



Where ideas work

June 8, 2017

Cliff: 5985

Michael McDonald

s.22

Dear Michael McDonald:

This is further to your appointment letter of June 2, 2017 advising you to contact me if you had any further questions regarding applicable policies and entitlements.

I have been advised that a basis for you accepting this appointment is that you wish to waive any entitlement you have at law to notice or severance in lieu.

By way of this letter I am providing below for you a waiver of notice/severance which will then become a term of your appointment to the position of Chief of Staff, Office of the Premier. You may wish to seek independent legal advice regarding your approval.

Additionally, please note that you are not able to waive, nor is the employer authorized to agree to, any notice/severance provision that is less than the *Employment Standards Act* minimum. The Act's notice provision; therefore, will continue to apply.

After executing this letter waiver, please return the original to me at the contact information provided.

Sincerely,

Lori Halls  
Deputy Minister and  
Head of the BC Public Service Agency

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I, Michael McDermid, hereby waive any legal entitlement I have to receive reasonable notice of termination or severance in lieu as provided for above. I understand as such that I will still receive the minimum notice/severance provided for under the *Employment Standards Act*.

Michael McDermid  
Signature

June 8 / 2017  
Date

**Public Service Act**  
**POLITICAL STAFF OATH REGULATION**

**Definition**

- 1 In this regulation, "**political staff member**" means a person described in the Schedule to the Standards of Conduct for Political Staff Regulation

**Form of oath**

- 2 The prescribed form of oath for a political staff member for purposes of section 21 of the Public Service Act is as follows:

As an appointee under section 15(1) (a) of the *Public Service Act*, I, Michael McDonald, [appointee name] do solemnly swear/affirm [circle one] that I will

- 1 loyally serve the people of British Columbia through their democratically elected government,

- 2 honour and faithfully abide by the Standards of Conduct for Political Staff, and

- 3 to the best of my ability,

(a) act with integrity, putting the interests of the public and the public service above my own personal interest and avoiding all conflicts of interest, whether real or perceived,

(b) safeguard confidential information, not divulging it unless I am either authorized to do so or required to do so by law,

(c) conduct myself honestly and ethically, in a manner that maintains and enhances the public's trust and confidence in the Province of British Columbia and does not bring it into disrepute.

Sworn/Affirmed [circle one] by me, at Victoria, this 5<sup>th</sup> day of June, 2017.

Michelle Kearney

Person administering Oath or Affirmation

[Signature]

Person giving Oath or Affirmation

**Information and Communications Technology (ICT) Agreement**

**Information Management and Information  
Technology Management**

I, Michael McDermott, have received a copy of the  
Standards of Conduct and the Policy Directive dated March 21, 2014 entitled  
'Appropriate Use of Government Information and Information Technology  
Resources' and understand my responsibilities regarding the appropriate use of  
government information and communications technology.

Michael McDermott  
Employee Signature

June 5/2017  
Date

pc: BCPSA HR Client Services for Employee Personnel File



## Standards of Conduct for Political Staff Acknowledgement

The **Standards of Conduct for Political Staff** can be found [online and downloaded in printable format](#).

The objectives of this policy are to describe the standards of conduct expected of political staff and to define employer and staff responsibilities related to them. Some of the principles described in the policy are reflected in the Political Staff Oath taken by all political staff.

Staff who breach the Standards of Conduct for Political Staff may be subject to disciplinary action up to and including dismissal.

Please ensure you read the policy and adhere to its principles and procedures, noting especially the accountabilities of political staff. **Sign the statement at the bottom of this page and return it to the employer within ten working days.** Retain the attached policy for your records.

I hereby acknowledge that I have received a copy of the Standards of Conduct for Political Staff and that I have read and understood this policy.

	<i>Michael McDonald</i>	<i>June 5/2017</i>
SIGNATURE	NAME	DATE

**PROVINCE OF BRITISH COLUMBIA**  
**ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL**

Order in Council No. 191, Approved and Ordered June 02, 2017

  
Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that

(a) the Schedule to Order in Council 253/2013 is amended by adding the following appointment:

Column 1 Person	Column 2 Position	Column 3 Premier/Minister	Column 4 Remuneration
McDONALD, Michael	Chief of Staff	Premier	Beginning at Step 8

(b) Michael McDonald, Chief of Staff, Office of the Premier, is declared to have the status of a deputy minister.

