

From: Yuma Morisho, Okenge PSA:EX []
To: BCPSA Agency DMC List [PSADM@Victoria1.gov.bc.ca]
CC: BCPSA Agency DMC Admin & Operational Support [PSADMAS@Victoria1.gov.bc.ca]
Subject: Federal Elections
Date: Wednesday, October 02, 2019 17:08:00

Colleagues:

In the context of the current federal election campaign, please take the opportunity to remind your staff about their obligations as public servants with regard to political activity.

While we are entitled as citizens to participate in political activities, we must do so in ways that do not impact our obligations to impartiality and avoid all real, perceived and potential conflicts of interest. That includes not engaging in political activities during working hours or using government facilities, equipment or resources.

For more information, employees can review the following online resources:

- The Standards of Conduct for BC Public Service Employees:
<https://www2.gov.bc.ca/gov/content/careers-myhr/about-the-bc-public-service/ethics-standards-of-conduct/standards-of-conduct>
- Conflict of Interest guidelines for employees, managers, ethics advisors and deputy ministers:
<https://www2.gov.bc.ca/gov/content/careers-myhr/about-the-bc-public-service/ethics-standards-of-conduct/conflict-interest>
- The social media guidelines, which provide helpful direction on engaging in political activities online: <https://socialmediatoolkit.gov.bc.ca/>
- Information on the @Work site about time off to vote in the Oct. 21 federal election: <https://gwww.gov.bc.ca/announcements/2019/0920/federal-election>

As always, if employees have questions about their ethical obligations, they are encouraged to consult with their supervisor, their Ministry Ethics Advisor (<https://www2.gov.bc.ca/gov/content/careers-myhr/about-the-bc-public-service/ethics-standards-of-conduct/ethics-contacts>) or the Corporate Ethics Advisory Service (ethics@gov.bc.ca).

Thank you.

Okenge Yuma Morisho
Deputy Minister
Head of the BC Public Service Agency

From: [Brubacher, Kelly PSA:EX](#)
To: [Yuma Morisho, Okenge PSA:EX](#); [Anholt, Jennifer A PSA:EX](#)
Subject: Search for Email
Date: August 14, 2020 3:43:22 PM

FYI Okenge and Jenn.

Thank you,

Kelly Brubacher
Executive Coordinator | Deputy Minister's Office | BC Public Service Agency
Office (250) 387-0752 Cell (250) 507-6658

From: Shortt, Amanda PREM:EX <Amanda.Shortt@gov.bc.ca>
Sent: August 14, 2020 3:43 PM
To: Brubacher, Kelly PSA:EX <Kelly.Brubacher@gov.bc.ca>
Subject: RE: Search for Email

Hi Kelly,

Debbie has asked us about this as well and we have been trying to help out. I don't have access to Don's emails but hope we can remedy this next week.

-Amanda

From: Brubacher, Kelly PSA:EX <Kelly.Brubacher@gov.bc.ca>
Sent: August 14, 2020 3:37 PM
To: Shortt, Amanda PREM:EX <Amanda.Shortt@gov.bc.ca>
Subject: Search for Email
Importance: High

Hi Amanda,

Could you please do a search to see if an email was sent from Don last year re the Nanaimo by election and election code of conduct for staff.

Thank you,

Kelly Brubacher
Executive Coordinator | Deputy Minister's Office | BC Public Service Agency
Office (250) 387-0752 Cell (250) 507-6658

From: [Brubacher, Kelly PSA:EX](#)
To: [Shortt, Amanda PREM:EX](#)
Subject: RE: Search for Email
Date: August 14, 2020 3:44:39 PM

Thank you Amanda, I thought that she may have connected with you already but wanted to double check. Appreciate your help!

Kelly Brubacher
Executive Coordinator | Deputy Minister's Office | BC Public Service Agency
Office (250) 387-0752 Cell (250) 507-6658

From: Shortt, Amanda PREM:EX <Amanda.Shortt@gov.bc.ca>
Sent: August 14, 2020 3:43 PM
To: Brubacher, Kelly PSA:EX <Kelly.Brubacher@gov.bc.ca>
Subject: RE: Search for Email

Hi Kelly,

Debbie has asked us about this as well and we have been trying to help out. I don't have access to Don's emails but hope we can remedy this next week.

