



**House of Assembly
Newfoundland and Labrador**

**Minutes of the House of Assembly
Management Commission**

Date: November 7, 2018

Location: House of Assembly Chamber

Time: 5:25 pm

Members Present:

Hon. Perry Trimper, Speaker (Chair)

Mr. Mark Browne, MHA (Lib) Placentia West-Bellevue

Hon. Siobhan Coady, MHA (Lib), St. John's West

Mr. Ches Crosbie, MHA (PC), Windsor Lake

Mr. Keith Hutchings, Opposition House Leader

Ms. Lorraine Michael, MHA (NDP), St. John's East-Quidi Vidi

Hon. Andrew Parsons, Government House Leader

Ms. Sandra Barnes, Clerk of the House of Assembly

Other

Ms. Bobbi Russell, Policy & Communications Officer

CM 2018-038 The Commission, at an *in camera* meeting, approved the nomination of Ms. Kim Hawley George, Q.C., as Law Clerk, and directed a resolution be brought to the House to give effect to the nomination. Ms. Hawley George will be appointed at her current compensation level and the terms of her appointment will include the payment of fees to the Law Society as is standard practice.

CM 2018-039 The Commission, at an *in camera* meeting, approved recommending to the Lieutenant Governor in Council, the appointment of Mr. Barry Fleming, Q.C., in an acting capacity as Citizens' Representative effective December 6, 2018. The appointment will continue until such time as the new Citizens' Representative is appointed on resolution of the House. Mr. Fleming will continue to receive his current salary and benefits.

CM 2018-040 The Minutes of the Commission meeting held on September 27, 2018 were approved as read.

CM 2018-041 The Commission approved the following transfer of funds:

From:

Subdivision 1.1.04.09 Members' Resources – Allowances and Assistance
\$2,700

To:

Subdivision 1.1.04.10 Members' Resources – Grants and Subsidies
\$2,700

CM 2018-042 The Commission directed the development of a policy and/or guidelines related to reimbursement of, and/or financial support toward legal fees, to be brought back to the Commission for review and approval.

The financial reports for the Legislature for the period April 1, 2018 to September 30, 2018 were provided to the Commission for review. Member Accountability and Disclosure Reports were provided for the same periods.

CM 2018-043 The Commission directed the Speaker's Office to correspond in writing to the complainants and respondents of the five recent reports from the Commissioner for Legislative Standards on the Code of Conduct for Members, to submit details of their legal costs and expenses, for the Commission's consideration. Consideration of the request from the Member for Fortune Bay-Cape La Hune is deferred until information from the other complainants and respondents is received.

CM 2018-044 The Commission deferred a decision with respect to the extinguishment of severance entitlements and implementation of a termination benefit for political support staff, and directed that the current severance benefit for political support staff of the Legislature continue in the interim in accordance with the direction provided the 1989 Order-in-Council and specified in their employment contracts.

Adjournment: 6.01 pm

Hon. Perry Trimper, MHA
Speaker (Chair)

Sandra Barnes
Clerk and Secretary to the Commission



**House of Assembly
Newfoundland & Labrador**

To: House of Assembly Management Commission
From: Speaker of the House of Assembly
Date: December 13, 2018
Subject: Rulings on Allowance Use

The process for rulings on allowance use is outlined in Section 24 of the *House of Assembly Accountability, Integrity and Administration Act* (the Act). The Act gives authority for the Speaker to make rulings when expenditures of Members have been rejected for payment, provided that the ruling is distributed to and receives concurrence of the Management Commission.

The report below provides the details with respect to all such rulings for the **period ended: December 13, 2018**. These expenditures were rejected for payment because they were not submitted within 60-days of being made; however they are permitted and are in compliance with all other provisions of the *Members' Resources and Allowances Rules*.

DISTRICT	MEMBER	AMOUNT	DETAILS
Topsail-Paradise	Mr. Paul Davis (former Member)	\$50.00	These expenditures were rejected for payment because they were not submitted within 60-days of being made; however they are permitted and are in compliance with all other provisions of the <i>Members' Resources and Allowances Rules</i> .
St. John's Centre	Ms. Gerry Rogers	\$86.20 \$114.00	These expenditures were rejected for payment because they were not submitted within 60-days of being made; however they are permitted and are in compliance with all other provisions of the <i>Members' Resources and Allowances Rules</i> .

