

MEA Crisis Assistance Program Operating Guidelines

(As amended by the Representative Assembly, November 1991, May 1999, November 2000, November 2003, April 2004, April 2007, April 2011, April 2015 and MEA Board of Directors, November 1995)

Introduction

It is intended that the benefits awarded in these guidelines apply to teachers and education support professionals in school districts, colleges and universities where the MEA is the recognized bargaining agent. *(April 2015)*

I. Purpose of a crisis assistance program

To provide direct assistance to teachers and education support professionals in the form of financial support if the employment has entirely disappeared or is temporarily unavailable either because of a concerted act of the employer or employees. To further provide bond assistance in specific cases for locals involved in crisis bargaining and to provide specific services to respond to statewide crises impacting the right to bargain collectively. *(April 2011, April 2015)*

II. Funding

- A. An assessment of ten dollars (\$10) per academic school year for teachers and five dollars (\$5) for education support professionals will be imposed on each member of each MEA local bargaining unit and on each fee-payer to the MEA (hereinafter the member). Said assessment shall be collected from each member together with regular MEA dues. Any such member may elect in writing to receive a refund of the assessment collected hereunder with regard to the academic school year then commencing. Any such election shall be made during such period and on such form as the committee requires. Refunds due pursuant to such written elections shall be mailed by the committee not later than October 1 of the academic school year with regard to which the relevant election was made. *(April 2015)*
- B. The fund shall be earmarked and is not to be used for any purposes, except for reasonable administrative costs.
- C. At the discretion of the MEA Board of Directors, all or part of realized interest/investment income earned by the fund in a given year may be transferred to the general fund for dues limitation, provided that the CAP Fund balance is no less than five million dollars (\$5,000,000). If in any given year, the CAP Fund falls below five million dollars (\$5,000,000), that interest budgeted for dues limitation for the following year(s) will not be used in the general fund but will stay in the CAP Fund until it is restored to a figure in excess of five million dollars (\$5,000,000).

III. Administration of the fund

- A. *State Crisis Assistance Program Committee*
 - 1. The committee shall be appointed by the MEA president with approval by the MEA Board of Directors and shall consist of one (1) member from each zone, the MEA secretary-treasurer and two (2) members of the MEA Board of Directors. Members, except for the secretary-treasurer and Board members, shall be appointed for three (3) year staggered terms. The committee shall be assisted by the MEA executive director and his/her designee(s).
 - 2. The primary role of the committee is to oversee and review administration of the fund, to allocate assets of the fund in accordance with these guidelines and administrative policies, to review the fund annually and to recommend guideline modifications to the Board. *(April 2011)*
- B. *Local CAP committee*
 - 1. Established in each local according to local constitutional procedures for establishing committees.
 - 2. Supply to MEA a list of members eligible for benefit payments together with their gross daily wage at least forty-eight (48) hours following the beginning of the work stoppage or job action. This list should be updated at least weekly with MEA.

IV. Benefits

A. *Eligibility*

1. Before locals and their respective teachers and education support professionals are eligible for CAP Fund benefits, all prior years' dues must be paid in full, and dues transmittals must be current according to established transmittal policy as of the effective date of the job action. Further, to be eligible for CAP Fund benefits, each respective teacher or education support person must be an MEA member or a fee-payer to the MEA who has paid the assessment set forth in II-A above and who has not requested a refund on any such assessment for the lesser of the following: *(April 2015)*
 - a. Since his or her date of employment by the employer with respect to whom the concerted act which prompted the request for benefits hereunder occurred; or
 - b. The three (3) consecutive academic-school-years period ending on the June 30 preceding the commencement of the concerted act which prompted the request for benefits hereunder.
2. In the case of new units or new members, enrollment forms and promissory notes, if appropriate, must be on file with MEA.
3. For purposes of these guidelines and for reporting the status of each local association, a local will be considered in arrears if there is an outstanding MEA/NEA dues balance.
4. A local may apply to the MEA executive director for a modified schedule.
5. Benefits shall begin the first day of crisis related unemployment.
6. Persons receiving unemployment compensation on unpaid leaves of absence or receiving compensation from the employer shall not be eligible for CAP benefits.
7. The local CAP committee has investigated and certified that the applicant is entitled to benefits.

