

## **Brown, Taylor PREM:EX**

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**From:** Brown, Taylor PREM:EX  
**Sent:** Monday, March 20, 2017 10:32 AM  
**To:** Brubacher, Kelly IGRS:EX  
**Subject:** FW: Correspondence - Kim Henderson  
**Attachments:** Management during the Election Interregnum and Transition Periods.pdf

*Taylor Brown, Executive Administrative Coordinator  
Deputy Minister's Office | Office of the Premier  
Room 272 - West Annex, Parliament Buildings  
Victoria BC V8W 9E1  
Phone: (250) 387-2987*

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**From:** Higgins, Keira PREM:EX  
**Sent:** Friday, March 17, 2017 3:26 PM  
**To:** BCPSA Agency DMC Admin & Operational Support  
**Subject:** Correspondence - Kim Henderson

Good afternoon,

Please see the attached correspondence sent on behalf of Deputy Minister Kim Henderson.

Thank you,

**Keira Higgins, Executive Administrative Coordinator**  
Office of the Premier, Deputy Minister  
272 West Annex, Parliament Buildings | Victoria, BC | V8V 1X4  
Ph: (250) 356-2206



# Memorandum

Deputy Minister's Office  
Office of the Premier

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Date: March 17, 2017  
To: All Deputy Ministers  
Re: Management during the Election Interregnum and Transition Periods

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This memorandum is to give you management guidance during the upcoming weeks.

## **Executive Council**

When the writs of election are issued on April 11, 2017, and the Lieutenant Governor dissolves the Legislative Assembly, the government is in a caretaker period or "interregnum".

While MLAs no longer hold office once the election writs are issued, Ministers continue to hold their positions as Executive Council (Cabinet) until a new Cabinet is sworn in. The period following election day until a new Cabinet is sworn in is referred to as "transition".

Basic conventions require government to avoid implementing major policy initiatives or entering into new contracts or undertakings that would bind an incoming government. While Cabinet members are legally able to make ministerial decisions during the interregnum and transition periods, in practice major actions and decisions are deferred. Similarly, while under the *Interpretation Act*, Deputy Ministers have the statutory authority to make ministerial decisions (excluding certain regulations), this is also avoided with the exception of the continuation of routine ministry business.

Ordinary meetings of Cabinet, Treasury Board and Cabinet Committees are therefore not held during the interregnum. However, there can be special meetings of Cabinet or a committee of Cabinet under unusual circumstances. Access to the Chair of Treasury Board will be limited.

I expect that by this time each of you have identified issues that may unavoidably arise during the caretaker period, and have made plans to get direction on the management of those issues before this period begins. If new unexpected issues arise that would normally require the direction of the Premier or the Cabinet, you should refer these issues to me or to Elizabeth MacMillan, Deputy Cabinet Secretary, and we will work with you to determine an appropriate management plan.

### **Ministerial Offices and Assistants**

Existing Cabinet Ministers continue to receive their ministerial salary until a new Cabinet is sworn in. Ministers and other MLAs receive their MLA salary up to election day. Ministers may travel and receive reimbursement during the interregnum provided the travel is strictly for government business and not election campaign purposes.

Normal policies apply, except that travel claims, business expense claims, and direct-billed invoices (e.g. Helijet, BTA, etc.) must include a certification that expenses are for business purposes and specify the nature of that business. Care should be taken to ensure government resources are used only for government business. Further, Ministers' Office Support Services recommends that a leased government vehicle not be used at all during the campaign, unless a Minister can clearly establish its use for government business.

Government assets, such as office and computer equipment, telephones, iphones, ipads and blackberries should only be used for government business purposes. Ministers' use of these assets during the election campaign must be related strictly to ministerial duties. Where there is personal use, this should be recorded and government must be reimbursed for any incremental costs.

