

# Technical Faculty and Staff Alliance

*American Federation of Teachers, AFL-CIO*

## Legal Defense Fund Policy

The TFSA/AFT Board of Directors adopted the following legal defense policy.

The TFSA/AFT Legal Defense Fund was established to:

1. Defend members whose job security is threatened.
2. Grant Assistance solely to members of TFSA/AFT.
3. Give the TFSA Board of Directors flexibility to award grants based on monies available in the defense fund.

A member in good standing may apply for legal defense financial assistance based on the following formula.

0-1 years as a member	May apply up to \$1,000 in legal assistance (prorated by number of months as a member)
1-2 years as a member	May apply for up to \$2,000 in legal assistance
2-3 years as a member	May apply for up to \$3,000 in legal assistance
3-4 years as a member	May apply for up to \$4,000 in legal assistance
5+ years as a member	May apply for over \$5,000 in legal assistance

### POLICY STATEMENT:

TFSA/AFT may provide assistance in filing grievances or appeals to the KCTCS Board of Regents or to State or Federal Civil Court. The request must be in accordance with the following guidelines, is recommended by the TFSA/AFT General Counsel, and is approved by the TFSA/AFT Board of Directors.

1. Assistance may be provided for those appeals or grievances:
  - a. Involving members who have been notified of dismissal, demotion, suspension or other penalization that threatens job security.
  - b. TFSA/AFT guidance may be provided for all other actions.
  - c. Upon review and recommendation of the TFSA General Counsel.
2. Legal Defense Fund applicants must have been a TFSA/AFT member prior to the date of the action giving cause to the grievance or appeal.
3. In all other cases TFSA/AFT reserves the right to decide if such cases shall be pursued/financed on behalf of a member to the State or Federal Civil Court.
4. Legal Defense Fund applicants must agree to use a TFSA/AFT approved attorney if there is a need for legal assistance. The amount of assistance awarded by the TFSA/AFT Legal Defense Fund may be limited to less than the actual cost of the action. TFSA/AFT Legal Defense Fund applicants must sign a contract with TFSA/AFT contingent upon the awarding of assistance.
5. TFSA/AFT may deny or withdraw assistance under, but not limited to the following conditions:
  - a. Refusal of the member to cooperate with the assisting TFSA/AFT representative.
  - b. Falsifying information or refusing to provide all pertinent information to the TFSA/AFT representative.

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- c. Hiring an attorney without prior written authorization from the TFSA/AFT Executive Committee and/or Board of Directors.
6. TFSA/AFT reserves the right to review each grievance after a final determination from the appointing authority to determine if TFSA/AFT should provide further assistance based on the merits of the case. TFSA/AFT must be notified and involved in the grievance from the initial filing throughout the entire grievance process.
7. Legal Defense Fund applicants shall complete the initial application, in writing, to:

**TFSA/AFT Legal Defense Fund Committee**  
**PO Box 4110**  
**Frankfort, KY 40604.**

8. The TFSA/AFT Board of Directors reserves the right to amend, alter or overturn any recommendation of the Legal Defense/Executive Committee.

(For more information call TFSA/AFT at 800248-5273)