



CRISIS ASSISTANCE PANEL

Guidelines for Chapters Requesting Crisis Assistance

Section	Contents
1	Summary of CTA Policy on Crisis Assistance
2	Procedural Guidelines - Checklist
3	Crisis Readiness Review Teams - Policies and Procedures
4	Chapter Application
5	Crisis Budget
6	Crisis Fund Policies
7	Guidelines Regarding Interest-Free Loans
8	Policy on Dues Level for Non-Certified CTA Chapters
9	CTA Standing Rule 4-5
10	Arbitration Participation Fund



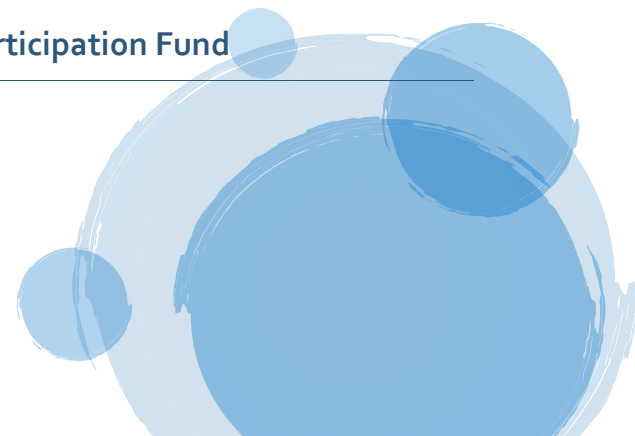
1705 Murchison Drive
Burlingame, CA 94010



650.552.5300



www.cta.org



Chapter Presidents and Colleagues:

The CTA Crisis Assistance Panel (CAP) functions to aid your chapter in organizing concerted membership action during difficult negotiations or representation crisis. It is one of the most important CTA services because this directly helps members and locals. Members join hands to work together in solving tough organizational problems, whether they come from recalcitrant school boards at the bargaining table or from aggressive challenges to your representation status. CAP's reliance on member panels to consult and advise has proved sound and effective, and is unique in our profession. We invite you to participate.

Additionally, CAP assists local chapters in their contract enforcement activities through the Arbitration Participation Fund by providing financial support to offset certain costs of arbitrations.

CAP has watched the sophistication and skill of its chapters grow and flourish over the years. The CAP Guidelines are in constant development as an attempt to keep up with you. We are now on the threshold of a new and exciting era of technological erudition in handling the complex data that spells the difference between success or failure in crisis campaigns. CAP stands ready to help you enter that era.

This set of Guidelines is created to assist you so please review it carefully. If you have any questions, please contact us immediately.

Remember, crisis assistance is a joint effort. It takes us all, pulling together, to make it work.

Leslie S. Littman
Crisis Assistance Panel Chairperson

SECTION 1

CALIFORNIA TEACHERS ASSOCIATION - CRISIS ASSISTANCE PANEL

SUMMARY OF CTA POLICY ON CRISIS ASSISTANCE

(Amended May 2000, April 2013)

The following summary is from the revised "Crisis Assistance Program -- Rationale for CTA Policy" approved by CTA Board of Directors, May 11, 1979 and by State Council, May 20, 1979.

1. A crisis can be either a negotiations crisis or a representation crisis. While both are complex, concerted action in a negotiations crisis presents particular problems for chapters.
2. Leaders of CTA are aware that our members are not unlike most employees they do not want to strike. It is the last alternative; often feared, frequently resented. Members of chapters facing a crisis will recognize and appreciate that state and national participation and support will increase the probabilities for successful resolution of the crisis.
3. The withdrawal of services as a viable weapon can only be assured if it poses a threat to the credibility and responsibility of governing boards in the eyes of taxpayers and parents. The effectiveness of concerted action will become increasingly dependent upon planning and preparation for a pending crisis.
4. The need for guidelines and procedures regarding crisis assistance is based on the observations that crises will continue to occur; that they will likely be increasingly complex and of longer duration; that chapters will continue to require deployment of expert service and assistance in crisis situations; the resource allocation of the UTP will continue to be in demand and must be carefully dispersed.
5. To insure the continuing vitality and effectiveness of such actions, a set of procedures for evaluating and preparing for crisis action, and a set of procedures and guidelines for crisis assistance is necessary. One procedure to enhance cooperative planning and action is utilization of Crisis Readiness Review Teams.
6. Members of Crisis Readiness Review Teams will include members from the CTA Board of Directors, CAP members or designees, and NEA Board of Directors members from California. Team visits, accompanied by appropriate CTA/NEA staff consultants, will have the following functions and objectives:
 - a. To establish a data base for review of the crisis situation.
 - b. To review with chapter leaders the degree of bargaining unit readiness needed for successful resolution of the crisis.
 - c. To review possible alternative actions and demonstration of the seriousness of the crisis to the employer and community.
 - d. To prepare a written report to CAP containing the Team's assessment and recommendations.
7. The purpose of the review process will be, through this cooperative planning procedure, to increase the probability of successful resolution of the crisis and to enhance the chapter's capacity to reach its objectives successfully.
8. Recognizing that from time-to-time unique circumstances develop in a chapter which requires multi-departmental involvement to assist the chapter in resolving the crisis, it may be necessary for a special ad hoc committee to be formed to expeditiously resolve the problem(s). Such committee should include, but not be limited to, the CTA board member, NEA Director, Regional Manager and an affected departmental member.

