



PROVINCE OF NEWFOUNDLAND AND LABRADOR
HOUSE OF ASSEMBLY

HOUSE OF ASSEMBLY
MANAGEMENT COMMISSION

Seventieth Meeting

Wednesday, November 7, 2018

HANSARD

Speaker: Honourable Perry Trimper, MHA

The Management Commission met at 5:15 p.m. in the House of Assembly.

MR. SPEAKER (Trimper): Okay, I'd like to call this meeting to order.

First of all, I'd like to welcome all the Members of the Management Commission. My name is Perry Trimper, I'm the Speaker of the House of Assembly and I am the Chair of the Management Commission.

I will now turn to my left and ask the Members to introduce themselves.

MR. HUTCHINGS: Keith Hutchings, MHA, District of Ferryland.

MS. MICHAEL: Lorraine Michael, MHA, St. John's East - Quidi Vidi.

MR. CROSBIE: Ches Crosbie, MHA for Windsor Lake.

MR. BROWNE: Mark Browne, MHA, Placentia West - Bellevue.

MR. A. PARSONS: Andrew Parsons, Burgeo - La Poile.

MS. COADY: Siobhan Coady, St. John's West.

MR. WARR: Brian Warr, Deputy Speaker and Vice-Chair of the Commission.

MS. RUSSELL: Bobbi Russell, Policy and Communications Office.

CLERK (Barnes): Sandra Barnes, Clerk.

MR. SPEAKER: And for all my friends in the District of Lake Melville, I should also introduce, I'm the MHA for Lake Melville. I'm very proud to do that as well.

First of all, for those watching, I would like to inform you that we've just had an in camera meeting in my boardroom where we've reached two decisions. And I will now read those decisions into the record.

So they include: the Commission, at an in camera meeting, approved the nomination of Ms. Kim Hawley George, QC, 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.

The second decision that we just reached: the Commission, at an in camera meeting, approved recommending to the Lieutenant-Governor in Council the appointment of Mr. Barry Fleming, QC, 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.

That is the extent of our in camera session. I will now ask the Members of the Management Commission to turn to their provided binder and we will start to work through our agenda.

First of all, I would ask – you've been provided with the minutes from the previous meeting, which was on the 27th day of September, 2018. The minutes are attached. You've had perhaps an opportunity to review them. I would look for a mover and a seconder.

So moved by MHA Browne; seconder for their approval, MHA Hutchings.

All in favour of the minutes as they are presented?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Contra-minded.

The minutes are approved.

On motion, minutes approved as circulated.

MR. SPEAKER: The next item is a budget transfer request, and we have provided information here for the Management Commission to review. We are required to seek approval from the Management Commission before we move or transfer any funds to or from the Grants and Subsidies main object of expenditure.

We're moving an amount of \$2,700 from – as you can see in your tab – subdivision 1.1.04.09 Members' Resources – Allowances and Assistance. We're moving \$2,700 to subdivision 1.1.04.10 Members' Resources – Grants and Subsidies, and this relates to additional expenses associated with the independent Members that we have.

So I need a mover to that motion and a seconder. This is really for your awareness. It's an administrative detail, but we do require the approval of the Management Commission.

Ms. Michael, do you have a –?

MS. MICHAEL: Just a question of clarification, I guess – well, it's on clarification. What exactly is this for? Is it setting them up in a space or –?

CLERK: No.

MS. MICHAEL: No.

CLERK: As you're aware, each caucus has an operational grant fund –

MS. MICHAEL: Oh, yes.

CLERK: – and each independent Member gets the single amount.

MS. MICHAEL: Right.

CLERK: And, of course, we have to move money into Members' Resources because that funding was originally attached to the caucus.

MS. MICHAEL: Right.

Okay, thank you.

MR. SPEAKER: Okay.

Any further questions? Seeing none – oh, sorry.

MHA Hutchings.

MR. HUTCHINGS: Just to your point. So the caucus that a Member was part of, that would be deducted from that caucus amount and that's where the transfer is coming from?

MR. SPEAKER: The monies that would've been associated with those two Members in the previous caucus, that's deducted from there and added to this individual accounts.

CLERK: That's correct.

MR. HUTCHINGS: Okay.

Thank you.

CLERK: There's a ceiling on it, right. There's a cap, depending on the number. The minimum is eight in a caucus. The minimum level of funding in that operational grant is based on eight Members if you're a caucus, and it's an individual amount if you're an independent Member or the Speaker.