Executive and Ministerial Assistants appointed by Order-in-Council will take a leave of absence to avoid any conflict between provincial business and the election campaign. While on leave, such staff are not entitled to salary or travel expense reimbursement. Executive and Ministerial Assistants should be considered members of the public when on leave. To ensure appropriate communications, any request to the ministry for assistance from EAs and MLAs should be referred directly to you. Upon expiration of their leaves of absence, they remain in their former positions unless they resign or their appointment has been rescinded.

Administrative Coordinators and other support staff remain in the Ministers' offices.

### **Management of Government Records During Interregnum and Transition Periods**

Deputy Ministers are responsible for the proper management of government records in the care of their Minister's office.

The Government Records Service (GRS) in the Ministry of Finance is available to provide assistance to ministries as required. GRS has provided three training opportunities for Deputy Ministers' Office (DMO) staff to provide targeted education on appropriate practices with respect to Ministers' Office records management practices during the interregnum. GRS Records Officers are also available to provide DMO staff with on-site support within Ministers' Offices during the interregnum period.

DMO staff are encouraged to contact their GRS Records Officer for guidance and to schedule on-site support requests. Please note that the Records Officers support multiple ministries and early scheduling of any assistance requests is encouraged.

There are three types of records:

1. Personal and MLA records;
2. Cabinet records;
3. Government records.

The following procedures apply to the management of these records during the interregnum and transition periods:

1. Personal and MLA Records

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Personal records are records that are personal in nature and relate to one's private life and are not received or created as part of one's daily ministry business activities. MLA records include records created by a Minister while acting as an MLA, e.g., constituency operations and meetings, caucus committee meetings, committees of the Legislative Assembly, etc. Please refer to the GRS Recorded Information Management Glossary for definitions of government records, non-government records, and MLA records.

Minister's non-government, personal or MLA documents in an electronic form will be printed. If the Minister wishes to keep non-government, personal or MLA documents in an electronic form, the record can be saved to a removable/external memory device. Once completed, these electronic records on the government system must be deleted.

The Minister should indicate where these records are to be delivered. If a location is not given they should be sent to the caucus office. Under a standing agreement with the Office of the Speaker, GRS will store any member's personal and MLA papers for up to five years and transfer to the BC Archives or until directed to ship them to another location. To arrange transfer please contact Susan Laidlaw, Executive Director, Government Records Service, at 778-698-2900.



## 2. Cabinet Records

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Ministers' administrative staff, under the direction of the Deputy Minister, will identify all Cabinet records located in the Minister's office. Cabinet records may include memoranda, submissions, reports, recommendations, agendas, minutes, notes, and other confidential documents, audio-visual and presentation material that reflect on the decisions or discussions of Cabinet and its committees and includes as well, briefing notes, opinions, and advice to Ministers and correspondence between Ministers expressing their views and opinions and other documents reflecting such views and opinions.

As soon as possible after the writs have been issued, the Deputy Minister will ensure that all Cabinet designated records are removed from the Minister's offices and placed in a secure location under the control of the Deputy Minister. Your Records Officer at GRS will inform you of the procedures associated with the transfer of these records. The documents will remain in the custody of the Deputy Minister and you will have access to the records to process them in accordance with the policies relating to Cabinet records and the *Information Management Act (IMA)*.

During the interregnum and transition periods, control of access to Cabinet designated records remains with the Cabinet Secretary. In cases where a ministry requires access to these files in order to process a request under the *Freedom of Information and Protection of Privacy Act (FOIPPA)* or for litigation, the Deputy Minister of that ministry will send a written request to the Cabinet Secretary. The Cabinet Secretary will advise the Deputy Minister of her decision to approve or not the release of records. The ministry will then process the request according to existing procedures for Cabinet records under *FOIPPA* or in response to litigation.

During the transition period, should a change in administration occur and the ministry is required to prepare material on an issue to which previously prepared Cabinet records pertain; the proper procedure is to create a new document.

### 3. Government Records

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Management of government records must be done in a manner ensuring confidentiality and security. Ministerial offices should contact their Ministry Records Officer on current policies. During the interregnum period all commercial document shredding is to be suspended.

