

# MEA VOICE



**New law brings  
needed changes to  
teacher evaluation**

# MERC rules against MEA's August opt-window

On September 23, 2015, the Michigan Employment Relations Commission (MERC) ruled that MEA's August opt-window violated the anti-union Michigan right-to-work (RTW) law which went into effect on March 28, 2013. As part of the September 23 Decision and Order of MERC, the last sentence of Article I of the MEA Bylaws is no longer being enforced as currently written. Article I states,

*1. Membership year and payment of dues*

*The official membership year shall extend from September 1 through August 31 each year. The terminal dates for other than full-year membership shall be the same as for full-year members.*

*All membership dues shall be paid on or after September 1 of each year but may be paid earlier according to Administrative Policies as established by the Board of Directors. Continuing membership in the Association shall be terminated at the request of a member when such a request is submitted to the Association in writing, signed by the member and postmarked between August 1 and August 31 of the year proceeding the designated membership year.*

This means that members are now able to resign their membership from MEA beyond the August window. Resignations must be in writing and submitted to MEA Headquarters via mail or email. Resignations will be honored upon receipt by MEA after they are processed.

To resign by mail, send your resignation letter to MEA, PO Box 51, East Lansing, MI 48826. The resignation letter must state your intention to resign and be signed and dated by you as the member. MEA suggests that you also include your membership number, the name of the local association to which you are a bargaining unit member, and the name of your employer to ensure accurate identification. MEA recommends sending the letter by certified mail, return receipt requested.

You can resign by email by sending your resignation email to [resignation@mea.org](mailto:resignation@mea.org). The resignation email must state your intention to resign and include your name. Again, MEA suggests you include your membership number, the name of the local association to which you are a bargaining unit member, and the name of your employer to ensure accurate identification.

In this September 23 decision, MERC did rule in our favor, stating that MEA did not violate the duty of fair representation rights of its members because it did adequately notify members of the August opt-out window. The ruling also required MEA to post the notice to union members in its print and online publications (see p. 17).

MEA wasn't successful in getting a stay in this case, but our appeal of MERC's decision still continues. ☛

**The MEA Advantage**

- For Your Career
- For Your Rights
- For Your Wallet
- For Public Education

**MEA Help Center**  
**866-MEA-HELP**  
**866-632-4357**  
**[www.mea.org](http://www.mea.org)**

*On the phone or online,  
get answers to your MEA questions.*

For the many benefits of MEA membership, flip to page 18.

Download the MEA Advantage booklet at [www.mea.org/advantage](http://www.mea.org/advantage)

## NOTICE TO UNION MEMBERS

AFTER A PUBLIC HEARING, THE MICHIGAN EMPLOYMENT RELATIONS COMMISSION HAS FOUND THE SAGINAW EDUCATION ASSOCIATION AND THE MICHIGAN EDUCATION ASSOCIATION TO HAVE COMMITTED UNFAIR LABOR PRACTICES IN VIOLATION OF THE MICHIGAN PUBLIC EMPLOYMENT RELATIONS ACT (PERA). PURSUANT TO THE TERMS OF THE COMMISSION'S ORDER,

### WE HEREBY NOTIFY OUR MEMBERS THAT:

WE WILL NOT restrain and coerce employees in the exercise of their rights under §9 of PERA to refrain from joining or assisting in labor organizations.

WE WILL NOT maintain or enforce a rule that prohibits members from resigning their union memberships except during the month of August.

WE WILL NOT refuse to accept Kathy Eady-Miskiewicz's September 18, 2013 resignation from her union membership, Jason LaPorte's September 18, 2013 resignation from his union membership, Susan Romska's September 20, 2013 resignation from her union membership, and Matt Knapp's October 7, 2013 resignation from his union membership.

WE WILL remove the last sentence of Article I from the bylaws or amend it to reflect the fact that it can no longer be enforced as written.

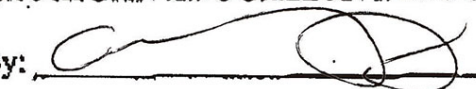
WE WILL affirmatively notify Kathy Eady-Miskiewicz, Jason LaPorte, Susan Romska, and Matt Knapp in writing that their resignations in September and October 2013 have been accepted.

### SAGINAW EDUCATION ASSOCIATION

By: 

Title: UniServ Director

### MICHIGAN EDUCATION ASSOCIATION

By: 

Title: Executive Director

Date: 11/12/2015

Any questions concerning this notice may be directed to the office of the Michigan Employment Relations Commission, Cadillac Place, 3026 W. Grand Blvd, Suite 2-750, P.O. Box 02988, Detroit, Michigan 48202. Telephone: (313) 456-3510. Case Nos. CU13 I-054/13-013125-MERC through CU13 I-061/13-013134-MERC