MONTGOMERY COUNTY EDUCATION ASSOCIATION

BYLAWS

(Amended November 4, 2026)

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MCEA BYLAWS

Article I. Membership

Section 1. Classes

The classes of membership shall be: Active, Substitute/HHT, and Retired.

Section 2. Eligibility Requirements

A. Active membership shall be open to anyone who is a probationary or tenured member of the MCEA bargaining unit, excluding those defined as substitute/HHT members.

B. Substitute/HHT membership shall be open to anyone who is or will be employed as a substitute or home and hospital teacher in MCPS for at least 7 days prior to March 1 of the prior or current school year.

C. Retired memberships shall be open to anyone who had been an active member prior to retirement from MCPS.

Section 3. Rights, Condition and Limitations

A. Members shall support the purposes of the Association and abide by its Constitution and Bylaws.
B. Members engaged in educational work shall adhere to the Code of Ethics.
C. Members of the Association shall also hold appropriate membership in the Maryland State Education Association and the National Education Association.
D. The right to nominate candidates for office and vote in the Association shall be open to all active, substitute/HHT, and retired members.
E. The right to run for and hold the office of President shall be open to all active members.
F. The right to run for and hold the office of Retiree Representative to the Board of Directors shall be open to all retired members.
G. The right to run for and hold other elective offices on the Board of Directors (Vice-president, Secretary, Treasurer, and Board member) shall be open to all active and substitute/HHT members.
H. The right to ratify the contract between MCEA and MCPS shall be by a vote of the active and substitute/HHT members.
I. All members shall be eligible to receive special services and reports and publications of the Association.

J. Active memberships shall be continuous until the member leaves or retires from the school system, becomes a substitute or home and hospital teacher, resigns from the Association, fails to pay membership dues, or is expelled from the Association.
K. Members shall be entitled to benefits appropriate to the membership class upon payment of dues, or contracting for the same.
L. Active and substitute/HHT members shall be eligible to run for delegate to the annual NEA Representative Assembly.
M. Members who fail to adhere to any conditions of membership as stated in the Constitution and Bylaws shall be subject to censure; suspension or expulsion. Charged members shall have the right to a due process hearing by the Review Board and the right to appeal to the Board of Directors.

Section 4. Membership Year

The membership year of the Association shall be from September 1 through August 31.

Article II. Dues

Section 1. Setting of Dues

A. The amount of the annual dues shall remain 0.517% of the salary of a ten-month unit member in the Masters lane at Step Ten unless changed by a vote of the membership
B. Active Members shall pay full Association dues.
C. Substitutes and home and hospital teachers shall pay one-fourth (1/4) of the annual dues.
D. Retired members shall pay one tenth (1/10) of the annual dues for active members.
E. Retired Life memberships shall be available to retired members upon a one-time payment to be determined annually by the Board of Directors. The Board will determine the manner in which a Retired member may convert a membership to a Retired Life membership.

Section 2. Prorating of Dues

A. The dues for a person eligible for Active membership who is on approved leave of absence shall be one-half (1/2) the amount of the annual dues.
B. The dues for a person eligible for Active membership who is employed 50% or less of the normal schedule for a full time faculty member shall be one-half (1/2) the amount of the annual dues.

C. The dues for a person joining as an active member shall be the amount of annual dues which is commensurate with the remaining portion of the membership year. No individual may take advantage of this reduction of dues more than once.

Article III. Membership Meetings

The President may call meetings of the general membership at any time and for any purpose.

Article IV. Representative Assembly

Section 1. Powers

The Representative Assembly shall:

A. establish rules governing its proceedings;
B. amend bylaws in accordance with Article XII;
C. authorize staff positions;
D. approve the annual budget;
E. make recommendations to the membership for the ratification of any proposed collective bargaining agreements between the Association and the Montgomery County Board of Education;
F. review MCEA positions, practices and policies as reported to the Representative Assembly
G. perform or delegate other duties not specifically delegated in the Constitution or the Bylaws to an elective or appointive body or officer.

