



U.S. Equal Employment Opportunity Commission

Press Release

11-14-2023

EEOC Wins Summary Judgment Against Urbana School District No. 116 in Age Discrimination Case

Federal Judge Agrees with EEOC that School District Discriminated Against Older Teachers and Orders District to Pay over \$51,000 in Damages

CHICAGO – A federal judge ruled in favor of the U.S. Equal Employment Opportunity Commission (EEOC) on November 7, 2023 that Urbana School District No. 116 in Illinois violated federal law by applying a discriminatory provision of a collective bargaining agreement to limit the compensation of teachers age 45 and older.

According to the EEOC's lawsuit, the Urbana school district limited the salary increases of Charles Koplinski and a group of other teachers over 45 via a provision of the collective bargaining agreement (CBA) between the school district and the union representing teachers, Urbana Education Association IEA-NEA. The Illinois state pension code provides that if a teacher's final average salary includes a year in which the teacher received a salary increase of more than 6%, the school district must contribute to the Teacher's Retirement System (TRS) to cover the increased pension cost attributable to the salary increase. The EEOC's lawsuit challenged a provision of the CBA agreement limiting the salary increases of teachers who are within 10 years of retirement eligibility to no more than 6% above their previous

year's salary.

Koplinski, 52, completed post-graduate classes which should have entitled to him to receive more than a 6% raise for the 2015-16 and 2016-17 school years. Because Koplinski's age at the time put him within 10 years of retirement eligibility, the school district capped his raise at 6% for both school years.

The Age Discrimination in Employment Act (ADEA) prohibits discrimination because of age against individuals who are age 40 or over, including discrimination with respect to compensation.

The EEOC filed suit in U.S. District Court for the Central District of Illinois, Urbana Division (Equal Employment Opportunity Commission v. Urbana School District No. 116 and Urbana Education Association, IEA-NEA; Civil Action No. 18-cv-02212) on Aug. 10, 2018, after first attempting to reach a pre-litigation settlement through the EEOC's conciliation process.

Agreeing with the EEOC, the federal judge ruled that the CBA provision limiting salary increases was facially discriminatory based on age because it drew "an express line" between teachers age 45 and older and those under 45 in this way: teachers under 45 were able to receive salary increases that teachers age 45 and older could not, solely because of their age. The judge also ordered the school district to furnish \$51,093 in undisputed back pay situations for teachers whose compensation was limited by the CBA provision.

In addition to the back pay already ordered by the court, the EEOC will continue to seek additional disputed lost wages in further court proceedings.

"The impact of the provision limiting salary increases is that many teachers like Mr. Koplinski had lower raises than they could have earned through obtaining education credits," said Diane Smason, acting district director of the EEOC's Chicago District. "In addition, some teachers who performed extra duties were paid less than they should have been, and others were told they could not perform extra duties at all because they would hit the salary increase cap. None of that would have happened if those teachers were younger than 45."

EEOC Regional Attorney for the Chicago District Office Gregory Gochanour said, "Determining compensation based on age violates the ADEA. It does not matter that the school district claims it was trying to limit contributions to TRS. This case should be a message to school districts in Illinois that they cannot attempt to minimize

their contributions to TRS by limiting the compensation of older teachers based on their age.”

For more information on age discrimination, please visit <https://www.eeoc.gov/age-discrimination> (<https://www.eeoc.gov/age-discrimination>).

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