



For Immediate Release  
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## **WIN: Wisconsin Act 10 Struck Down By Court**

*Wisconsin Public Sector Workers Once Again Will Have A Say At Work*

Today, Dane County Circuit Court Judge Frost ruled that Act 10, which took away collective bargaining rights from Wisconsin's public employees, is unconstitutional under the state's equal protection clause. The decision, stemming from *Abbotsford Education Association et al. vs. Wisconsin Employment Relations Commission et al.*, reaffirms the right of public sector workers, including teachers, state and municipal employees, to collectively bargain for better wages, benefits, and safer working conditions. Public-sector union rights were invented in Wisconsin in 1959. This ruling is a significant victory for Wisconsin's working families and public employees.

"This historic decision means that teachers, nurses, librarians and other public-sector workers across the state will once again have a voice in the workplace," said Jeff Mandell, President and General Counsel of Law Forward. "Every Wisconsin family deserves the chance to build a better future through democratic participation in a union. As an organization dedicated to protecting and strengthening democracy, Law Forward is proud to have been a part of this important case."

In the order released today, Judge Frost explained why he has to strike down all restrictions Act 10 imposed on general employee unions. Act 10 had significantly rolled back such laws for general employee unions, leaving pre-Act 10 law in place only for a small group that it had labeled as public safety unions (though that hand-selected group included some unions that are not involved in public safety and excluded others that undoubtedly so involved). The court is now invalidating that artificial distinction, restoring for all employees the same, pre-Act-10 legal status that governed public sector unions in Wisconsin for decades, until 2011.

Earlier this year, Judge Frost highlighted the flaws in Act 10's classification of public employees. He ruled, "While the Legislature surely holds the right to classify and treat different groups of public employees differently under our Constitution, any such classifications must survive rational basis review, Act 10's division of public employees into public safety and general employee categories lacks a rational basis." He further



stated that the exclusion of some police and fire employees from the public safety group, while including others like motor vehicle inspectors, was irrational.

The suit was brought by Abbotsford Education Association, American Federation of State, County and Municipal Employees, Local 47, American Federation of State, County and Municipal Employees, Local 1215, Ben Gruber, Beaver Dam Education Association, Matthew Ziebarth, SEIU Wisconsin, Teaching Assistants' Association, Local 3220, American Federation of Teachers, and International Brotherhood of Teamsters Local No. 695, represented by Law Forward and Bredhoff & Kaiser.

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