Section 2. Composition of the Assembly

A. Each Association Chapter shall be allotted one representative for each fifteen (15) members or major fraction thereof.
B. The Board of Directors shall be ex officio members with voting rights.

Section 3. Representative Qualifications and Terms

A. A Representative must be an Active, Retired, or Substitute/HHT member.

B. Representative(s) shall be elected by the chapter members for a one-year term.

Section 4. Representative Duties and Responsibilities

A. Represent the Association Chapter at Representative Assembly.
B. Carry out all duties and responsibilities assigned by the Representative Assembly.
C. Notify the Chapter president if unable to attend a meeting, or obtain a proxy, in order to assure representation at the meetings.

Section 5. Meetings

A. A regular meeting of the Assembly shall be held each month from September through June.
B. Special meetings may be scheduled throughout the calendar year, by action of the Assembly, the call of the President, or Board of Directors, or by petition to the President by thirty (30) representatives of the Assembly.
C. Meetings may be rescheduled, postponed, or canceled by action of the Assembly, or by the President in case of an emergency.

Section 6. Quorum

The Quorum of the Representatives shall be 40% of Association Chapters.

Article V. Board of Directors

Section 1. Composition

A. The Board of Directors shall be composed of the President, First Vice-President, Second Vice-President (who having been the President, shall serve for one term only), Secretary, Treasurer, nine Directors-at-Large elected to designated constituency seats, and three Directors-at-Large elected to undesignated seats.
B. The nine designated seats on the Board will be:
    1. Early Childhood/Elementary (4 Board members)
    2. Middle (2 Board members)
    3. High (2 Board members)
    4. Non-school based (including Psychologists, PPWs, Staff Development specialists, consulting teachers, itinerant special educators, other specialists, and substitute teachers.) (1 Board member)

C. One director-at-large shall be nominated from retired members. Election of this director shall be by a majority vote of all members.
D. If ethnic minority representation on the Board of Directors is not at least in proportion to the ethnic minority membership, a special election shall be held for director(s)-at-large to assure such representation.

Section 2. Powers

The Board of Directors shall:

A. adopt standing rules governing its procedures;
B. be responsible for the management of the Association;
C. report its actions to the Representative Assembly and to the membership;
D. propose policies and policy changes for consideration by the Representative Assembly;
E. develop and present to the Representative Assembly each year a proposed budget for the subsequent year;
F. advise the President and accept or reject his/her appointments to committees and other positions;
G. advise each committee of its duties upon appointment;
H. appoint all staff members and contract for their services;
I. approve the appointment of negotiators to represent the Association in the bargaining process;
J. hear reports from, consult with, and advise representatives of the Constituency Councils;
K. review germane recommendations on MCEA positions, practices and policies as reported to the Board by the Constituency Councils and act upon the recommendation;
L. hear and act upon reports of appointive bodies;
M. appoint an auditor to conduct an annual audit of the Association's financial records;
N. perform such duties as may be specified in other section of these Bylaws; and
O. designate the Association Chapters.

Section 3. Meetings and Attendance

A. The Board of Directors shall meet at least once a month during the school year and at such other times as it may determine, or upon call of the President.
B. Members of the Board of Directors are expected to attend all regular and special meetings of the Board and all Representative Assemblies. The President shall have the authority to excuse absences from such meetings. No more than three unexcused absences are allowed in any one school year. Board members will forfeit their position on the board upon the fourth unexcused absence in a given school year, at which time the President shall declare the seat vacant. This does not apply to Directors who are on an approved leave of absence.