MR. CROSBIE: (Inaudible.)

CLERK: It goes back to the time when they became independent Members. So that would've been – cover the period of May up until now. We already had some funding there that we could – until they got their bank accounts set up that we could pull from, but now we need to move the money over to cover the funding for the rest of the year.

MR. CROSBIE: So this is going until the end of March?

CLERK: It goes –

MR. SPEAKER: Well, until such time that –

CLERK: Yes, it goes until the end –

MR. CROSBIE: Or until something else happens.

MR. SPEAKER: Right.

CLERK: Exactly.

MR. SPEAKER: Yes, yes.

CLERK: Exactly.

MR. SPEAKER: MHA Michael?

MS. MICHAEL: Obviously, they have their constituency assistants, but I think the

independent MHA for Mount Pearl - Southlands – I understand there's more funding for his research assistants?

CLERK: Yes, that's correct.

Each Member is entitled – I can't remember the exact amount, and I think it's around \$23,000 on an annual basis. So the amount would be prorated. Once they need to access that fund, Corporate Members' Services will look to see what funds are available and possibly have to look for a transfer of funds to cover that off when it's necessary.

The Member for Mount Pearl - Southlands has access to that money, but I don't think either of the other two has engaged staff yet.

MS. MICHAEL: Okay, so they actually have to request it. They just don't get the money.

CLERK: Once we need the money to meet payroll, Corporate and Members' Services would transfer the money, as appropriate.

MS. MICHAEL: Okay.

MR. SPEAKER: Any further questions on this point?

MHA Hutchings.

MR. HUTCHINGS: Could you just clarify for an independent Member, what's the total budgetary allocation? Is it \$23,000 or what is the allocation?

CLERK: It's driven by that – it's a 2008 minute from the Commission after the Metrics report and it changes on an annual basis. I can get you the exact amount and I can email it to you. I think it's around \$23,000 on an annual basis. The caucuses get it as well. It's part of your variable funding, and it's adjusted each year. But I will send you the exact amount. It's in the order of \$23,000.

MR. HUTCHINGS: Okay.

Thank you.

MR. SPEAKER: Any further questions?

Seeing none, I seek a mover of the motion, as I had described earlier.

And a seconder.

The mover is MHA Michael and the seconder is MHA Browne.

Thank you.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Contra-minded?

The motion is passed.

Next I'd ask you to turn to Tab 3, and this is a regular requirement. Our *House of Assembly Accountability, Integrity and Administration Act* requires that the Commission must regularly, and at least quarterly, review the financial performance of the House of Assembly as well as the actual expenditures of Members compared with approved allocation.

So all 40 MHAs' budgets, as proposed and actual, are all presented there for your review; there is no decision here.

If there's no discussion, I'll move along.

Tab 4, this deals with a request from the Member for Fortune Bay - Cape La Hune. I'll provide a little bit of background as to the letter she sent and to the work that the staff have done here so far.

"In correspondence to the Speaker dated September 28, 2018, the Member for Fortune Bay - Cape La Hune requested the Management Commission to consider providing financial assistance for legal fees and other expenses incurred as a result of her participation in a review process initiated under the Code of Conduct for Members

"The House of Assembly does not currently have policies or guidelines in place related to the reimbursement of and/or financial assistance towards legal fees."

We've completed a jurisdictional scan that does show the House of Commons has recently adopted a policy related to reimbursement and/or financial support for legal fees incurred by Members. And that policy has been attached for your information.

"The Management Commission may wish to consider directing the development of a policy and/or guidelines related to reimbursement of, and/or financial support toward legal fees, to ensure this request and any future requests are dealt with in a consistent manner."

So, I'm going to start just looking for a discussion, first of all, on the point, if anyone has any comments.

MR. SPEAKER: MHA Michael.

MS. MICHAEL: I'm torn in terms of what to do at the moment, but I know one thing I do think is that we really shouldn't be approving money of any nature without policy around what that money's being spent on.

So, I think developing a policy is absolutely essential. I know that it would put things on hold for the Member who's made the request, but it could be that we start getting other requests as well, and how do we determine – does everybody just get money because they've come forward with legal fees?

I mean, I personally think legal fees, if they're related directly to the House of Assembly, there's a case for covering them, but I think we have to have some policy in place.

