Ontario

Legislative Assembly

MINUTES OF MEETING #8/86
OF THE BOARD OF INTERNAL ECONOMY
HELD IN SPEAKER'S BOARDROOM, ROOM 180, LEGISLATIVE BUILDING
AT 3:45 P.M., WEDNESDAY, SEPTEMBER 17, 1986

PRESENT:

The Honourable Hugh Edighoffer, Speaker, Chairman
The Honourable Jack Riddell
The Honourable Gregory S. Sorbara
Ms. Joan Smith, M.P.P.
Mr. Ross McClellan, M.P.P.
Mr. Ernie Eves, Q.C., M.P.P.

Secretariat:

Mr. Robert J. Fleming, Director of Administration, Secretary
Mr. Patrick Fafard, Assistant Secretary
Ms. Sandra Bowen, Administrative Co-ordinator

Legislative Assembly Staff:

Mr. Roderick Lewis, Q.C., Clerk of the House
Mr. J. Thomas Mitchinson, Director of Information Services
Ms. Ellen Schoenberger, Director of Human Resources
Mr. Larry E. Waters, Director of Finance
Mr. Harold Brown, Special Assistant, Speaker's Office

Absent:

The Honourable James Bradley

Guests:

Mr. Robert V. Callahan, M.P.P., Chairman, Select Committee on Health
Mr. Dave Cooke, M.P.P., Select Committee on Health
Mr. Bob Richardson, Special Assistant (Legislation) to the Minister of Colleges and Universities
Mrs. Deborah Deller, Committee Clerk
Ms. Marcia Boyd, Office Manager, N.D.P. Caucus
Ms. Susan Callum, Office Administrator, Liberal Members Services Bureau
Ms. Jan Robinson, Assistant Director, Accounting Operations
Ms. Molly Pellecchia, Assistant Director, Supply and Services

DECISIONS OF THE BOARD

ITEM 1: Approval of Minutes of Meeting #7/86

Moved by Mr. McClellan, seconded by Mr. Eves, and agreed, that the Minutes of Meeting #7/86 be approved as circulated.

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ITEM 2: Select Committee on Health: 1986-87 Supplementary Budget Review

Moved by Mr. McClellan, seconded by Ms. Smith, and agreed, that the 1986-87 Supplementary Budget for the Select Committee on Health be approved in the amount of $75,000.

ITEM 3: Constituency and Caucus Staff: Hiring Guidelines

Moved by Mr. McClellan, seconded by Mr. Riddell, and agreed, that the following policies relating to Members' support staff and Caucus staff be adopted by the Board effective September 1, 1986:

(a) The Assembly adopt a minimum standard of regulations as outlined below, governing all Members' and Caucus staff funded out of its appropriation to ensure that the Employment Standards Act is not breached and that Members and their staff enjoy the maximum benefits of the administrative and benefit package available to the Ontario Public Service.

(b) That the Board recommend to the government that amendments be made to Section 71 of the Legislative Assembly Act to provide for more than one staff member and for more general Members' support services.

It was further agreed that staff of the Office of the Assembly would work with each Caucus to establish classifications necessary to give each Caucus and its Members maximum freedom while still meeting systems processing and tax recording requirements of the Assembly and Revenue Canada and report these back to the Board for approval.

(c) That no invoices for remuneration are to be processed outside of the payroll system and without deductions for income tax, U.I.C. and C.P.P. where an employer-employee relationship exists.

(d) That professional services related to recruitment, temporary help, staff training, or office support activities are allowable charges against the Members' Global Staff Allowance. This includes the preparation of the Members' Constituency Newsletter, setting up mailing lists which improve the performance of the Constituency Office, and translation services for Constituency Offices when those provided through Queen's Park are not accessible.

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(e) That any over-expenditure in the Global Staff Allowance occurring as a result of commitments incurred by a Member be recovered from the Member.

Mr. Eves expressed his opposition to clause (d).

Moved by Mr. McClellan, seconded by Mr. Riddell, that the following additional personnel and benefit policies relating to Members' support staff and Caucus staff be adopted by the Board, effective September 1, 1986:

A. <u>DEFINITION OF TYPES OF EMPLOYEES</u>

That all employees fall under one of two categories according to length of appointment. Within each category employees are further identified by the number of hours worked.