Section 4. Qualifications for Office

A. All members of the Board of Directors shall be Active, Substitute/HHT or Retired members of the MCEA, MSEA, and NEA.
B. A member of the Board of Directors can only be elected to a constituency-specific seat (i.e. a non at-large seat) if that member is a member of the chapter within that constituency.
C. A sitting member of the Board of Directors is ineligible to serve in any other elected capacity within the Association, except for MCEA Delegate to the Maryland State Education Association and/or National Education Association assemblies
D. To be eligible to run for a position on the Board of Directors, a person must have been a a member for the twenty-four (24) consecutive months immediately preceding the start of the term of office and must have maintained continuous good standing during that period. For purposes of this section, "continuous good standing" means that, in addition to meeting all other conditions of membership, the member is current on dues and does not otherwise owe money to the Association.

Section 6: Administrative and Excused Leave

A. General Leaves of Absence - Board members who need or want to take extended leave from MCPS may be placed on a leave of absence from the Board by the President. The leave of absence may not exceed sixty (60) days in the current term. A Board member on approved leave of absence shall retain their elected position and shall not be considered absent for purposes of attendance requirements contained in the Bylaws. If the Board member is unable or unwilling to return to their position after the approved leave of absence has ended, they will be deemed unable to fulfill the duties and responsibilities of the office and will be removed for the duration of their term. A leave of absence will not be granted more than once in a term.
B. Out of Bargaining Unit Work - A member of the Board of Directors who assumes a temporary position at MCPS that is not MCEA bargaining unit work shall immediately be placed on a leave of absence for 60 days. On the sixty first (61st) day of leave, the President shall declare the position vacant, and the position shall be filled in accordance with the bylaws. A Board member on approved leave of absence shall retain their elected position and shall not be considered absent for purposes of attendance requirements contained in the Bylaws.

Section 6. Terms of Office

Terms of office of the members of the Board of Directors shall be three years beginning July 1 following their election and continue through June 30 of the year in which the successor is elected. Any member may be eligible for reelection, but none may serve more than two consecutive terms in the same position except as provided in Section 6 of this article.

Section 7. Vacancies

A. Vacancies occurring in the office of First Vice-President, Secretary or Treasurer shall be filled by a vote of the membership for the remainder of the term.
B. Vacancies in position of Directors shall be filled by the Representative Assembly.
C. Directors elected to fill such vacancies shall be eligible, in addition, to be elected to a number of additional, consecutive terms provided for in Section 5 of this article.

Section 8. Quorum

A majority of members on the Board of Directors shall constitute a quorum.

Article VI. Officers and Directors' Duties

Section 1. President

The President shall:

A. prepare the agenda for meeting of the general membership, Representative Assembly, and the Board of Directors;
B. preside at all meetings of the general membership, and the Board of Directors;
C. call special meetings of the general membership, and the Board of Directors as needed;
D. appoint, with the approval of the Board of Directors, chairpersons and members of standing and special committees and any vacancies on constituency councils;
E. direct the work of the staff;
F. appoint, with the approval of the Board of Directors, the negotiations team to represent the Association in the bargaining process;
G. represent the Association before the public;
H. serve as ex officio member without vote on all Association committees;
I. have authority to sign checks for duly authorized vouchers;
J. serve as delegate to the Representative Assembly of the National Education Association and chairperson of the MCEA delegation for the second and third Representative Assembly following election to the presidency;
K. serve as delegate to the Representative Assembly of the Maryland State Education Association and as chairperson of the MCEA delegation;

L. assume responsibility for the safekeeping of bonds covering officers and employees of the Association;
M. present a written report on the state of the Association at the completion of each membership year;
N. appoint, with the approval of the Board of Directors, a parliamentarian;
O. instruct the President-elect in the duties of the office, and
P. perform all other functions usually attributed to the office within the limits established in the Standing Rules of the Board of Directors.

