

## Article 50

### Article 50 - Exempt and Save Harmless

#### Related Articles:

#### Interpretation Guidelines:

This provision addresses the Employer's responsibility to protect an employee from legal costs and liabilities arising from the proper performance of their duties.

1. The PCA requires the Employer to carry insurance to cover the employee in case of legal action related to the proper performance of her/his duties.
2. The Employer may not be required to cover legal costs resulting from an employee's intentional act(s) of wrongdoing or outside the proper performance of duties.
3. The Employer must pay for any legal fees or other costs associated with legal action which is related to the proper performance of duties.
4. BCNU members should contact the BCNU office if they believe they may be involved in a legal action resulting from their work. Under the LEAP plan, the BCNU pays for legal consultation to ensure that BCNU members receive unbiased legal advice on the situation as the lawyers hired by the Employer will be likely more concerned with protecting the Employer (their client).

#### Additional References:

**BCNU Legal Expenses Assistance Plan (LEAP)** - program is available only for BCNU members who are involved in legal issues including coroner's inquiries and malpractice suits against the Employer.