The representation status of CTA members can be threatened from several directions, from decertification elections to the privatization or conversion of public schools that causes the chapter to lose exclusive bargaining rights and membership. The Crisis Assistance Panel will assist chapters in a representation crisis to support concerted membership action as part of a plan to preserve exclusive bargaining rights and to protect the well-being of CTA members.

SECTION 2

CALIFORNIA TEACHERS ASSOCIATION - CRISIS ASSISTANCE PANEL

PROCEDURAL GUIDELINES CHECKLIST FOR CHAPTERS

(Amended January 1988, April 2013)

The following checklist outlines the steps a chapter must follow in preparation and submission of applications for crisis assistance to the Crisis Assistance Panel. Chapters are urged to consult this inventory regularly and track the completion of the steps. Omission of or delay in the completion and/or submission of any of these items may result in delays in implementation of chapter requests.

- ✓ Chapter informs CTA Regional Manager's office and the CTA board member of impending crisis.
- ✓ Chapter consults with appropriate CTA staff regarding plans for crisis resolution and procedures for application for crisis assistance.
- ✓ Chapter develops written crisis plan and projected crisis budget.
- ✓ Chapter takes official action regarding crisis plans for application for assistance.
- ✓ Chapter submits crisis assistance application through the CTA Regional Manager¹, including:
 - ⇒ Completed application form, which has been approved and signed by chapter president, CTA board member and CTA Regional UniServ staff.
 - ⇒ Projected crisis budget and organizing plan/timeline, approved and signed by the chapter president and CTA Regional UniServ staff.
- ✓ Chapter consults with Regional Manager; Regional Manager assigns crisis staff as needed (determined by developing and continuing crisis context).
- ✓ Chapter leadership team meets with Crisis Readiness Review Team, if deemed necessary (follow-up meetings as needed). This Review Team meeting may be required for chapter reimbursement under the CAP Guidelines.
- ✓ CTA Regional Manager and, if necessary, the Crisis Readiness Review Team, submit recommendations to CAP.
- ✓ CAP acts on application, authorizes disbursement of funds per authorized crisis budget, and informs chapter.
- ✓ Chapter maintains records of crisis expenditures, and submits expense verifications (bills, invoices, etc.) to Regional Manager with request to CAP for reimbursement.

¹ Refer to procedures for "crisis advance" in Crisis Funding Policies, Section 6,. All applications and budget projections must be reviewed, signed and submitted to CAP by the CTA Regional Manager prior to CAP consideration and action.

SECTION 3-A

CALIFORNIA TEACHERS ASSOCIATION - CRISIS ASSISTANCE PANEL

CRISIS READINESS REVIEW TEAMS: POLICIES AND PROCEDURES

(Amended January 1988, June 2005, January 2012, April 2013)

CTA Board policy provides that a chapter contemplating crisis, either of negotiations or representation, shall be entitled to assistance from the Crisis Assistance Panel. A chapter or coordinated bargaining group shall notify, through the CTA Regional Manager, CAP and the CTA board member representing the geographical area promptly of its needs. Upon receipt of the application, the Chairperson of the Crisis Assistance Panel shall initiate a crisis review. This review may include visitations by Crisis Readiness Review Teams, if deemed necessary.

CRISIS READINESS REVIEW TEAMS, APPOINTMENT

Crisis Readiness Review Teams shall be formed by the local CTA board member. To the extent possible, each Crisis Readiness Review Team will include the local CTA and NEA board member, and will include staff and members who have relevant crisis experience. The Higher Ed board member shall be an ex officio member of any Crisis Readiness Review Team involving a community college chapter. At least one ESP member shall be included if the crisis involves an ESP chapter. If it is determined by mutual agreement of the CTA board member, chapter president, staff person and regional management, the chapter is prepared for crisis, no team will be formed. The purpose of the Crisis Readiness Review Team is:

1. To establish a database through use of appropriate fact-finding techniques, including questionnaires, surveys, interviews, visitations and hearings.
2. To review possible alternative and supplementary actions to enhance the chapter's success in reaching its objectives.
3. To demonstrate to the employer and the community and/or to members of the bargaining unit the seriousness of the impending crisis by Review Team visibility.
4. To review with chapter leaders the degree of bargaining unit readiness needed for successful resolution of the crisis.
5. To prepare a written report to CAP containing the Team's assessment and recommendations.

The Review Team's assessment and recommendations will be forwarded to CAP, and will contain:

1. Data summary and sources.
2. A crisis profile assessing the chapter "readiness."
3. Specific recommendations to the chapter and to the CTA Crisis Assistance Panel that will increase the possibility for a successful resolution of the crisis.
4. The Crisis Assistance Panel shall report and recommend dues level for those chapters represented by AFT or other non-CTA bargaining units with agency fee.

Upon this recommendation, the Board of Directors will be empowered, if appropriate, to reduce CTA dues to a level not lower than Category III².

At the conclusion of the Review process, the team shall submit its report to CAP. CAP shall, following receipt of the Review Team's report, notify the chapter president or chairperson of the coordinated bargaining group of its findings and conclusions.

² Refer to Policy on Dues Level, Section 8.