MR. SPEAKER: Given that comment, what I'd like to offer is a possible motion that we could have here, just as it reflects what you've just said, and this is what we've drafted to be considered by the Commission:

The Commission "direct the development of a policy and/or guidelines related to reimbursement of, and/or financial support toward legal fees, with a request from the Member for Fortune Bay - Cape La Hune to be deferred until a policy/guidelines are developed and approved by the Commission."

So that's a possible direction we could go with this item.

MHA for Windsor Lake first.

MR. CROSBIE: Sir, could I ask whether you expect any other requests for assistance with legal fees?

MR. SPEAKER: Unknown, but I would tell you that there have been discussions amongst some Members in our office.

They've not formally requested. If they had, we would've presented in here, but I have had inquiries, yes.

MR. CROSBIE: If I could, the possibility exists to address having a standardized policy. During the deliberations, Mr. Hutchings if you could confirm that of the Privileges and Elections Committee, that's the body that's considering, I think, the adoption of a policy on harassment.

Would it make sense to consider developing a policy on payment of legal fees in that context? I'm just raising that issue.

MR. SPEAKER: MHA Coady is the person who is next.

MS. COADY: Thank you very much.

I think we absolutely have to have policy around this. I feel, as my colleague does, that if you need legal requirements in the course of your business with the House of Assembly then it should be covered. That's the way I feel. But we do policy around it. I was going to ask a similar question to my colleague from Windsor Lake, but I would expect there would be others.

We heard yesterday I think in debate that many others had referred to their legal counsel requirements during this situation. So if we are going to do it for one, it would have to be eligible for all.

MR. SPEAKER: I might add, if you've not had a chance, the House of Commons policy, as provided there, it's useful to have a good read of that. It sets limits, it sets authorizations in

advance and a variety of other criteria that one might consider. So it is a good guide for us.

MHA Hutchings.

MR. HUTCHINGS: Thank you.

Yes, I was going to reference the House of Commons or what's included in the material, because there is a schedule fee within that, and guidelines of what's used. Obviously, I support something that's consistent and could deal with all of those that have come forward or others that may in the future.

My colleague suggested – I don't know what the avenue is here – is that the Privileges and Elections Committee look at this or to come up with a policy or the House would do that, I'm not sure. But then we need to consider in the intervening period how long it's going to take to get to that and if there's cost incurred by individual Members of the House, how long do we expect them to hold that cost. I guess that's one of the issues.

MR. SPEAKER: I'm going to refer that to the Clerk for a comment.

CLERK: Just because of the nature of Privileges and Elections as opposed to the Management Commission, it would be more expedient for the Management Commission to consider the policy, and it's certainly within the roles and responsibilities – it's certainly within their authority to do so.

MR. SPEAKER: So we wouldn't pile anything more on to the Privileges and Elections at this time, okay. At least that's the thought.

MHA Coady.

MS. COADY: I think, in reviewing the House of Commons policy, you had to meet the eligibility criteria, you had to seek approval before you engaged. That's not going to be the case, I think, in many of these circumstances because we didn't have a policy at the time. So we're going to have to consider how we work around that issue, and we also have to consider a cap. It can't be an unlimited amount incurred.

So I think in considering what a policy might look like is we're going to look at the eligibility criteria, I'm sure; we're going to look at when someone needs to seek approval and what the maximum amount could be. Then, we also have to think about now we're look at approving it retroactively because all of the people that were – specifically, the person that did come forward, but anyone who might have engaged legal counsel during this situation will likely come forward.

So I think in your deliberations you're going to have to consider how we might retroactively apply any policy.

MR. SPEAKER: Right.

MS. COADY: So it will be advantageous if you could do that.

The other point is what eligible funding pots or pools it might come from. So how would we in our budget, or in whose budget it would come from, because I think as we inch forward that'll become a question, so we might as well consider it now.

CLERK: Well, you're entirely correct, because we don't even have the appropriate line item there –

MS. COADY: Correct.

CLERK: – to charge it against, right. It's just not been considered.

MR. SPEAKER: Okay.

MHA Crosbie.

MR. CROSBIE: Thank you.

I notice, looking at page 6 of the House of Commons policy, Part B: Reimbursement of Legal Fees, this policy would seem to make reimbursement of legal fees contingent on whether an allegation of harassment was found to be substantiated at the end of the matter.

I don't know that that's the correct criteria to apply in the present situation, because the procedures we've adopted as a House to resolve these complaints were first impression.

Everyone was exploring and developing the way to do this as we went. It was more or less ad hoc.

