



School Law FYI

FEBRUARY 5, 2021

Quick Updates

Consumer Price Index (CPI) for Bargaining Agreements Beginning July 1, 2021 Confirmed

The Wisconsin Department of Revenue (DOR) has advised the Wisconsin Employment Relations Commission (WERC) that the CPI-U increase applicable to one-year collective bargaining agreements with a term beginning on July 1, 2021 is 1.23%.

This CPI rate is only applicable to bargaining units for which the bargaining representative was recertified during the November election conducted by the Wisconsin Employment Relations Commission (WERC). Unless designated by board policy, it does not apply to any other group or individual and does not apply to setting new hire wages.

This CPI rate is a cap. Unless approved by referendum, a school board is prohibited from making any change in total base wage that exceeds this percentage change in CPI. Offers and settlements can still be negotiated or implemented at a level below CPI.

Total base wage is the only mandatory subject of bargaining. Districts are required to negotiate both the amount of total base wage increase offered and its distribution. All other subjects of bargaining are prohibited. Total base wage increase means the maximum increase to the sum of all base wages in the applicable bargaining unit; it does not refer to the base wage for individuals.

Distribution of the total base wage increase in a proposal does not have to occur on an equal dollar or equal percentage across-the-board basis. Individuals or groups of employees can, if not discriminatory, be provided different levels of base wage increase. However, it is common for Districts to offer an equal dollar distribution (even if that means an individual within the bargaining unit may receive an individual percent increase above CPI).

Mike Julka Recognized As Super Lawyer

Ten Boardman & Clark LLP attorneys were recently named to the Wisconsin Super Lawyers list as top attorneys in their practice areas. Boardman Clark School Law School Group member Mike Julka was recognized as a top rated Schools & Education attorney in Wisconsin for the fourteenth consecutive year. Each year, no more than five percent of the lawyers in the state are selected by the research team at Super Lawyers to receive this honor. The selection process includes independent research, peer nominations, and peer evaluations.

The Super Lawyers lists are published nationwide in Super Lawyers Magazines and in leading city and regional magazines and newspapers across the country. For more information about Super Lawyers, visit SuperLawyers.com.

JoAnn Hart Announces Retirement

Boardman & Clark is pleased to announce that JoAnn Hart has retired from the firm effective January 1, 2021. JoAnn has had a distinguished 35-year legal career and many school districts around the state -- and her colleagues here at Boardman & Clark -- have benefited from her sage advice during those years. JoAnn always had time for coworkers and with many attorneys throughout the legal community. She has thoroughly enjoyed being part of the Dane County Bar Association Justus Singers. She has served as a Director and President of the Labor Law Section of the State Bar; Director and President of the Wisconsin School Attorneys Association; and, served on the Dane County Bar Association Program Committee for many years.

We wish JoAnn all the best as now she hopes to spend more time at Overture, American Players Theater and local Community Theater productions. Perhaps she will again grace the stage with her presence in a production! Congratulations JoAnn, on a great legal career and enjoy your new chapter in life.

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