SECTION 3-B

CALIFORNIA TEACHERS ASSOCIATION - CRISIS ASSISTANCE PANEL

PROCEDURES FOR IMPLEMENTATION (CTA Board Policy, Amended January 1986)

1. Not less than thirty (30) working days in advance of the anticipated crisis, the chapter files with CAP, through the CTA Regional Manager, a written application for crisis assistance using forms provided by the Panel. The CTA Regional Manager will inform the CTA board member of the application and the impending crisis.
2. CAP returns an acknowledgment to the chapter and sends copies to the CTA board member representing the chapter's geographical area, the Regional Manager, the NEA board member from the chapter area, members of CAP, and the CTA President.
3. CAP Chairperson in consultation with the geographical area board member shall be responsible for implementation and for appointment of the Crisis Readiness Review Team, if deemed necessary; shall provide them with copies of all relevant documents.
4. When the chapter is one representing a Community College, the CTA board member representing Higher Education will be consulted and involved in Review Team procedures.
5. The chapter will provide facilities for the Crisis Team to meet with appropriate persons. The meeting room should be capable of being closed and provide for reasonable freedom from distractions and interruptions of the proceedings:
 - a. An initial meeting should be scheduled within ten (10) working days of receipt of the CAP application.
 - b. In the event of proposed and/or scheduled work stoppages, a follow-up meeting should be scheduled not less than five (5) days in advance of the proposed and/or scheduled action.
 - c. The meeting facilities should permit the Team and its staff to meet in executive session prior to, and after, meeting with the appropriate leaders and other parties. When local chapter facilities do not allow this, alternative facilities should be arranged for by CTA staff participating in the review process.
 - d. The Team should arrange the schedule to allow at least four (4) hours for Team activity, exclusive of meals.
6. Prior to the initial meeting of the Crisis Team, preliminary information gathering activities may include:
 - a. Completion of surveys, questionnaires and checklists.
 - b. Visitation by a Team member and/or consultant.
7. The chapter is expected to provide full and frank disclosure to the Team and consultants of all matters related to bargaining, settlements, crisis organization, member support and community support.
8. Requests for financial assistance must include a budget which will be reviewed by the Regional Manager and may be revised by the Panel. Authorization for funding is usually for two-thirds of the budget approved by the Panel.
9. If actual expenses exceed authorization, a supplemental request must be filed for Panel approval. Such requests should be made prior to expenditures being made.

The Crisis Review process shall be implemented for any chapter settling its crisis prior to a Review Team visit if the chapter is requesting financial assistance. The purpose of the Review Team visit will be to discuss the settled crisis. The CTA board member should be assisted by one or two members who would have been on the Team prior to settlement. CAP auditing requires such review for any approved activity for which crisis funds are expended.

SECTION 4

CALIFORNIA TEACHERS ASSOCIATION - CRISIS ASSISTANCE PANEL

CHAPTER APPLICATION FOR CRISIS ASSISTANCE

(Standing Rule 4.5; Amended May 2000, March 2000, June 2003)

Mail the completed application and budget to your Regional Manager's Office.

Chapter Name _____

Mailing Address _____

Name of President _____ Phone _____

Number in Bargaining Unit _____

Number of CTA members in Bargaining Unit _____

Type of Chapter (K-12, K-8, High School, etc.) _____

Annual chapter (local) dues per member (if the chapter is part of a UniServ unit, any UniServ unit dues are considered part of the local dues) _____

Name of Regional UniServ Staff _____

Name of Area CTA Board Member _____

Name of Area NEA Board Member _____

1. Name and/or cause of crisis:

2. Describe chapter efforts to date:

3. Have Unfair Labor Practices been filed? Yes No If yes, specify: _____

4. Specify plans and/or actions taken in conformance with PERB procedures:
Impasse: _____
Mediation: _____
Fact-Finding: _____
Certification Filing(s) (include election date, if set): _____

SECTION 4

5. Specify chapter membership authorization of, and commitment to, contemplated concerted action or election (attach additional material if needed):

6. Describe concerted action election plan (attach additional material if needed):

7. In this crisis, what will be the role of:

a. Substitute

b. Retired Teachers

c. Community Members

d. Other Organizations

8. For what period of time is crisis budget projected?:

9. ATTACH PROJECTED CRISIS BUDGET.

Signatures

Chapter President

Date

Board Member

Date

Regional UniServ Staff

Date

Regional Manager

Date

FOR CAP USE ONLY

Appl Process

Review Team

Budget Review

SECTION 5

**CALIFORNIA TEACHERS ASSOCIATION - CRISIS ASSISTANCE PANEL
CRISIS BUDGET FORMAT**

No application for crisis fund assistance can be acted upon until and unless accompanied by a projected crisis budget. A suggested format for budget submission follows. The details under the major headings are by way of illustration and example only; actual submissions should stem from and reflect the specific crisis plan developed by the chapter. It is the quality of the chapter planning that will do most to ensure that limited resources are most efficiently and effectively expended on the things that will do the most to achieve the chapter's objectives. The projected budget is one tool for chapter use in this planning process.

Please refer to Crisis Funding Policies (following this section) for guidance regarding allowable and reimbursable crisis expenditures. When constructing the budget for submission, try to be as specific as possible; large amounts listed for very general categories without adequate detail are difficult for CAP to evaluate, and thus may cause delays until further information is acquired.

