



INDIANA EDUCATION EMPLOYMENT RELATIONS BOARD

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IEERB Nonrule Policy Document No. 2019-2: Salary Increase Differential Compliance

I. Background and Purpose

At its August 15, 2019, meeting, the Indiana Education Employment Relations Board discussed its role in determining the compliance of salary increase differentials. Specifically, the Board noted the General Assembly's continued efforts to provide greater flexibility to bargaining parties by expanding the circumstances in which salary increase differentials are allowed. Additionally, the Board considered the complexity of the salary increase differential requirements and the difficulty parties face in attempting to adhere to those requirements. Finally, evaluating the compliance of differentials puts a burden on IEERB's compliance team.

In light of these considerations, the Board presumes that parties have exercised good faith in their efforts to comply with the differential requirements. This policy sets forth the specific details of the Board's position regarding the salary increase differential compliance and is applicable to all bargaining parties subject to the Board's jurisdiction.

II. Policy

1. Bargaining parties are presumed to have exercised good faith in attempting to comply with the salary increase differential requirements.
2. Final Compliance Reports remain in full force and effect, except that orders to cease and desist from bargaining noncompliant salary increase differentials will not be enforced.
3. Starting with compliance reports for CBAs negotiated in 2019, the compliance officer will note impermissible salary increase differentials in a General Comment to the Compliance Report and Recommendation, but they will not result in a finding of noncompliance or a penalty.
4. The procedure for converting General Comments to findings of noncompliance for the purpose of appeal is not applicable to General Comments describing salary increase differentials.

III. Effectiveness

This policy was adopted by the IEERB Board at its August 15, 2019, public board meeting. It shall be effective through at least June 30, 2021, and will continue beyond June 30, 2021, unless otherwise determined by the Board.