Section 2. First Vice-President

The First Vice-President shall:

A. perform the duties of President in the President's absence;
B. serve as chairperson of the Representative Assembly;
C. assume the office of President when that office is vacant and serve until the expiration of the term for which the President was elected;
D. serve as delegate to the Representative Assembly of the National Education Association and vice-chairperson of the MCEA delegation for the second and third Representative following election to the vice-presidency;
E. serve as delegate to the Representative Assembly of the Maryland State Education Association and as vice-chairperson of the MCEA delegation;
F. serve as ex officio member without vote on all Association committees;
G. instruct the First Vice-President-elect in the duties of the office; and
H. perform such other duties as may be assigned by the President or the Board of Directors.

Section 3. Second Vice-President (immediate past president)

The Second Vice-President shall:

A. serve in an advisory capacity to the Board of Directors and the Association;
B. perform such duties as may be assigned by the President;
C. call a special meeting to initiate the election of a President and First Vice-President should such offices become vacant simultaneously, and act as President and chairperson of the Representative Assembly until such offices are filled.

Section 4. Secretary

The Secretary shall:

A. be responsible for recording the minutes of meetings of the general membership, the Representative Assembly, and the Board of Directors;
B. determine if a quorum is present at all meetings of the Board of Directors;

C. record all votes;
D. turn over to the newly elected secretary all records for which the secretary has been responsible during the term of office;
E. instruct the secretary-elect in the duties of the office; and
F. perform other duties as assigned by the Board of Directors.

Section 5. Treasurer

The Treasurer shall:

A. report to the Board of Directors and to the Representative Assembly regarding the maintenance of complete and accurate records of receipts and expenditures of the Association;
B. serve as signatory for vouchers and in the absence of the President, sign checks for expenses authorized by the President for the Board of Directors drawn upon Association accounts as authorized by the Board of Directors;
C. present a financial report to the Board of Directors and Representative Assembly at regular intervals;
D. be responsible for reporting the state of the results of the audit of the Association accounts at the close of each fiscal year;
E. instruct the Treasurer-elect in the duties of the office; and
F. perform other duties as assigned by the Board of Directors.

Section 6. Directors

The Directors shall:

A. assist the chapter representatives in the conduct of their duties;
B. attend all meetings of the Board of Directors and the Representative Assembly;
C. perform such duties as may be assigned by the Board of Directors.

Article VII. Membership Chapters

Section 1. Composition

A. An Association Chapter shall be designated as any MCPS building, office, or program where employees work who are eligible for MCEA membership. Such designation shall be made by the MCEA Board of Directors.
B. Only Association members shall hold membership in the appropriate Chapter.

Section 2. Head Representative

A. Each Chapter shall have a head representative.
B. The head representative shall fulfill the duties of his/her chapter and work in concert with the appropriate MCEA staff members.
C. The head representative shall fulfill any other duties defined by the Board of Directors or the Representative Assembly.

Article VII. Committees

Section 1. Appointment of Standing Committees

A. The President shall appoint, with the advice and approval of the Board of Directors, and shall announce no later than sixty (60) days after assuming office, the chairperson and at least five members of each of the following standing committees:
    1. Constitution and Bylaws
    2. Credentials and Elections
    3. Instructional and Professional Development (IPD)
    4. Human and Civil Rights (HCR)
    5. Political Action and Legislative Support (PALS)
    6. Professional Rights and Responsibilities (PR&R)
    7. Membership Committee
    8. Board Audit Committee
    9. Minority Affairs Committee (MAC)

B. The chairperson and members of standing committees shall serve for a term at the discretion of the President, with the advice and consent of the Board of Directors.

C. No member shall serve on more than two standing committees.

Section 2. Appointment of Special Committees

The President shall, upon direction of the Board of Directors or at the request of the Representative Assembly, appoint a committee to perform specific tasks.

Section 3. Responsibilities

A. Upon approval of the chairpersons and members of standing and/or special committees, the Board of Directors shall provide a description of the committee(s) duties.

B. Each committee shall submit a written report in May or June or upon completion of its duties, to the Board of Directors. Such reports shall be filed with the Secretary and be distributed to the Representative Assembly, upon request of individual representatives.