*FOIPPA* also requires that any personal information used to make a decision about an individual must be retained for at least one year after the information was used.

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The general rule is that normal ministry business continues as usual.

Routine correspondence can be signed, though care should be taken when drafting correspondence not to assume that one party or another will form the government after the election. References to post-election action are in terms of the "incoming government".

The basic caretaker conventions require a government to avoid implementing major policy initiatives or entering into new contracts or undertakings. There should be no new spending initiatives, long term agreements, or policy changes outside existing and approved Service Plans. This also applies to federal-provincial matters; policy work and consultations with your FPT colleagues may continue but new commitments or agreements should not be made.

New project approvals within government programs are normally deferred. If a new program or project has not been announced or implementation started, it should be held until a new government is in place to ensure that the incoming government supports the program or project.

However, this does not mean that government cannot take action on major projects or initiatives that have been underway for some time, have received Cabinet approval and where schedule or cost implications of a failure to act could be significant, or relate to public health and safety. If provided for in your budget, ministries can renew routine contracts and contributions or enter into new ones where they are required for the continuing delivery of existing core services.

You should have by now reported to me any major projects, procurement issues or statutory decisions in your ministry that must be made from the beginning of the interregnum through to June 2017, where schedule or cost implications of a deferred decision may be significant.

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All spending must be in accordance with Interim Supply approved by the Legislature. Ministries need to be fiscally prudent and should provide Treasury Board staff with budget status reports to demonstrate how you are managing within existing targets. Until passage of the Main Estimates and Supply for 2017/18, ministries will need to pay particular attention to the timing of non-discretionary payments and ensure these can be made within the Interim Supply appropriations. Treasury Board staff and the Office of Comptroller General will continue to work with each ministry's EFO in this regard.

### **Employee Conduct During Election Campaigns**

#### **Public Service Employees**

All employees are bound by the Standards of Conduct (refer to BCPSA Human Resource Policies, Policy Statement 9.0 - Standards of Conduct.) Employees must be impartial in the performance of their duties. In particular, any political activity must be clearly separated from employment activity. Employees are not to engage in political activities during working hours or use government resources or workplaces to support such activities.

Public service employees are otherwise free to participate in political activities, including belonging to a political party, supporting a candidate for elected office and actively seeking elected office. Employees running for office must take a Leave of Absence (see below).

When engaging in political activities, employees must be able to retain the perception of impartiality in relation to their duties and responsibilities. To avoid a perceived conflict of interest, employees must:

- Not introduce partisan politics at the local, provincial or national levels into the workplace. This does not apply to informal private discussion among coworkers.
- Avoid situations where their position may have an impact, or be seen to have an impact, on political activity.
- Not use taxpayer-funded facilities, equipment or resources in support of political activities.
- Not use public service responsibilities to support, or be seen to support, one political candidate over another.
- Not use their position in government to lend weight to the public expression of personal opinions, nor divulge any confidential government information.
- Ensure that all travel expenses are clearly and demonstrably for government purposes.

### Public Comments

Public service employees are free to comment on public issues but must exercise caution to ensure that by doing so they do not jeopardize the perception of impartiality in the performance of their duties. For this reason, care should be taken in making comments or entering into public debate regarding government policies. Public service employees must not use their position in government to lend weight to the public expression of their personal opinions.

### Leave to Run For and Hold Political Office

From a financial control perspective, any employee with signing authority and on leave to run for office should have that authority removed.

#### 1. Bargaining Unit Employees

Employees must take a leave of absence to run for political office. Before running for office, employees should notify their manager in writing of their intent. The Deputy Minister will review any requests for leave to ensure a conflict of interest does not exist between the employee's work and duties for the office to which nomination is sought.

Collective agreements for bargaining unit employees provide that the employer will grant, on written request, a leave of absence without pay as follows:

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#### 2. Excluded Employees

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The Deputy Minister may grant an employee seeking nomination or election leave of absence without pay for up to 90 days immediately preceding the date of election. An employee who becomes a Member of the Legislative Assembly, upon written request to the Head of the BC Public Service Agency, will be granted a leave of absence without pay for up to five years.