CRISIS ASSISTANCE PANEL - PROJECTED CRISIS BUDGET FORM		
Name of Chapter:		
Mailing Address:		
Phone:		
1.0 Income		
1.1 Chapter Funds		
1.2 CTA Crisis Fund		
		TOTAL _____
2.0 Expenditures		
2.1 Communications		
(e.g.) 2.11 Printing / Paper		
2.12 Mailing / Postage		
2.13 Other (please explain)		
		2.1 SUB-TOTAL _____
2.2 Physical Facilities		
(e.g.) 2.21 Meeting Room Facilities		
2.22 Equipment Rental		
2.23 Crisis Phones		
2.24 Other (please explain)		
		2.2 SUB-TOTAL _____
2.3 Leadership Expenses		
(e.g.) 2.31 Release Time / Substitute Fees		
# of Members _____		
# of Days _____		
2.32 Meetings / Planning		
2.33 Travel / Crisis Expense		
2.34 Child Care Expenses		
2.35 Other (please explain)		
		2.3 SUB-TOTAL _____
2.4 Logistics		
(e.g.) 2.41 Social Activities		
2.42 Picket Supplies		
2.43 Rally Expenses		
2.44 Other (please explain)		
		2.4 SUB-TOTAL _____
2.5 Other (please explain)		

		2.5 SUB-TOTAL _____
<i>FOR REGIONAL MANAGER USE (*)</i>		
2.6 Staff Expenses		
# of Staff _____		
# of Days _____		
		2.6 SUB-TOTAL _____
Chapter President Signature		
Regional UniServ Staff Signature		FROM 1.0 ABOVE
	CHAPTER FUNDS (1/3)	_____
Regional Manager Signature	REQUESTED FROM CRISIS FUND (2/3)	_____
	PROJECTED BUDGET	_____

SECTION 5-A

CALIFORNIA TEACHERS ASSOCIATION - CRISIS ASSISTANCE PANEL

**SUPPLEMENTAL CRISIS BUDGET FORMAT
FOR TECHNOLOGICAL SUPPORT**

(CTA Board Policy, Adopted May 2000; Amended June 2005)

Recognizing the importance of technological advances in the treatment of bargaining data, elections data and communications during a crisis, CAP will consider reasonable consultation and special project expenses for technology support. These expenses must be specifically enumerated on the *Supplemental Crisis Budget Form for Technological Support* and require advance approval by the Regional Manager or designee. It should be noted that Crisis Funding Policies prohibit the reimbursement of expenses chapters would ordinarily incur in the normal course of their operations including capital outlay purchases.

PROJECTED SUPPLEMENTAL TECHNOLOGICAL SUPPORT BUDGET FORM

Name of Chapter _____
Mailing Address _____
_____ Phone _____

1.0 Description and purpose of activities that require specialized technological support:

1.0 Sub-Total _____

2.0 Specialized material and/or training required to provide this support (specify purpose, name and cost):

2.0 Sub-Total _____

PROJECTED SUPPLEMENTAL BUDGET _____
REQUESTED FROM CRISIS FUND (2/3) _____
CHAPTER FUNDS (1/3) _____

SIGNATURES

Chapter President Date

Regional UniServ Staff Date

Regional Manager Date

SECTION 6

CALIFORNIA TEACHERS ASSOCIATION - CRISIS ASSISTANCE PANEL

CRISIS FUND POLICY REGARDING LOCAL EFFORT, AUTHORIZATION OF EXPENSE REIMBURSEMENTS AND STAFF INVOLVEMENT

(Amended January 1988, June 2001, June 2005)

A NEGOTIATIONS CRISIS SHOULD BE A PLANNED EVENT INSOFAR AS POSSIBLE
(APPLICATIONS FOR FUNDING SHOULD BE MADE PRIOR TO ANY CONCERTED ACTION)

1. In emergency cases, the Regional Manager may request up to \$500 as an advance against a subsequently approved budget.
2. Applications should be directed to the Crisis Assistance Panel with the approval of the Regional Manager for the area involved.
3. The Panel will notify the chapter in writing of Panel action on the application.
4. Extenuating Circumstances: The Crisis Assistance Panel will authorize expenditures in the following categories only upon requests accompanied by appropriate documentation and rationale to justify recognition of extraordinary circumstances:
 - a. After-the-fact funding applications.
 - b. Newspaper or other media advertisement expenses.
 - c. Under-documented applications.
 - d. Excessive meal costs and/or entertainment costs; such costs will be approved only in conjunction with ordinary refreshment/food costs attendant to rallies, victory gatherings, crisis meetings, etc. Purchase of capital outlay equipment such as phones, telephone answering devices, walkie talkies, duplicating machines or bullhorns. Requests for assistance, in renting/leasing equipment during the term of a current crisis.
5. Recognizing the importance of technological advances in the treatment of bargaining data, election data and communications during a crisis, CAP will consider reasonable consultation and special project expenses for technology support. These expenses must be specifically enumerated on *Supplemental Crisis Budget Form for Technological Support* and require advance approval by the Regional Manager or designee. It should be noted that Crisis Funding Policies prohibit the reimbursement of expenses that chapters would ordinarily incur in the normal course of their operations, including capital outlay purchases.
6. The Crisis Fund will not finance or be responsible for costs of:
 - a. Arbitration.
 - b. Mediation.
 - c. Fact-finding.
 - d. Contract administration (including the printing of contracts).
 - e. Damages.
 - f. Articles of clothing associated with crisis organizing.
7. Except in extraordinary circumstances, the Crisis Fund will not finance or be responsible for expenses during work stoppages unless the following steps have been completed:
 - a. PERB procedures for resolution of impasse have been completed.
 - b. Consultation with CTA staff and/or legal counsel has been held regarding the appropriateness of filing unfair practice charges.
8. The usual measure of an adequate effort on the part of a chapter contemplating a crisis action plan shall be that the chapter plans to, and makes appropriate provisions to pay one-third (1/3) of the proposed crisis action plan budget.