**House of Assembly Management Commission
Briefing Note**

Title: Budget Transfer Request

Issue: Approval of a Transfer of Funds – Members’ Resources

Background:

- The Transfer of Funds Policy, April 2008 requires the House of Assembly Management Commission approval to transfer funds to or from the Allowance and Assistance Main Object of expenditure. Section 4.2.1 of the Transfer of Funds Policy, states:

“ House of Assembly Management Commission approval is required to transfer funds to or from the following Main Objects of Current Account Expenditure of an Activity:

- *Loans, Advances and Investments;*
- *Allowances and Assistance;*
- *Grants and Subsidies; and*
- *Debt Expenses.*

- A transfer of funds is required from Members’ Resources – Allowances and Assistance to Members’ Resources – Training, to cover the cost of mandatory training for MHAs as ordered by a Resolution of the House approved on December 4, 2018.
- The resolution (as per a recommendation of the Privileges and Elections Committee), directed the training to be developed and delivered by the Gardiner Centre. The transfer of funds is required to cover the associated cost.

Analysis:

Legal Consultation:

Not applicable

Internal Consultation(s):

Corporate and Members’ Services

External Consultation(s):

Not applicable

Comparison to Government Policy:

Not applicable

Financial Impact:

The cost for development and delivery of the mandatory training to 40 MHAs is \$46,800.

Legislative Impact:

Not applicable

Options:

- Not applicable

Status:

- Not applicable

Action Required:

The Commission's approval of the following transfer of funds is required:

From:

Subdivision 1.1.04.09 Members' Resources – Allowances and Assistance \$46,800

To:

Subdivision 1.1.04.02 Members' Resources – Training \$46,800

Drafted by: Wanda Strowbridge
Date: December 13, 2018

Approved by: Sandra Barnes

Attachments:

1. Budget Transfer No. HOABT2019-013

LEGISLATURE

Budget Adjustment No.: HOABT2019-013

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0206	120	0410	0515	000000	1.1.04.02 Members' Resources – Training	\$46,800

FUNDS REQUIRED FOR:

Additional funds are required for Members' training as approved by Resolution of the House on December 4, 2018.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0206	130	0410	0910	000000	1.1.04.09 Members' Resources – Allowances and Assistance	\$46,800

REASON FUNDS ARE AVAILABLE:

Expenditures are less than anticipated and it is estimated that Members will not avail of the maximum allowable funds.

VERIFIED BY: _____ Chief Financial Officer Date: _____	APPROVED BY: _____ House of Assembly Management Commission Date: _____
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**House of Assembly Management Commission
Briefing Note**

Title: Budget Transfer Request

Issue: Approval of a Transfer of Funds – Members’ Resources

Background:

- The Transfer of Funds Policy, April 2008 requires the House of Assembly Management Commission approval to transfer funds to or from the Allowance And Assistance Main Object of expenditure. Section 4.2.1 of the Transfer of Funds Policy, states:

“ House of Assembly Management Commission approval is required to transfer funds to or from the following Main Objects of Current Account Expenditure of an Activity:

- *Loans, Advances and Investments;*
- *Allowances and Assistance;*
- *Grants and Subsidies; and*
- *Debt Expenses.*

- A transfer of funds is required from Members’ Resources – Allowances and Assistance to Members’ Resources – Travel. This is required to cover the cost of travel for MHAs to attend training mandatory training as ordered by a Resolution of the House approved on December 4, 2018.
- As this training is requested by the House, the required travel costs will not count as a House not in Session trip for MHAs (in accordance with Section 37.3 of the *Members’ Resources and Allowances Rules*). Therefore, costs cannot be charged to a Member’s individual allocation.

Analysis:

Legal Consultation:

Not applicable

Internal Consultation(s):

Corporate and Members’ Services

External Consultation(s):

Not applicable

Comparison to Government Policy:

Not applicable

Financial Impact:

The estimated cost of travel for MHAs to participate in the mandatory training is \$30,000.

Legislative Impact:

Not applicable

Options:

- Not applicable

Status:

- Not applicable

Action Required:

The Commission's approval of the following transfer of funds is required:

From:

Subdivision 1.1.04.09 Members' Resources – Allowances and Assistance \$30,000

To:

Subdivision 1.1.04.02 Members' Resources – Travel \$30,000

Drafted by: Wanda Strowbridge
Date: December 13, 2018

Approved by: Sandra Barnes

Attachments:

1. Budget Transfer No. HOABT2019-012

LEGISLATURE

Budget Adjustment No.: HOABT2019-012

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0206	110	0410	0367	000000	1.1.04.02 Members' Resources – Travel	\$30,000

FUNDS REQUIRED FOR:

Additional funds are required for Members' travel to attend training.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0206	130	0410	0910	000000	1.1.04.09 Members' Resources – Allowances and Assistance	\$30,000

REASON FUNDS ARE AVAILABLE:

Expenditures are less than anticipated and it is estimated that Members will not avail of the maximum allowable funds.