-Amanda

From: Brubacher, Kelly PSA:EX <Kelly.Brubacher@gov.bc.ca>
Sent: August 14, 2020 3:37 PM
To: Shortt, Amanda PREM:EX <Amanda.Shortt@gov.bc.ca>
Subject: Search for Email
Importance: High

Hi Amanda,

Could you please do a search to see if an email was sent from Don last year re the Nanaimo by election and election code of conduct for staff.

Thank you,

Kelly Brubacher
Executive Coordinator | Deputy Minister's Office | BC Public Service Agency
Office (250) 387-0752 Cell (250) 507-6658

From: [Brubacher, Kelly PSA:EX](#)
To: [Wade, Debbie PREM:EX](#)
Subject: RE: Needing your assistance
Date: August 14, 2020 3:45:43 PM

You're welcome Debbie. I ended up connecting with Amanda as well and I understand that a search of Don's sent email will likely be completed next week when Keira returns.

Kelly Brubacher
Executive Coordinator | Deputy Minister's Office | BC Public Service Agency
Office (250) 387-0752 Cell (250) 507-6658

From: Wade, Debbie PREM:EX <Debbie.Wade@gov.bc.ca>
Sent: August 14, 2020 2:39 PM
To: Brubacher, Kelly PSA:EX <Kelly.Brubacher@gov.bc.ca>
Subject: RE: Needing your assistance

Ok thank you so much!

Debbie Wade
Executive Coordinator to
Geoff Meggs – Chief of Staff to the Premier
Amber Hockin – Deputy Chief of Staff to the Premier

From: Brubacher, Kelly PSA:EX <Kelly.Brubacher@gov.bc.ca>
Sent: August 14, 2020 2:38 PM
To: Wade, Debbie PREM:EX <Debbie.Wade@gov.bc.ca>
Subject: RE: Needing your assistance

Hi Debbie,

I am checking with a couple of contacts and will get back to you. I could not locate this in my email.

Thank you,

Kelly Brubacher
Executive Coordinator | Deputy Minister's Office | BC Public Service Agency
Office (250) 387-0752 Cell (250) 507-6658

From: Wade, Debbie PREM:EX <Debbie.Wade@gov.bc.ca>
Sent: August 14, 2020 2:10 PM
To: Brubacher, Kelly PSA:EX <Kelly.Brubacher@gov.bc.ca>
Subject: RE: Needing your assistance

Hi Kelly;

Amber advised this is not the right one. The one she is looking for is from Don Wright, and will be around that same time line.

Debbie Wade
Executive Coordinator to
Geoff Meggs – Chief of Staff to the Premier
Amber Hockin – Deputy Chief of Staff to the Premier

From: Brubacher, Kelly PSA:EX <Kelly.Brubacher@gov.bc.ca>
Sent: August 14, 2020 2:00 PM
To: Wade, Debbie PREM:EX <Debbie.Wade@gov.bc.ca>
Subject: RE: Needing your assistance

You are very welcome!

Kelly Brubacher
Executive Coordinator | Deputy Minister's Office | BC Public Service Agency
Office (250) 387-0752 Cell (250) 507-6658

From: Wade, Debbie PREM:EX <Debbie.Wade@gov.bc.ca>
Sent: August 14, 2020 2:00 PM
To: Brubacher, Kelly PSA:EX <Kelly.Brubacher@gov.bc.ca>
Subject: RE: Needing your assistance

YES!! Thank you so much!

Debbie Wade
Executive Coordinator to
Geoff Meggs – Chief of Staff to the Premier
Amber Hockin – Deputy Chief of Staff to the Premier

From: Brubacher, Kelly PSA:EX <Kelly.Brubacher@gov.bc.ca>
Sent: August 14, 2020 1:46 PM
To: Wade, Debbie PREM:EX <Debbie.Wade@gov.bc.ca>
Subject: RE: Needing your assistance

Hi Debbie,

I am doing well, thanks. I hope the same for you.

Will this email message to DMC suffice for what Amber is needing?

