

D-3

DUES TRANSMITTAL POLICY

(Adopted April 1974 RA, Amended April 1985, January 2003, 2013 Spring RA)

I. INTRODUCTION

The following guidelines are intended to be applicable to local associations and individual members whom, for any number of reasons, do not transmit or pay MEA and NEA dues to MEA on a regular and timely schedule. Failure to transmit is in fact a breach of a legal relationship: (1) between MEA and an individual member or (2) between the MEA and the local, where the local is acting as an *agent* of MEA and NEA in the collection of dues.

The following guidelines are intended to remind locals of their agency obligations and individual members of their legal obligations.

II. WHEN IS A LOCAL DELINQUENT OR IN ARREARS?

- A. For purposes of these guidelines and for reporting the status of each local association, for locals which transmit dues on behalf of its members, a local will be considered in arrears if transmittals of MEA and NEA dues are more than two percent (2%) behind the following schedule:
- Transmittal by the end of October of at least ten percent (10%) of the estimated annual liability;
 - Transmittal by the end of November of at least twenty percent (20%) of the estimated annual liability;
 - Transmittal by the end of December of at least thirty percent (30%) of the estimated annual liability;
 - Transmittal by the end of January of at least forty percent (40%) of the estimated annual liability;
 - Transmittal by the end of February of at least fifty percent (50%) of the estimated annual liability;
 - Transmittal by the end of March of at least sixty percent (60%) of the estimated annual liability;
 - Transmittal by the end of April of at least seventy percent (70%) of the estimated annual liability;
 - Transmittal by the end of May of at least eighty percent (80%) of the estimated annual liability;
 - Transmittal by the end of June of one hundred percent (100%) of the actual liability;
- B. For purposes of these guidelines and for reporting the status of each local association, a local whose members pay all dues directly to MEA will be considered delinquent, if the local's membership does not meet the following schedule:

- For the first fiscal year in which a local's members pay dues directly to the MEA, at least seventy-five percent (75%) of the members are in compliance with the Members Dues Payment Schedule set forth below.
- For the second fiscal year in which a local's members pay dues directly to MEA, at least eighty-five percent (85%) of the members are in compliance with the Members Dues Payment Schedule set forth below.
- For the third fiscal year in which a local's members pay dues directly to MEA, at least ninety-five percent (95%) of the members are in compliance with the Members Dues Payment Schedule set for below.
- Beginning with the fourth fiscal year in which a local's members pay dues directly to MEA and thereafter, one hundred percent (100%) of the members are in compliance with the Members Dues Payment Schedule set forth below.

MEMBERS DUES PAYMENT SCHEDULE

- (1) For members whose dues are collected in 10 months or fewer:
 - Payment(s) by the end of October of at least ten percent (10%) of the estimated annual liability.
 - Payment(s) by the end of November of at least twenty percent (20%) of the estimated annual liability.
 - Payment(s) by the end of December of at least thirty percent (30%) of the estimated annual liability.
 - Payment(s) by the end of January of at least forty percent (40%) of the estimated annual liability.
 - Payment(s) by the end of February of at least fifty (50%) of the estimated annual liability.
 - Payment(s) by the end of March of at least sixty percent (60%) of the estimated annual liability.
 - Payment(s) by the end of April of at least seventy percent (70%) of the estimated annual liability.
 - Payment(s) by the end of May of at least eighty percent (80%) of the estimated annual liability.
 - Payment(s) by the end of June of one hundred percent (100%) of the actual liability.

- (2) For members whose dues are collected in 11 months or 12 months:
 - Payment(s) by the end of October of at least nine percent (9%) of the estimated annual liability.
 - Payment(s) by the end of November of at least eighteen percent (18%) of the estimated annual liability.
 - Payment(s) by the end of December of at least twenty-seven percent (27%) of the estimated annual liability.

- Payment(s) by the end of January of at least thirty-six percent (36%) of the estimated annual liability.
- Payment(s) by the end of February of at least forty-five percent (45%) of the estimated annual liability.
- Payment(s) by the end of March of at least fifty-four percent (54%) of the estimated annual liability.
- Payment(s) by the end of April of at least sixty-three percent (63%) of the estimated annual liability.
- Payment(s) by the end of May of at least seventy-two percent (72%) of the estimated annual liability.
- Payment(s) by the end of June of at least eighty-one percent (81%) of the actual liability.
- Payment(s) by the end of July of ninety percent (90%) of the actual liability.
- Payment(s) by the end of August of one hundred percent (100%) of the actual liability.

C. A local may apply to the MEA executive director for a modified schedule. It is expected that the number of exceptions granted will be few, due to the liberal transmittal deadlines in Section II.