<p>VERIFIED BY:</p> <p>_____</p> <p>Chief Financial Officer</p> <p>Date: _____</p>	<p>APPROVED BY:</p> <p>_____</p> <p>House of Assembly Management Commission</p> <p>Date: _____</p>
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House of Assembly Management Commission

Briefing Note

Title: Severance/Termination Benefits for Political Support Staff

Issue: Whether the Management Commission should adopt the Executive Branch decision to extinguish severance entitlements and implement a termination benefit for political support staff.

Background:

- In correspondence to the Speaker dated October 18, 2018, the Government House Leader requested that the Management Commission meet as soon as possible to consider adopting Government's direction with respect to extinguishment of severance entitlement and implementation of a termination benefit for political support staff employed by the Legislature (**Attachment 1 refers**). Adoption of the Executive Branch policy would align the termination benefits provided to political support staff of both branches.
- Currently, upon termination of employment, political support staff employed by the Legislature are provided a severance benefit in accordance with the direction provided in a 1989 Order-in-Council and specified in their employment contracts. The provisions are as follows:
 - 1 month severance for every full year of service to a maximum of 12 months if the employee is released from their contract (there is also a minimum of 3 months if the employee has between 1 – 2 years of service).
 - 1 week severance for every full year of service to a maximum of 12 weeks if the employee resigns.

NOTE: There is a lifetime cap on these benefits. As an example, a political support employee released from their contract after 4 years of service would receive 4 months severance. If the employee returned, served another 12 years and was then released from their contract, they would receive 8 months severance.

- The new Executive Branch policy will provide the following termination benefits for political support staff upon release from their contracts, regardless of their length of service:
 - Political supportive staff paid on PS salary scales PS01- PS05: 30 calendar days
 - Political support staff paid on PS salary scales PS06 - PS12: six weeks

NOTE: Political support employees who resign from their positions, and those dismissed during the probationary period (first three months service) will not receive any termination benefit.

- As the entitlement to severance benefits for political support staff is provided in their employment contracts, in order to extinguish the current severance entitlement and implement the new termination benefit, the following steps are necessary:
 - Terminate all existing contracts triggering the payout of each employee's severance entitlement as of the termination date. The entitlement is a lump sum payment of one month salary for each **full** year of political service employment up to a maximum of 12 months. Partial years of service do not count towards severance.
 - Execute new contracts with political support staff. The new contract is essentially a new offer of employment that provides the new termination benefit.
- The Executive Branch decision is being implemented as of October 31, 2018. Employees are provided with three options for the payout of their severance entitlement:
 - Lump sum payout of severance entitlement as of October 31, 2018 on December 12, 2018;
 - Lump sum payout of severance entitlement as of October 31, 2018 on March 20, 2019;
 - Deferral payout of severance to a later date. The severance entitlement is calculated as of October 31, 2018 and frozen until the deferral date.
- There are approximately 65 political support staff (i.e. constituency assistants of MHAs and employees in the caucus offices) employed by the Legislature. If severance for these staff were to be paid out as of October 31, 2018 under the same terms and conditions used in the Executive Branch, the cost would be approximately \$1.2 million.
- Under subsection 21(3) of the *House of Assembly Accountability, Integrity and Administration Act*, the financial and management policies of the Executive Branch apply to the House of Assembly and its statutory offices unless the Management Commission establishes its own policies.
- Should the Management Commission decide to adopt the Executive Branch Policy, it would need to provide direction respecting an implementation date. The HR unit of Corporate and Members' Services would require sufficient time to update severance due to employees as of the implementation date; process requests for payout of severance and prepare, terminate and reissue contracts for all political support staff.
- Should the Management Commission not adopt the Executive Branch policy, it will need to provide direction to continue with the current Legislature policy.
- Alternatively, the Management Commission could direct development of a legislature-specific policy and continue with the current Legislature policy in the interim.

Legal Consultation:

Law Clerk

Internal Consultation(s):

Not applicable.