  
Presiding Member of the Executive Council

*(This part is for administrative purposes only and is not part of the Order.)*

Authority under which Order is made:

Act and section: Public Service Act, R.S.B.C. 1996, c. 385, s. 15

Other: OIC 253/2013

**Leamy, Michelle T PREM:EX**

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**From:** Leamy, Michelle T PREM:EX  
**Sent:** Monday, June 5, 2017 12:02 PM  
**To:** Halls, Lori D PSA:EX  
**Cc:** Phillips, Dawn-Lynn PSA:EX  
**Subject:** OIC appointment  
**Attachments:** Scan\_20170605.pdf

For your files. m



June 2, 2017

Michael McDonald  
s.22

Dear Mike:

I am pleased to confirm your appointment as Chief of Staff, Office of the Premier, effective June 2, 2017, as specified in your appointing Order in Council.

Your status as Chief of Staff will be that of a Deputy Minister and your salary will be \$195,148.22 per annum. The other terms and conditions of your employment are those established for Category C appointments, set out in the Terms and Conditions for Excluded Employees.

As an Order in Council appointee you must conduct yourself in a manner that maintains and enhances the public's trust and confidence in the Province of British Columbia. Please familiarize yourself with the Standards of Conduct for Political Staff. Further, as an Order in Council appointee, your order may be rescinded at any time resulting in the termination of your appointment. Attached are the Employment Termination Standards and the Post-Employment Restrictions for your reference.

~~Should you have any questions about these policies or your entitlements, please contact~~  
Lori Halls, Deputy Minister and Head of the BC Public Service Agency.

.../2

Office of the  
Premier

Mailing Address:  
PO Box 9041 Stn Prov Govt  
Victoria BC V8W 9E1

Location:  
Parliament Buildings  
Victoria

website  
[www.gov.bc.ca](http://www.gov.bc.ca)

Once you have reviewed the attached information and signed this letter indicating your acceptance, please return the original letter to my office.

I would like to thank you for accepting this appointment and I look forward to working with you.

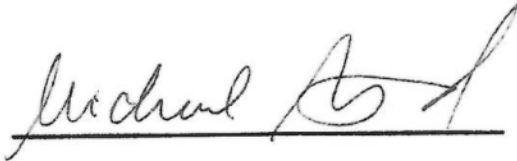
Sincerely,



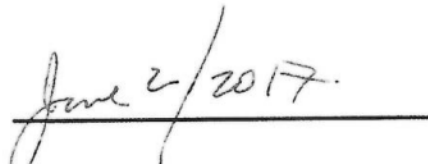
Christy Clark  
Premier

Attachments

pc: Lori Halls, Deputy Minister and Head of BC Public Service Agency



Michael McDonald



Date

## **Human Resources Policy 08 - Termination of Employment of Excluded Employees**

**Last updated April 12, 2016**

This policy statement covers the termination of excluded employees appointed under sections 8, 12, 14, and 15 of the Public Service Act. Termination of bargaining unit employees is covered by their collective agreement. The policy statement supports the government's core policy objective that the "public service is a versatile workforce that can adapt to meet changing needs." Terminated employees will be treated with respect and professionalism.

### **Termination Without a Notice Period**

Terminated employees are not entitled to a notice period or to severance pay if they:

- Resign or retire;
- Are discharged for cause;
- Are rejected on initial probation, if other than a Deputy, Associate Deputy, or Assistant Deputy Minister;
- Were appointed on an auxiliary, per diem, stipendiary, or at pleasure basis
- Complete a defined-term appointment;
- Have refused an offer of alternate employment that the BC Public Service Agency head believes constitutes reasonable alternate employment, or
- Abandon a position.

If termination notice is required, it must be in writing and must indicate when the termination takes effect. Documentation substantiating performance concerns and issues must be kept on file by organizations.

