



State Engineering Association
4510 Regent Street
Madison, WI 53705-4963

(608)233-4696
(608)233-6766 FAX
www.wisea.org

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For More Information Contact:
Mark Klipstein (608) 233-4696

State engineers file unfair labor practice complaint against governor, state; cite failure to faithfully execute law

MADISON, WI – The State Engineering Association, representing approximately 1,100 state engineering employees, has filed an unfair labor practice complaint against the State of Wisconsin and Governor Scott Walker for failing and refusing to bargain as required under existing state collective bargaining laws.

The complaint was filed March 8, 2011 with the Wisconsin Employment Relations Commission (WERC). It argues that: The State of Wisconsin's collective bargaining laws had not changed since Governor Walker assumed office; Walker has a constitutional duty to faithfully execute the laws of the state, including a continuing obligation to bargain in good faith with represented employees; Walker has failed and refused to bargain in anticipation of changing the law, in the meantime violating existing law.

The last contract expired on June 30, 2009 and was extended by mutual agreement pending negotiation of a successor agreement. According to the complaint, the state, at the direction of Walker, has "not engaged in a single bargaining session for a collective bargaining agreement covering the 2009-2011 biennium" with the Association.

The complaint noted that Walker's proposed legislation would remove the general legal counsel of WERC from civil service protection and make that position serve at the governor's pleasure, "without the ability to exercise unfettered independent judgment in legal matters in which the State and/or the Governor have an interest, such as the present filing."

<p>WHO: State Engineering Association (SEA), representing about 1,100 State of Wisconsin engineering and technical employees</p> <p>WHAT: Unfair labor practice complaint filed with WERC says governor ignored existing collective bargaining law.</p> <p>WHEN: Filed with WERC on March 8.</p>

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Along with other findings and orders, the complaint seeks an order requiring that Walker and the state begin collective bargaining as required under existing law, and mandating an extension of the Association's expired contract until the current political dispute over collective bargaining is resolved and unfair labor practices fully remedied.

The Association's members include engineers and technical professionals employed by more than a dozen State of Wisconsin agencies and the University of Wisconsin system. Many of the employees work at the departments of Transportation and Natural Resources. A copy of the complaint is attached and is also available at the association's public web site: <http://www.wisea.org>

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