1. <u>Regular Employees</u>

Those employees hired to work for more than six months with no specified termination date.

a) Regular full-time - any permanent employee who works the minimum number of weekly hours designated by their respective Caucus to be full-time.

b) Regular part-time - any permanent employee who works less than the minimum number of weekly hours, but at <u>least</u> 14 hours per week or nine full days over a period of four consecutive weeks.

2. <u>Short-Term Employees</u>

Those employees appointed for a <u>specified term</u> of less than six months. Such an appointment requires the inclusion of a start date and a termination date on the employee's hiring document. If there is no termination date on the hiring document, it will be assumed to be a permanent appointment, with all the accompanying regulations applied. However termination dates can be extended.

Full-time short-term: full-time hours as in 1(a);

Part-time short-term: part-time hours as in 1(b).

Hiring documents for Members' support staff must be signed by the M.P.P., not the Caucus Administrator.

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B. VACATION BENEFITS

1. For regular employees:

   a) Full-time:

      1 1/4 days per month, cumulative, (= 3 weeks/year) for first 4 years;

      1 2/3 days per month, cumulative, (= 4 weeks/year) after 4 full years.

      Any vacation days accumulated are payable upon termination at the employee's current salary rate at time of termination.

   b) Part-time:

      The equivalent of 4% in either salary or days upon the completion of each twelve months of employment (as per Employment Standards Act, Part VIII, Section 29 (1) and (2).

2. For short-term employees:

   a) Full-time:

      4% vacation allowance on every cheque is paid in lieu of vacation.

   b) Part-time:

      same as 2(a) above.

If vacation is not used up in one calendar year, a carry-over of one year's worth of vacation allowance ONLY is permitted. As an interim measure, those employees with large vacation banks will be given to December 31, 1988 to reduce them to the amount allowed for carry-over.

NOTE:

All vacation must be approved by the Member previous to being taken and must be recorded on forms provided and submitted MONTHLY to the Caucus Office. The forms must bear the signature of the Member or the Caucus Administrator, as applicable.

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C. <u>OVERTIME - PAID OR TIME OFF IN LIEU</u>

1. For regular employees:

a) Full-time:

Time-and-one-half should be credited in time off in lieu, or can be paid to an employee who has worked in excess of 44 hours in any week. This follows the <u>Employment Standards Act</u>, Part VI, Section 25(1) and must be upheld; however, it will be the Member's option to stipulate time-and-one-half payment for any overtime worked beyond an employee's regularly scheduled weekly work hours. Such overtime will be paid at whatever rate the Member designates.

b) Part-time: same as 1(a)

2. For short-term employees:

a) Full-time: same as 1(a);

b) Part-time: same as 1(b).

<u>NOTE</u>:

All overtime must be approved by the Member previous to being worked and must be recorded on the forms provided and submitted MONTHLY to the Caucus Office.

It is within the Member's discretion to choose either to pay an employee for overtime, or grant time off in lieu or a combination thereof. The Member will also want to consult his/her global staff allowance before choosing the method of overtime compensation.

All overtime pay will be charged to Members' Global Allowance. Should regular salary plus paid overtime add up to more than the ceiling of an employee's classification, this is permissible, although not desirable. Such a situation will be noted and the Member informed accordingly.

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D. <u>ANNUAL COST-OF-LIVING INCREASE (C.O.L.A.)</u>

1. For regular employees:

a) Full-time:

Whenever a C.O.L.A. adjustment for Members' support staff has been approved by the Board, each Member will be notified at least 2 weeks in advance of implementation. If a Member wishes not to grant a C.O.L.A. adjustment to an individual employee, he or she must notify the Director of Human Resources in writing within this 2 week period otherwise all Members' support staff will automatically be entitled to the adjustment.

C.O.L.A. adjustments for Caucus staff will continue to be awarded automatically subsequent to approval by the Board.

b) Part-time: same as 1(a).

2. Short-term employees:

a) Full-time:

Will be excluded from receiving C.O.L.A., unless specified on the hiring document. All short-term hiring documents will contain a specific option as to entitlement to cost-of-living increases.

b) Part-time: same as 2(a).