Article IX. Review Board

Section 1. Composition

A. The Review Board shall be composed of nine (9) members at least two (2) of whom shall be members of ethnic-minority groups, appointed by the President with the advice and approval of the Representative Assembly for a three (3) year staggered term beginning July 1. A member shall be eligible for appointment for one additional term. Should an appointment come in the middle of a term, a member shall not be eligible to serve more than eight (8) total years on the Review Board.
B. In the event of a vacancy on the Review Board, the President shall have the ability to appoint subject to Board approval until confirmation at the next regularly scheduled Representative Assembly.

Section 2. Qualifications

A. Members of the Review Board shall have been members of the Association for three (3) consecutive years immediately prior to appointment and shall maintain membership in the Association during their terms.
B. A member of the Review Board shall hold no elective office other than MCEA Delegate to the Maryland State Education Association and/or the National Education Association, nor any other appointive position in the Association.
C. No officer or other member of the Board of Directors shall be appointed to the Review Board within three (3) years following separation from such office.

Section 3. Jurisdiction

The Review Board shall:

A. rule on matters of bylaw interpretation referred to it by the Board of Directors or Representative Assembly;
B. rule upon and be the final judge on all potential violations of the MCEA Code of Ethics and rule on all other matters of censure, suspension or expulsion of members and shall guarantee a hearing based upon due process to the member affected upon petition or vote of referral by
    1. A majority of the Representative Assembly

2. 2/3 of the Board of Directors
3. At least 10% of the membership representing no fewer than 40% of chapters within the Association

C. rule upon and be final judge on all election disputes referred to it by any candidate
D. process and certify any recall procedure.

Section 4. Rules of Procedure

A. The members of the Review Board shall select the chairperson from its members
B. It shall develop its own rules of procedure with the approval of the Representative Assembly.
C. The Review Board shall have the discretionary authority, within its allocated budget, to employ consultants.

Article X. Nominations and Elections

The Credentials and Elections Committee shall prepare an annual calendar of elections and develop guidelines for the nomination and election of Officers, Directors, Representatives to the local assembly, members of elected Constituency Councils, and Representatives to the MSEA and NEA assemblies. Such guidelines shall be presented to the Representative Assembly for review and adoption no later than November. These guidelines include, but not limited to the following:

A. Provisions for open nominations by individual members;
B. Provisions for the distribution and the collection of nomination forms;
C. Provisions for the publication of nominations in an official publication of the Association;
D. Provisions for secret ballot election by the membership;
E. Provisions for the distribution, collection, and tally of the ballots;
F. Provision for the election of officers first, then the election of directors;
G. Provision that the President, First Vice-President, Secretary, and Treasurer be elected by a majority vote. One half of the Director-at-large positions shall be elected each year. The candidates receiving the greatest number of votes shall be elected to the number of positions being filled;
H. Provision for meeting the appropriate requirements of compliance with the NEA and MSEA Constitution and/or Bylaws.

Article XI. Recall

Section 1. Reasons for Recall

An officer, or members of the Board of Directors, or Representatives to the Representative Assembly, or elected members of the MCEA Constituency Councils shall be subject to recall for an alleged violation of the Code of Ethics of the Education Profession, or for alleged malfeasance, misfeasance or nonfeasance in office.

Section 2. Initiation of Recall Procedure for an Officer, a member of the Board of Directors, or elected member of a constituency council

To initiate the recall procedure, a petition must be filed with the Review Board. This petition must be filed by or voted upon favorably by

A. A majority of the Representative Assembly during a regular or special session of the Representative Assembly OR
B. 2/3 of the Board of Directors OR
C. At least 10% of the membership representing no fewer than 40% of represented chapters within the Association

Section 3. Procedures for recall of an Officer, a member of the Board of Directors, or elected member of a constituency council

A. Upon receipt of the petition, the Review Board shall verify that the signatures contained on the petitions are members of the Association.
B. Within forty-five days of receipt of valid petitions, the Review Board shall prepare and mail ballots to members of the Association in accordance with guidelines established by the Board of Directors and approved by the Representative Assembly.
C. If two-thirds (2/3) of the valid ballots cast are in support of recall, the office shall be declared vacant upon certification of the recall results by the Review Board to the Board of Directors; if less than two-thirds (2/3) of the valid ballots cast are in support of recall, the Review Board shall certify such results to the Board of Directors.

