

LEGAL AID

The aim is for disputes related to working life to be primarily resolved amicably and through negotiation. However, there are occasionally situations in working life in which the employee and employer find themselves in such a fierce dispute that they have to resort to legal proceedings.

Terms and conditions of legal aid

- 1) The granting of legal aid requires that the matter and the possibility of reaching a settlement with the employer have first been investigated with the assistance of a lawyer from Suomen Ekonomit. Suomen Ekonomit has the right to refuse the grant of legal aid if there has not been sufficient opportunity to investigate the matter. The request for an investigation of the matter must be made as soon as possible, but no later than six months before the end of the limitation period, the period for court proceedings, or other time limit. If the time limit is less than six months, the request for an investigation must be made within one week of being notified of the decision.

If legal aid is granted, a lawyer from Suomen Ekonomit will act as legal counsel in the matter. The work of a Suomen Ekonomit lawyer in legal proceedings is included in the membership fee.

- 2) In addition to the work of a Suomen Ekonomit lawyer, legal aid may cover court-mandated legal expenses of up to EUR 5,000–20,000 per dispute or criminal case, depending on the continuous duration of the membership. Such legal expenses may include e.g. the opposing party's legal expenses, court fees, arbitration fees and costs of taking evidence.

Duration of membership 0.5–2 years	EUR 5,000
Duration of membership +2–5 years	EUR 10,000
Duration of membership +5–10 years	EUR 15,000
Duration of membership +10 years	EUR 20,000

The member's deductible is 20% of the legal expenses in question.

- 3) Legal aid applies to full members.

Student members must have a full membership before entering into the assignment agreement in accordance with section 20. Such full membership must also be maintained for the duration of the legal proceedings until the end of the assignment. Students must immediately notify Suomen Ekonomit if they have completed a graduate degree during the assignment.

- 4) With regard to student members, a maximum of seven (7) years of membership as a student are taken into account when calculating the eligible amount of compensation for the opposing party's legal expenses.
- 5) Membership is considered to be continuous if the student member has provided notice of graduation and joined as a full member no later than two years after completing a graduate degree, and the membership has not ended in between.
- 6) Years of membership in another trade union are taken into account as membership years in accordance with section 2 if the person joins Suomen Ekonomit within three (3) months of leaving the other trade union, provided that the person has been entitled to a similar level of legal protection in the previous trade union.
- 7) If the membership ends, the membership years that have accumulated the legal aid benefit will be lost.
- 8) A written decision is made on whether legal aid will be granted. For each court level, a separate decision on legal aid must be sought.
- 9) Legal aid applies to disputes and criminal matters directly concerning the member's own employment or service relationship, or position as civil servant in the public sector. In criminal matters, however, this applies only to crimes and infringements provided for in the Employment Contracts Act, Annual Holidays Act, Working Hours Act, Cooperation Act, Occupational Safety and Health Act, and Chapter 40, Sections 5, 7, 8, 9 and 10 as well as Chapter 47 of the Criminal Code.

CEOs are covered by legal aid to the extent they work for another party. If the CEO instead is a business owner in the company in question, they are not encompassed by the legal aid.

Legal aid may also be extended to someone in their capacity as a board member, provided that said position is firmly related to the member's employment or service relationship or their role as civil servant in the public sector. However, members operating as professional board members, or who are board members in connection with being business owners, are not encompassed by the legal aid.
- 10) Legal aid applies only for matters that can be directly referred to the District Court, the Labour Court, the Administrative Court, or to arbitration.
- 11) The prerequisite for legal aid is that the membership has lasted continuously for at least six (6) months immediately before the event on the basis of which legal aid is granted. If the membership has been valid for less than two consecutive years, the facts on which the dispute, claim or charge is based must also have arisen during the period of validity of the membership.

- 12) The amount of compensation for legal expenses based on the continuous duration of the membership is determined according to the time of occurrence of the event for which legal aid is granted.

Legal aid is granted only for one dispute or criminal case within four (4) calendar years.

- 13) The claims and their grounds must be in accordance with the Finnish legal system and must be provable to a sufficient degree of likelihood.

It must further be likely that the member has been treated in a manner that is contrary to the law or a collective agreement.

The legal place of jurisdiction must be in Finland and the law applicable in the matter must be Finnish law.

- 14) The prerequisite for full legal aid is that the interest that is the subject of the disagreement is not minor or the disagreement not insignificant. If the amount of the disputed benefit is less than EUR 2,500, the opposing party's legal expenses will be compensated only up to twice the amount of the disputed benefit.

- 15) Prior to or during the legal proceedings, the member must not have refused a settlement recommended by a lawyer of Suomen Ekonomit. If a member refuses a settlement recommended by the lawyer in charge of the matter after a positive legal aid decision has been issued, Suomen Ekonomit shall not be liable for the opposing party's legal expenses incurred after the recommendation to settle was issued.

- 16) In criminal matters, the opposing party's legal expenses or costs of taking evidence are not paid. Legal aid may be granted for pre-trial investigations if this is deemed necessary in view of the nature of the case. However, if the other terms of legal aid are met, members may be granted the services of a Suomen Ekonomit lawyer for their criminal case.

- 17) Legal aid may also be granted in other situations, and if so, may be granted with a deductible and/or a maximum amount for the member's own legal expenses, or there may be a higher deductible and/or a lower maximum amount for the compensation of the opposing party's expenses than stated above. This might apply, for example, in cases shared by members of different unions or in significant employment law cases for which the case law is unclear.

- 18) Compensation for legal expenses shall be paid only on the basis of a legally binding court ruling or on the basis of a final settlement.

- 19) The membership must be valid for the duration of the assignment and the membership fees must have been paid.

- 20) If legal aid is granted, a separate assignment agreement will be drawn up with the member.

These terms and conditions of legal aid have been updated on 19 August 2024. Suomen Ekonomit reserves the right to make changes and clarifications to the terms and conditions of legal aid.