Thank you,

Kelly Brubacher
Executive Coordinator | Deputy Minister's Office | BC Public Service Agency
Office (250) 387-0752 Cell (250) 507-6658

From: Wade, Debbie PREM:EX <Debbie.Wade@gov.bc.ca>
Sent: August 14, 2020 12:41 PM

To: Brubacher, Kelly PSA:EX <Kelly.Brubacher@gov.bc.ca>

Subject: Needing your assistance

Hi Kelly;

Hope you are doing well. Amber Hockin is needing to find the email / letter that was put out to all Staff from PSA during the Nanaimo By Election last year in regards to code and conduct for employees helping out or working on by elections or elections. I have search for the last hour, through all the Executive Messages put out by Don wright and Okenge, however I cannot find it. Would you be able to assist me with this. Amber needs it today

Any assistance you can provide would be greatly appreciated.

Thanks!

Debbie Wade

Executive Coordinator to

Geoff Meggs – Chief of Staff to the Premier

Amber Hockin – Deputy Chief of Staff to the Premier

Page 007 of 103 to/à Page 008 of 103

Withheld pursuant to/removed as

s.13

From: [Veale, Greg PSA:EX](#)
To: [Hanson, Joanne PSA:EX](#)
Subject: FW: Writ Period - updates requested by Michelle Leamy
Date: August 20, 2020 5:04:11 PM
Attachments: [Qs As for Premier's and Political Staff OICs Final \(Revised 2016-17\) - updates from Michelle - 09JAN17.doc](#)
[Writ Notes \(Final\) November 30 2016 - with Michelle's updates - 09JAN17.doc](#)
[Writ Notes \(Final\) November 30, 2016 - updated on 09JAN17.doc](#)
[Qs As for Premier's and Political Staff OICs Final \(Revised 2016-17\) - updated 09JAN17.doc](#)
Sensitivity: Confidential

Hi, Joanne!

Here we go, the staff-related content from the 2017 election. Nothing newer about the interregnum memo, though. Dawn Lynn sent these to Sean Gadsby and Sean basically left them unchanged, aside from the Michelle Leamy updates.

Cheers,

Greg

Greg Veale, Manager, HR Specialist Interpretation Services

Hiring and Service Operations Division – BC Public Service Agency

167 Lorne Street Kamloops, BC V2C 1V9 Office (250) 371 4339

AskMyHR: www.gov.bc.ca/myhr/contact

Phone: (250) 952 6000 Toll free: 1 877 277 0772

Government confidentiality and privilege requirements apply to this message and any attachments. If you are not the intended recipient, you are hereby notified that any review, retransmission, conversion to hard copy, copying, circulation or other use is strictly prohibited. If you are not the intended recipient, please notify the sender immediately, and delete this message and any attachments from both your inbox and deleted items folder. Thank you.

From: BCPSA Interpretation Services PSA:EX

Sent: August 20, 2020 4:59 PM

To: Veale, Greg PSA:EX

Subject: FW: Writ Period - updates requested by Michelle Leamy

Greg Veale, Manager, HR Specialist Interpretation Services

Hiring and Service Operations Division – BC Public Service Agency

167 Lorne Street Kamloops, BC V2C 1V9 Office (250) 371 4339

AskMyHR: www.gov.bc.ca/myhr/contact

Phone: (250) 952 6000 Toll free: 1 877 277 0772

Government confidentiality and privilege requirements apply to this message and any attachments. If you are not the intended recipient, you are hereby notified that any review, retransmission, conversion to hard copy, copying, circulation or other use is strictly prohibited. If you are not the intended recipient, please notify the sender immediately, and delete this message and any attachments from both your inbox and deleted items folder. Thank you.

From: Phillips, Dawn-Lynn PSA:EX <Dawn-Lynn.Phillips@gov.bc.ca>

Sent: January 9, 2017 2:52 PM

To: Gadsby, Sean C PSA:EX <Sean.Gadsby@gov.bc.ca>

Cc: Lau, Caryl PSA:EX <Caryl.Lau@gov.bc.ca>; Forman, Ken PSA:EX <Ken.Forman@gov.bc.ca>; Weltz, Angela D PSA:EX <Angela.Weltz@gov.bc.ca>; Veale, Greg PSA:EX <Greg.Veale@gov.bc.ca>

Subject: Writ Period - updates requested by Michelle Leamy

Hi Sean – I spoke to Michelle today and she has updated the documents slightly. I am attaching her

updates (so you can see her changes in blue) and then the final copies too.

