bargaining units; Municipal interest arbitration-public safety bargaining units; and Grievance arbitrations) case file records include, but are not limited to: IHO requests; requests for arbitration; labor and/or collective bargaining agreements; correspondence; grievance forms and information; stipulations; notices, motions, findings, exhibits; briefs; hearing recordings and transcripts; offers and counter-offers; decision, orders and awards.

The official record will be maintained electronically for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents will be imaged or reformatted and subject to review, to ensure the images of these applications are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed.

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

00003000.	**MUNICIPAL INTEREST ARBITRATION CASE FILES (POLICE AND FIRE FIGHTE**	**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 th 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

00006000.	**DECLARATORY RULING, COMPLAINT, ELECTION, PERSONNEL APPEAL, RE**	**EVT+5**	**DEST**	**N**

Declaratory Rulings (DR); Complaints (COMP); Elections (E_ME/SE; Recertification Elections (REC_ME/SE); Unit Clarifications (UC); and Personnel Appeals (PA) case files where the Commission has issued a decision include, but are not limited to, the following records: requests; complaints; petitions; appeal letters; emails, correspondence; stipulations; notices; motions; exhibits; orders; hearing recordings and transcripts; proposed and final decisions and orders; voter eligibility names and addresses; return envelopes and ballots. PA case files that have been appealed to Circuit Court include, but are not limited to, the Petition for Review, Transmittal of WERC Record, and appellate court decision.

The official record will be maintained electronically for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents will be imaged or reformatted and subject to review, to ensure the images of these applications are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed confidential. Confidential: Wis. Stat. § 19.35(1)(am)2.c.

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

00006A00.	**DR, COMPLAINT, ELECTION/RECERTIFICATION, MEDIATION, PA, UC-NO DEC**	**EVT+1**	**DEST**	**N**

Declaratory Rulings (DR); Complaints (COMP); Elections (E_ME/SE; Recertification Elections (REC_ME/SE); Mediation, Unit Clarifications (UC); and Personnel Appeals (PA) case files where the Commission has not issued a decision and Grievance Arbitration ADHOC panel request case files include, but are not limited to, the following: requests; complaints; petitions; appeal letters; correspondence; stipulations; notices; motions; exhibits; orders; hearing recordings and transcripts.

The official record will be maintained electronically for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents will be imaged or reformatted and subject to review, to ensure the images of these applications are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed confidential. Confidential: Wis. Stat. § 19.35(1)(am)2.c.

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

00007000. CIRCUIT COURT CASE FILES EVT+10 SHSW N

Court case files are utilized by the Commission in maintaining a legal record of cases where the Commission's decision was appealed to circuit court (and potentially to the Court of Appeals and Wisconsin Supreme Court). These case files were previously opened as various types of Commission cases; however, once they find their way into court, the Commission keeps them separate from their original case type and this RDA should be followed. 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 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) + 10 years and transfer to State Archives (WHS)

00008000. COMPLAINT CASE FILES - DECISIONS ISSUED EVT+5 DEST N

Complaint 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 utilized by the Commission in maintaining a legal record of complaint cases. Any decisions are kept by the Commission (see RDA # 00013). 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 #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) + 5 years and destroy

00008A00. COMPLAINT CASE FILES - NO COMMISSION ACTION EVT+1 DEST N

Complaint 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 utilized by the Commission in maintaining a legal record of complaint cases. The docket sheet for each case containing all important case file information is kept by the Commission (see #00016).

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

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

00009000. ELECTION / UNIT CLARIFICATION CASE FILES - ELECTION HELD EVT+5 DEST N

Election and unit clarification case files created pursuant to Wis. Stat. §§ 111.05, 111.70(4)(d) and 111.83 and Wis. Admin. Code ch. Erc 3, 7, 11, 17, 21 and 27 are utilized by the Commission in maintaining a legal record of election and unit clarification cases. Any decisions are kept by the Commission (see #00022). 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 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

00009A00. ELECTION / UNIT CLARIFICATION CASE FILES - NO COMMISSION ACTION EVT+1 DEST N

Election and unit clarification case files created pursuant to Wis. Stat. §§ 111.05, 111.70(4)(d) and 111.83 and Wis. Admin. Code ch. Erc 3, 7, 11, 17, 21 and 27 are utilized by the Commission in maintaining a legal record of election and unit clarification 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

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

RDA #	RDA Title	Retention	Disposition	PII
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

RDA #	RDA Title	Retention	Disposition	PII
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)

RDA #	RDA Title	Retention	Disposition	PII
00015000.	DISPUTE NOTICES	FIS+4	DEST	N

Notices include: Wisconsin private sector employer or union indicating that it intends to modify or terminate an existing bargaining agreement; public sector employer of transit or general employees or the union representing such employees notifying the Commission when it has asked the other party to begin negotiations; and municipal employer of public safety employees (except the City of Milwaukee police) or the union representing such employees notifying the Commission of a bargaining dispute.

RETENTION: EVENT (END OF Fiscal YEAR) + 4 years and destroy

RDA #	RDA Title	Retention	Disposition	PII
00016000.	DECISION NO. AND AWARD NO. INDEX	P	PERM	N

The master index of every Commission decision number and award number assigned to each specific case. They include the case name, case type and PracticeMaster case ID.