External Consultation(s):

Severance provisions for political support staff vary significantly across Canadian jurisdictions. Information on a number of jurisdictions is attached as Attachment 2.

Comparison to Government Policy:

As noted in “Background” section.

Financial Impact:

Estimated cost to payout severance for political support staff in the Legislature as of October 31, 2018 (under the same terms and conditions used in the Executive Branch) is \$1.2 million.

Legislative Impact:

Not applicable.

Options:

1. Adopt the direction of the Executive Branch with respect to the extinguishment of severance entitlements and implementation of a termination benefit for political support staff, with the Commission to determine an implementation date for the Legislature.
2. Do not adopt the direction of the Executive Branch with respect to the extinguishment of severance entitlements and implementation of a termination benefit for political support staff, with the severance benefit for political support staff of the Legislature to continue under the direction provided in a 1989 Order-in-Council and specified in their employment contracts.
3. Direct development of a legislature-specific policy, and continue in the interim with the current policy (under the direction provided in a 1989 Order-in-Council and specified in their employment contracts) with respect to severance entitlements for political support staff.

Status:

- Political support staff in the Legislature continue to accrue severance under terms and conditions of their current employment contract.

Action Required:

- The direction of the Commission is requested.

Prepared by: Sandra Barnes
Date: October 30, 2018

Attachments:

1. Correspondence dated October 18, 2018 from the Government House Leader.
2. Jurisdictional scan – Severance Benefits Provided to Political Support Staff



HOUSE OF ASSEMBLY
NEWFOUNDLAND AND LABRADOR

Government Members Office

OFFICE OF THE SPEAKER

October 18, 2018

OCT 18 2018

The Honourable Perry Trimper
The Speaker
House of Assembly

Dear Mr. Speaker:

Through enactment of the Salary Restraint and Extinguishment of Severance Pay Act (the "Act"), Government has taken measures to prevent the further accrual of severance benefits for non-bargaining unit employees. The Act replicates a process to extinguish the severance benefit in a manner that was negotiated with the Newfoundland and Labrador Association of Public and Private Employees and which is currently being negotiated with other public service unions. Political support staff are not captured by either such initiative and, as a result, different measures are required to achieve the same result, namely, the payout and extinguishment of severance pay.

The entitlement to severance benefits for political support staff arises solely from the terms of their employment contracts. As a result, it is legally necessary to terminate such contracts to bring an end to the accrual of any further severance benefit entitlement and trigger the payout of the accrued benefit to date of termination. The termination of these employment contracts would be effected simultaneously with an offer of employment on revised terms that exclude any future severance benefit. Cabinet has given direction to take such action for political support staff employed by the Executive Branch effective October 31, 2018. This would have the effect of aligning the treatment of political support staff of the Executive Branch with that of public service employees as it relates to the payout and extinguishment of severance benefits.

As Government House Leader, I have been directed to request that the Management Commission meet as soon as possible to consider adopting Government's direction for political support staff employed by the Legislature. This would then align the treatment of the Legislature's political support staff with the Executive Branch's political support staff as it relates to the payout and extinguishment of severance benefits.

Officials of Cabinet Secretariat are available to brief House of Assembly staff as may be needed.