SECTION 6

9. Copies of bills paid or not, must be submitted in order to receive any portion of the amount authorized by CAP. **PAYMENT OF EXPENSES MUST CONFORM TO THE APPROVED LINE ITEM CONTAINED IN THE BUDGET SUBMITTED WITH THE APPLICATION.**
10. A final detailed statement upon completion of crisis expenditures must be submitted within sixty (60) days of the completion of the crisis and must include the following:
 - a. A listing of all expenditures accompanied by copies of any bills not previously forwarded.
 - b. The amount expended from chapter funds.
11. If actual expenses exceed the overall budget authorization approved by CAP, a supplementary request must be filed for CAP review and approval before payments or reimbursements can be made from the Crisis Fund. Such requests should be made prior to expenditures being made. If expenditures in individual budget categories appear to be excessive, the Regional Manager may require written rationale from the chapter. The rationale shall include the reason for the unanticipated event and changes in conditions that caused the overages. If the rationale fails to support the expenditures, the Regional Manager may reduce the reimbursement or submit the matter to the Panel for determination.
12. In situations where a unit is in dues transmittal arrearages, until a satisfactory arrangement for repayment is made, such units are not eligible for crisis assistance.
13. Budget applications and submission of expenses for reimbursement shall be approved by the Crisis Assistance Panel only upon attestation by the Regional Manager that all the following elements have occurred:
 - a. The appropriate Regional UniServ Staff has been consulted regarding budget construction and development.
 - b. The budget has been reviewed and approved by the Regional Manager prior to submission to CAP.
 - c. The appropriate Regional UniServ Staff has been consulted regarding all expenditures/reimbursement requests prior to submission to CAP.
 - d. The Regional Manager has reviewed and approved all expenditures/reimbursement requests prior to submission to CAP.
14. A chapter shall be eligible for reimbursement of expenses for CAP-approved activities:
 - a. On the date the chapter's application is submitted, providing that the application is received by the Regional Manager not more than seven (7) calendar days after the date of submission, OR
 - b. If later than seven (7) days, on the date the application is received by the Regional Manager, except that,
 - c. If the Regional Manager has made a request for a crisis advance for the chapter, and the chapter's application is subsequently approved, then reimbursement eligibility shall date from the time of the request for crisis advance.

SECTION 6-A

CALIFORNIA TEACHERS ASSOCIATION - CRISIS ASSISTANCE PANEL

MEMBER REIMBURSEMENT REQUEST FOR DEPENDENT FAMILY CARE SERVICE EXPENSES
(Amended June 2007)



**ATTACH DEPENDENT
CARE RECEIPTS**

MEETING ACTIVITY: _____

MEMBER NAME: _____
(PLEASE PRINT)

ADDRESS: _____
STREET CITY ZIP

DATE (Month/Day)	/	/	/	/	/	/	TOTAL
HOURS							
AMOUNT	\$	\$	\$	\$	\$	\$	\$

CTA will reimburse actual expenditure for hardship child, adults with special needs and/or elder care services of 80% of the California State minimum wage.

List names and ages of dependent children and/or persons requiring homecare.

<u>DEPENDENT'S NAME</u>	<u>AGE (Children Only)</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

MEMBER SIGNATURE: _____

DATE: _____

CHAPTER VERIFICATION:
(Signature & Title) _____

DATE: _____

SECTION 6-A

DEPENDENT FAMILY CRITERIA AND PROCEDURES

Upon satisfying the following criteria, authorized members shall be eligible for hardship child, adults with special needs and/or elder care services of 80% of the California State minimum wage.

1. A chapter officer must approve the member as eligible for dependent family service reimbursement through the Crisis Assistance Fund.
2. The member must complete this form and attach documentation proving the out-of-pocket child and/or dependent person care expenditure (i.e., receipt or paid check copy).
3. The child and/or dependent person for whom home care services reimbursement is requested must be:
 - a. A legal dependent of the member, and
 - b. If a child, under 16 years of age.

The reimbursement form(s) with the accompanying documentation should be submitted by the chapter with other crisis expenditure expense verifications to the Regional Manager with a request to CAP for reimbursement:

CTA Region I Office

1705 Murchison Drive
Burlingame, CA 94010
Phone: 650.552.5360
Fax: 650.552.5010

CTA Region II Office

4100 Truxel Road
Sacramento, CA 95834
Phone: 916.288.4900
Fax: 916.288.4911

CTA Region III Office

11745 East Telegraph Road
Santa Fe Springs, CA 90670
Phone: 562.942.7979
Fax: 562.949.9438

CTA Region IV Office

1169 Mountain Avenue
Norco, CA 92860
Phone: 951.372.2500
Fax: 951.372.2560

SECTION 7

CALIFORNIA TEACHERS ASSOCIATION - CRISIS ASSISTANCE PANEL

CTA CRISIS FUND GUIDELINES REGARDING UNDERWRITING OF INTEREST-FREE LOANS TO INDIVIDUALS

(Amended March 1987, May 1987, January 2019)

1. LOAN RECIPIENT QUALIFICATIONS

- a. Must be a CTA member.
- b. Must be absent from his/her place of employment (work) in support of a CTA chapter-sanctioned concerted action plan.

2. LOAN CONDITIONS

- a. Any member of CTA who is absent from his/her job in support of a CTA chapter-sanctioned, concerted action plan for five (5) days or longer shall be eligible for a loan from the first day of absence. The absence may be made up of consecutive days or may total five (5) days or longer cumulatively over an extended period of time in which the days of absence are interspersed with days in which the member returns to his/her job.
- b. Loans shall be granted at the rate of \$100.00 per working day absent in support of a chapter concerted action plan.
- c. Loans shall be interest-free (CTA will pay interest costs). In the event an individual is delinquent by two (2) payments on principal only payments, at that point the individual will assume interest payments and any collection cost.
- d. A payroll deduction authorization for repayment will be required.
- e. Loans must be repaid within one (1) year.
- f. Loans cannot be issued until individuals have missed a paycheck or have received a reduced paycheck.

