



December 12, 2018

Janus Decision Compliance

In light of the Janus Decision in June of 2018, the M&P Association (hereby referred to as “the Association” or “M&P”) is committed to compliance with the decision handed down by the U.S. Supreme Court. To meet those requirements, the members of the Association are asked to:

1. Opt-in to continue receiving the full benefits of membership or
2. Opt-out to change their status to non-member.

The deadline for M&P members to make a decision to opt-in or opt-out was negotiated with the City Human Resources Department to the end of the day on December 31, 2018.

The following details the process and guidelines to be used by the Association regarding membership declaration for qualifying employees.

Member Rights

Members choosing to opt-in will retain the following rights:

1. Access to benefits information
2. Access to salary information
3. Access to M&P website public pages
4. Representation for disciplinary actions
5. Representation for complaints and grievances
6. Voting privileges (both for contract ratification and officer elections)
7. Right to propose Association by-law changes
8. Participation on Association Committees
9. Eligibility for M&P Board positions
10. Participation in Association Member and Board meetings
11. Participation in Association social events
12. Member email on Association server upon request
13. Full website access privileges upon request

Members choosing to opt-out (non-members) will have the following rights (subject to change based on legislative direction):

1. Access to benefits information
2. Access to salary information
3. Access to M&P website public pages
4. Representation for disciplinary actions
5. Representation for complaints and grievances

Opt-In Process

Prior to the deadline of December 31, 2018, members choosing to opt-in must complete the Association opt-in form and have it witnessed or signed by a current M&P member. The form shall be submitted (by scanning and emailing, mailing, or hard copy) to the Association Board and will be recorded by the Association Secretary at the earliest opportunity. The Association's receipt of the form shall be confirmed with the applicant. A compiled membership list will be sent to the City Human Resources Department in January 2019 for reference and verification that dues will be deducted from the employee's payroll. Following the deadline of December 31, 2018, members opting-in will need to obtain the signature of a Board member on the form.

Opt-Out Process

Members choosing to leave the Association must send a written request to opt-out to the Association President. The Association President will forward the request to the Human Resources Department for processing and removal of Association dues from the employee's payroll deductions.

Taking No Action

Should an employee, existing or new, not make a choice before the scheduled deadline, they shall default to an opt-out, non-member status. Dues payment shall terminate in the first worked pay period of 2019. If the employee wishes to opt-in after the deadline, it shall be considered "Rejoining the Association."

New Employees

After December 31, 2018, new employees will be provided an opt-in form no later than their Employee Orientation date. The employee will be considered a non-member until they submit a completed opt-in form to the Association Secretary. New employees shall have 30 days from their first day of employment or two (2) weeks from their Employee Orientation date, whichever comes first, to return an opt-in form. If a form is not returned within that timeframe, the employee shall default to opt-out, non-member status and be subject to requirements for "Rejoining the Association."

Rejoining the Association

Non-members can rejoin the Association as probationary members for the next calendar year by submitting a completed opt-in form prior to December 31. The Association President will forward the approved opt-in form to the Human Resources Department to revise the payroll deductions accordingly. Probationary membership benefits shall not begin until payment of dues resumes on January 1.

Probationary membership shall afford the member all rights with the following exceptions; for the first year following Rejoining the Association, members will not be eligible to vote or hold a Board position. Rejoining the Association entails a minimum 24-month commitment for dues payment, regardless of an opt-out request prior to the end of that timeframe.

Should an employee choose to rejoin the Association for a second time (or more), they will be assessed a \$100 fee for Association administrative costs for each occurrence.

Appeals

Members and non-members may appeal the requirements outlined in this document. The petition shall be in written form and include the name of the employee as well as the reasons for the appeal. The petition will be submitted to the Association President or designated representative, who will provide it to the Executive Committee for consideration at the earliest opportunity. The decision by the Executive Committee will be final and shared with the member or non-member with relevant commentary. If the appeal of the member is accepted, then the member will be processed according to the decision. HR will be notified of the results of the appeal and any resulting action as well.

Representation in Disciplinary Actions and Complaints

The Association will continue to provide all employees subject to M&P contract (regardless of Association membership) with representation for disciplinary actions and complaints.

At this time, legal precedence has not been set to allow the Association to charge non-members for representation. As legislation develops that sets a precedent in regards to charging fees, the Association reserves the right to establish an hourly assessment to non-members for representation at pre-disciplinary, disciplinary, complaint, and grievance actions.

Situations Not Covered

Where situations arise that are not covered by this document, the employee will follow the appeals process.

This process was reviewed and approved by the M&P Board of Directors on and is in effect December 12, 2018.