

LEGAL DEFENSE PROGRAM COMMITTEE

REPORT TO THE OEA REPRESENTATIVE ASSEMBLY
APRIL 2026

Submitted by: Jason Weyand, General Counsel

The LDP is committed to providing legal assistance and advocacy to OEA members and affiliates. The LDP and the Unified Legal Services Program (ULSP) help guarantee that members' rights are fully protected under: The Public Employee Collective Bargaining Act; Fair Dismissal law; PERS statutes; state and federal statutes, rules and constitutions; and, negotiated contracts.



The Legal Defense Program assists members by:

- Planning legal strategies to assist an aggrieved member in obtaining job-related legal advice. Timely consultation with the local and state association and/or UniServ Consultant will allow proper assistance or legal referral.
- Referring attorneys who are experts in the law of education employee rights. These attorneys stay well informed on recent decisions in employee rights law and are well prepared to assist our members.
- Paying attorney fees and costs for state or federal litigation when the facts of the case and relevant law indicate a reasonable likelihood of prevailing; and, the case will benefit the Association or a significant number of members.
- Paying attorney fees and costs for charges arising out of a direct job-related occurrence covered by the Legal Defense Program such as layoff and license matters.
- Paying attorney fees and costs for counsel in bargaining and strike situations and representation in unfair labor practice cases and other statewide litigation of Association matters, such as ballot measure cases.
- Sharing costs with local associations on arbitration and ULP complaint & answer filing fees.
- Providing legal information for local leaders and members. For example, during the COVID pandemic, many legal-guidance materials were produced to help address some of the myriad challenges facing educators in Oregon.
- Providing support for the Grievance and Legal Rights Training.
- Filing friend-of-the-court briefs or participating as a party plaintiff with a member. These actions are taken when LDP and ULSP recognize that a favorable decision in a particular suit will set significant precedent for educational employee rights

LDP Activity in Fiscal Year 2024-25

During the 2024-25 year:

- 334 new cases were opened (increase of 26% from 2023-24)
- Most of the LDP cases were resolved favorably for the members or locals involved.

Legal Defense Program Types 2024-25 – 334 Cases

Case Type	# of Cases
Dismissal - Physical, Sexual, Inappropriate	152
Working Conditions	51
Certification	21
Salary	17
Discrimination	25
Criminal - Other	13
Retaliation / Union Activities	9
Criminal - Sexual Misconduct/Abuse	5
Refusal to Bargain	5
Bargaining Unit	
Recognition/Composition	6
Criminal Neglect	3
RIF/Layoff	3
Transfer	3
Other	21
Grand Total	334

LDP Expenditures in Fiscal Year 2024-2025

- LDP expenditures in Fiscal Year 2024-25 totaled \$1,218,195 (19.2% increase over 2023-24)
- The NEA, through its Unified Legal Services Program, reimbursed OEA for \$584,733 of that amount.

The OEA spent the largest amounts of LDP funds representing members in OTIS and TSPC licensure cases and supporting locals in bargaining crises/unfair labor practice cases.

Arbitration and ULP Filing

LDP pays part of the local association's share of arbitrators' fees and ULP complaint and answer filing fees (a percentage based on the size of the local association) and pays all legal expenses connected with arbitration. Usually, the LDP pays a share of arbitrators' fees in association and individual cases combined, but none were requested this school year. Several small locals usually receive as much as 90-95% paid upon showing that the local was unable to pay a higher percentage.

LDP also pays the premiums for association officers' liability insurance coverage (\$5,033 for 2023-24). NEA pays members' liability insurance (EEL).

The LDP Committee is available to hear any member appeals when the member has been denied legal services or funding has been discontinued. The Committee Board Liaison reports to the OEA Board at Board meetings. The Committee also submits an annual report to the OEA President.