E. <u>MERIT INCREASES</u>

In recognition of good and outstanding performance and increased job responsibility within current categories, the following guidelines are to be used for the awarding of merit increases:

1. For regular employees:

a) Full-time:

Staff who are not yet at their maximum salary classification can be granted merit increases initially after their first 3 or 6 months of service (not both), and annually thereafter. Normally, the Member or supervisor would review the employee's performance at that time and decide on a merit increase.

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Provided such an increase would not put the employee's salary above the maximum of his/her salary rate, it is generally understood throughout the Ontario Public Service that 5% is adequate for satisfactory performance, 6% for good performance and 7 and 8% for clearly outstanding accomplishment.

Once an employee's salary has reached the maximum rate within his/her classification, merits can no longer be applied and the only salary increments applicable after that time are the annual cost-of-living increases.

Those salary increases that do not constitute merit increases, but rather represent a change in duties and responsibilities can only be accomplished by a promotion to another classification level.

b) Part-time: same as 1(a).

2. For short-term employees:

   a) Full-time: same as 1(a).

   b) Part-time: same as 2(b).

F. <u>NOTICE OF TERMINATION</u>:

1. Dismissal due to Member's resignation, defeat or death; for permanent and for short-term employees:

   a) Full-time:

   QUEEN'S PARK STAFF: Up to 8 weeks, or date of new employment, whichever is less.

   CONSTITUENCY STAFF: Up to 8 weeks, or date of new employment, whichever is less (premises have to be vacated and office contents moved).

It is understood that during above notice periods, staff continue to work but are given reasonable time off without loss of pay to allow them to secure alternate employment.

   b) Part-time: same as 1(a).

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2. Dismissal during normal operations:

   a) For regular employees:

      (i) Full-time:

      - One week's notice in writing if period of employment is LESS than three months.

      - Two weeks notice in writing if period of employment is MORE than three months but LESS than five years.

      - Four weeks' notice in writing if period of employment is five years or more but LESS than ten years; and

      - Eight weeks' notice in writing if period of employment is ten years or more.

      (ii) Part-time: same as (i).

   b) For short-term employees:

      (i) Full-time:

      According to the Employment Standards Act, Part XII, Section 40(3)(a) the above does not apply to an employee employed for a definite term or task. A specific notice period should be included in the hiring document.

      (ii) Part-time: same as 2(a).

3. Dismissal for just cause (i.e., serious misdemeanor):

   For permanent employees:

   a) Full-time:

   The Employment Standards Act, Part XII, Section 40 (3)(c) deems that no notice is required for an employee who has been guilty of wilful misconduct or disobedience or wilful neglect of duty that has not been condoned by the employer.

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b) Part-time: same as 3(a).

It is further recommended that Members seek the advice of the Human Resources Branch in dismissal cases so appropriate regulations are applied and proceedings do not result in grievances.

Termination must be in writing and a copy sent to the Administrative Office.

NOTE:

When an employee is terminated for cause, severance pay does not apply.

G. PAYMENTS ON TERMINATION

1. Regular employees:

a) Full-time:

(i) Are paid their accumulated vacation days, and

(ii) Receive severance pay calculated according to the same formula as used throughout the Ontario Public Service.

However, only one year of service is required to be entitled to this benefit. Severance pay consists of one week's pay for each year of service with a maximum of 26 weeks' pay.

The granting of this severance pay allowance eliminates the previously allowed accumulation of sick credits which were paid out to departing employees in the past.

b) Part-time:

(i) any outstanding vacation pay entitlement is paid;

(ii) same as a(ii) above.

2. Short-term employees:

a) Full-time and part-time:

no payments.

Severance pay only is covered by the non-formula budget and does not come from the Members' Global Allowance. However, if a Member decides to grant an allowance over and above the aforementioned formula, this cost would be applied to his/her Global Allowance.

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H. SICK LEAVE

1. For regular employees:

a) Full-time:

1 1/4 days per month, cumulative, not advanced. Can be accumulated only up to a maximum of six months worth of sick leave. After that, Long-Term Disability Insurance takes over.