Employment is deemed to be terminated if an employee becomes a Minister of the Crown.

### **Time Off to Vote**

Employees are entitled to have four consecutive clear hours in which to vote.

Those who have four consecutive hours within the polling time (8:00 am to 8:00 pm) either before or after work are not entitled to a leave of absence from work. Employees with less than four clear hours outside of their working hours are allowed the necessary time off so that four clear hours are available.

The scheduling of this time off should be done to suit the operational requirements of the workplace. If operational issues arise, employees may also take advantage of early polling opportunities prior to the date of the election.

### **Additional Information**

If you have any questions or require further clarification, please call me at 250 356-2206.

With respect to specific questions, you may also wish to contact:

- John Paul Fraser, Deputy Minister, Government Communications and Public Engagement at (250) 356-2277 regarding communications issues;
- Lori Halls, Deputy Minister, BC Public Service Agency at (250) 952-6296 regarding staffing matters;
- Athana Mentzelopoulos, Deputy Minister of Finance at (250) 387-3184 regarding budget and financial management;
- Cheryl Wenezenki-Yolland, Associate Deputy Minister, Ministry of Finance at (250) 387-8499 regarding records management.

Sincerely,



Kim Henderson  
Deputy Minister to the Premier, Cabinet Secretary  
and Head of the BC Public Service

## **Brown, Taylor PREM:EX**

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**From:** Brown, Taylor PREM:EX  
**Sent:** Friday, March 17, 2017 3:29 PM  
**To:** Sweeney, Neil PREM:EX  
**Subject:** FW: Correspondence - Kim Henderson  
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Fyi

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Employment is deemed to be terminated if an employee becomes a Minister of the Crown.

### **Time Off to Vote**

Employees are entitled to have four consecutive clear hours in which to vote.

Those who have four consecutive hours within the polling time (8:00 am to 8:00 pm) either before or after work are not entitled to a leave of absence from work. Employees with less than four clear hours outside of their working hours are allowed the necessary time off so that four clear hours are available.

The scheduling of this time off should be done to suit the operational requirements of the workplace. If operational issues arise, employees may also take advantage of early polling opportunities prior to the date of the election.

### **Additional Information**

If you have any questions or require further clarification, please call me at 250 356-2206.

With respect to specific questions, you may also wish to contact:

- John Paul Fraser, Deputy Minister, Government Communications and Public Engagement at (250) 356-2277 regarding communications issues;
- Lori Halls, Deputy Minister, BC Public Service Agency at (250) 952-6296 regarding staffing matters;
- Athana Mentzelopoulos, Deputy Minister of Finance at (250) 387-3184 regarding budget and financial management;
- Cheryl Wenezenki-Yolland, Associate Deputy Minister, Ministry of Finance at (250) 387-8499 regarding records management.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kim Henderson', with a stylized flourish extending to the right.

Kim Henderson  
Deputy Minister to the Premier, Cabinet Secretary  
and Head of the BC Public Service



Page 21 to/à Page 28

Withheld pursuant to/removed as

s.14



# Memorandum

Deputy Minister's Office  
Office of the Premier

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Date: March 17, 2017  
To: All Deputy Ministers  
Re: Management during the Election Interregnum and Transition Periods

---

This memorandum is to give you management guidance during the upcoming weeks.

## **Executive Council**

When the writs of election are issued on April 11, 2017, and the Lieutenant Governor dissolves the Legislative Assembly, the government is in a caretaker period or "interregnum".

While MLAs no longer hold office once the election writs are issued, Ministers continue to hold their positions as Executive Council (Cabinet) until a new Cabinet is sworn in. The period following election day until a new Cabinet is sworn in is referred to as "transition".