Section 4. Procedures for Recall of a Representative to the Representative Assembly.

A. A petition signed by a number of members equal to at least fifty (50) percent of the membership of that representative's unit shall be forwarded to the Credentials and Elections Committee.
B. The Credentials and Elections Committee shall:
    1. verify the signatures on the petition and notify the members that a new election will take place;
    2. establish procedures to be followed in carrying out the election;

3. verify the results of the election and so notify the newly-elected building representative.

Article XII. Amendments

Section 1. Amendments to the Constitution

A. A proposed amendment to the Constitution may be submitted by a representative at a regular or special meeting of the Representative Assembly.
B. A proposed amendment shall be submitted in written form. It shall be referred to the Constitution and Bylaws Committee for review and/or revision to conform with the structure and style of the document without changing its substance.
C. The Constitution and Bylaws Committee shall, within 30 days of the receipt of the proposed amendment, submit it to the Board of Directors. It shall then be submitted to the Representative Assembly at the next regular meeting of the body along with the Constitution and Bylaws Committee's recommendations and an explanation of the implications of the proposed amendment.
D. The Representative Assembly shall, at that meeting, determine by a 2/3 majority vote whether or not it shall submit the proposed amendment to the membership for a vote.
E. If the amendment is referred to the membership for vote, the Credentials and Elections Committee shall proceed to conduct a referendum on the question.
F. A vote of two-thirds (2/3) of all Active members voting shall be necessary to adopt an amendment to the Constitution.

Section 2. Amendments to the Bylaws

A. Proposed amendment(s) may be submitted by any representative at regular or special meeting of the Assembly under new business.
B. Proposed amendment(s) shall be submitted in written form. It shall be referred to the Constitution and Bylaws Committee for review and/or revision to conform with the structure and style of the document without changing its substance.
C. The Constitution and Bylaws Committee shall, within thirty (30) days of receipt of the proposed amendment, submit it to the Board of Directors. It shall be submitted to the Representative Assembly at the next regular meeting of the body along with the Constitution and Bylaws Committee's recommendations and explanation of the implications of the proposed amendment.
D. The proposed amendments to the bylaws shall be acted on by the Assembly at that meeting. The Bylaws may be amended by a majority vote after a quorum has been established.

Section 3. Effective Date of Amendments

Amendments to the Constitution and Bylaws shall become effective immediately upon adoption unless specified otherwise.

Article XIII. Initiative

Section 1. Initiation

Any member of the Association may initiate an amendment to the Constitution or Bylaws of the Association.

Section 2. Petition

Initiative action shall be by petition on official forms provided by the Credentials and Elections Committee which shall state the proposed amendment, and shall be signed within 30 days of the action by 10% of the Active members of the Association. The signatures shall be validated by the Credentials and Elections Committee.

Section 3. Procedures

A. The petition(s) shall be presented to the Representative Assembly which shall refer it to the Constitution and Bylaws Committee for review and/or revision without changing its substance to conform to the structure and style of the Constitution and Bylaws.
B. Within fifteen (15) school days after receipt by the Constitution and Bylaws Committee, it shall submit the proposed amendment to the Credentials and Elections Committee for submission to a vote of the membership.
C. The Credentials and Elections Committee shall, within fifteen (15) school days of receipt of the proposal, submit the proposal to the members for a vote in accordance with procedures established by the Committee.
D. A vote of support by two-thirds (2/3) of all Active members voting shall be necessary to adopt an amendment to the Constitution. The vote of support by a majority of Active members voting shall be necessary to adopt a bylaw amendment.

