

**MANITOBA LEGISLATIVE ASSEMBLY
GENERAL EFFECTS OF DISSOLUTION
May, 2019**

TABLE OF CONTENTS

Section:	Page:
MEMBERS' SALARIES	
1. All Members - Annual Salary	3
2. Members Who Hold Special Positions - Additional Salary	3
3. Member Who Holds Position of Speaker – Additional Salary	3
4. Members of the Executive Council	3
MEMBERS' BENEFITS	
5. Health and Insurance Benefits	4
6. Retirement Benefits	4
7. Parking	4
MEMBERS' ALLOWANCES	
8. Constituency Assistants Allowance	5
9. Constituency Allowance (Constituency Expenses)	5
10. Commuter Allowance	7
11. Intersessional Committee Allowance	7
12. Living Allowance	7
13. Printing and Mailing Allowances (Franking Privilege)	8
14. Travel Allowance	8
ASSEMBLY BUDGET INFORMATION	
15. Caucus Office, Leader of the Official Opposition Office and Leader of a Recognized Opposition Office Budgets	9
16. Postage	9
17. Special Supplies and Assistance Allowance	10
CONDUCT OF STAFF	
18. Caucus Office and Leader's Office Staff	11
19. Constituency Assistants	11

MEMBERS' SALARIES

1. All Members – Annual Salary

Upon the issuance of the Writ the current Legislature is dissolved. Since there is no Legislature, Members are no longer Members of the Legislative Assembly. For pay purposes, a Member continues to be **paid up to and including the day before election day**.

All new and returning Members are eligible for an annual salary (pay) effective election day, however **no pay will be issued to Members until they are officially declared elected**. This normally takes 14 calendar days after election day and longer if there is a recount. Members' **pay is retroactive to election day**.

2. Members Who Hold Special Positions – Additional Salary

(i.e. Deputy Speaker, Leader of the Official Opposition, Leader of a Recognized Opposition Party, Deputy Chairpersons of Committees of the Whole House, Government House Leader, House Leader of the Official Opposition, House Leader of a Recognized Opposition Party, Whips, Caucus Chairpersons and Legislative Assistants, Standing and Special Committee Chairpersons or Vice Chairpersons.

Once the writs of election are issued, the current Legislature is dissolved and no Member holds a special position. The position is vacant until a Member is recognized, appointed or elected to a special position after election day. Whoever holds the position on the day the Assembly is dissolved, however, continues to be **paid up to and including the day before election day**.

Pay for a special position begins when a Member is recognized, appointed or elected to a special position and is **effective on the day the position is first held** after election day.

3. Member Who Holds Position of Speaker – Additional Salary

The Member who is the Speaker, at the time the Writs of election are issued, continues to hold the position of Speaker until a new Speaker is elected by the Assembly. The Member continues to receive the additional salary for Speaker as long as he or she holds the position.

4. Members of the Executive Council (i.e. Premier, Ministers)

A Member of Executive Council is appointed by the Lieutenant Governor and continues to hold the position until the appointment is revoked. When an election is called, Members of Executive Council continue to hold their positions and receive their additional salaries for the positions held. This **continues after election day** until any or all of the appointments are revoked and successors are appointed.

For questions regarding Members' pay, please contact Deanna Wilson, Director of Human Resource Services at 945-3444.

MEMBERS' BENEFITS

5. Health and Insurance Benefits

Health benefits and insurance coverage and deductions continue until the day before election day for all Members. Coverage and deductions resume effective election day for returning Members.

6. Retirement Benefits

Legislative Assembly Pension Plan (LAPP)

Contributions to LAPP continue until the day before election day. Contributions for returning Members continue with the first pay issued following election day. A Member, who is a member of LAPP and ceases to be a Member may draw pension when he or she reaches the age of 55, provided he or she has served at least one year as a Member.

Registered Retirement Savings Plan / Tax Paid Trust

Contributions to RRSP or Tax Paid Trust continue until the day before election day. Contributions for returning Members continue with the first pay issued following election day. Members, who are not seeking re-election, may withdraw funds from their RRSP when they cease to be Members. Any monies in the Tax Paid Trust are disbursed when a Member ceases to be a Member.

Severance/Transition Payments

Members elected after 1995 who resign, retire, or are defeated are entitled to receive the equivalent of one month salary for each year of service. The minimum payment is three (3) months pay and the maximum is twelve (12) months pay. The Member has the option of receiving the payment in a lump sum (Severance) payment or bi-weekly (Transition) payments. A Member is not eligible to receive the Transition payment if the Member is drawing pension from the LAPP during the period of transition.

7. Parking

Parking deductions continue for all Members until the day before election day and resume effective election day for returning Members. **Questions regarding parking should be directed to Jean Ramsay, Members' Allowances Office, at 945-8781.**

For questions regarding Members' benefits, please contact Deanna Wilson, Director of Human Resource Services at 945-3444.