In cases where a Member's staff is away for an extraordinarily long sick leave and the Member cannot absorb the costs from his/her Global Staff Allowance, the Member can make representation to the Board of Internal Economy to apply for financial support.

NOTE: Whatever sick days an employee has accumulated in the bank to date under the old system remains there and can be applied to offset future sick leaves, maternity leaves, etc., but those accumulated credits will not be paid out on termination.

Sick leave funding for Members' staff is already in place. Sick leave must be recorded in the same fashion as vacation leave, overtime, etc. After an absence of more than five days due to illness, a doctor's certificate must be provided and forwarded to the Administrative Office or Caucus Administrators respectively.

b) Part-time:

Same as above 1(a) a prorated system based on percentage of full-time hours worked.

2. For short-term employees:

a) Full-time: same as 1(a).

b) Part-time: same as 1(b).

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I. MATERNITY LEAVE

1. For regular employees:

a) Full-time:

17 weeks leave of absence without pay and without accumulation of credits for the purpose of childbirth/adoption. If the employee is eligible for the Unemployment Insurance Maternity Provision, she can receive an allowance in accordance with the Supplemental Unemployment Benefit (SUB) Plan. The employee must meet the minimum U.I.C. and C.P.P. standard requirements for eligibility.

Under the SUB Plan, for the first two weeks of maternity leave the employee receives an allowance equivalent to 93% of her weekly rate of pay. Then for up to 15 additional weeks the employer pays the difference between the sum of the U.I.C. benefit and 93% of the employee's salary.

During this leave, if the employee is receiving the U.I.C. SUB allowance, cost sharing of insurance premiums continues as though she were at work.

In order to be eligible for this leave, the employee has to have completed one year of service before commencing her leave, according to the Employment Standards Act.

For those employees who may be just short of the required full year of service due to an unexpected early or premature delivery, there are two possible courses of action:

(i) Utilize one's accumulated vacation days or sick days to make up one year of service.

(ii) The Member or the Caucus can waive the requirement if the short-fall is less than one month.

b) Part-time: same as 1(a).

2. For short-term employees:

Full-time/and part-time:

Does not apply as a minimum one year of service is required to be eligible.

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The cost of this benefit is covered by the non-formula funding allowance and does not come out of the Members' Global Allowance.

J. ADOPTION LEAVE

Duration: 17 weeks leave of absence without pay and without accumulation of credits.

Eligibility: More than one year of service.

K. SPECIAL AND COMPASSIONATE LEAVE

1. For regular employees:

   a) Full-time:

      If the employee would have otherwise been at work, he or she is entitled to:

      Three consecutive working days leave with pay in the event of the death of his or her spouse, mother, father, mother-in-law, father-in-law, son, daughter, brother, sister, son-in-law, daughter-in-law, sister-in-law, brother-in-law, grandparent or grandchild, ward or guardian.

   b) Part-time: same as 1(a).

2. For short-term employees:

   a) Full-time and part-time:

      If the employee would otherwise have been at work, he/she is entitled to:

      (i) Not more than three consecutive days leave with pay in the event of death of his/her spouse, mother, father, mother-in-law, father-in-law, son, daughter, brother, sister, ward or guardian.

      (ii) One day leave with pay in the event of death of his/her sister-in-law, brother-in-law, daughter-in-law, son-in-law, grandparent or grandchild.

      These are the regulations in effect throughout the Ontario Public Service.

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L. <u>BENEFITS FOR SHORT-TERM EMPLOYEES</u>

No benefits will be paid for short-term contracts (up to six months) except for an additional 4% of pay in lieu of vacation. For longer contracts, OHIP will be paid after three months.

Contracts for the duration of six months and more also allow for 1 1/4 days per month vacation and 1 1/4 days per month attendance credits (for the purpose of sick leave) cumulative, not advanced.

M. <u>STATUTORY HOLIDAYS</u>

1. For regular employees:

   a) Full-time:

      According to the <u>Employment Standards Act</u>, the employer shall pay to the employee his/her regular wages for each public holiday if they meet all of the following criteria:

      (i) The employee must have been employed for at least three months.

      (ii) The employee has worked <u>at least</u> 12 days in the four work weeks preceding the holiday.

