

The U.S. Equal Employment Opportunity Commission

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RETIRED TEACHERS TO RECEIVE \$465,000 FOR AGE BIAS IN LATEST EEOC SETTLEMENTS WITH SCHOOL DISTRICTS

Total Resolutions in Minn. Provide \$1.5 Million in Benefits to Approximately 150 People

MINNEAPOLIS - The U.S. Equal Employment Opportunity Commission (EEOC) today announced litigation settlements totaling \$465,727 resulting from five age discrimination lawsuits against Minnesota school districts on behalf of retired teachers and other school employees. These settlements resolve the last five of nearly a dozen lawsuits against school districts brought by the EEOC in Minnesota challenging early retirement incentive plans in collective bargaining agreements (CBAs). In total, the EEOC has recovered more than \$1.5 million for approximately 150 retirees in the 11 suits it has brought against Minnesota school districts.

The CBA provisions at issue in the EEOC litigation provided that the school districts could pay the employees less in early retirement incentive amounts as they grew older. A key part of the settlements is that the school districts will not maintain such agreements in the future. None of the schools currently maintains a CBA with the offending provisions. The five Minnesota school districts that are parties to the latest settlements are:

- Independent School District 756 of Blooming Prairie (Civ. No. 04-4091 RHK/RLE), which will pay \$37,768 to eight people;
- Independent School District 75 of St. Clair (Civ. No. 04-4088 RHK/RLE), which will pay \$24,336 to five people;
- Independent School District 2174 of Pine River (Civ. No. 04-4087 RHK/RLE), which will pay \$19,415 to three people;
- Independent School District 761 of Owatonna (Civ. No. 04-4092 RHK/RLE), which will pay \$361,963 to 29 people; and
- Independent School District 857 of Lewiston (Civ. No. 04-4093 RHK/RLE), which will pay \$22,245 to six people.

"These lawsuits are an important reminder that the prohibition in the Age Discrimination in Employment Act applies to retirement incentive plans as well as other forms of compensation," said Laurie A. Vasichek, EEOC Senior Trial Attorney in Minneapolis. "It is wrong for employers to put employees in the impossible position of having to lose their rights to retirement amounts because they continue to work after a certain age. Employers must heighten their awareness to issues affecting older workers and refrain from making employment decisions based on age especially with the graying of the U.S. labor force."

In addition to enforcing the Age Discrimination in Employment Act (ADEA), which prohibits employment

discrimination against individuals 40 years of age or older, the EEOC enforces laws banning workplace bias based on race, color, sex, religion, national origin, and disability. Further information about the agency is available on its web site at www.eeoc.gov.

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