The following proposed edits were previously passed at the October 2017 MUNFA General Meeting, and in accordance with Article XII of the Constitution, they are being put to the membership for another vote prior to final acceptance.

**Article XII  LEGAL SUPPORT FUND**

1. There shall be a Legal Support Fund.

2. (g) There shall be an Investment Advisory Committee of the Legal Support Fund to advise the MUNFA Executive regarding the investment activity of the fund. This Committee shall consist of the Treasurer and the Secretary of MUNFA as well as three members of the Association, with financial expertise, who are not members of the Executive. The three non-Executive members shall be appointed by the Executive for staggered renewable terms of a maximum of three years each.

3. (b) Subject to clauses 8, 9, 10, 11, and 12, (h), (j), (k), and (l) of this Article, monies allocated to this fund, and any income generated by it, shall be used only for the purpose of enabling the Association to provide legal advice and representation to its members.

4. (e) The fund may be used to defray all or part of the costs arising from disputes with the corporate entity of Memorial University of Newfoundland, or with the Government of Newfoundland and Labrador, or the Government of Canada. The costs which may be defrayed by the fund include those associated with:

- (a) arbitration;
- (b) any court case involving loss of employment;
- (c) any court case involving allegedly unfair discrimination;
- (d) other serious cases involving alleged unfairness or illegality in connection with the professional activities of members; or,
- (e) any dispute arising from an ASM’s employment at the University that is deemed appropriate by a majority of the Executive.

5. (d) Payments out of the fund may be made by authority of the Executive and shall be limited in a calendar year to an amount equal to the income generated by the fund in the previous calendar year. The term "income" shall be deemed to include growth in capital value plus revenue. In addition, the Executive may make further payments to a maximum of 10% of the capital value of the fund at the end of the previous calendar year, providing
that a motion to that effect has been passed at a special general meeting of the membership called in accordance with the MUNFA Constitution, or at a regular general meeting, if at least ten (10) working days notice of the motion has been given.

6. **(e)** Additions to the fund shall be derived from the general revenues of the Association and from undisbursed income.

7. **(f)** Additions to the fund shall be made until it reaches a total amount equivalent to $150,000.00 in 2017 dollars adjusted annually on the basis of the Consumer Price Index for St. John's for January of each year with the January 1983 Consumer Price Index as the base.

8. **(g)** Any amount generated by the fund in excess of the total expressed in Clause 7 **(f)** shall be added to the general revenues of the Association, if it is not disbursed in accordance with this Article the following calendar year.

9. **(i)** The fund may be wound up only by a resolution passed by a two-thirds majority of the members present at each of two general meetings held in accordance with the Association's Constitution not less than twelve months nor more than eighteen months apart.

10. **(j)** If the Association wishes to have the fund wound up in accordance with Clause 9 **(i)**, the entire amount remaining in the fund shall be paid over to the Civil Liberties Defence Fund (or its successor) of the Canadian Association of University Teachers.

11. **(k)** If the Association is to be disbanded and has a successor named by the Association or if another Association, organization, trade union or body corporate is designated as the successor to MUNFA for the purposes of the fund by a two-thirds majority of the members present at a general meeting called in accordance with this Constitution with ten (10) working days notice of such motion, then the fund shall be transferred to such successor provided that such successor shall have adopted as binding on it, the provisions of this Article of the Constitution with only such changes as may be required to give effect to this Article and its intent.

12. **(l)** If the Association is disbanded and there is no successor to MUNFA meeting the conditions set out in Clause 11 **(k)** of this Article, the entire amount of the fund shall be paid over to the Civil Liberties Defence Fund (or its successor) of the Canadian Association of University Teachers.

13. **(m)** A semi-annual report shall be prepared for the MUNFA membership by the Treasurer, such this report will include:

   (a) **(n)** a detailed list of investments held including the number of holdings, purchase price, and current market prices

   (b) **(o)** a detailed list of all investment purchases and sales during preceding six months
(c) (iii) a detailed list of the amount and source of all income paid into or earned by the fund, and

(d) (iv) a detailed list of all expenditures from the fund.

The report shall be available to any member of MUNFA upon request. The report shall not contain any personal identifiers.

14. (n) Clauses 1, 3, 7, 8, 9, 10, 11, 12, 13, and 14, (a), (b), (f), (h), (i), (j), (k), (l), (m), and (n) shall be irrevocable; the remaining clauses may be changed only by a resolution passed at each of two general meetings held in accordance with the Association's Constitution not less than twelve months nor more than eighteen months apart and in accordance with the voting provisions of Clause 9 (i).

15. (o) Access to the support of the Legal Support Fund by individuals shall be limited to persons:

(i) who are members of a MUNFA bargaining unit; or

(ii) who, if not members of a MUNFA bargaining unit, have been members of MUNFA since their date of initial appointment or for at least six months prior to the date their case arose.