Article XIV. Rules of Order

Unless inconsistent with these Bylaws and Special Rules of Order, Roberts' Rules of Order, latest revision, shall prevail at all meetings of the Representative Assembly, the Board of Directors and Committees of the Association.

MCEA Board of Directors By-Law Interpretation
Article II, Section 2 c
July 13, 1987

Dues Payment Forgiveness Provisions

Background

There are two MCEA policies that reduce MCEA dues.

First, on January 7, 1987, the MCEA Representative Assembly, duly adopted New Article II, Section 2 c of the bylaws, which forgives payment of dues under certain circumstances:

The dues for a person joining as an active member shall be the amount of annual dues which is commensurate with the remaining portion of the membership year. No individual may take advantage of this reduced dues more than once.1

Second, during membership drives, MCEA has traditionally offered to forgive all dues for the current year if a prospective member executes a written membership pledge for the following year.

Recently, there has been some confusion about to whom these two forgiveness options apply, and how they interrelate. The purpose of this Board of Directors interpretation is to clarify MCEA policy on these matters.

To Whom Do The Forgiveness Options Apply?

[1] *Article 22 of the collective bargaining agreement governs the financial obligations of unit members to MCEA. These obligations are defined in Article 22, the relevant portion of which reads as follows:*

> ***"G. Representation Fee***
> *All unit members hired after August 31, 1984, shall be required to join the Association or to pay a representation fee. All unit members who are members of the MCEA as of September 10, 1984, shall continue their membership in MCEA or pay a representation fee to MCEA...."*

There are three groups of non-MCEA-members within the MCEA bargaining unit to which the forgiveness options potentially apply:

1. Unit members who were not MCEA members on or before September 10, 1984, and who, in conformity with their rights under Article 22 of the collective bargaining agreement, have chosen neither to become MCEA members nor to pay a representation fee;

2. Unit members hired after August 31, 1984, who, in conformity with their rights under Article 28 of the collective bargaining agreement, have previously chosen to pay a representation fee rather than become MCEA members;

3. Unit members hired after August 31, 1984, who, in defiance of their duties under Article 28 of the collective bargaining agreement, have refused either to become MCEA members or pay a representation fee.

For sound reasons, the forgiveness options apply only to unit members who have abided by their contractual obligations to MCEA. Accordingly, they apply to unit members in groups 1 and 2, but not unit members in group 3.

Unit members in group 1 are under no compulsion, whatever, to pay dues or a representation fee. Unit members in group 2 pay less if they choose the representation fee rather than MCEA membership. Thus, neither group has any financial inducement to become members. The forgiveness options, by reducing or waiving dues, are an inducement to unit members in groups 1 and 2 to become MCEA members.

Unit members in group 3 are in arrears concerning their financial obligations to MCEA. To automatically offer them the benefit of the forgiveness options would simply reward them for failing to live up to such obligations. Therefore, the forgiveness options do not routinely apply to unit members in group 3.[2]

[2] *MCEA may offer to settle the debts owed by unit members in group 3 for less than 100 % of the balance owed and may also offer to reduce the cost of dues to unit members in group 3 to make payment of dues more attractive than payment of the representation fee. However, an MCEA offer to forgive any or all of the outstanding financial obligations of a unit member in group 3 is an ordinary business transaction to liquidate outstanding debts owed to the organization. Consequently, terms of settlement offered to unit members in group 3 may vary markedly from the inducements offered to unit members in groups 1 and 2*

How do the Forgiveness Options Interrelate?

By its terms, Article II, Section 2 c of the bylaws applies year round. The waiver of dues offered during the membership drive is of limited duration. The offer may be made or withdrawn at any time.

During any period in which the waiver offer is in effect, it supersedes Article 2 c of the bylaws. That is, any qualified unit member in group 1 or 2 who avails himself or herself of the offer pays no dues for the current year, instead of paying proportional dues.

under the forgiveness options.