



Employee Discipline: MTI Representation, Due Process and Just Cause

Some of the most important rights afforded union members are the right to representation and the right to just cause protection in disciplinary matters. Representation means that the employee is not left alone to navigate such high stakes employment challenges by themselves but will receive representation and support from highly trained MTI labor relations professionals, and legal counsel as needed. Simply stated, just cause protections are intended to ensure that disciplinary matters are fairly investigated, supported by facts, and that consequences are appropriate.

MTI regularly provides representation to MTI members subject to discipline by District Administration. In instances in which just cause for the discipline is questioned, MTI members have the right via the grievance procedure in the Employee Handbook to challenge such discipline and MTI staff and legal counsel assist them to ensure these rights are protected. The grievance procedure includes the option to appeal the dispute to an Independent Hearing Office (IHO) who will conduct a hearing, review the facts, and make a determination on whether the District had just cause to discipline the employee. That decision is then subject to review by the Board of Education, who ultimately retains authority for such decisions (a change made with Act 10).

Rather than go through a lengthy grievance appeals process, some employees who have been subject to discipline may choose to resign rather than contest a disciplinary matter. When an MTI member chooses this route, MTI staff may work with them to maximize the terms of any resignation agreement. MTI's specific representational work on behalf of specific individuals is, appropriately, kept confidential.

District employees who choose not to be members of MTI are also covered by these Employee Handbook rights due to MTI's advocacy to incorporate these policies in the Employee Handbook. However, MTI provides no staff and/or legal representation for non-members in this or any other area (with the exception of base-wages).