

Q & A Regarding NYSUT Member Benefits – Pertaining to Janus Decision

Question:

I'm currently a NYSUT Member and considering withdrawing my NYSUT membership. I participate in some of the NYSUT Member Benefits-endorsed programs on a voluntary basis. What will happen if I drop my NYSUT membership?

The NYSUT Board passed a resolution on April 11, 2018 stating that only dues-paying members will be eligible for the benefits of union membership above and beyond those defined in the collective bargaining agreement. The benefits of membership (above and beyond those defined in the collective bargaining agreement) include the right to purchase Member Benefits-endorsed products and services provided by the NYSUT Member Benefits Trust, NYSUT Member Benefits Corporation, and NYSUT Member Benefits Catastrophe Major Medical Insurance Trust.

In summary – only NYSUT members can purchase Member Benefits-endorsed programs on a voluntary basis.

Question:

I'm a local president and “we” purchase group programs for our members. Do I have to provide these benefits to non-members?

The answer is different depending upon who the “we” is.

- If the local is purchasing the group programs and using local dues to purchase the programs, then the answer is NO.
- If the Collective Bargaining Agreement between the local and the school district states that the school district is going to provide money to the local's benefit fund to purchase group programs, then the answer is YES.
- If the Collective Bargaining Agreement between the local and the school district states that the school district is going to provide group programs, then the answer is YES.

The underlying issue pertains to whether or not the benefit (Legal Service Plan, Financial Counseling Program, CMMT, Term Life, Disability, etc.) was collectively bargained. If yes, then non-members will continue to receive the benefit. The next time the contract is negotiated, locals won't be able to “cut out” non-members from these group benefits either.

Question:

How will the Janus decision affect private sector agency fee payers?

The answer is as follows:

- The Janus decision will only affect public sector employees; therefore, a private sector fee payer will remain eligible to participate in Member Benefits-endorsed programs.