3. EXTENUATING CIRCUMSTANCES

- a. The CTA Crisis Assistance Panel shall have the authority to deal with individual cases as necessary where hardship or extenuating circumstances exist in any concerted action plan.
- b. In the event there are extenuating circumstances that affect repayment, the CTA Crisis Assistance Panel shall have the authority to deal with individual cases.

4. CTA CHAPTER RESPONSIBILITY

- a. Chapter will share one-third (1/3) of the cost of bad debts.
- b. In the event of default (failure to make two payments), the chapter loan committee will assist in collection.

5. POLICY ON CTA STRIKE LOANS IN CHAPTERS WHERE CTA IS NOT THE CERTIFIED BARGAINING AGENT

- a. A CTA chapter member should not be denied the benefits of a crisis loan by virtue of the fact the CTA affiliate is not the exclusive representative for bargaining purposes.
- b. The CTA chapter will process crisis loans to CTA members in non-certified chapters through the Crisis Assistance Panel just like any other chapter. The only difference which may occur is the ability of the Crisis Review Teams to make assessments with the exclusive representatives because they are not part of the California Teachers Association and, consequently, the assessments would have to be made with the local CTA chapter and modification of review would occur in the Crisis Review Team questions.

SECTION 8

CALIFORNIA TEACHERS ASSOCIATION - CRISIS ASSISTANCE PANEL

POLICY ON DUES LEVEL FOR NON-CERTIFIED CTA CHAPTERS

(CTA Board Policy, Adopted October 1983; Amended October 1985, July 1989, October 1990,
March 1997, March 2014)

The Crisis Assistance Panel may, upon application by the affected chapter and investigation of the facts and issues by a CAP Review Team, recommend to the CTA Board of Directors that the dues level for members of the chapter be reduced to the level of Category III dues when all of the following elements are found to be present:

1. The chapter's members are in a bargaining unit for which exclusive representation rights are held by an organization other than the CTA chapter.
2. The chapter's members are required to pay an agency fee to the other organization and/or submit a plan to maintain CTA presence within the bargaining unit and, absent any CTA agreement with a competing organization to the contrary, to gain/regain exclusive bargaining rights for the CTA chapter.

The dues which have been reduced to the level of Category III will remain in effect for one fiscal year and may be continued for a longer period of time, if extensions are requested by the chapter and granted by the CTA Board of Directors. Such extensions may be granted after review and recommendation made by a CAP Review Team to the Panel.

Upon receipt of CAP's recommendation, the CTA Board of Directors will make a final determination consistent with applicable CTA Bylaws and Standing Rules.

CALIFORNIA TEACHERS ASSOCIATION - CRISIS ASSISTANCE PANEL

**CALIFORNIA TEACHERS ASSOCIATION
STANDING RULES**

(Amended February 1985, September 1990, May 1991, May 1993, October 1993, March 1998)

RULE 4-5 - PROCEDURES TO OBTAIN CTA SUPPORT FOR CHAPTER ACTIONS

1. **Application.** As soon as it becomes apparent to the chapter that it must undertake concerted action requiring substantial support, including financial resources, from the Association beyond that of professional staff assistance which may be requested through normal channels, the chapter president shall notify the Crisis Assistance Panel, the CTA board member and the appropriate Regional Manager. Such notice should:
 - a. Be in writing.
 - b. Be given at the earliest indication of need.
 - c. State the nature and cause(s) of the crisis.
 - d. State the extent of chapter efforts to resolve the problems and difficulties which necessitate the contemplated concerted action.
 - e. State the degree and manner of involvement of regional resource center personnel.
 - f. Specify chapter membership authorization of, and commitment to, the contemplated concerted action.
 - g. Detail the concerted action plan, including projected costs.
 - h. Specify the nature, type, level and/or amount of assistance requested of CTA.
 - i. Explain the concerted action plan in terms of objectives sought and the possibilities of their attainment, the seriousness of the issues balanced against the risks of the contemplated concerted action, and the congruence with State Council adopted policies.
2. **Funding.** Funds for the implementation of this Standing Rule may be derived or authorized from the following sources only:
 - a. The CTA Crisis Fund;
 - b. The National Education Employees Assistance Fund; and
 - c. Such other funds as are from time to time provided through voluntary contributions, special needs drives or other means as prescribed by the Board of Directors to augment the CTA Crisis Fund.
3. **Emergency Authorizations.** The Executive Director, in communication with the appropriate Regional Manager, may initiate action pursuant to an oral request for assistance in emergency situations, provided that written requests as set forth above will be sent by the chapter immediately thereafter. Such emergency authority is limited to \$500 in monies and shall not constitute a commitment for additional funds and/or support from the Crisis Assistance Panel.
4. **Review.** The Crisis Assistance Panel shall:
 - a. Evaluate the chapters plan for concerted action within the context of the requirements set forth above and in accordance with the Crisis Assistance Panel's "Guidelines for Chapters Requesting Crisis Assistance."
 - b. Allocate funds as specified within this Standing Rule to the chapter within the amount of funds available, other actual or anticipated demands upon the crisis fund, the extent of the chapter financial commitment and the assessment of the chapter's plan for concerted action. Nothing within the Rule, however, shall be construed so as to authorize the Crisis Assistance Panel to obligate the credit or resources of the Association beyond budget authorizations or confirmation actions taken by the Board of Directors.
 - c. Administer, as the agent of the Board of Directors, the Arbitration Participation Fund pursuant to guidelines established by the Board.
 - d. Administer the National Education Employees Assistance Fund, in and for, California under policies and procedures approved by the Board of Directors.

