

PEF MBP JUSTICE CENTER BENEFIT



MEMBERSHIP
BENEFITS PROGRAM

(518) 785-1900 or (800) 342-4306, ext. 243

www.pefmbp.com

THE JUSTICE CENTER

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 PEF/State 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 Membership Benefits Program Justice Center Benefit.

PLAN OVERVIEW

The PEF Membership Benefits Program provides legal representation for a Justice Center investigation 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.

TERMS

The PEF Membership Benefits Program agrees to provide active, dues-paying PEF members legal representation before the Justice Center for Stages 3 through 6 of the Justice Center investigation. The Stages of the Justice Center investigation are as follows:

- 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

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. (View Field Representative contact phone numbers on back panel.) The Field Representative will help the member through any interrogation and will send the case to an attorney for representation through the Justice Center investigation.

All legal fees for Stages 3 through 6 of the Justice Center investigation will be paid in full as long as the member meets all of the requirements of the program. Any Article 78 Challenge at Stage 7 of the investigation is not covered by this benefit and the member is solely responsible for any legal fees if the member wishes to pursue the matter at Stage 7.

A PEF member is not required to use the Justice Center Benefit provided by PEF Membership Benefits Program. Members are free, at all times, to select an attorney of their own choosing and make payment to such an attorney for services, but PEF Membership Benefits Program will neither absorb, nor be responsible for, any part of the fees or charges of attorneys other than those provided by the PEF Membership Benefits Program.

A PEF member is also free, at any time, to discontinue the services of an attorney provided by PEF Membership Benefits Program and, if they so desire, to secure the services of an attorney of their choice. However, in such an event, PEF Membership Benefits Program will neither absorb, nor be responsible for, any part of the fees or charges of such other attorneys.

The attorney provided by PEF Membership Benefits Program may, under exceptional circumstances, at any time (as is customary in the case of the independent retention of private attorneys) not undertake, discontinue, or withdraw from representation of any PEF member. In such cases, the covered member is free to secure their own attorney; however, PEF Membership Benefits Program will neither absorb, nor be responsible for, any part of the fees or charges of that attorney.

REQUIREMENTS

- 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.

See plan exclusions on the backside.

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 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.

PEF regional Field Representative contact numbers:

REGION	PHONE
1 BUFFALO	(800) 462-1462
2 HORNELL	(800) 724-5001
3 ROCHESTER	(800) 724-5003
4 SYRACUSE	(800) 724-5004
5 BINGHAMTON	(800) 724-4998
6 UTICA	(800) 724-5005
7 POTSDAM	(888) 498-8532
8 ALBANY	(800) 342-4306
9 POUGHKEEPSIE	(800) 548-4870
10 MANHATTAN	(800) 522-8700
11 BROOKLYN	(866) 897-9775
12 LONG ISLAND	(800) 832-5284



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