Basic conventions require government to avoid implementing major policy initiatives or entering into new contracts or undertakings that would bind an incoming government. While Cabinet members are legally able to make ministerial decisions during the interregnum and transition periods, in practice major actions and decisions are deferred. Similarly, while under the *Interpretation Act*, Deputy Ministers have the statutory authority to make ministerial decisions (excluding certain regulations), this is also avoided with the exception of the continuation of routine ministry business.

Ordinary meetings of Cabinet, Treasury Board and Cabinet Committees are therefore not held during the interregnum. However, there can be special meetings of Cabinet or a committee of Cabinet under unusual circumstances. Access to the Chair of Treasury Board will be limited.

I expect that by this time each of you have identified issues that may unavoidably arise during the caretaker period, and have made plans to get direction on the management of those issues before this period begins. If new unexpected issues arise that would normally require the direction of the Premier or the Cabinet, you should refer these issues to me or to Elizabeth MacMillan, Deputy Cabinet Secretary, and we will work with you to determine an appropriate management plan.

### **Ministerial Offices and Assistants**

Existing Cabinet Ministers continue to receive their ministerial salary until a new Cabinet is sworn in. Ministers and other MLAs receive their MLA salary up to election day. Ministers may travel and receive reimbursement during the interregnum provided the travel is strictly for government business and not election campaign purposes.

Normal policies apply, except that travel claims, business expense claims, and direct-billed invoices (e.g. Helijet, BTA, etc.) must include a certification that expenses are for business purposes and specify the nature of that business. Care should be taken to ensure government resources are used only for government business. Further, Ministers' Office Support Services recommends that a leased government vehicle not be used at all during the campaign, unless a Minister can clearly establish its use for government business.

Government assets, such as office and computer equipment, telephones, iphones, ipads and blackberries should only be used for government business purposes. Ministers' use of these assets during the election campaign must be related strictly to ministerial duties. Where there is personal use, this should be recorded and government must be reimbursed for any incremental costs.

Executive and Ministerial Assistants appointed by Order-in-Council will take a leave of absence to avoid any conflict between provincial business and the election campaign. While on leave, such staff are not entitled to salary or travel expense reimbursement. Executive and Ministerial Assistants should be considered members of the public when on leave. To ensure appropriate communications, any request to the ministry for assistance from EAs and MLAs should be referred directly to you. Upon expiration of their leaves of absence, they remain in their former positions unless they resign or their appointment has been rescinded.

Administrative Coordinators and other support staff remain in the Ministers' offices.

### **Management of Government Records During Interregnum and Transition Periods**

Deputy Ministers are responsible for the proper management of government records in the care of their Minister's office.

The Government Records Service (GRS) in the Ministry of Finance is available to provide assistance to ministries as required. GRS has provided three training opportunities for Deputy Ministers' Office (DMO) staff to provide targeted education on appropriate practices with respect to Ministers' Office records management practices during the interregnum. GRS Records Officers are also available to provide DMO staff with on-site support within Ministers' Offices during the interregnum period.

DMO staff are encouraged to contact their GRS Records Officer for guidance and to schedule on-site support requests. Please note that the Records Officers support multiple ministries and early scheduling of any assistance requests is encouraged.

There are three types of records:

1. Personal and MLA records;
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The following procedures apply to the management of these records during the interregnum and transition periods:

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Personal records are records that are personal in nature and relate to one's private life and are not received or created as part of one's daily ministry business activities. MLA records include records created by a Minister while acting as an MLA, e.g., constituency operations and meetings, caucus committee meetings, committees of the Legislative Assembly, etc. Please refer to the GRS Recorded Information Management Glossary for definitions of government records, non-government records, and MLA records.

Minister's non-government, personal or MLA documents in an electronic form will be printed. If the Minister wishes to keep non-government, personal or MLA documents in an electronic form, the record can be saved to a removable/external memory device. Once completed, these electronic records on the government system must be deleted.

The Minister should indicate where these records are to be delivered. If a location is not given they should be sent to the caucus office. Under a standing agreement with the Office of the Speaker, GRS will store any member's personal and MLA papers for up to five years and transfer to the BC Archives or until directed to ship them to another location. To arrange transfer please contact Susan Laidlaw, Executive Director, Government Records Service, at 778-698-2900.