SECTION 9

5. **Disbursement of Funds.** The form and amount of monetary assistance to chapters and their individual members shall be as determined by the Crisis Assistance Panel. Only the Secretary-Treasurer and/or the Executive Director or their designee(s) may release monies from the crisis funds except for the emergency authorizations prescribed above. The release of funds shall be upon the recommendation of the Crisis Assistance Panel and within the limit specified by the Board of Directors. Funded forms of assistance may include, but need not be limited to, interest-free loans and expenses incurred in contesting representational elections.
6. **Reservation of Rights.**
 - a. In the event the legal process in a given case is served under circumstances which may expose the treasury of CTA to liability, the Board of Directors shall have the right to modify CTA's support of the chapter action in order to minimize or eliminate that exposure.
 - b. At no time should a CTA chapter in a minority (i.e., non-certified) position in any way commit itself to an action that in any way directly or residually would place CTA and NEA in legal jeopardy as a result of what the non-CTA exclusive bargaining agent did. (Examples: Coalitions, formalized pacts, etc.; which may carry legal responsibilities.)
7. **Legal Services.** If a Chapter contemplates utilization of an attorney during a crisis situation and will request crisis funds for such purposes, the following restrictions shall be observed:
 - a. The office of the CTA Chief Counsel, Legal Services, must be consulted.
 - b. Attorneys from the list supplied by the office of the CTA Chief Counsel, Legal Services, must be used except as otherwise agreed to by the Chief Counsel.
8. **Relief Funds.** When a chapter contemplates the establishment of a local relief or assistance fund to be utilized during a crisis situation, the following guidelines should be considered:
 - a. The local chapter should establish internal operating procedures prior to soliciting and disbursing of voluntary contributions from members and other interested parties.
 - b. The chapter should establish some method of acknowledgement for those who contribute to the fund.

CALIFORNIA TEACHERS ASSOCIATION - CRISIS ASSISTANCE PANEL

RULES FOR IMPLEMENTATION OF AN ARBITRATION PARTICIPATION FUND

(CTA State Council Policy, Adopted May 1987; Amended June 1988,
July 1993, May 2000, April 2002, June 2003, July 2008)

1. **Contract.** In order to participate, a chapter must have a provision within its contract for binding arbitration of grievances by an outside neutral party.
2. **Chapter Contributions.** The chapter must have a local dues level of at least thirty percent (30%) of CTA dues rounded down to the nearest \$5. This dues level applies to the fiscal year prior to the year in which the application is received. Under special circumstances the CTA Board of Directors may waive this requirement. The local dues level for 2022-23 and 2023-24 is \$180.
3. **Chapter Bylaws.** The chapter's bylaws must contain an appropriate mechanism for making the decision on whether or not to process a grievance to arbitration. The chapter must also identify grievance representatives and require that they be trained annually in a CTA/NEA training program.
4. **Staff Involvement.** CTA designated Regional UniServ staff should be provided a copy of the written grievance at the first level at which the grievance is placed in writing. RUS must be consulted in the processing of the grievance and should be consulted regarding the decision to proceed to arbitration. Any decision to use a representative other than CTA staff in presenting a grievance to an arbitrator must be approved in advance by a CTA Regional Manager.
5. **CTA's Financial Contribution.** Other than the cost of its staff, CTA's contribution shall be limited to 50 percent (50%) of the chapter's share of the arbitrator's fees and the cost of the transcript, but in no case, shall CTA contribute more than \$2,000 per arbitration. Under extraordinary circumstances, due to a lengthy hearing of a complex grievance, the CTA Board of Directors may authorize up to an additional \$1,500 toward the payment of 50 percent (50%) of the chapter's cost of the arbitrator and transcripts.

If multiple, non-class action grievances are consolidated into a single hearing, the Crisis Assistance Panel is authorized to recommend to the CTA Board of Directors that up to \$2,000 per individual grievance contained in the consolidated grievance be approved. This additional funding toward the payment of the chapter's cost of the arbitrator and transcripts is designed to enhance, not diminish, CTA's contribution to the chapter.

This policy does not apply to a grievance procedure which contains a "loser" pay provision, unless the CTA Regional Manager has specifically given his/her prior approval to participate in the sharing of the cost of such a provision, and the CTA Regional Manager is provided the opportunity to enter his/her judgment of the merits of the case before it goes to arbitration, at which time s/he can decline any further fiscal participation in the process of the grievance.

6. The CTA Board of Directors may periodically review these decisions.
7. **CTA Payment**
 - a. A payment of one-third (1/3) of CTA's financial contribution, described in 5 above, shall be made by CTA following submission of receipts by the chapter and the approval of the Regional Manager.
 - b. At the end of the CTA fiscal year, all claims shall be totaled and compared with the amount in the Arbitration Fund established by the CTA budget. If the total is less than is in the Arbitration Fund, then the claims shall be paid in accordance with the provisions of 5 above. If the total is greater than the amount in the Arbitration Fund, then each claim shall be reduced proportionately so that the total paid by CTA does not exceed the amount in the Arbitration Fund.