MEMBERS' ALLOWANCES

8. Constituency Assistants Allowance

Constituency staff salaries are only claimable for hours worked while the employing Member is a Member. In a General Election, all Constituency Assistants (CAs) are laid off effective the day after the Writs of election are issued. This lay-off is temporary if the Member is re-elected on election day and permanent if the Member is not re-elected. Re-elected Members may resume claiming constituency staff salaries for hours worked after election day.

Regular and term CAs will automatically receive four weeks' pay in lieu of notice of the lay-off based on their average weekly hours. If a term CA has less than one year of continuous service, the CA will be provided with two weeks' pay in lieu of notice based on their average weekly hours. This pay is considered a benefit expense and is not subject to the CA Allowance bi-weekly maximum for salary expenses. There is no requirement to provide a casual CA with notice, or pay in lieu of lay-off. All CAs will receive a Record of Employment indicating lay-off due to a shortage of work.

CAs who are eligible for the AHSP, Dental Plan, Vision Care Plan, Drug Care Plan and the Health Spending Account continue to have coverage for 30 days after lay-off. Other benefits may also continue upon prepayment of premiums by the CA during temporary lay-off status.

If the employing Member resigns, retires or is defeated, a regular or term CA with at least one year of continuous service is entitled to severance pay on termination of one week's pay per year of continuous service to a maximum of eight weeks pay. If the CA has worked part-time, one week's pay is based on normal or average part-time pay. This pay is considered a benefit expense and is not subject to the CA Allowance bi-weekly maximum for salary expenses. Casual CAs are not eligible for severance pay on termination.

For questions regarding the Constituency Assistants Allowance, please contact Deanna Wilson, Director of Human Resource Services at 945-3444.

9. Constituency Allowance (Constituency Expenses)

A Member may only claim constituency expenses that are **incurred while he or she is a Member**. Expenses incurred during an election period, from the date the writs are issued to election day are not eligible, **with the exception of the following monthly ongoing expenses provided the Constituency office is not being used for any campaign purposes:**

- office rent and insurance,
- office utilities for hydro, gas, water, cable television, ongoing contracts for office maintenance and janitorial charges,
- non-partisan constituency office sign rental,

- office equipment and furnishing rental expenses, such as for rental of photocopiers and water coolers,
- office telephone and telephone answering machine rental charges and internet access. **No** long distance charges may be claimed,
- ongoing maintenance of a non-partisan constituency office website. No design or development expenses may be incurred or claimed,
- bank charges for a single bank account up to \$100.00 per month.

Smartphone/Cell Phone Charges – All Smartphone/cell phones are the property of the Legislative Assembly. During an election period, **Members are personally responsible for all Smartphone/cell phone(s) including CA’s device if applicable and vehicle communication device charges** incurred from the date the Writs are issued to election day.

Although a Member may claim constituency expenses up to the date the Writs are issued, advertising expenses that are published or broadcast after the Writs are issued are not allowable expenses.

It is recognized that there may be advertising contracts in effect that may extend into an election period ie: bus bench, recycle bins, bill boards, hockey rink and community club signs. These prepaid expenses are not an eligible expense during the election period and must be reimbursed to the Constituency Allowance by the MLA or the campaign and reported as an election expense. As well, this advertising signage must indicate that it is an authorized campaign expense. Peel off stickers are recommended in order for the advertisement to qualify as an eligible Constituency Allowance expense post-election. ***There can be no indication of the sign being an authorized campaign expense once the election is over.***

During an election period, constituency offices are closed and Members typically enter or access their constituency offices only to the extent of retrieving constituency messages and mail. It is up to the Member to decide to what extent he or she will respond to a constituent’s request. Telephone messages should be changed to reflect that the office is closed during the election period.

The Legislative Assembly Management Commission (LAMC) recommends that Members not use their constituency offices as campaign offices.

If the constituency office is being used for campaign purposes, then the monthly rent and ongoing maintenance expenses are not eligible. **All** Legislative Assembly property (office equipment and furniture), equipment rentals and office supplies purchased with a Members’ Constituency Allowance are not to be used during the election period and must be stored at the Member’s own expense.

10. Commuter Allowance

Eligible Members may only claim commuting and contingency stay expenses that are **incurred while he or she is a Member**. No expenses during an election period can be claimed.

11. Intersessional Committee Allowance

A Member may only claim intersessional committee expenses that are **incurred while he or she is a Member**. No expenses during an election period can be claimed.

12. Living Allowance

Eligible Members may only claim authorized temporary or second-owned residence and living expenses that are **incurred while he or she is a Member**.