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Procedures for the management of Cabinet records respect the British Parliamentary tradition that all Cabinet records are considered to be privileged information of the government of the day. A succeeding administration of a different political party does not normally have access to them. This protects the confidentiality of the collective decision-making process of responsible government.

Ministers' administrative staff, under the direction of the Deputy Minister, will identify all Cabinet records located in the Minister's office. Cabinet records may include memoranda, submissions, reports, recommendations, agendas, minutes, notes, and other confidential documents, audio-visual and presentation material that reflect on the decisions or discussions of Cabinet and its committees and includes as well, briefing notes, opinions, and advice to Ministers and correspondence between Ministers expressing their views and opinions and other documents reflecting such views and opinions.

As soon as possible after the writs have been issued, the Deputy Minister will ensure that all Cabinet designated records are removed from the Minister's offices and placed in a secure location under the control of the Deputy Minister. Your Records Officer at GRS will inform you of the procedures associated with the transfer of these records. The documents will remain in the custody of the Deputy Minister and you will have access to the records to process them in accordance with the policies relating to Cabinet records and the *Information Management Act (IMA)*.

During the interregnum and transition periods, control of access to Cabinet designated records remains with the Cabinet Secretary. In cases where a ministry requires access to these files in order to process a request under the *Freedom of Information and Protection of Privacy Act (FOIPPA)* or for litigation, the Deputy Minister of that ministry will send a written request to the Cabinet Secretary. The Cabinet Secretary will advise the Deputy Minister of her decision to approve or not the release of records. The ministry will then process the request according to existing procedures for Cabinet records under *FOIPPA* or in response to litigation.

During the transition period, should a change in administration occur and the ministry is required to prepare material on an issue to which previously prepared Cabinet records pertain; the proper procedure is to create a new document.

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Management of government records must be done in a manner ensuring confidentiality and security. Ministerial offices should contact their Ministry Records Officer on current policies. During the interregnum period all commercial document shredding is to be suspended.

*FOIPPA* also requires that any personal information used to make a decision about an individual must be retained for at least one year after the information was used.

Mail logs of government correspondence are government records and should be retained. If the mail log contains information on personal/political correspondence, that information should be removed before the mail log is filed. As referenced above, Ministers' administrative staff under the direction of the Deputy Minister will be responsible for ensuring that all personal and MLA information has been removed.

Once the Minister's personal and MLA records and Cabinet records have been removed, the remaining government records stay in the Minister's Office or appropriate ministry responsibility centre (e.g. Deputy Minister's Office) so as to maintain the administration of the ministry.

When a new Cabinet is appointed, government records are sent to the newly appointed Minister's Office. The Chart of Accounts code indicates where the administrative records are to be sent. If a ministry is dis-established (i.e. ceases to exist) its records are to be sent to the ministry that inherits the functions of the dis-established ministry. If a ministry ceases to exist and its functions are transferred to more than one ministry, a protocol will be established between those ministries as to the sharing of access to the records. One of the ministries will be identified in the protocol as the subsequent physical custodian of the records. GRS Records Officers are available to assist with this process as needed.

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Non-OIC staff recruitment and placement within the BC Public Service should continue as normal. Government appointments to boards, agencies and commissions that would normally be made after the date of dissolution are deferred until after the interregnum and transition periods. All appointments that are effective between now and the date of dissolution, and that require Orders in Council, should now have been made.

### **Correspondence, New Policy Implementation, Contracts or Undertakings**

The general rule is that normal ministry business continues as usual.

Routine correspondence can be signed, though care should be taken when drafting correspondence not to assume that one party or another will form the government after the election. References to post-election action are in terms of the “incoming government”.