Michelle asked that I get these back to her by tomorrow morning after you have had a chance to review.

Please let me know if you have any questions.

Thanks.....dl

Dawn-Lynn Phillips, HR Executive Support Services Advisor

Executive Recruitment and Executive Support Services | BC Public Service Agency

Suite 500, 1011 – 4th Avenue | Prince George BC | V2L 3H9 | Phone: 250.888.4570



Where ideas work

Page 011 of 103 to/à Page 018 of 103

Withheld pursuant to/removed as

s.13

Election Policies and Procedures – Leave Without Pay

Staff in the Premier's Office and Ministers' Offices

GENERAL INFORMATION

Political staff in the Premier's Office and Ministers' Offices, including Chiefs of Staff, Ministerial Assistants, and Executive Assistants, are required to take leave without pay (LWOP) during an election. This policy is based on the principle that employees who are political advisors to ministers must not be on the public payroll while working in a provincial election campaign.

Administrative Coordinators and support staff in ministers' offices are not required to take a LWOP during an election. However, if they wish to participate in the election campaign, they must also take a LWOP.

STANDARDS OF CONDUCT

As a condition of employment, Administrative Coordinators and support staff in the ministers' offices are required to follow the "Standards of Conduct for Public Service Employees". This policy is available [here on MyHR](#). All other staff in the Premier's Office and Ministers' offices are required to follow the "Standards of Conduct for Political Staff" that is available [here on MyHR](#).

QUESTIONS AND ANSWERS

For purposes of taking a leave of absence without pay (LWOP), is there a difference between campaigning for a candidate in an election and running in an election?

No. Both activities require the employee to take a leave without pay.

When should staff commence their LWOP? When does the leave end?

All political staff must commence their leave on April 11, 2017 (the day the writ will be issued) to ensure they are not on the public payroll while working in a provincial election. Staff may return from leave on May 10, 2017, the day following the election.

Who signs off the LWOP?

General Leave Without Pay is to be entered in Time and Leave. Please advise Michelle Leamy once this has been entered and she will have the leave processed.

Can banked leave or vacation time be paid out when a LWOP is taken?

Yes. Unused vacation carry-over (Bill 66) or Executive Benefit Plan (EBE) time bank credits may be paid out.

Although not normally permitted, for the purpose of leave without pay during an election period, earned current year vacation (2017) credits may also be paid out.

Current year vacation credits earned by staff are based on receiving 10 days pay at straight time rates in a month which includes statutory holidays. This means you are eligible to request vacation payout for credits earned and not yet taken for a maximum of three months entitlement (January to March 2017).

Note if you are away from work due to illness between January 1 and April 10, STIIP benefits do not count towards the 10 days pay unless you top up your sick leave using earned time banks. If you do top up your STIIP, the top up portion (i.e., 25%) is counted towards the 10 days.

What is the administrative process for recording LWOP and the payout of time banks?

Enter General Leave Without Pay in Time and Leave no later than Wednesday, March 1, 2017 and advise Michelle Leamy by e-mail once you have submitted the request for approval. Michelle will coordinate the processing of leave in cooperation with the BC Public Service Agency.

If requesting time bank payouts (Bill 66 and EBE), please enter your payout request in Time and Leave by Wednesday, March 1, 2017 for approval by your office.

If requesting payout of current year vacation, please send Michelle Leamy an email with the specifics by Wednesday, March 1, 2017. Michelle will coordinate the processing with the BC Public Service Agency.

Can I request that my leave and vacation banks be paid out after the start of my LWOP?

No. Leave and vacation banks must be paid out before the LWOP commences on April 11, 2017. This prevents the perception that an employee is working on the election while being paid by the taxpayer. Requests for such payouts should be made before starting the leave.

Are there any tax implications to be aware of related to the payout of my leave and vacation banks?

To address concerns regarding tax deductions when these payouts are included in the normal bi-weekly pay, direction will be given to payroll offices to process the payouts separately as an off-cycle payment. Depending on the pay level, this may result in less tax deducted than if the vacation payout was included with the regular paycheque for that bi-weekly pay period.

