

Adverse Membership Actions

Lesson Plan:

Duration: 50 Minutes

Teaching Method: Lecture/Discussion

References: Student Guide & Directives Listed in This Lesson Plan

Teaching Aids/Handouts: Student Guide & Slide Presentation

Reading Assignment: Student Guide

Lesson Objective: Comprehend the Civil Air Patrol Adverse Membership Actions program.

Desired Learning Outcomes:

1. Define “Adverse Membership Actions”.
2. Discuss common disciplinary problems.
3. List resources you may use to help you correctly apply adverse membership actions.
4. Explain adverse membership action options and the progressive approach to application.
5. Discuss nondiscrimination as it pertains to adverse membership actions.
6. Explain why documentation is necessary to the adverse membership actions process.

Lesson Strategy:

This segment is designed to impress upon students the importance of understanding the CAP Adverse Membership Actions program as well as provide basic guidance on how Adverse Membership Actions should be applied when required. It defines Adverse Membership Actions, provides a scenario to discuss, lists types of problems pertaining to adverse membership actions, provides resources, explains the progressive approach to correcting problematic members, discusses discrimination, and finally the importance of documentation.

Place emphasis on the need to progressively apply Adverse Membership Actions in order to provide corrective guidance, consequences, and corrective opportunity for the problematic or disruptive member, while at the same time, minimizing detriment to the remainder of the unit.

Also emphasize the importance of consistency in the application of Adverse Membership Actions. Members will instantly pick up on commanders who do not apply the program consistently and will view this as unjust. Adverse Membership

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Actions are the commander's resource to maintain the high standards and professionalism that CAP is known for.

The teaching outline provides an introduction, outline of the main points, and a conclusion to be adapted as required to meet the needs of a particular wing. The presenter should personalize the lesson to reflect the unique characteristics of the wing.

Lesson Outline:

MAIN POINTS:

- I. "Adverse Membership Actions" defined.
- II. Common disciplinary problems.
- III. Resources.
- IV. Adverse membership action options and the progressive approach.
- V. Nondiscrimination.
- VI. Documentation.

Teaching Plan

Lesson Objective: Comprehend the importance of motivation in unit command

ATTENTION:

Have you ever been trying to accomplish something with a group only to be slowed down consistently or derailed by a disruptive member?

MOTIVATION:

It is essential to mission accomplishment that the commander maintain a certain level of order and discipline, as well as maintain the high standards and professionalism that CAP is known for. Adverse Membership Actions is your resource to correct disruptive behavior in your unit. In this lesson you will be provided with the resources and approach required to apply Adverse Membership Actions when required. Here we'll look at resources available to you and how to apply them correctly. It is essential that you as a commander be familiar with Adverse Membership Actions.

OVERVIEW:

In this lesson we'll discuss the definition of Adverse Membership Actions and the importance of progressively applying them consistently when required. We'll show you resources available to the commander, listing them in order of escalating consequences in order to correct discrepancies and maintain order in the unit. Finally, we'll examine discrimination pertaining to application of Adverse Membership Actions, as well as, the importance of documentation when conducting Adverse Membership Actions.

TRANSITION:

STATE: Everyone has experienced being in a group with a disruptive member and we all know that a single person can have detrimental effect on an entire group. As a commander you will be ultimately responsible for correcting member deviations and eliminating disruptive behavior.

Main Points:

MP I. "Adverse Membership Actions" defined

- A. State the following to the class: "As commanders you must be familiar with Adverse Membership Actions! While CAP is not a military service and does not have a Uniform Code of Military Justice (UCMJ), it does have standards of conduct.'
- B. "Commanders are charged to maintain this standard, as well as order & discipline through a variety of actions contained in the directives. Adverse Membership Actions are your tool for this."
- C. Poll students for their definitions.
- D. State the book definition:

Adverse Membership Actions: Measures that encompass disciplinary actions to members for improper conduct and include counseling, suspensions, demotions, and membership termination. Adverse membership actions are designed to be *progressive tools* and resources for the commander in handling problem CAP members.

MP II. Common disciplinary problems

- A. Why would a commander need to understand and effectively use Adverse Membership Actions?
 - 1. To correct or eliminate disruptive behavior.
 - 2. To uphold standards.
 - 3. To prevent detrimental behavior from spreading.
 - 4. To demonstrate a resolve to maintain order and discipline.

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B. Let's take a look at some of the problems you may face as a commander. We can't tell you what specific steps to take because every case is different. But we can highlight some of the more serious problems you may encounter (highlighted in **bold face**).

1. Repeated uniform violations
2. Short-cutting training requirements
3. Consistently late on paperwork deadlines & substandard work quality
4. Argumentative, insubordinate, or disruptive behavior
5. Fraudulent information on application
6. Jumping the chain of command inappropriately
7. Bad checks/financial irresponsibility
8. Cadet Protection violations
9. **Defective skills (safety hazards)**
10. **Illegal Behavior (reported or actual)**

The option you choose to deal with these issues depends on the severity, frequency, inherent nature, and sometimes the level of remorse displayed. Generally, the wing can help you in choosing the appropriate action.