Yours truly,


Andrew Parsons, QC
Government House Leader

Attachment 2

Political Staff Termination/Severance Benefits – Jurisdictional Information

Jurisdiction	Benefit Provided
PEI	For every 5 years of service, severance of 10 days provided for every year worked to a maximum of 150 days.
Ontario	<p>One week for each year of employment to a maximum of eight weeks.</p> <p>Additional notice granted (amounts over and above 8 weeks) by the Member for Members' staff will be funded from the Member's Global Budget and by the Caucus through Caucus appropriation.</p> <p>When an employee is terminated for cause, notice period and severance pay do not apply.</p> <p>Members' support staff and Caucus staff are entitled to receive severance pay calculated according to the formula used throughout the Office of the Assembly. One year of service is required for entitlement to this benefit. Severance pay consists of one week's pay for each year of service with a maximum of 26 weeks' pay, prorated for part-time staff.</p> <p>Enhanced Severance</p> <p>A Member or Caucus can elect to grant an allowance over and above the Legislated Notice period and Legislated Severance. This would be termed Enhanced Severance and treated as such for payroll/tax purposes. The cost would be charged to the Members' global budget or Caucus appropriation, as applicable.</p> <p>Note: When an employee is terminated for cause, notice period and severance pay do not apply.</p>
Manitoba	<p>Four weeks for regular caucus staff and constituency assistant.</p> <p>No notice for political staff hired on a term contract or for a specified job</p> <p>Two weeks for term CAs with up to one year of service. After that, 4 weeks.</p> <p>RETIREMENT SEVERANCE (Caucus)</p> <p>One week for every year of service after nine years of service to a maximum of 15 weeks. (prorating applies). As a result of retirement or death in the ninth year, one week for every year with prorating in the ninth year.</p> <p>An employee who is entitled to 15 weeks' severance is entitled to additional severance pay equal to two weeks' pay for every five years of accumulated service in excess of 15 years, but the total additional severance pay shall not exceed eight weeks' pay.</p> <p>Termination without cause</p> <p>After one or more year's service, one week's pay for each complete year of accumulated service or portion thereof, but the total amount of severance pay shall not exceed 26 weeks' pay. Less than one year, prorated.</p> <p>SEVERANCE AS A RESULT OF A GENERAL ELECTION OR BY-ELECTION OR CHANGE IN PARTY LEADERSHIP – retirement severance applies</p> <p>SEVERANCE PAY DUE TO TERMINATION - NON-DICISPLINARY - CAs</p> <p>one week's pay for each complete year of service, or portion thereof, to a maximum of eight weeks' pay.</p> <p>Does not apply to a Constituency Assistant who is terminated at the end of the term for which he or she was hired; or upon completion of the specific task for which he or she was hired; or if he or she was dismissed for cause.</p>
Saskatchewan	<p>The transition allowance shall be based upon the constituency assistant's years of eligible service as follows:</p> <p>(a) two weeks of pay per year of service to a maximum of twenty-four weeks for twelve years or more of service; transition allowance will be prorated for less than full years of service;</p> <p>(b) service shall be calculated based on actual hours worked, adjusted for periods of mandatory definite leaves, with one year of service equaling 1872 hours.</p> <p>Eligible service for the purposes of this provision includes continuous employment with a Member or Members of the Legislative Assembly without a break in service. For the purposes of this provision, a break in service means any:</p> <p>(i) dismissal;</p> <p>(ii) resignation; or</p> <p>(iii) previous receipt of a severance or transition allowance payment as a constituency assistant.</p> <p><u>Caucus Employees</u></p>