The basic caretaker conventions require a government to avoid implementing major policy initiatives or entering into new contracts or undertakings. There should be no new spending initiatives, long term agreements, or policy changes outside existing and approved Service Plans. This also applies to federal-provincial matters; policy work and consultations with your FPT colleagues may continue but new commitments or agreements should not be made.

New project approvals within government programs are normally deferred. If a new program or project has not been announced or implementation started, it should be held until a new government is in place to ensure that the incoming government supports the program or project.

However, this does not mean that government cannot take action on major projects or initiatives that have been underway for some time, have received Cabinet approval and where schedule or cost implications of a failure to act could be significant, or relate to public health and safety. If provided for in your budget, ministries can renew routine contracts and contributions or enter into new ones where they are required for the continuing delivery of existing core services.

You should have by now reported to me any major projects, procurement issues or statutory decisions in your ministry that must be made from the beginning of the interregnum through to June 2017, where schedule or cost implications of a deferred decision may be significant.



### **Ministry Operations and Budget Considerations**

All spending must be in accordance with Interim Supply approved by the Legislature. Ministries need to be fiscally prudent and should provide Treasury Board staff with budget status reports to demonstrate how you are managing within existing targets. Until passage of the Main Estimates and Supply for 2017/18, ministries will need to pay particular attention to the timing of non-discretionary payments and ensure these can be made within the Interim Supply appropriations. Treasury Board staff and the Office of Comptroller General will continue to work with each ministry's EFO in this regard.

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#### **Public Service Employees**

All employees are bound by the Standards of Conduct (refer to BCPSA Human Resource Policies, Policy Statement 9.0 - Standards of Conduct.) Employees must be impartial in the performance of their duties. In particular, any political activity must be clearly separated from employment activity. Employees are not to engage in political activities during working hours or use government resources or workplaces to support such activities.

Public service employees are otherwise free to participate in political activities, including belonging to a political party, supporting a candidate for elected office and actively seeking elected office. Employees running for office must take a Leave of Absence (see below).

When engaging in political activities, employees must be able to retain the perception of impartiality in relation to their duties and responsibilities. To avoid a perceived conflict of interest, employees must:

- Not introduce partisan politics at the local, provincial or national levels into the workplace. This does not apply to informal private discussion among coworkers.
- Avoid situations where their position may have an impact, or be seen to have an impact, on political activity.
- Not use taxpayer-funded facilities, equipment or resources in support of political activities.
- Not use public service responsibilities to support, or be seen to support, one political candidate over another.
- Not use their position in government to lend weight to the public expression of personal opinions, nor divulge any confidential government information.
- Ensure that all travel expenses are clearly and demonstrably for government purposes.



### Public Comments

Public service employees are free to comment on public issues but must exercise caution to ensure that by doing so they do not jeopardize the perception of impartiality in the performance of their duties. For this reason, care should be taken in making comments or entering into public debate regarding government policies. Public service employees must not use their position in government to lend weight to the public expression of their personal opinions.

### Leave to Run For and Hold Political Office

From a financial control perspective, any employee with signing authority and on leave to run for office should have that authority removed.

#### 1. Bargaining Unit Employees

Employees must take a leave of absence to run for political office. Before running for office, employees should notify their manager in writing of their intent. The Deputy Minister will review any requests for leave to ensure a conflict of interest does not exist between the employee's work and duties for the office to which nomination is sought.

Collective agreements for bargaining unit employees provide that the employer will grant, on written request, a leave of absence without pay as follows:

- Up to 90 days to seek election in a provincial election.
- Up to five years if elected to a public office.
- If not elected, the employee is allowed to return to the former position.

#### 2. Excluded Employees

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### **Additional Information**

If you have any questions or require further clarification, please call me at 250 356-2206.

