

**POLICY ON PAYMENT OF MEMBERS' LEGAL EXPENSES
2013**

1. The Association may retain legal counsel with special expertise in labour relations law to provide legal advice to the Association on issues relating to an individual member's employment at SFU. The services of legal counsel must be approved in advance by the Executive, and a limit may be placed on the amount of services paid for by the Association in relation to any individual member's case. The Executive may also set a limit on the total amount of funds that may be expended, in any given year, for the provision of such legal services. Any limit imposed by the Executive as set out herein, may be varied or altered by the Executive at its sole discretion.

2. As a matter of general policy, the Association will not reimburse individual members for legal fees and/or disbursements that are incurred for "private legal counsel" retained or engaged by an individual member in connection with legal advice and/or representation concerning the terms and conditions of the member's employment at SFU. Private legal counsel shall be defined in this policy a meaning legal counsel retained or engaged by an individual member, as opposed to legal counsel retained by the Association.

3. The Association will not pay for costs, fees or disbursements of any professional services engaged by a member, nor any consultation with any professionals or other persons that occurs at a member's initiation, without the express written authorization of the Executive or a person empowered to grant such authorization. Such costs, fees and/or disbursements are the sole responsibility of the member.

3. In exceptional circumstances, the Association may reimburse all or part of any legal fees and disbursements owing to private legal counsel provided that the member concerned has received prior written approval from the Executive or a person authorized to grant such approval before any such expense are incurred. Members who wish to ascertain if their circumstances may be considered "exceptional" under this policy should contact the Executive Director for further information. It must be emphasized, however, that the payment of such fees and disbursements should be considered a rare event.

4. In determining what might be considered "exceptional" pursuant to the above, the Association will consider, among other factors: a) whether such advice can be obtained from legal counsel retained by the Association; b) proven hardship that would be experienced in the absence of private counsel; c) whether alternative sources of advice are reasonably available; and d) whether the case raises an important issue(s) likely to impact the Association's membership as a whole.