With 2011 Wisconsin Act 10 finally published, school boards, if they have not already done so, should begin working on an employee handbook or handbooks for their employee groups. An employee handbook will serve several purposes.

First, the handbook will assist district administrative personnel in implementing the larger employment policies and goals set by the board. In other words, with respect to the board’s employment policies, the employee handbook can serve as the administrative rules for implementing those policies.

For example, once existing collective bargaining agreements expire, boards will no longer be bound by the language that formerly governed leave days. Therefore, a board will have to determine whether it will continue to provide paid and/or unpaid leave days, how many days will be available, the circumstances in which the leave may be used, and who will have the final authority to approve leave usage.

By putting these decisions to writing in the form of a provision in an employee handbook, the district’s administrators will better understand what leave benefits are available to the district’s employees as well as any limitations or conditions the board has placed on their ability to approve or deny such leave requests.

**May Reduce Complaints**
Consistent administration of an employee handbook’s provisions can reduce employee complaints and discrimination claims.

If a board has not specified the terms of its employees’ pay, benefits and working conditions in writing and administrators make inconsistent employment-based decisions, the administrators’ inconsistent treatment of the district’s employees could increase the risk of an employment discrimination claim.

For example, if a board has not put its leave provisions in writing and an administrator grants a male employee 10 paid leave days while granting a female employee only five paid leave days, and there’s no apparent policy reason or handbook provision to explain the legitimate nondiscriminatory reason for the discrepancy, the female employee may be able to raise a sex discrimination claim.

**Selling Point**
In addition, by placing employees’ terms and conditions of employment in writing, a district will have
By placing employees’ terms and conditions of employment in writing, a district will have a convenient summary document to provide prospective employees during the application and hiring process.
For example, the Act requires school boards to adopt a grievance procedure by the first day of the fourth month following the date in which Act 10 is published (Oct. 1, 2011).

The grievance procedure must: (1) be in writing; (2) address workplace safety, discipline and termination; (3) allow any grievances to be heard by an impartial hearing examiner; and (4) allow for an appeal process in which the highest level of appeal is the board of education. By placing such a grievance procedure in an employee handbook, the board will satisfy the statutory mandate that it be in writing, place administrators on notice of how the grievance procedure should be administered, and place employees on notice of their statutory rights.

Richter is a WASB staff counsel.

---

**NEW IN 2011!**

**Introducing the NEW WASB Model Employee Handbook.**

Drafted by the experienced WASB staff counsels to help Wisconsin school districts address employment benefits, conditions of work and processes for handling employee complaints.

*Purchased for an initial fee, the WASB Employee Handbook will be updated annually for subscribers.*

Visit WASB.org for complete details or contact the WASB directly.

---

**WASB Policy Resource Guide**

The WASB Policy Resource Guide is now available to school leaders. It is a new web-based policy information tool designed to assist school boards and administrators in policy development and implementation. For each policy topic addressed, the Policy Resource Guide provides a background information resource that identifies key policy and legal considerations related to the topic as well as electronic links to applicable state laws and additional resources.

The Policy Resource Guide also contains actual sample policies on each policy topic, drafted by WASB policy experts, which will give each subscribing school district a substantial head start on creating and updating their local policies to meet local needs. The policy samples and other resources are updated to keep pace with changes in legal requirements and with new ideas that can be considered as policy options.

For more information, visit www.wasb.org and select the “Policy” tab.