

PEF MBP JUSTICE CENTER BENEFIT



ABOUT THE JUSTICE CENTER BENEFIT

The PEF Membership Benefits Program (PEF MBP) provides legal representation for a Justice Center substantiated case to active, dues-paying PEF members, through the appeals process of a substantiated finding of the Justice Center. An attorney will be assigned to the member to represent them through the appeals process from the hearing to the administrative decision (Stages 3 through 6). Legal fees will be paid in full for the member as long as they remain an active, dues-paying PEF member throughout the entire process.

Stages of the Justice Center Investigation

- Stage 1 - Investigation and Interrogation
- Stage 2 - Notice of Substantiated Findings
- Stage 3 - Appeal/Request for Amendment of Findings
- Stage 4 - Decision on Appeal/Request
- Stage 5 - Discovery
- Stage 6 - Hearing
- Stage 7 - Article 78 Challenge

THE JUSTICE CENTER PROCESS

The Justice Center for Protection of People with Special Needs (“Justice Center”) is a law enforcement agency created by New York State Legislation, which has oversight of six (6) agencies serving “vulnerable people.” If a PEF member is the subject of a report alleging acts of serious abuse or neglect, the Justice Center conducts an investigation. During the initial stage of the investigation, the member is entitled to representation under Article 33 of the PS&T collective bargaining agreement.

Once the initial stage is concluded, the Justice Center determines whether the report against the member is “substantiated” or “unsubstantiated.” If the report is “substantiated,” the member may appeal the determination through an administrative review process.

Legal representation in the appeals process is covered by the PEF MBP Justice Center Benefit. PEF MBP will pay no more than \$225,000 aggregate, per calendar year, to all beneficiaries of this benefit.

PROCESS IF SUBJECT OF A JUSTICE CENTER INVESTIGATION

If a PEF member is the subject of a Justice Center investigation, or receives a substantiated report from the Justice Center, the member should immediately contact their PEF Field Representative. The Field Representative will help the member through any interrogation (Stage 1) and will send the case to an attorney for representation through the Justice Center for Stage 3 and beyond.

TO QUALIFY FOR THE BENEFIT

PEF members must meet the following conditions:

- Must be an active, dues-paying PEF member at the time of the alleged incident.
- Must be an active, dues-paying PEF member at the time of the substantiated charge.
- Must be an active, dues-paying PEF member at all times during their representation before the Justice Center.
- Must provide any forms requested by PEF MBP for payment of the benefit.

EXCLUSIONS

- If the member retires from their PEF position, representation will immediately be discontinued.
- If the member resigns from their PEF position, representation will immediately be discontinued.
- If the member stops paying PEF dues for any reason, representation will immediately be discontinued.
- If the member changes to a different bargaining unit at any time during their representation, their representation will be discontinued.
- If the member fails to cooperate with the PEF Membership Benefits Program or their assigned attorney in any way, their representation will immediately be discontinued.
- Stage 7/ Article 78 Challenge is not covered by this benefit.



Learn more and access a list of PEF regional field representative phone numbers.



MEMBERSHIP
BENEFITS PROGRAM

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(800) 767-1840 | (518) 785-1900, ext. 243



2,500 9/2023