Jurisdiction	Benefit Provided										
	<p>If a caucus employee is terminated without cause, they are eligible for severance. The severance amount cannot be less than what they would have been entitled to for pay in lieu of notice under <i>The Saskatchewan Employment Act</i>. The amount of money that is paid as severance to the employee is determined by guidelines approved by the Board of Internal Economy.</p> <p>The Board guidelines are below:</p> <p>Senior Staff Eligibility: (Chief of Staff and Director level positions within the caucus office) - one (1) month of pay, for each year of service in the caucus office and within the public service of Saskatchewan to a maximum of twelve (12) months of pay.</p> <p>Junior Staff Eligibility:(clerical, secretarial, research, communications, and all other staff who do not fall within the senior staff classification.) one (1) month of pay, for each year of service in the caucus office and within the public service of Saskatchewan to a maximum of nine (9) months.</p> <p>In those cases where the caucus office has a collective bargaining agreement with a union, the amount for the years of service calculation for the severance payment for junior staff can fall within the provisions of the respective collective agreement. However, under no circumstances can the total amount exceed nine (9) months of pay.</p>										
New Brunswick	<p>Political support staff: paid in the form of salary continuance, one month pay per year of service (to a maximum of eight months), or pro-rated if employed less than a year. May continue insured benefits (with the exception of Long Term Disability) with no change in cost sharing arrangement, until severance benefits are exhausted.</p> <p>Constituency office staff are recruited directly by the Member. An assistant hired by the Member is an employee of the Member, not a Legislative Assembly or government employee. Such matters as working conditions, hours of work, severance pay and other fringe benefits remain the responsibility of each Member. It is up to the individual Member to advise his or her constituency staff that upon the Member's defeat or resignation their employment ceases unless they are rehired by the newly elected Member.</p> <p>Constituency office staff are required to sign an employment agreement with the Member, outlining the terms and conditions of employment. The agreement will include a provision for termination of employment in the event of the Member's defeat, resignation or death. A copy of the agreement will be provided to the Clerk's Office prior to payroll initiation.</p>										
Nunavut	<p>Whether the employee is release or resigns, the following severance is provided:</p> <p>Less than 1 Year: 2 Weeks 1 Year 2 Weeks 2 Years 3 Weeks 3 Years 4 Weeks 4 Years 5 Weeks 5 Years 6 Weeks</p>										
British Columbia	<p>In BC, one of the caucuses are unionized and bound by a collective agreement which stipulates severance which is working notice toward the end of a parliament (generally speaking). Other caucuses generally follows the BC Public Service Agency guidelines which amounts to 1 month for every year of service to a maximum of 18 month's severance (sometimes more).</p>										
House of Commons	<ul style="list-style-type: none"> Members: Regular employees who have their employment terminated by the Member, for reasons other than for cause or because the Member ceases to be a Member, will be given the following number of weeks of notice of termination, or the equivalent salary in lieu of notice, or a combination thereof. If a Member chooses to give pay in lieu of notice, the first two weeks will be charged to the Member's Office Budget. The remaining entitlement will be paid out of the House Administration central budget. <table border="0" data-bbox="349 1876 1414 2042"> <thead> <tr> <th data-bbox="349 1876 857 1911">Employee's Length of Continuous Employment</th> <th data-bbox="938 1876 1273 1911">Advance Notice of Termination</th> </tr> </thead> <tbody> <tr> <td data-bbox="349 1911 565 1946">Less than 3 months</td> <td data-bbox="1008 1911 1040 1946">Nil</td> </tr> <tr> <td data-bbox="349 1946 565 1981">3 months to 3 years</td> <td data-bbox="992 1946 1084 1981">2 weeks</td> </tr> <tr> <td data-bbox="349 1981 488 2016">Over 3 years</td> <td data-bbox="992 1981 1084 2016">3 weeks</td> </tr> <tr> <td data-bbox="349 2016 618 2050">For every additional year</td> <td data-bbox="959 2016 1149 2050">1 additional week</td> </tr> </tbody> </table> <ul style="list-style-type: none"> House Officers or Research Offices: Regular employees who have their employment terminated by the House Officer or the Member responsible for the Research Office, for any reasons other than for cause or because the House Officer or Member ceases in that role, will be given a minimum of two weeks up to a maximum of eight weeks of notice of termination, or the equivalent salary in lieu of notice, or a combination thereof, at the salary to which the employee was entitled immediately prior to the termination of employment. The actual determination of the entitlement within the above range is at the sole discretion of the House Officer or the Member responsible for the Research Office, regardless of the employee's length of service, and is subject to the availability of funds within the House Officer's Office Budget or the Research Office Budget. <p>Upon termination of employment, in addition to termination or separation entitlements, Members' regular employees receive severance pay under the following circumstances only:</p> <ul style="list-style-type: none"> Release: A regular employee who is released and who has completed at least one year of continuous employment is entitled to two weeks' pay for the first completed year of continuous employment and one week's pay for each succeeding completed year of continuous employment. 	Employee's Length of Continuous Employment	Advance Notice of Termination	Less than 3 months	Nil	3 months to 3 years	2 weeks	Over 3 years	3 weeks	For every additional year	1 additional week
Employee's Length of Continuous Employment	Advance Notice of Termination										
Less than 3 months	Nil										
3 months to 3 years	2 weeks										
Over 3 years	3 weeks										
For every additional year	1 additional week										