Mr. Speaker, you'll be in possession of a letter from the Member whose request is being considered. If you look through that, you'll see there are a lot of issues of legal complexity which, as she says in the letter that's in the binder here, caused her, at a certain point, to seek legal counsel; uncertainties about the nature of the process; was it inquisitorial, for example, or adversarial; upon whom was the responsibility to seek out and gather evidence; many procedural concerns.

And lying at the end result of all of that process, that legal process, was a set of potentially severe penalties for anyone who might be found to have committed a violation of the Code of Conduct right up to and including the possibility of professional capital punishment; in other words, losing your status as a Member. There's a whole range of potential outcomes. So what was at stake was of great seriousness, and it was all a first impression with the procedure; the procedure being untried, people's rights, reputations and futures and careers were very much an issue.

So I think I, myself, would be very, as a lawyer as well, sympathetic to anybody, whether it be this particular Member or anyone else coming forward with a request that legal assistance be paid for in this unique, one-off situation. Yes, it's a great idea to develop a consistent policy. I'm not sure how we would do that without having the benefit of the policy which is being developed by the House Committee on Privileges and Elections.

I guess that would have to be adopted by the House of Assembly itself. Is that correct, Keith?

MR. HUTCHINGS: That's correct.

MR. CROSBIE: Yes.

So given the time that might be involved in that, I'm thinking – and the uniqueness of the whole situation – that we should deal with these requests on an ad hoc basis as they arise.

My thoughts.

MR. SPEAKER: One point I would like to put into the record is that in the discussions I've had with some of the Members who were involved in this and felt they needed to retain legal services, I always, and I know our office always emphasized that they would do so at their own determination.

This was not something we encouraged, and we certainly made it clear to them that it was neither something that we could support in any financial way. If they felt they needed that, they could go ahead. We certainly offered our own services.

So, again, as people decided to do that, now they've got the bills and we're with this request.

MHA Michael.

MS. MICHAEL: Referring to what the Member for Windsor Lake has said, I'm not so sure that it is the purview of the Privileges and Elections Committee.

When I look at this, this is Legal Fees Policy of the Board of Internal Economy, so there's a policy around legal fees. Then, in that comes a particular piece.

If we're talking about policy, I think we need to think about a legal fees policy, no matter what it's for, because I myself, 11 years ago, sought legal advice with regard to something that was going on in the legislation that involved my role as the Leader of the Third Party. There was absolutely nothing to cover – and I spent about \$5,000 at that time.

We had no policy in place at all around legal fees. So I think we need that, and that's bigger than the Privileges and Elections Committee, I think.

MR. SPEAKER: Further comments?

MHA Browne.

MR. BROWNE: Thank you, Mr. Speaker.

I would concur, I think we do need a policy surrounding the issue. But to Mr. Crosbie's point with respect to an ad hoc basis, I think if we do separate the issues that we're currently dealing with in terms of payment of fees, I think

they should all be done at one time rather than on an ad hoc basis.

We know we have three complainants and two respondents. If we're going to go down that road, I would encourage you to reach out to them to do it all at once rather than on an ad hoc basis. That would be my opinion.

MR. SPEAKER: MHA Crosbie.

MR. CROSBIE: Well, that ad hoc I think would cover dealing with anyone who wants to come forward with such a request all at the same time, but without waiting for the development of a detailed policy on the matter. That's, I guess, what I meant by that.

MR. SPEAKER: Mr. Browne.

MR. BROWNE: Mr. Speaker, thank you.

I will concur, I guess, to Ms. Coady's point about the nature of – to understand the nature of the cost associated with it. It would just be nice to have them all before the Commission at one time, if we were going to go down that road. I certainly take the Member's point.

MR. SPEAKER: So I'm sensing there are maybe two motions before this Commission, right now, to consider. One is to reach out to the complainants, respondents, subject to the five reports that we've dealt with yesterday, and invite them to explain to us what they incurred. Was that the sense of a motion? That's one.

The second is perhaps – I think that I also sought – I heard from you all a willingness to explore the development of a policy. I'm seeing lots of agreement. So I'm going to do them as two separate motions.

So the first will be that Management Commission, our office, will reach out to the complainants and respondents and invite them to explain to us, in written form, any legal fees that they encountered as a result of the Commissioner for Legislative Standards reviews that we discussed and debated yesterday.

The Deputy Chair.

MR. WARR: I will just add, Mr. Speaker, that the requests for legal fees and expenses.

(Inaudible) our policy, the request goes for legal fees and expenses and I'm just bringing that to your attention.