The following ongoing Temporary Residence expenses (or as a Living expense, if noted) **are eligible provided the temporary or second-owned residence is not being used for any campaign purposes:**

- rent for the rental accommodation,
- parking,
- utilities, including cable television,
- telephone rental and service and internet access (may be claimed as either a Temporary Residence expense or a Living expense). **No** long distance charges may be claimed,
- insurance premiums, prorated monthly (may be claimed as either a Temporary Residence expense or a Living expense), and

For second-owned residences, the following ongoing Temporary Residence expenses may be claimed:

- property taxes, prorated monthly,
- mortgage interest,
- common element fees, if the residence is a condominium,
- utilities, including cable television,
- telephone rental and service and internet access (may be claimed as either a Temporary Residence expense or a Living expense). **No** long distance charges may be claimed,
- insurance premiums, prorated monthly (may be claimed as either a Temporary Residence expense or a Living expense),

13. Printing and Mailing Allowances (Franking Privilege)

A Member may only claim printing and mailing expenses that are incurred while he or she is a Member. After the Writs of election are issued, regardless of a set date or an early election call, no printing expense incurred during that period can be claimed. If already printed before an election is called, in order for the franking to be mailed and the mailing expense be claimable, it must be at Canada Post prior to the Writs being issued. Re-elected Members may again incur printing and mailing expenses after the election.

14. Travel Allowance

A Member may only claim travel expenses that are **incurred while he or she is a Member**. No expenses during an election period can be claimed.

**** Certain allowances continue after ceasing to be a Member. Members not seeking re-election will be contacted individually with information regarding eligible expenses.**

For questions regarding Members' Allowances (items 9-14), please contact Jean Ramsay, Director, Members' Allowances at 945-8781.

ASSEMBLY BUDGET INFORMATION

As a general rule, Assembly offices (Caucus Offices, Members' Offices, other offices), Assembly staff (during working hours), Assembly equipment and supplies are not to be used for any election purpose. Use of Assembly offices, staff, equipment or supplies may also create a reporting requirement under The Elections Financing Act.

15. Caucus Office, Leader of the Official Opposition, Leader of a Recognized Opposition Party and Independent Member's Office Budgets

Caucus Office funding (budgets) ceases immediately upon the call of a General Election. Without Members, a Caucus Office is not entitled to any funding. However, when a General Election is called, the Caucus Offices, Leader's Office, and Independent Member's Offices continue to function and routine expenses are allowed.

After the election, the LAMC formula will set new prorated budgets for the Caucus Offices, Leader's Office and Independent Member's office. The Caucus Office budget is calculated based on the number of Members each caucus has at that time.

a) Staffing Budget

During an election period, Caucus Office, Leader's Office, and Independent Member staff continue to be paid to perform their normal duties. If during their working hours staff work on the election campaign, they must use vacation or accumulated overtime or take a leave of absence without pay.

Staff who are laid off due to downsizing as a result of the election are eligible for a severance package consistent with the one paid to Executive Assistants and Special Assistants in government.

For questions regarding staff during an election period, please contact Deanna Wilson, Director of Human Resource Services at 945-3444.

b) Operating Budget.

When a General Election is called, the practice is to continue to pay routine Caucus Office, Leader's Office, or Independent Member's Office bills. This means that **only previously incurred expenses and ongoing routine office expenses will be allowable expenditures.** Any exceptions to this would need to be raised with LAMC after the election.

16. Postage

During an election period, the political offices of the Legislative Assembly should **incur only minimal postage charges necessary** to respond to non-political constituency matters.

17. Special Supplies and Assistance Allowance

The Special Supplies and Assistance Allowance is paid to each Caucus, Independent Member and the Speaker on April 1st of each fiscal year based on a per Member compliment on the day of payment.

Limitation on Use Prior to an Election

There is a **limitation on use of payments** made under the Special Supplies and Assistance Allowance for certain expenses effective the date the Writs are issued for a General Election that is not a fixed date election. With respect to a General Election that is not a fixed date election, money received under the Special Supplies and Assistance Allowance must not be used to pay for:

- a) advertising that appears
 - (i) in newspapers, magazines or other periodicals, or on the Internet,
 - (ii) on radio or television, or
 - (iii) on billboards, buses or other property normally used for commercial advertising; or
- b) posters leaflets, letters, cards, signs, banners or any similar printed material that is distributed.

For questions regarding Assembly budget information, please contact Debbie Campbell, Director of Finance at 945-5890.

CONDUCT OF STAFF

18. Caucus Office and Leader's Office Staff

During an election period, Caucus Office and Leader's Office staff continue to be paid to perform their normal duties. If staff work on the election campaign, they must use vacation or accumulated overtime or take a leave of absence without pay.

An employee who proposes to become a candidate in the general election must request and will be granted a leave of absence without pay in accordance with the Employment Policies for the Political Offices of the Legislative Assembly.

If the employee is not elected, the employee remains eligible for severance pay if the employee is laid off due to downsizing as a result of the General Election. If the employee is elected, the employee must resign.

19. Constituency Assistants

Constituency Assistants (CAs) cannot work on the election and be paid from the Member's Constituency Allowance at the same time. While employed, CAs can only work on elections on their own time. After the Writs of election are issued, CAs are laid off and may work on the election during lay off.

For questions regarding conduct of staff, please contact Deanna Wilson, Director of Human Resource Services at 945-3444.