Jurisdiction	Benefit Provided
	<ul style="list-style-type: none"> • Member ceases to be a Member: A regular employee is entitled to two weeks' pay for the first completed year of continuous employment and one week's pay for each succeeding completed year of continuous employment, to a maximum of 28 weeks, when the Member resigns, is not re-elected, does not seek re-election, or dies while in office. • Resignation: A regular employee who resigns and who has 10 or more years of continuous employment is entitled to severance equal to half of one week's pay for each completed year of continuous employment to a maximum of 26 years, which represents a maximum benefit of 13 weeks' pay. • Retirement: A regular employee who retires will be paid severance equal to one week's pay for each completed year of continuous employment, to a maximum benefit of 30 weeks' pay. • Death of the employee: If a regular employee dies, the employee's estate will be paid one week's pay for each completed year of continuous employment, to a maximum benefit of 30 weeks' pay. <p>Severance is calculated on the basis of the employee's current salary. It will be reduced by any period in respect of which the employee was previously granted severance pay, retiring leave or a cash gratuity in lieu thereof. Time spent on maternity or parental leave counts as continuous employment for the calculation of severance pay. Severance payments are prorated for part-time employees.</p>
Yukon	<p>Members of the Yukon Legislative Assembly do not have publicly-funded constituency offices, so they do not have publicly-funded constituency assistants. However, caucus staff in full-time established positions are paid a severance when they leave their employment. The amounts are individually determined and are tied to length of service. Individuals hired into part-time or casual positions do not receive severance or transitional allowances.</p>
Quebec	<p>Severance pay is equal to one month's salary for each six-month period of continuous service as staff of a Member, a Cabinet Minister or an office of the National Assembly. If the service accumulated is not a fractional whole multiple of six months, the severance pay corresponding to the fraction is calculated on a prorated basis of the staff members' days of service.</p> <p>One month's salary is equal to 1/12 of the annual salary the staff members would have received at the time of their departure.</p> <p>In no case may severance pay exceed 12 months' salary.</p>
Alberta	<p>Legislated Notice Period:</p> <p><i>One week's notice in writing if period of employment is less than one year.</i></p> <p><i>Two weeks' notice in writing if period of employment is one year or more, but less than three years.</i></p> <p><i>Three weeks' notice in writing if period of employment is three years or more, but less than four years.</i></p> <p><i>Four weeks' notice in writing if period of employment is four years or more but less than five years.</i></p> <p><i>Five weeks' notice in writing if period of employment is five years or more but less than six years.</i></p> <p><i>Six weeks' notice in writing if period of employment is six years or more but less than seven years</i></p> <p><i>Seven weeks' notice in writing if period of employment is seven years or more but less than eight years, and</i></p> <p><i>Eight weeks' notice in writing if period of employment is eight years or more.</i></p> <p>Notice period of up to 8 weeks for Members' support staff is funded by the Legislative Assembly outside the Member's global budget and for Caucus staff it is funded by the Caucus appropriation.</p> <p>NOTE: Additional notice granted (amounts over and above 8 weeks) by the Member for Members' staff will be funded from the Member's Global Budget and by the Caucus through Caucus appropriation.</p> <p>In addition to Legislated Notice, the staff person is entitled to:</p> <p>Legislated Severance</p> <p>Members' support staff and Caucus staff are entitled to receive severance pay calculated according to the formula used throughout the Office of the Assembly, with the exception that</p> <ul style="list-style-type: none"> - One year of service is required for entitlement to this benefit. Severance pay consists of one week's pay for each year of service with a maximum of 26 weeks' pay, prorated for part-time staff. - Severance pay, within the above guidelines, for Members' staff is funded by the Legislative Assembly and for Caucus staff through Caucus appropriation. <p>Enhanced Severance</p> <p>A Member or Caucus can elect to grant an allowance over and above the Legislated Notice period and Legislated Severance. This would be termed Enhanced Severance and treated as such for payroll/tax purposes. The cost would be charged to the Members' global budget or Caucus appropriation, as applicable.</p>

**House of Assembly Management Commission
Briefing Note**

Title: Standard Office Allocation Package

Issue: Approval to pay invoice

Background:

- The *Standard Office Allocation Package for Members of the House of Assembly and Constituency Assistants*, which was approved by the Management Commission, details the office furniture, equipment and services that are provided to Members and Constituency Assistants.
- It also includes a provision for the Clerk of the House of Assembly to approve the purchase of other furniture and equipment up to a maximum of \$1000, with all such approvals to be reported at a future meeting of the Commission.
- Recently, a purchase order was issued in the amount of \$1,512.00 for the purchase of 3 folding tables and 12 stacking chairs for the constituency office of the Member for the Lewisporte-Twillingate.
- As this amount exceeds the maximum of \$1000 that can be approved by the Clerk, the invoice cannot be paid without the approval of the Commission.

Analysis:

Legal Consultation:

N/A

Internal Consultation(s):

Corporate and Members' Services

External Consultation(s):

N/A

Comparison to Government Policy:

N/A

Financial Impact:

N/A

Legislative Impact:

N/A

Options:

- Approve the payment of the invoice in the amount of \$1,512.00.
- Do not approve the payment of the invoice in the amount of \$1,512.00.

Status:

- The invoice remains outstanding.

Action Required:

- The direction of the Commission is requested.

Prepared by: Bobbi Russell
Date: December 18, 2018

Approved by: Sandra Barnes