MR. SPEAKER: MHA Coady.

MS. COADY: Thank you very much.

I think we'd have to understand what other expenses actually mean. We have been speaking at length about expenses incurred around the legal process, but I'd have to have a whole lot more detail of what other expenses would actually be defined as.

MR. SPEAKER: I completely agree. I recognize that we all have our own I&E budgets now that allow us to move in the province and do a variety of things. Obviously this was related to their role as an MHA, so separating out legal fees I see is certainly a line item that we weren't able to respond, but yes, we can still investigate.

MHA Hutchings.

MR. HUTCHINGS: Could I just clarify? So the reach out for the information is not any agreement for payment, it's to begin a process to analyze what may or may not exist with no commitment at this point, and therefore we do an evaluation on what has been suggested on an ad-hoc for a certain group if we were to proceed. I think it's important to make that distinction.

MR. SPEAKER: How does that motion read?

MS. RUSSELL: I think in your motion you could just say to submit it for the Commission's consideration. So there's no commitment there for payment; it's just for the Commission to consider.

MR. SPEAKER: MHA Crosbie.

MR. CROSBIE: If I might, I think it would help our deliberations if we knew the amounts and the details of the billings that are being proposed for payment. So whatever wording you might want to include in your letter of outreach, and as well it might be useful to say that we'd

like to receive any such proposal within 30 days from the date of the letter or some such like that.

MR. SPEAKER: MHA Michael.

MS. MICHAEL: Even though I said it's not the Privileges and Elections to do the work, but we have done work that could help, like I don't know if in the jurisdictional scans that we did if there are some examples of – I seem to remember that there were, so we may find some examples from other jurisdictions around the covering of the legal fees was under the harassment part.

MR. SPEAKER: We know the people involved in that.

MS. MICHAEL: Yes.

MR. SPEAKER: Yes, okay, that's good. Good suggestion.

MHA Browne.

MR. BROWNE: Thank you, Mr. Speaker.

And I'd like to correct the record, that I incorrectly stated there were three complainants. There were four.

So just for clarity sake.

MR. SPEAKER: Okay.

All right, so I think we've got the first motion captured somewhat. I'd look to Bobbi for some confidence.

Do you want to try reading it?

MS. RUSSELL: So, the motion that I have is that the Speaker's Office and Clerk's Office will reach out to the complainants and respondents, subject to the five reports that were just debated by the House from the Commissioner for Legislative Standards, to invite them to submit legal costs and expenses that were incurred as a result of that process, and you would reach out in writing and it would be submitted for the Commission's consideration.

MR. SPEAKER: Is that okay?

Need a mover?

MR. HUTCHINGS: So moved.

MR. SPEAKER: MHA Hutchings, and seconded by MHA Michael.

All in favour; no contra-minded.

Thank you very much.

The first motion is passed.

The second motion, I'll just read it to you again: The Commission directs the development of a policy and/or guidelines related to reimbursement of, and/or financial support toward, legal fees with a request from the Member for Fortune Bay - Cape La Hune to be deferred until the policy guidelines are developed and approved by the Commission.

I'm not sure I need that second part.

MS. RUSSELL: I think you could just say the first part.

MR. SPEAKER: I'm going to abbreviate that first part.

MS. RUSSELL: Yeah, you can take out the second part because we're going to deal with that in a further motion.

MR. SPEAKER: So, again, I'll just for the record.

The motion is: The Commission directs the development of a policy and/or guidelines related to reimbursement of and/or financial support toward legal fees.

All right, I need a mover and a seconder on that.

Moved by MHA Michael and seconded by MHA Crosbie.

Contra-minded, all in support?

Thank you very much.

I'll now move us to our last item on our agenda, it's Tab 5, and this relates to political support

staff severance. And I will introduce into the record a few comments, if I could.

“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 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 outlined in the attachment that you all have been provided.

The new Executive Branch policy will provide termination benefits for political support staff upon release from their contracts, regardless of their length of service.” Those provisions are also outlined in the note.

So we have approximately 65 political support staff, and these are made up of constituency assistants of MHAs and employees in the caucus offices that are applicable here. And these are now all employed by this Legislature.

“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.”

I’ve just got a couple more thoughts I can put on the table. As outlined in the note: “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.” And we’ve provide further details there.

I’m going to open up for discussion, first of all, before we look at some of the motions.

MHA Michael.

MS. MICHAEL: Thank you.