      (iii) The employee has worked his/her regularly scheduled shift preceding and following the public holiday.

   b) Part-time: same as 1(a).

2. For short-term employees:

   Full and part-time: same as 1(a)(b).

N. <u>OPTION ON HEALTH/PENSION BENEFITS</u>

The regulations regarding the available health and pension benefits are fixed and not negotiable. It should be noted, however, that it is now possible, in <u>December</u> of each year only, to OPT IN OR OUT of the:

- Supplementary Health & Hospital Plan
- Dental Plan
- Vision Care & Hearing Aid Plan (optional)

The effective date of such an option is January 1 of the following year.

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O. RECORD KEEPING

Any absence due to vacation, sickness, bereavement or compassionate leave, as well as any overtime worked (and compensated for) must be recorded on appropriate forms distributed later. Reporting is by exception, i.e. presence at work is NOT recorded. These records should be completed on an ongoing basis and sent to the Caucus Administrator by the employer once a month, bearing the employee's AND the Member's signature. It is the Member's responsibility to ensure that his/her support staff keep such records.

P. EXCEPTIONS

It is noted that the Collective Agreement applying to the NDP Caucus and NDP Constituency staff overrides any of the above regulations, where a conflict exists.

ITEM 4: Caucus Print Shop Facilities

Moved by Mr. McClellan, seconded by Mr. Eves, and agreed, that the following decisions relating to the Caucus Print Shops be taken by the Board:

(1) That a review of all equipment and requirements for the three Print Shops be conducted annually.

(2) That each Print Shop be required to maintain statistical information such as volume and type of work for each major piece of equipment so as to facilitate analysis of requirements annually.

(3) That a total of $188,926.00 be provided for major equipment purchases for the 1986/87 fiscal year.

Breakdown:

Liberal Party	$67,950.00
Progressive Conservative	$62,156.00
New Democratic Party	$58,820.00

(4) That a total of $10,000.00 be provided for maintenance of the equipment listed in (3) above.

(5) That the services of the Ministry of Government Services be retained on a cost recoverable basis to construct the appropriate darkroom facilities for the Liberal and Progressive Conservative Print Shops. The estimated cost is approximately $40,000.00.

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(6) That the Print Shop areas be inspected for fire and safety hazards and that the safety recommendations once identified be implemented. Further, that a study be conducted to determine suitable additional storage space for print shop supplies, if necessary, and that the results of this study be presented to the Board.

The Board requested that the policy regarding print shop operations be placed on the agenda for discussion by the Board at a future meeting.

ITEM 5: Office of the Assembly: <u>Facilities Coordination and Planning</u>

Deferred to next meeting.

ITEM 6: French Language Services:

(a) Procurement of Translation Services for Members and Committees

(b) French Language Services in the Legislative Assembly of Ontario: <u>An Impact Study</u>

Deferred to next meeting.

ITEM 7: Committee Allowances: <u>Meal and Gratuity Allowances</u>

Deferred to next meeting.

<u>OTHER BUSINESS</u>:

a) Relocation and Other Assistance Expenses: <u>Clerk of the Assembly</u>

Moved by Ms. Smith, seconded by Mr. Riddell, and agreed, that the following decisions relating to salary and benefits for the Clerk of the House be taken by the Board:

(1) That, notwithstanding the decision of the Board at Meeting #7/86, the salary range for the Clerk be set within the range of a Deputy Minister;

(2) An automobile and driver be provided to the Clerk on an as required basis from the MTC pool;

(3) The Clerk be authorized round-trip economy air flights to Ottawa each week on the understanding that his family be relocated in Toronto by January 15, 1987;

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(4) An amount be allowed to the Clerk as a differential payment between the cost of selling his Ottawa home and purchasing a Toronto home, plus whatever other benefits are recommended for relocation expenses according to Management Board Guidelines;

(5) Hotel costs in Toronto for the Clerk be covered for a 10-day period commencing October 1, 1986;

(6) A furnished one-bedroom apartment be provided for the Clerk in Toronto up to January 15, 1987.

MOTION TO ADJOURN:

There being no further business to come before the Board at this time, the meeting was adjourned.

22/9/86

Hugh Edighoffer
Speaker