Retention Justification: Once a case file is destroyed or sent to the State Records Center or Wisconsin Historical Society, the master index is the only permanent record of a case and becomes the main research tool for Commission staff, employers, labor organizations, and the public. Therefore, for research and historical purposes, the master indexes are kept forever at the Commission offices.

RETENTION: Permanent

RDA #	RDA Title	Retention	Disposition	PII
00017000.	PERSONNEL APPEAL CASE FILES - DECISION ISSUED	EVT+5	DEST	N

Commission personnel appeal case files are created pursuant to Wis. Stat. §§ 230.44(1) and 230.45(1)(a), (c), (d) and (e). Case files include letters of appeal, correspondence, audiotape's and disks, deposition transcripts, hearing exhibits, hearing transcripts, final decisions and orders, and other related material.. Small parts of these records are confidential under Wis. Stat. §§ 230.13 and 230.16. Any decisions are kept by the Commission (see RDA #00025). 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 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 confidential

RDA #	RDA Title	Retention	Disposition	PII
00017B00.	PERSONNEL APPEAL CASE FILES - NO COMMISSION ACTION	EVT+1	DEST	N

Commission personnel appeal case files are created pursuant to Wis. Stat. §§ 230.44(1) and 230.45(1)(a), (c), (d) and (e). Case files include letters of appeal, correspondence, audiotapes and disks, deposition transcripts, hearing exhibits, hearing transcripts, final decisions and orders, and other related material. Small parts of these records are confidential under Wis. Stat. §§ 230.13 and 230.16. The docket sheet for each case containing all important case file information which may or may not appear in the case file 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 confidential

00021000. AD HOC ARBITRATOR FILES EVT+5 SHSW Y

Pursuant to Wis. Stat. §§ 111.10, 111.70(4)(c)2, (4)(c)3, (4)(cg)3, (4)(cm)6; 111.77 and 111.86 and Wis. Admin Code ch. Erc 40, the Commission utilizes the service of individual arbitrators for use with interest arbitration, fact finding, and ad hoc panel request and creates individual files for each arbitrator. (Selection is made from a panel submitted by the Commission (see RDA #00012)). These files may include documentation related to the arbitrators' application process, copies of arbitration awards issued by the arbitrators, historical records of fees charged by the arbitrators, and the terms served as a Commission ad hoc arbitrator.

RETENTION: EVENT (Arbitrator resignation) + 5 years and transfer to State Archives (WHS)

00022000. ELECTION / UNIT CLARIFICATIONS DECISIONS AND INDEX EVT+10 SHSW N

Election decisions derived from case files created pursuant to Wis. Stat. §§ 111.05, 111.70(4)(m) and 11.83 and Wis. Admin. Code ch. Erc 3, 7, 11, 17, 21 and 27 are the original formal record. Decisions contain information relating to the bargaining unit creation and clarification and are related to the Wisconsin Employment Peace Act, the Municipal Employment Relations Act, and the State Employment Relations Act 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 is 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 all decisions.

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

00024000. INTEREST ARBITRATION AWARDS AND INDEX EVT+10 SHSW N

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)

00025000. PERSONNEL APPEAL DECISIONS AND INDEX EVT+10 SHSW N

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)

00026000. ANNUAL CERTIFICATION ELECTION CASE FILES - ELECTION HELD EVT+5 DEST N

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

00026A00. ANNUAL CERTIFICATION ELECTION CASE FILES - NO COMMISSION ACTION EVT+1 DEST N

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

00028000. IMPARTIAL HEARING OFFICER CASE FILES EVT+1 DEST N

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

00030000. NOTICES OF CONSEQUENCE; 10-DAY NOTICE OF INTENT TO STRIKE EVT+2 DEST N

Notices of consequences are the Commission's legal record of requests for documentation of the consequences of not participating in an annual certification election.

10-Day Notice of Intent to Strike informs the Commission of certain potential union strikes concerning a private sector employer.

RETENTION: EVENT (Date of issuance) + 2 years and destroy

00031000. 10-DAY NOTICE OF INTENT TO STRIKE EVT+2 DEST N

Ten-day notices of intent to strike are sent to the Commission pursuant to Wis. Stat. § 111.115 to inform the Commission of certain potential union strikes concerning a private sector employer.

RETENTION: EVENT (Date received) + 2 years and destroy

00033000. ANNUAL CERTIFICATION ELECTION ORIGINAL DECISIONS AND INDEX EVT+5 SHSW N

Pursuant to Wis. Stat. §§ 111.83(3)(b) or 111.70(4)(d)3.b., during an annual certification election case the Commission issues Directions of Election, Certifications of Election Results and decisions on motions and/or election objections. 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) + 5 years and transfer to State Archives (WHS)

00034000. IMPARTIAL HEARING OFFICER CASE ORIGINAL DECISIONS AND INDEX EVT+10 SHSW N

The Commission and its staff are available, upon request, to serve as Impartial Hearing Officers as part of statutorily required grievance procedures. 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)

00036000. GRIEVANCE ARBITRATION CASE ORIGINAL AWARDS AND INDEX EVT+10 SHSW N

Sections 111.10, 111.70(4)(c)2, (cg)4, and 111.86 of the Wisconsin Statutes authorize the Commission staff to issue grievance arbitration awards interpreting collective bargaining agreements. These awards are the original formal record. The 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)

00037000. DECLARATORY RULING CASE ORIGINAL DECISIONS AND INDEX EVT+10 SHSW N

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.

RDA #	RDA Title	Retention	Disposition	PII

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)