### **Termination With a Notice Period**

In situations not covered under *Termination Without a Notice Period*, organizations may terminate an employee at any time provided the employee is given a reasonable notice period and/or severance pay.

Organizations must notify the Agency Head before issuing a notice of termination with notice and/or severance pay. The Agency Head is solely responsible for determining the duration and terms of the notice period and the amount and terms of any severance.

The notice period or severance pay in lieu of the notice period is to provide the terminated employee with a reasonable period of time in which to make the transition to comparable employment. During the notice period or period of severance pay in lieu, employees are expected to mitigate and diligently pursue other employment opportunities both inside and outside the BC Public Service. Eligible employees, who are terminated with notice, will be assisted in a cost-effective manner in identifying opportunities for employment.

Employees are obligated to inform the Agency Head if they find work before the severance pay period is over. If terminated employees on paid or working notice do not accept an offer of permanent employment within the BC Public Service that is commensurate with their abilities, they will be deemed to have resigned from the BC Public Service and will no longer be entitled to the balance of the notice period or severance.

## **Human Resources Policy 13 – Post Employment Restrictions for Senior Management in the BC Public Service**

Last updated April 12, 2016

### **Definitions**

“confidential information” means information that is unavailable to the public.

“outside entity” means a person or entity other than a public sector employer as defined in section I of the Public Sector Employers Act.

### **Before Leaving Public Service**

1 (1) the following are conditions of your employment with the government:

(a) you must not allow yourself to be influenced in carrying out your employment responsibilities by prospects for or an offer of

(i) employment as an employee of an outside entity, or

(ii) remuneration or other reward from an outside entity for doing anything for it in a capacity other than as an employee of the outside entity;

(b) you must immediately disclose to the Deputy Minister to the Premier and Head of the BC Public Service Agency

(i) any offer described in paragraph (a), if the offer does or could place you in a conflict of interest situation; or

(ii) your acceptance of any offer described in paragraph (a).

### **After Leaving Public Service**

2 (1) The following are conditions of your employment with the government:

(a) after your employment ends, you must not disclose confidential information that you obtained through your employment;

(b) if you had a substantial involvement in dealings with an outside entity at any time during the year immediately preceding the end of your employment then, for a year after the end of your employment, you must not

(i) accept an offer of employment, an appointment to the board of directors or a contract to provide services to that outside entity;

(ii) lobby or otherwise make representations for that outside entity to the government;  
or

(iii) give counsel to that outside entity, for its commercial purposes, concerning the programs or policies of any organization or ministry of the government in which you were employed at any time during the year immediately preceding the termination of your employment; or

(c) until one year after your employment ends, you

(i) must not lobby or otherwise make representations for any outside entity to any ministry or organization of the government in which you were employed at any time during the year immediately preceding the termination of your employment; or

(ii) act for an outside entity in connection with any ongoing proceedings, transaction, negotiation or case in which the outside entity and the government are involved

(a) if you, during your former employment with the government, acted for or advised the government concerning the proceedings, transaction, negotiation or case; and

(b) acting for the outside entity in that connection would result in the receipt by the outside entity of a private or commercial benefit or of any benefit not for general application.

### **Reduction of One-Year Limitation**

The Head of the BC Public Service Agency in consultation with the Deputy Minister to the Premier may reduce the one-year restriction, upon your application, after considering the following:

(a) the circumstances under which your employment ended;

(b) your general employment prospects;

(c) the significance to the government of information you possessed by virtue of your position with the government;

(d) the desirability of a rapid transfer of your skills to an employer other than the government;

(e) the degree to which the new employer might gain unfair commercial advantage by hiring you;

(f) the authority and influence you possessed while employed by the government;

(g) the disposition of other cases.

**Leamy, Michelle T PREM:EX**

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**From:** Leamy, Michelle T PREM:EX  
**Sent:** Friday, June 2, 2017 2:51 PM  
**To:** Phillips, Dawn-Lynn PSA:EX  
**Subject:** Staff Changes

Hi Dawn-Lynn:

Please be advised that Michael McDonald has been appointed Chief of Staff in the Premier's Office effective today. His remuneration begins at Step 8.

Thanks.

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