SECTION 10-B

CALIFORNIA TEACHERS ASSOCIATION - CRISIS ASSISTANCE PANEL

PROCEDURAL GUIDELINES FOR ARBITRATION PARTICIPATION FUND

(Amended December 1988, December 1990, October 2000, June 2003 and July 2008)

1. Chapter consults with RUS regarding grievance and procedures for determining whether to proceed to arbitration.
2. Chapter, with assistance from RUS, informs CTA Regional Manager's office of chapter determination to go to arbitration and applies for reimbursement under the Arbitration Participation Fund, submitting the approved CAP application form and funding worksheet.
3. CTA Regional Manager reviews application, including chapter eligibility under relevant CAP policies, and makes recommendation to CAP.
 - a. Local dues include any UniServ, Community College Association, Coordinating Council or Service Center Council dues which are collected by the local chapter.
 - b. For the purpose of implementing the dues provision CTA dues (rounded down to the nearest \$5), include ABC/PAC dues, but may exclude dues dedicated to special funds, for the fiscal year prior to the year in which the application is received (e.g., the dues provision calculation would exclude items such as a special dedicated media fund or initiative fund). The local dues level for 2022-23 and 2023-24 is \$180.
 - c. Grievances which will qualify under this new policy are those filed on or after September 1, 1988.
4. CAP reviews application and accompanying recommendation(s) and decides on yes/no approval.
5. CAP informs chapter of decision, and explains procedures for final determination of amount(s) of assistance based on total annual use of fund.
6. At close of arbitration, chapter submits actual expenses with accompanying receipts to CAP, through the RUS to the CTA Regional Manager for reimbursement. CAP reimburses one-third (1/3) of CTA's financial contribution upon approval of receipts by the CTA Regional Manager.
7. At close of final utilization year, CAP determines total claims against fund, makes needed adjustments if any are required, in allocations and distributes remaining two-thirds (2/3) of CTA's financial contribution to approved participating chapters.

SECTION 10-C

CALIFORNIA TEACHERS ASSOCIATION - CRISIS ASSISTANCE PANEL

ARBITRATION PARTICIPATION FUND
(Amended January 2005)

Mail the completed application and budget to your Regional Manager's Office.

In order for the chapter to qualify for reimbursements under the provisions of the CTA Arbitration Participation Fund, the following must be completed and signed by the Chapter President, the Regional UniServ Staff, and the Regional Manager.

1. Chapter _____
Chapter President _____
Mailing Address _____
_____ Phone _____
No. in Bargaining Unit _____ No. of CTA Members _____
2. Date of filing of the written grievance _____
3. Dates of the arbitration hearing _____
4. Date the award was issued by the arbitrator _____
5. The award favored the Association
 Management
 Mixed Result
6. Does the contract contain a provision for binding arbitration of grievances by a neutral outside party?
Yes No
7. Does the chapter grievance procedure contain a "loser" pay provision?
Yes No

If Yes, was the Regional Manger's approval obtained prior to requesting arbitration? Explain:

8. The chapter's local dues are _____. (If the chapter is part of a UniServ unit, any UniServ unit dues are considered part of the local dues)

List any extenuating circumstances relating to the 30% dues level rule:

9. The chapter bylaws contain an appropriate mechanism for making the decision of whether or not to process a grievance to arbitration
Yes No
 - a. What effort has the chapter made to fund and plan for arbitrations?

b. Approximately how many arbitrations are filed in your chapter each year?

c. List those issues most frequently taken by the chapter to arbitration.

d. List demographic patterns in the community which may have an impact on issues taken to arbitration (i.e., growth area, class size, etc.)

10. The chapter grievance representatives have been trained in a CTA/NEA training program.

Yes No

If yes, date of training _____

11. The Regional UniServ Staff was consulted in the processing of the grievance.

Yes No

12. The grievance was presented to the arbitrator by (name and title)

Chapter President _____
(Please print)

Signature _____ Date _____

Board Member _____
(Please print)

Signature _____ Date _____

Regional UniServ Staff _____
(Please print)

Signature _____ Date _____

Regional Manager _____
(Please print)

Signature _____ Date _____

Submission requirements. This form is to be submitted to the Regional Manager, along with the following:

1. A copy of the bill for the arbitrator's fees and cost of the transcript (please make certain that the bill shows the chapter's share).
2. A copy of the arbitrator's decision (if available).
3. A copy of any brief submitted on behalf of the chapter to the arbitrator (if available).
4. A copy of any brief submitted to the arbitrator on behalf of the district (if available).
5. A completed arbitrator evaluation form.
6. A completed Arbitration Participation Funding Worksheet.

SECTION 10-D

CALIFORNIA TEACHERS ASSOCIATION - CRISIS ASSISTANCE PANEL

**ARBITRATION PARTICIPATION FUND
FUNDING WORKSHEET**

Name of Chapter _____
Mailing Address _____
_____ Phone _____

1.0 Expenditures

1.10 Arbitrator's Fee (Chapter Share) _____

1.20 Cost of Transcript, if any (Chapter Share) _____

1.30 Total Arbitration Costs (Chapter Share) _____

2.0 Funding

2.10 Chapter Funds (50% of 1.30 Costs) _____

2.20 CTA Funds (50% of 1.30 Costs. Not to Exceed \$2,000) _____

3.0 Payment

Initial Payment (1/3 of 2.20) _____

Pro-rata Payment at Fiscal Year-End (2/3 of 2.20) _____

SIGNATURES

Chapter President Date

Regional UniServ Staff Date

Regional Manager Date

FOR CAP USE ONLY

3.3 Initial Payment Made _____

3.4 Pro-rata Payment Made _____