



Membership Assistance Program (MAP)

December 2007

PROVISION OF SERVICES

Professional Services

Performance Appraisal

- a collection of appraisal practices used in school boards and beyond Personal Services Contract
- components of a model contract with examples of optional language

Counselling

- access to advice related to performance appraisal, personal services contracts and issues of liability

Legal Services

Basic Level

- access to a maximum of \$10 000 legal support

Conflict Resolution

Counselling

- access to advice to resolve issues of performance, relationships, and employment before the potential for litigation

Mediation

- a joint OPSBA/OPSOA mediation team to help resolve issues prior to litigation

Arbitration

- a third-part neutral resolution mechanism

Affiliation and Legislation

Informal Partnerships

- AGEFO, OCSOA, OASBO, OTF

Legislated Affiliations

- supervisory officials

Current Legislation

- influence changes to Secs. 276-287 and Reg. 309

New Legislation

- legislated professional association status, self-regulating and self-governing

LEGAL SERVICES

Basic Criterion for Legal Support

The OPSOA Board of Directors has approved the following resolution as the basic criterion to be used in making judgements to provide members with funds for legal assistance.

OPSOA monies are available for legal counsel (to members) if the dispute or problem is deemed to have a generic impact on the OPSOA membership and, approval for the expenditure of such funds is provided by the Board of Directors or, where expediency is deemed necessary, by the Executive Committee with a subsequent report to the Board of Directors.

What is NOT Eligible for Legal Support

These cases are not eligible for legal support:

- discussion for personal service contract or compensation on an individual or group basis
- criminal actions, unless the member is either not adjudged guilty or adjudged innocent
- management decisions whose defence is properly the legal responsibility of the school board
- situations where legal assistance has been or can be acquired from other sources (e.g. insurance plans)

Basic Level of Legal Support

As part of an extended OPSOA membership fee, payable for five years, a maximum sum of \$10,000 may be available to support members for legal proceedings that meet the criteria for assistance.

CONDITIONS OF ACCESS

This is not a plan of insurance that entitles members to receive assistance in all cases. To determine a member's eligibility, the Board of Directors upon the recommendation of the Membership Assistance Program (MAP) Committee, judge the following criteria:

1. The individual requesting assistance must be a member of OPSOA in good standing, at the time of the occurrence leading to the legal action, at the time of the action, and at the time of the submission for assistance and of the financial affidavit required. The occurrence must have happened after November 1988, the inception of OPSOA.
2. If the member has access to other legal assistance, that assistance will be considered a primary and prior source of legal assistance. OPSOA will not contribute legal assistance until such assistance has been exhausted.

3. OPSOA will approve the legal counsel to be accessed for the use of funds for legal assistance. OPSOA will not be bound by a legal counsel of the member's choice.

4. If a request for assistance places OPSOA in a position where the interest of two or more members of OPSOA are in conflict, the OPSOA reserves the right to determine whether to pursue the request for legal assistance.

5. Members will be eligible to receive assistance only once for each occurrence leading to legal action. If a proceeding extends beyond a calendar year it is considered to be part of the original proceedings and is not eligible for further financial support.

After receiving funds for legal assistance, the maximum available the subsequent calendar year will be reduced by the total amount of your previous assistance.