What happens to my benefit coverage while I am on LWOP?

Extended Health, Dental, Group Life Insurance, BC Medical, and LTD coverage will continue as long as you receive pay for one day in a calendar month. If your leave will only be for the mandatory time frame identified above your coverage will continue normally as you will receive pay in both April and May 2017.

If you plan on taking LWOP that exceeds the required leave period noted above, and if this leave precludes you from being on pay for one day in each month of your leave, you may opt to maintain benefit coverage by submitting an Option to Continue Benefit Employee Benefits While on LWOP form. This form should be sent to AskMyHR: www.gov.bc.ca/myhr/contact. Once received, you will be contacted regarding costs and options for payment.

Will my LWOP affect my pension under the Public Service Pension Plan?

Yes. During a leave without pay, you will not receive pensionable or contributory service. At the conclusion of your leave, you may be able to purchase the time if you meet the required criteria.

The employer will pay the employer portion as long as the leave does not exceed 30 calendar days in duration and you will be required to pay the employee portion. If your leave without pay is longer than 30 calendar days you will be required to pay both portions.

Further information regarding purchasing of leaves of absence is available from the BC Pension Corporation's website.

From: [Hanson, Joanne PSA:EX](#)
To: [Yuma, Morisho, Okenge PSA:EX](#)
Cc: [Hanson, Joanne PSA:EX](#)
Subject: As discussed
Date: August 21, 2020 8:52:26 AM
Attachments: [Qs As for Premier's and Political Staff OICs Final \(Revised 2016-17\) - updated 09JAN17.doc](#)
[image001.png](#)
[Memo to DMs re Transition, March, 2009.pdf](#)
[image002.png](#)

There are few documents here that may be of use. Interestingly enough, I found this document which actually says that they DID do current year vacation payouts but it had to be requested prior to taking a LWOP (see attached) – however, both our HR Policy and Core Financial Policy is a hard no. The memo is from 2009, however, it was the same content with just names changed for the most recent as well. I searched my material, but don't have the actual one sent out in 2017, but it is consistent.

Writ leave notes – November 30, 2016

Key Points

- **A leave of absence without pay** during an election is required by all political staff including Chiefs of Staff, Ministerial Assistance and Executive Assistants.
- The **LWOP policy** is based on the principle that employees who are political advisors to ministers must not be on the public payroll while working on a Provincial election campaign.
- **Leave dates** correspond to the date of the writ – April 11, 2017 up to and including General Voting day, May 9, 2017. Staff return from leave the following day on Wednesday, May 10, 2017.
- **Payout of Leave Banks:** Prior to your leave of absence without pay, you may request payout of certain time banks, including vacation carryover (Bill 66), and Executive Benefit Plan banked time (EBE).
- **Current Year Earned Vacation Payout:** Payout of current vacation is normally not permitted; however, for the purpose of leave without pay during an election period, earned current year vacation (2017) credits may be paid out.

Vacation credits are earned based on receiving 10 days pay at straight time rates in a month which includes statutory holidays. This means you are eligible to request vacation payout for credits earned and not yet taken for a maximum of three months entitlement (January to March 2017).

Note: If you are ill between January 1 and April 10, STIIP benefits do not count towards the 10 days pay, unless you top up your sick leave using earned time banks. If you do top up your STIIP, the top up portion (i.e., 25%) is counted towards the 10 days.

- **Payout Timing** – all time bank payouts must occur prior to the leave commencing, that is before April 11, 2017.
- **Payouts** will be processed on an off-cycle basis. They will not be added to a regular pay cheque.
- **Benefit coverage** – Extended Health, Dental, Group Life Insurance, BC Medical, and LTD coverage will continue as long as you receive pay for one day in a calendar month. If your leave will only be for the mandatory time frame identified above there is no requirement to opt to maintain coverage as you will receive pay in April and May 2017.