Now, obviously we just received this in preparation for this meeting, and there’s a lot here to absorb. One of the things that strikes me is that as a Member of a caucus where we have our political support staff, I’d really like to get some sense from them what they think of what the proposals are. I certainly couldn’t do that before today, because this document was not a public document until we came here to this meeting. And I think it would be respectful to have a conversation with political support staff. I’m even wondering if, at some point, there couldn’t be a presentation of what the proposals might be – I’m not saying what’s here now we have to make some decisions, but I certainly wouldn’t be ready here today to make any concrete decisions.

I think there’s work that needs to be done respecting the political support staff, and not just making decisions that don’t, in some way, get a sense of where they are in their response to proposals that are in here.

MR. SPEAKER: Further comments, discussion?

MHA Hutchings.

MR. HUTCHINGS: Thank you.

What's being proposed, just for clarity, as previous directions taken in regard to severance for various groups within the public service, is that any accrued benefit from severance would be paid out, and then on a go-forward basis you would amend the Executive Branch policy for any severance accrued after that time, right?

MR. SPEAKER: And new contracts would be signed.

MR. HUTCHINGS: Okay, yeah, so all current contracts would be –

CLERK: Terminated.

MR. HUTCHINGS: – terminated, and then everybody would sign the new contract and then the new severance rules, at a certain date, would flow from that.

Okay, that's good for me.

MR. SPEAKER: Okay.

MHA Parsons.

MR. A. PARSONS: It is a lot of information. I'm fine with deferring it as well so the people that it affects can at least have a conversation about something like this.

I am certainly fine with that.

MR. SPEAKER: Seeing some agreement amongst the Commission, I'm going to propose a motion then that we table this item on our next Management Commission meeting for a decision at that time.

Nothing further on the agenda, I look to the –

MS. RUSSELL: Can we get a motion on that?

MR. SPEAKER: Oh, I'm sorry, I need a mover and a seconder.

Thank you.

So moved by MHA Crosbie and –

CLERK: Because of the way the act is structured, we need to continue because the

Executive Branch has implemented its new policy.

MR. SPEAKER: Right.

CLERK: We need a directive to continue the current policy in effect at the Legislature until the Management Commission directs otherwise.

MR. SPEAKER: Thank you to the Clerk.

So, therefore we're going to say – I'm going to use this one.

MS. RUSSELL: Say the Commission defers the political support staff severance and directs the –

MR. SPEAKER: Continue under the direction provided, okay.

So, basically our first motion – thank you for that – is that the Commission will defer the incorporation of the Executive Branch – I am sorry; why don't I just read it?

The Commission does not adopt, at this time, 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 the 1989 order-in-council and specified in their employment contracts.

That will work, I think, right?

Yeah, okay.

MS. COADY: (Inaudible.)

MR. SPEAKER: It's because of the way the legislation is that we need to say we're going to stick with what we've got.

MS. RUSSELL: For now.

CLERK: Yeah, I think we can say that the –

MS. COADY: (Inaudible.)

CLERK: But we need an explicit – otherwise the Executive Branch policy would apply.

MR. SPEAKER: So we don't want that coming in yet.

MS. MICHAEL: (Inaudible.)

CLERK: Yeah.

MR. SPEAKER: That's correct.

MS. MICHAEL: Direct development of a Legislature-specific policy and continue in the interim.

MR. SPEAKER: Yeah.

CLERK: (Inaudible) yeah.

MR. SPEAKER: So I need a mover and a seconder first of all (inaudible).

Okay, moved on MHA Hutchings; seconder, MHA Michael.

Thank you.

All in favour, and no contra-minded, thank you.

So that is approved, and then secondly that we will – do I need to state another decision then to put this on our –?

MS. RUSSELL: I think we'll just capture it as deferred –

MR. SPEAKER: Okay, we'll capture it as deferred. And it'll appear on our agenda for the next meeting.

CLERK: Just for the information of Management Commission Members, the accrued severance that we have on the books is accurate up to the end of October, so that won't change substantially in the short term, but that is the amount.

MR. SPEAKER: Okay.

All right, with that I now look for a mover and a seconder to adjourn the meeting.

MHA Hutchings and seconded by MHA Parsons.

I thank you all very much.

And our next meeting is scheduled on what –

CLERK: On November –

MS. RUSSELL: Two weeks from now, I think.

CLERK: (Inaudible.)

MR. SPEAKER: Approximately two weeks from now, a Wednesday.

Thank you all very much.

On motion, meeting adjourned.