C. Adverse Membership Actions provide:

1. Corrective measures.
2. Order.
3. Discipline.
4. A correct way to eliminate disruptive member behavior.

MP III. Resources

A. Emphasize the importance of using CAP's published guidance.

B. Resources available:

- CAPR 35-1 Assignment and Duty Status
- CAPR 35-3 Membership Termination
- CAPR 35-5 CAP Officer and NCO Appointments and Promotions
- CAPR 35-8 Membership Action Review Board
- CAPR 35-10 Ethics Policy
- CAPR 39-2 CAP Membership
- CAPR 52-10 CAP Cadet Protection Policy
- CAPR 60-1 CAP Flight Management
- CAPR 60-3 CAP ES Training and Operational Missions
- Wing Officers: Commander, Legal Officer, Chaplain, and Director of Personnel.

C. Discuss the importance to the commander of following proper procedures.

MP IV. Adverse membership action options and the progressive approach

A. General Considerations

1. Create and sustain a sense of fairness and justice in your unit that applies to all.
2. Recognize when it is appropriate to use Adverse Membership Actions.
3. Conduct Adverse Membership Actions in a non-discriminative manner.
4. Have and show respect for members all along the way.
5. Listen carefully to the member in question.
6. Use Adverse Membership Actions progressively with increasing consequences.
7. Provide corrective guidance with each progressive step.
8. Accentuate the positive while identifying and correcting the negative.
9. Know when a member needs to be removed from the organization.

B. "The Mistake"

C. List of options providing "Progressive" Adverse Membership Actions:

1. Counseling
2. Letters of Reprimand
3. Suspension of Membership
4. Demotion
5. Suspension of Flying Privileges
6. Termination of Membership

MP V. Nondiscrimination

Avoid discrimination and actions that could be perceived as discrimination at all times. Civil Air Patrol must comply with *Title VI of the Civil Rights Act of 1964*. Commanders are responsible for ensuring that no adverse membership action is (or is perceived as) being done for discriminatory reasons. Reference CAP Regulation 36-1 *CAP Nondiscrimination Program* and state that **all** reports of alleged discrimination or discriminatory practices must be reported in accordance with guidance provided in CAPR 36-2 *Complaints under the CAP Nondiscrimination Policy*.

MP VI. Documentation

DOCUMENT EVERYTHING! Documentation supporting Adverse Membership Actions is essential. This provides the basis and the supporting evidence for the actions you are taking. Your documentation builds the case for justified use of adverse membership actions and protects you from claims of inappropriate use of power.

About Membership Action Review Boards:

The Membership Action Review Board (MARB) is independent from the CAP chain of command and was created to ensure compliance with CAP regulations and practices by adjudicating member appeals of final adverse membership actions. The MARB will accept an appeal only if there is credible evidence and documentation that the action may have been motivated by retaliation, reached without due process, or involved a material failure to follow applicable CAP regulations. Complete details on the MARB, its authority, and procedures are covered in CAPR 35-8, Membership Action Review Board.

QUESTION AND ANSWERS:

Use the suggested questions to facilitate the discussion, and field any questions that the students may have.

Lesson Summary:

SUMMARY:

This lesson presented the definition of Adverse Membership Actions and the importance of progressively applying them consistently when required. We showed you resources available to the commander, listing them in order of escalating consequences in order to correct discrepancies and maintain order in the unit. Finally, we examined discrimination pertaining to application of Adverse Membership Actions as well as the importance of documentation when conducting Adverse Membership Actions.

REMOTIVATION:

It is essential to mission accomplishment that the commander maintain a high level of order and discipline as well as maintain the high standards and professionalism for which CAP is known. Adverse Membership Actions are your resource to correct disruptive behavior in your unit.

CLOSURE:

Getting your people to follow directives as a cohesive unit and working together toward unit goals is a sure path to success and mission accomplishment.

Suggested Questions:

1. **How would you describe the term “Adverse Membership Actions?”**

Answer: May vary, but look for: “Adverse Membership Actions encompass disciplinary actions to members for improper conduct, and include, counseling, suspensions, demotions, and membership termination. Adverse membership actions are designed as progressive resources for the commander in handling problem CAP members.

2. **Why must a unit commander be familiar with Adverse Membership Actions?**

Answer: To correct disruptive behavior, maintain order, and to ensure standards are met.

3. **Who are your three primary resources for assistance within the wing if counseling the member through the CAP chaplain is unsuccessful?**

Answer: wing legal officer, the wing director of personnel, and the wing commander

4. List Adverse Membership Actions in order of increased consequences.

Answer:

- Counseling
- Letters of Reprimand
- Suspension of Membership
- Demotion
- Suspension of Flying Privileges
- Termination of Membership

5. Why should Adverse Membership Action be provided in a progressive manner?

Answer: To provide opportunity for correction with minimal impact to the member & the unit. If not successful the consequences will be increased with each step until a satisfactory result is achieved.

6. When would Adverse Membership Actions not start with counseling?

Answer: In the case of an offense so egregious that more severe actions and consequences are warranted.

7. Who approves member suspensions lasting from between 60 – 180 days?

Answer: the next higher authority of the original suspension, with justification why the extension is required. CAPR 35-1

8. Who is the demoting authority for a major?

Answer: wing commander. CAPR 35-5

9. How many days does a member have to appeal a termination action?

Answer: within 30 days of the postmark on the letter of termination notification. CAPR 35-3

10. Why must Adverse Membership Actions be administered in a consistent manner?

Answer: to provide a sense of fairness amongst all members of the unit.

11. Why is documentation so important?

Answer: It provides an accounting of how the Adverse Membership Actions were administered and can be reference later in support of your decisions.

Field any other questions that the students may have.