



PROVINCE OF NEWFOUNDLAND AND LABRADOR
HOUSE OF ASSEMBLY

HOUSE OF ASSEMBLY
MANAGEMENT COMMISSION

Eighty-fourth Meeting

Wednesday, January 12, 2022

HANSARD

Speaker: Honourable Derek Bennett, MHA

The Management Commission met at 9:30 a.m. via video conference.

SPEAKER (Bennett): Thank you.

I welcome everyone to the Management Commission meeting this morning. Before we get started, I'll introduce all of our Members and also staff members that are present here this morning.

First of all: the hon. Steve Crocker, Government House Leader; Barry Petten, Opposition House Leader; Helen Conway Ottenheimer, Member for Harbour Main; the hon. Lisa Dempster, Member for Cartwright - L'Anse au Clair; MHA Jim Dinn, Member for St. John's Centre; Paul Pike, Member for Burin - Grand Bank; staff member Sandra Barnes, Clerk and Secretary to the Commission; Deputy Speaker Brian Warr is having technical issues and hopefully he'll be able to sign on very shortly; Kim Hawley George, Law Clerk and Acting Clerk Assistant; Bobbi Russell, Policy and Communications Officer; and last but not least, Robert Hillier, Manager of Human Resources, Services and Payroll Administration.

I am Derek Bennett, Speaker and Chair of the Committee and Member for the District of Lewisporte - Twillingate.

The first item on the agenda today is the approval of minutes. Draft minutes were circulated to the Commission for the meeting held on December 1. I'll ask if any Member has any questions or comments on that.

Minister Dempster.

L. DEMPSTER: Sorry, I'm a little bit too quick this morning. I read through the minutes last night. I was just going to move them, Speaker, my apologies.

SPEAKER: Thank you.

Does anybody have any questions to the minutes of December 1 before Minister Dempster moves it?

Seeing no questions or comments, we call for the motion.

Moved by Minister Dempster that we approve the minutes of December 1, 2021. Do I have a seconder for that motion?

Seconded by MHA Dinn.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

On motion, minutes adopted as circulated.

SPEAKER: The second item on the agenda is the Speaker's reports with regard to 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 gives authority for me, the Speaker, to make rulings when expenditures of Members have been rejected for payment, provided that the rulings are distributed to the Members and that we receive concurrence from the Management Commission.

The report detailing all such rulings for the period up to January 10, 2022, was included in your briefing package for today's meeting. This is only a reporting item, as we already had approval through concurrence. But before we make it official, I was just wondering if there were any comments or any questions from the Management Commission Members.

Seeing none, we'll move on to our third agenda item, and that is the compensation for constituency assistants. As Members of the Commission know, each MHA is entitled to the service of one constituency assistant to support and assist the Members in their constituency-related business. Currently, I think, there are 28 of the 40 constituency assistants working out within the districts and the remaining 12 are supporting their MHAs in the Confederation Building.

In December 2018, when considering the extinguishment of severance entitlements and implementation of termination benefits for political support staff, the Management Commission directed that a review of salaries

and other benefits of political staff employed by the Legislature be undertaken.

Subsequently, in February 2020, the Commission directed a review of the classification for constituency assistants be undertaken and brought to a future meeting. The requested reviews were undertaken concurrently in the spring and summer of 2020, a summary of which is provided in the briefing package.

Today's submission focuses on constituency assistants only, and a summary of the historical information and an analysis of consideration respecting compensation for constituency assistants are included in the briefing package.

So I'll open up the floor for any Members that would like to comment on this particular item.

MHA Dinn.

J. DINN: A question or two. So if this is approved – and just to make absolutely sure of this – would it be correct in assuming that any increases that are negotiated for those who are unionized, those increases would be reflected here? The constituency assistant, their salary scale would go up automatically. There would be no need to come back and to review this again. Correct?

SPEAKER: Clerk.

CLERK (Barnes): MHA Dinn, when our collective agreements are finalized then, usually, the increase that's afforded to the unions is applied to the other pay scales as a general economic increase.

J. DINN: Okay, thank you.

I noticed there in Attachment 2 it says, in PS-01 to now what was PS-05, that steps 26 to 33 are not utilized except under rare and exceptional circumstances. What would they be?

CLERK: For a number of years the constituency assistants, the ones who were located with the private Members, were in the House, and the ones that were attached to ministers were paid in the Executive Branch. When the HOAIA came in – when the *House of Assembly Accountability, Integrity and*

Administration Act came in – one of the directions was that all of the constituency assistants had to be paid by the Legislature. So the responsibility had to be transferred back.

But while they were in the Executive Branch, there was a case in the late '90s, early 2000s where a constituency assistant, I think, became an executive assistant and then went back to a constituency assistant and the involuntary demotion policy was applied, which is generally not done. So it was a one-off situation and that person is no longer employed in the House.

That's probably the only time anybody has been paid beyond step 25 of the scale. In the general public service, for example on the HL Pay Plan, the same thing, it is very rare for somebody to be beyond step 25. It is usually the result of an involuntary demotion or an upscale hiring.

J. DINN: Okay.

And there is no accounting then for a constituency assistant who also happened to be a CA for a leader of one of the parties in the House, correct? There is no extra funding for that and, if not, is it possible to pay, if deemed necessary, that be taken care of through the caucus funding? Do you know what I'm asking?

CLERK: You mean the top-up?

J. DINN: Top-up, yeah.

CLERK: No, our rules and legislation doesn't provide for that, or our pay scales.

J. DINN: Okay.

But that could be something to handle within each caucus, I take it, could it?

CLERK: The caucus doesn't have any authority to top up any salaries. The staff that are assigned within the caucus are paid in accordance with the caucus budget and the job descriptions and the pay levels that the caucus assigns to them. So, as an example, the chief of staff in each of the caucuses are probably paid something quite different, which is fine.

J. DINN: Yes.

CLERK: But the constituency assistants are all paid on the same pay level, as are the executive assistants in the Executive Branch. And we have two legislative assistants: we have a legislative assistant to the Government House Leader and a legislative assistant to the Opposition House Leader. Those positions were created under the caucus funding policy and both of them are designated at the PS-05 level.

J. DINN: Okay, perfect. Thank you very much.

SPEAKER: Any further questions? Any comments there? If not, can we have a motion to consider the increase in the salary from the PS level 04 to PS level 05?

Moved by MHA Conway Ottenheimer and seconded by MHA Pike.

I'm assuming in the motion that this will be taking effect immediately. Is that that general consensus of the Management Commission?

J. DINN: Speaker?

SPEAKER: Yes, go ahead, MHA Dinn.

J. DINN: Just to make sure – with your motion, you're saying to consider. So I'm assuming here, in considering, we're actually voting to approve the increase (inaudible) –

SPEAKER: Approve, yes. Correct.

J. DINN: Okay.

And yes, I would say it should take effect immediately.

SPEAKER: The staff members will also stay at the current step level that they are there. They just move directly from PS-04 to PS-05 in the current step that they are.

Is that clear there, Bobbi? Is that clear enough for the motion?

B. RUSSELL: Yes, Speaker, that's good.

SPEAKER: Okay. So moved by MHA Conway Ottenheimer, seconded by MHA Pike.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

So that concludes the items that we had on the agenda today. I just want to thank everybody for participating. We do have another scheduled meeting coming up in the next couple of weeks. So if there are no questions or comments, we will call for a motion to adjourn.

Minister Dempster; seconded by MHA Dinn.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Carried.

Thank you again, everyone, have a great day and stay safe.

On motion, meeting adjourned.