If you plan on taking leave without pay that exceeds the required leave period noted above, and if this leave precludes you from being on pay for one day in each month of leave, you may opt to maintain benefit coverage by submitting an Option to Continue Benefit coverage form. The form (link below) is sent to AskMyHR: www.gov.bc.ca/myhr/contact. They will contact you with the costs and options for payment.

http://www2.gov.bc.ca/local/myhr/documents/benefits/option_continue_employee_benefits_while_leave_absence_without_pay_layoff.pdf

- **Pension contributions:** During a leave without pay, you will not receive pensionable or contributory service. At the conclusion of your leave, you may be able to purchase the time if you meet the required criteria.

The employer will pay the employer portion as long as the leave does not exceed 30 calendar days in duration and you will be required to pay the employee portion.

If your leave without pay is longer than 30 calendar days you will be required to pay both portions.

Further information is available at the Public Service Pension Plan website.

Purchasing of Leave of Absences Fact Sheet

PROCESS:

Recording Leave With Out Pay:

- Enter General Leave Without Pay in Time and Leave on later than Wednesday, March 1, 2017 and advise Michelle Leamy by e-mail once you have submitted the request for approval. Michelle will coordinate the processing of all leave with the BC Public Service Agency.
- Leaves of 30 calendar days or less will be processed by Payroll.
- Leaves greater than 30 calendar days must be entered in the CHIPS payroll database. These will be entered in the system by the BC Public Service Agency.

Payout of Time Banks:

If requesting time bank payouts for Bill 66 and EBE, please enter the request in Time and Leave for approval by your office. If requesting payout of current year vacation, please send an e-mail request with the specifics to Michelle Leamy by Wednesday, March 1, 2017 for processing.

Joanne Hanson, CPHR, SHRM-SCP
Assistant Deputy Minister
Hiring and Service Operations | BC Public Service Agency
4th Floor - 810 Blanshard Street | Victoria, BC | V8W 2H2 |

Election Policies and Procedures – Leave Without Pay

Staff in the Premier's Office and Ministers' Offices

GENERAL INFORMATION

Political staff in the Premier's Office and Ministers' Offices, including Chiefs of Staff, Ministerial Assistants, and Executive Assistants, are required to take leave without pay (LWOP) during an election. This policy is based on the principle that employees who are political advisors to ministers must not be on the public payroll while working in a provincial election campaign.

Administrative Coordinators and support staff in ministers' offices are not required to take a LWOP during an election. However, if they wish to participate in the election campaign, they must also take a LWOP.

STANDARDS OF CONDUCT

As a condition of employment, Administrative Coordinators and support staff in the ministers' offices are required to follow the "Standards of Conduct for Public Service Employees". This policy is available [here on MyHR](#). All other staff in the Premier's Office and Ministers' offices are required to follow the "Standards of Conduct for Political Staff" that is available [here on MyHR](#).

QUESTIONS AND ANSWERS

For purposes of taking a leave of absence without pay (LWOP), is there a difference between campaigning for a candidate in an election and running in an election?

No. Both activities require the employee to take a leave without pay.

When should staff commence their LWOP? When does the leave end?

All political staff must commence their leave on April 11, 2017 (the day the writ will be issued) to ensure they are not on the public payroll while working in a provincial election. Staff may return from leave on May 10, 2017, the day following the election.

Who signs off the LWOP?

General Leave Without Pay is to be entered in Time and Leave. Please advise Michelle Leamy once this has been entered and she will have the leave processed.

Can banked leave or vacation time be paid out when a LWOP is taken?

Yes. Unused vacation carry-over (Bill 66) or Executive Benefit Plan (EBE) time bank credits may be paid out.

Although not normally permitted, for the purpose of leave without pay during an election period, earned current year vacation (2017) credits may also be paid out.

Current year vacation credits earned by staff are based on receiving 10 days pay at straight time rates in a month which includes statutory holidays. This means you are eligible to request vacation payout for credits earned and not yet taken for a maximum of three months entitlement (January to March 2017).

Note if you are away from work due to illness between January 1 and April 10, STIIP benefits do not count towards the 10 days pay unless you top up your sick leave using earned time banks. If you do top up your STIIP, the top up portion (i.e., 25%) is counted towards the 10 days.

What is the administrative process for recording LWOP and the payout of time banks?

Enter General Leave Without Pay in Time and Leave no later than Wednesday, March 1, 2017 and advise Michelle Leamy by e-mail once you have submitted the request for approval. Michelle will coordinate the processing of leave in cooperation with the BC Public Service Agency.