III. WHAT ARE THE PENALTIES FOR A LOCAL WHICH IS IN ARREARS?

A. There are two (2) categories of penalty for failure to transmit on a timely basis: automatic and discretionary.

B. Automatic penalties:

1. Loss of RA delegate seating for locals which transmit dues on behalf of its members.

The Credentials Committee shall refuse to seat the delegates from any local which:

- a. For the Spring Assembly has not transmitted to the MEA at least fifty percent (50%) of the affiliate's current year's estimated annual liability and one hundred percent (100%) of prior year's actual liability to MEA and NEA;
- b. For the Fall Assembly has not transmitted to the MEA one hundred percent (100%) of the local's prior year's actual liability to the MEA and NEA.

2. Loss of RA delegate seating for locals whose individual members pay dues directly to MEA.

The Credentials Committee shall refuse to seat the delegates from any local which:

- a. For the Spring Assembly if the local's membership does not meet the following schedule:
- For the first fiscal year in which a local's members pay dues directly to MEA, at least seventy-five percent (75%) of the members had paid at least 50% of that year's estimated annual liability and one hundred percent (100%) of prior year's actual liability to MEA and NEA.
 - For the second fiscal year in which a local's members pay dues directly to MEA, at least eighty-five percent (85%) of the members had paid at least 50% of that year's estimated annual liability and one hundred percent (100%) of prior year's actual liability to MEA and NEA.
 - For the third fiscal year in which a local's members pay dues directly to MEA, at least ninety-five percent (95%) of the members had paid at least 50% of that year's estimated annual liability and one hundred percent (100%) of prior year's actual liability to MEA and NEA.
 - Beginning with the fourth fiscal year in which a local's members pay dues directly to MEA, one hundred percent (100%) of the members had paid at least 50% of that year's estimated annual liability and one hundred percent (100%) of prior year's actual liability to MEA and NEA.
- b. For the Fall Assembly if the local's membership does not meet the following schedule:
- For the first fiscal year in which a local's members pay dues directly to MEA, at least seventy-five percent (75%) of the members were in compliance with the Members Dues Payment Schedule (Section II, B, (1) and (2)) at the end of the previous membership year.
 - For the second fiscal year in which a local's members pay dues directly to MEA, at least eighty-five percent (85%) of the members were in compliance with the Members Dues Payment Schedule (Section II, B, (1) and (2)) at the end of the previous membership year.

- For the third fiscal year in which a local's members pay dues directly to MEA, at least ninety-five percent (95%) of the members were in compliance with the Members Dues Payment Schedule (Section II, B, (1) and (2)) at the end of the previous membership year.
- Beginning with the fourth fiscal year in which a local's members pay dues directly to MEA and thereafter, one hundred percent (100%) of the members were in compliance with the Members Dues Payment Schedule (Section II, B, (1) and (2)) at the end of the previous membership year.

3. Loss of RA delegate seating for locals that are part of a cluster for Representative Assembly delegates.

- a. The members of each local within a cluster that transmits dues on behalf of its members shall not be counted for determining the number of delegates from the cluster, if the local is in arrears in dues as set forth in Section II, A above.
- b. The members of each local within a cluster whose individual members pay dues directly to MEA shall not be counted for determining the number of delegates from the cluster, if the local is in arrears in dues as set forth in Section II, B above.
- c. No local in arrears in dues as set for in Section II, A or B above may have a member serve as a delegate.

C. Discretionary policies: (Any or all may be imposed by the MEA Board of Directors based upon the circumstances in each case.)

1. Require submission of a monthly financial statement of local resources to MEA;
2. Require submission of an independent certified audit, conducted at local expense;
3. Require use of a standard NEA financial reporting form for reporting local financial information;
4. Take any legal action necessary to recover unpaid liabilities.

“At least sixty (60) days prior to each assembly, the executive director will notify the president, the RA delegates and the UniServ director of each delinquent affiliate that their affiliate is in arrears and will be penalized in the manner described above.

Any affiliate wishing to appeal the credentials report to the assembly must first submit the pertinent facts for review by the Credentials Committee.” *(Amended April 1985)*

A local which becomes delinquent per this transmittal schedule by more than thirty (30) days shall be assessed a penalty of one and one-half percent (1 ½ %) per month on the overdue balance. When such penalty is assessed, it shall be deducted from that local’s subsequent payments before any monies are applied to dues payment. *(Adopted by the 1978 Spring Representative Assembly, amended January 2003).*

IV. MISCELLANEOUS PROVISIONS

- A. The appeal to delegate seating loss is the Credentials Committee, also established by the 1973 Spring Representative Assembly. *(Amended April 1985)*
- B. The term estimated annual liability refers to the last record of total MEA/NEA membership in the local association times the annual MEA/NEA dues for the current membership year. That figure will change as updated reports are received from the local.
- C. Beginning in December of each year, the MEA Board will receive regular summary reports of the status of each local association with respect to the transmittal schedule.
- D. An information letter will be sent to all MEA members in the local advising them of the delinquency at the discretion of the MEA Executive Committee.
- E. Dues payments will be applied to the oldest accrued liability first.