

SUBMITTED BY: Mahoning Chapter 5000

SUBJECT: Refunds, Credits and Assessments

RATIONALE: Section 2(B) –Beginning in 2005, OCSEA changed the manner in which quarterly rebates were paid to chartered district councils and chartered assemblies. Payments had been made for all active members and all fair share fee payers. By constitution this was a mistake. However, the loss of income from fair share fee payers rebate percentage has caused an undue hardship on these subordinate bodies. Fairshare fee payers must be represented by these bodies without prejudice.

BE IT RESOLVED THAT ARTICLE XII, SECTION 2(B) OF THE OCSEA CONSTITUTION BE AMENDED AS FOLLOWS:

1 **Article XII - Dues**

2 **Section 1. Amount**

3 (A) Dues shall be 1.25% of the member's base rate of pay per bi-weekly pay period,
4 effective September 17, 1995. Those not paying on a bi-weekly basis shall be prorated
5 accordingly.

6 (B) Membership dues shall be payable through payroll deduction or by cash payment to
7 the OCSEA Central Office. Any member will be considered in good standing who is paying dues
8 through regular payroll deduction for so long as such person continues to pay through such
9 deduction method, or who pays cash dues by the 14th day following the end of the payroll period
10 for which the payment is due. A member who fails to pay dues in accordance with the terms
11 described herein shall be an inactive member upon failure to pay dues for two consecutive
12 payroll periods.

13 (C) However, a member who has been terminated, laid off or suspended and has a
14 grievance pertaining to the adverse job action which remains unresolved, or who is on a
15 sanctioned strike or is locked out shall not be required to make dues payments in order to remain
16 in active status while not on the payroll.

17 (D) Members who have dues payments interrupted as a result of workers' compensation
18 or disability leave shall not be suspended as a result of non-payment of dues for the first 13 pay
19 periods of such interruption. Dues payments are not interrupted as long as members receive sick
20 leave, disability benefits or other employer provided remuneration. Thereafter, the dues shall be
21 set at the current amount established by the AFSCME International Constitution for members-at-
22 large for the remainder of the period of the interruption of dues deduction.

Committee Assign _____ Committee Recommend _____ Convention Action _____ Requires 2/3 Vote

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(E) A member who becomes inactive under the provisions of this section may be reinstated to active membership upon payment of all arrearages or upon payment of a reinstatement fee equal to two months' dues, not to exceed \$25.00.

(F) Members on military leave shall remain active members for the duration of any period in excess of paid military leave.

(G) In the event that an OCSEA officer, Board Member, Chapter, District Council, or Assembly officer becomes delinquent in payment of dues, that person shall be notified in writing by certified and regular mail by the OCSEA Secretary-Treasurer of his/her delinquency status. If such person does not become a member in good standing by payment of all arrearages within 14 calendar days of such notice, he/she shall stand removed from the office(s) which he/she holds and such office(s) will be filled pursuant to the appropriate provision of this Constitution.

Section 2. Refunds, Credits, and Assessments

(A) Each active Chapter as defined in Article VII, Section 7 shall receive a quarterly refund in an amount equivalent to 8% (eight percent) with a minimum of \$800 for Chapters with less than fifty (50) members and a minimum of \$1000 for Chapters with fifty (50) or more, of the bi-weekly dues received for each active member and fair share fee payer who has paid monies in advance for one or more months in said quarters and for those who, under the payroll deduction method, have caused to be remitted dues for one or more of the months of said quarter. Chapters shall receive rebates in the same manner for fair share fee payers.

(B) Each chartered District Council and chartered Assembly shall receive a quarterly refund in an amount equivalent to 1% (one percent) of the dues received bi-weekly for each active member **AND FAIR SHARE FEE PAYER** in the district or Assembly under the terms described above for Chapters. However, the quarterly refund made to an Assembly shall not be less than \$500.

(C) The Union shall credit .85% of the dues received bi-weekly to the convention fund for use in defraying the expenses of the biennial and special conventions and the President's conference. Such amounts shall be taken from the dues of each active member who has paid his/her dues directly or caused dues to be remitted to the Union before the end of the month of said action.

- 85 with fifty (50) members or more.)
- 86 3. District Refund 1% (one percent)
- 87 4. Assembly Refund 1% (one percent or \$500 whichever is
- 88 greater)
- 89 5. Convention Fund .85% (eighty-five hundredths percent)