If requesting time bank payouts (Bill 66 and EBE), please enter your payout request in Time and Leave by Wednesday, March 1, 2017 for approval by your office.

If requesting payout of current year vacation, please send Michelle Leamy an email with the specifics by Wednesday, March 1, 2017. Michelle will coordinate the processing with the BC Public Service Agency.

Can I request that my leave and vacation banks be paid out after the start of my LWOP?

No. Leave and vacation banks must be paid out before the LWOP commences on April 11, 2017. This prevents the perception that an employee is working on the election while being paid by the taxpayer. Requests for such payouts should be made before starting the leave.

Are there any tax implications to be aware of related to the payout of my leave and vacation banks?

To address concerns regarding tax deductions when these payouts are included in the normal bi-weekly pay, direction will be given to payroll offices to process the payouts separately as an off-cycle payment. Depending on the pay level, this may result in less tax deducted than if the vacation payout was included with the regular paycheque for that bi-weekly pay period.

What happens to my benefit coverage while I am on LWOP?

Extended Health, Dental, Group Life Insurance, BC Medical, and LTD coverage will continue as long as you receive pay for one day in a calendar month. If your leave will only be for the mandatory time frame identified above your coverage will continue normally as you will receive pay in both April and May 2017.

If you plan on taking LWOP that exceeds the required leave period noted above, and if this leave precludes you from being on pay for one day in each month of your leave, you may opt to maintain benefit coverage by submitting an Option to Continue Benefit Employee Benefits While on LWOP form. This form should be sent to AskMyHR: www.gov.bc.ca/myhr/contact. Once received, you will be contacted regarding costs and options for payment.

Will my LWOP affect my pension under the Public Service Pension Plan?

Yes. During a leave without pay, you will not receive pensionable or contributory service. At the conclusion of your leave, you may be able to purchase the time if you meet the required criteria.

The employer will pay the employer portion as long as the leave does not exceed 30 calendar days in duration and you will be required to pay the employee portion. If your leave without pay is longer than 30 calendar days you will be required to pay both portions.

Further information regarding purchasing of leaves of absence is available from the BC Pension Corporation's website.

Date: March 19, 2009

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 14, 2009, 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 (other than 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. Access to the Chair of Treasury Board will be limited. The last regularly scheduled Cabinet meeting will be held on March 25, 2009. However, there can be special meetings of Cabinet or a committee of Cabinet under unusual circumstances.

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 Rob Lapper, 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, cell phones 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 MAs 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.

Ministry Records Officers have recently been moved to a new organization in the Ministry of Labour and Citizens' Services. However, they remain available to provide assistance to their Ministries. Deputy Ministers can contact their Ministry Records Officer if needed to assist the Minister's staff in the application of the procedures set out below.

The Corporate Records Management Branch (CRMB) will provide technical advice to Ministry Records Officers.

There are three types of records:

1. Personal and MLA records
2. Cabinet records
3. Non-cabinet government records

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

Personal and MLA Records

Under the direction of the Deputy Minister, Ministers' administrative staff are responsible for ensuring that government records are separated from the Minister's personal and MLA records prior to the interregnum.

Personal and MLA 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 *Administrative Records Classification System (ARCS)* for definitions of government records, non-government records, and MLA records.

Minister's personal/political documents in computer libraries will be printed. If the Minister wishes to keep personal documents in an electronic form, the record can be saved to a CDROM, diskette or removable memory device. Once completed, these electronic records on the 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, CRMB will store any Member's personal and MLA papers until such time as they would like them shipped to another location or taken into the BC Archives. To arrange transfer contact Marland Grove, Director, Corporate Records Management Branch at 250-387-4128.

Cabinet Records

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 are defined as: memoranda, submissions, reports, recommendations, agendas, minutes, notes, and other confidential papers, 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.

Prior to the interregnum, 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 Ministry Records Officer will be advised 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 *Document Disposal Act*.

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*, the Deputy Minister of that ministry will send a written request to the Cabinet Secretary. The Cabinet Secretary will advise the Deputy Minister of the approval to release the records. The ministry will then process the request in the usual manner.