With respect to specific questions, you may also wish to contact:

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Sincerely,



Kim Henderson  
Deputy Minister to the Premier, Cabinet Secretary  
and Head of the BC Public Service

## **Plecas, Bobbi PREM:EX**

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**From:** Higgins, Keira PREM:EX  
**Sent:** Tuesday, April 4, 2017 2:42 PM  
**To:** Plecas, Bobbi PREM:EX  
**Subject:** FW: Correspondence - Kim Henderson  
**Attachments:** Management during the Election Interregnum and Transition Periods.pdf

**Keira Higgins, Executive Administrative Coordinator**  
Office of the Premier, Deputy Minister  
272 West Annex, Parliament Buildings | Victoria, BC | V8V 1X4  
Ph: (250) 356-2206

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**From:** Higgins, Keira PREM:EX  
**Sent:** Friday, March 17, 2017 3:26 PM  
**To:** BCPSA Agency DMC Admin & Operational Support  
**Subject:** Correspondence - Kim Henderson

Good afternoon,

Please see the attached correspondence sent on behalf of Deputy Minister Kim Henderson.

Thank you,

---

**Keira Higgins, Executive Administrative Coordinator**  
Office of the Premier, Deputy Minister  
272 West Annex, Parliament Buildings | Victoria, BC | V8V 1X4  
Ph: (250) 356-2206



## Memorandum

Deputy Minister's Office  
Office of the Premier

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Date: March 17, 2017

To: All Deputy Ministers

Re: Management during the Election Interregnum and Transition Periods

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As soon as possible after the writs have been issued, the Deputy Minister will ensure that all Cabinet designated records are removed from the Minister's offices and placed in a secure location under the control of the Deputy Minister. Your Records Officer at GRS will inform you of the procedures associated with the transfer of these records. The documents will remain in the custody of the Deputy Minister and you will have access to the records to process them in accordance with the policies relating to Cabinet records and the *Information Management Act (IMA)*.

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#### 1. Bargaining Unit Employees

Employees must take a leave of absence to run for political office. Before running for office, employees should notify their manager in writing of their intent. The Deputy Minister will review any requests for leave to ensure a conflict of interest does not exist between the employee's work and duties for the office to which nomination is sought.

Collective agreements for bargaining unit employees provide that the employer will grant, on written request, a leave of absence without pay as follows:

- Up to 90 days to seek election in a provincial election.
- Up to five years if elected to a public office.
- If not elected, the employee is allowed to return to the former position.

#### 2. Excluded Employees

As above, employees must take a leave of absence to run for political office. Before running for office, employees should notify their manager in writing of their intent. The Deputy Minister will review any requests for leave to ensure a conflict of interest does not exist between the employee's work and duties for the office to which nomination is sought.

The Deputy Minister may grant an employee seeking nomination or election leave of absence without pay for up to 90 days immediately preceding the date of election. An employee who becomes a Member of the Legislative Assembly, upon written request to the Head of the BC Public Service Agency, will be granted a leave of absence without pay for up to five years.

Employment is deemed to be terminated if an employee becomes a Minister of the Crown.

### **Time Off to Vote**

Employees are entitled to have four consecutive clear hours in which to vote.

Those who have four consecutive hours within the polling time (8:00 am to 8:00 pm) either before or after work are not entitled to a leave of absence from work. Employees with less than four clear hours outside of their working hours are allowed the necessary time off so that four clear hours are available.

The scheduling of this time off should be done to suit the operational requirements of the workplace. If operational issues arise, employees may also take advantage of early polling opportunities prior to the date of the election.

### **Additional Information**

If you have any questions or require further clarification, please call me at 250 356-2206.

With respect to specific questions, you may also wish to contact:

- John Paul Fraser, Deputy Minister, Government Communications and Public Engagement at (250) 356-2277 regarding communications issues;
- Lori Halls, Deputy Minister, BC Public Service Agency at (250) 952-6296 regarding staffing matters;
- Athana Mentzelopoulos, Deputy Minister of Finance at (250) 387-3184 regarding budget and financial management;
- Cheryl Wenezenki-Yolland, Associate Deputy Minister, Ministry of Finance at (250) 387-8499 regarding records management.

Sincerely,



Kim Henderson  
Deputy Minister to the Premier, Cabinet Secretary  
and Head of the BC Public Service