B. *Benefit payment program*

1. The level of benefit shall be equal to the daily gross wage of the eligible member immediately prior to the work stoppage or job action.
2. Benefit amounts may be adjusted according to the availability of funds and in the sole discretion of the State CAP Committee in cases of extreme financial emergency. *(April 2011)*
3. If the local directs, health insurance premiums may be paid from the grants.

C. *School district closings caused by financial crises*

Premiums for a special basic MESSA health and medical insurance policy may be paid for up to three (3) months upon application and approval. This coverage shall be available immediately upon approval. This benefit shall not be available during school closings caused by job actions.

D. *Court Ordered Bonds*

Bonds, where so ordered by the courts, may be paid from CAP funds in cases where injunctions are sought to prevent the unlawful imposition of either wages, hours, fringe benefits and/or working conditions.

E. *Special Services*

Special services needed to respond to statewide attacks on collective bargaining costs for media and/or political campaigns to respond to statewide attacks on member rights to collectively bargain their wages, hours and other terms and conditions of employment. The MEA Board of Directors or Representative Assembly shall determine whether CAP funding is available for a particular crisis and the amount and time period that Cap funds may be used for that crisis. *(April 2011)*

MEA Crisis Assistance Program Committee

Administrative Policies

- I. The academic school year is July 1 through June 30. *(September 1975)*
- II. Benefits shall be paid for work stoppages, job actions or unemployment due to labor disputes which occur during scheduled working periods. *(October 1975, amended April 1985)*
- III. Committee expenses, computer programming for CAP checks, cost of CAP checks, cost of printing minutes and other related items are to be borne by the CAP Fund. *(September 1975, amended April 1985)*
- IV. Staff secretary is granted authority to open bank accounts and pay incurred expenses. *(September 1975)*
- V. The committee is to receive a monthly financial report on the status of the fund. *(September 1975)*
- VI. The CAP Committee will make the final decision as to the specific amount of benefits paid to a requesting local from the fund. The CAP Committee shall grant benefits in accordance with IV, B whenever members engaged in a job action approved by the Statewide Crisis Assistance Team suffer lost pay. *(October 1975, amended April 1985, amended April 2011)*
- VII. Committee decisions, etc., shall be by a two-thirds (2/3) vote of those present at the meeting with the hope that the decisions will be by consensus. *(October 1975)*
- VIII. Prior years' dues are to be paid in full before locals and the respective applicants are eligible for CAP benefits. *(October 1975, amended April 1985)*
- IX. No recipient of CAP benefits is required to perform services in order to receive benefit payments. *(March 1976, amended April 1985)*
- X. All directions and/or requests from a local association to the CAP Committee shall be over the signature of the local president or that person's designee. *(November 1976, amended April 1985)*
- XI. The secretary may issue the initial CAP benefit to members of the requesting local, provided all of the following conditions are met:
 - 1. There has been a crisis action team investigation conducted by MEA whereby all criteria have been met. *(Amended May 1999)*
 - 2. The local is current with dues payments.
 - 3. There is a letter of request on file with MEA.
 - 4. An eligible member list has been filed with MEA.
 - 5. Benefits shall begin the first day of crisis related unemployment. *(Amended April 1989 and November 1995)*

The level of benefit shall be equal to the daily gross wage of the eligible member immediately prior to the work stoppage or job action. *(October 1978, amended April 1985, May 1986, November 1989, November 1991 and November 1995)*
- XII. Whenever possible, the National Education Employees Assistance Fund Inc. will be utilized prior to turning to the MEA Emergency Fund. *(February 1979, amended April 1985 and November 1991)*