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.

Government Records

Government records are subject to the *Document Disposal Act*, Core Policy, and approved records schedules. Destruction of government records must be done in a manner ensuring confidentiality and security. Ministerial offices should contact their Ministry Records Officer on current destruction policies. During the interregnum period all commercial document shredding is to be suspended.

The *Freedom of Information and Protection of Privacy Act* 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 and the mail log printed and 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 so as to maintain the administration of the ministry.

When a new Cabinet is appointed, the operational 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 Records Centre Services in the custody of CRMB. 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.

Staffing and Appointments

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.

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 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 July 1, 2009, 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 2009/10, 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.

Advertising

As you are already aware, a ban on all non-essential government advertising took effect on January 12, 2009.

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 co-workers.
- 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.

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, 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.

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 (8:00am to 8:00pm) 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 any further clarification, please call me at 250-356-2206.

You may also wish to contact the following directly with specific questions:

- Budget and financial management - Graham Whitmarsh, Associate Deputy Minister of Revenue / Deputy Minister of Finance at (250) 387-3184;

- Communications issues - Ron Norman, Head of Communications, Public Affairs Bureau at (250) 356-7398;
- Staffing – Lynda Tarras, Head, BC Public Service Agency at (250) 952-6296;
- Records management – Lori Wanamaker, Deputy Minister of Labour and Citizens' Services at (250) 387-3997; and
- Election period questions related to MLAs - Dan Arbic, Legislative Comptroller, at (250) 356-8588.

Sincerely,

A handwritten signature in black ink, appearing to read "J. McDonald".

Jessica L. McDonald
Deputy Minister to the Premier
and Cabinet Secretary

From: [Weltz, Angela D PSA:EX](#)
To: [Yuma Morisho, Okenge PSA:EX](#)
Cc: [Gadsby, Sean C PSA:EX](#)
Subject: historical documents
Date: August 24, 2020 12:11:37 PM
Attachments: [What to Expect in an Election Year PP.Jan 25 2017.pptx](#)
[Management during the election interregunum memo 2013 \(sg edit 2017\).docx](#)
[Management during the election interregunum memo.pdf](#)
[Transition Note - OIC Placement in PSA Positions.docx](#)

Hi,

Here is the final version from 2013 and a draft of the version from 2017 from Kim Henderson and. I'm sorry I don't have the final copy of the 2017 memo but I'll check for it. It hasn't changed much over the years.

I've also attached the slides delivered by the DAG to corporate executive which go into even more detail (see slides 28-32 related to political activity).

Also, here is the transition note we did on OIC movement (that has the policy attached) that can become an issue after an election. Sean is doing some long over due policy work related to it so we can be more clear and transparent.

Angela

BRITISH COLUMBIA

2017 Elections

Guidance for Public Servants



The time leading up to general elections can raise a number of questions for public servants:

- What are the key periods?
- Are the actions of government constrained?
- Are the actions of public servants constrained?
- What considerations govern these decisions?



Introduction

- Elections in BC are governed by a number of written and 'unwritten' rules.
- The landscape can be complex - diligence and caution are warranted leading up to a general election and, particularly, during the campaign, election and transition periods.
- We believe that if you understand and appreciate the requirements for each of the key periods, you can act with confidence to continue contributing to the proper functioning of government prior to and during the election.



Key Periods During the Election

- the 'pre-writ' period leading up to the election before the writs of election are issued;
- the 'writ' period – once the writs are issued commencing the campaign and election periods; and
- the transition to the incoming government.

Key dates for the 2017 elections

- 'Pre-writ' period – period preceding April 11, 2017;
- The 'writ' period begins on April 11, 2017 when the writs of election must be issued;
- The **campaign period** runs from April 11, 2017 to voting day on May 9, 2017;
- The **election period** runs from April 11, 2017 and ends on the date set for the return of the writ; and
- **Transition** to the incoming Cabinet begins after the election results are finalized.



1. The Pre-Writ Period

- The government of the day must :
 - plan for the constraints that apply in the election period;
and
 - takes necessary action to ensure that necessary government operations – both routine and urgent can continue during the election period



2. The writ period

- Begins with the issuance of writs of election for each electoral districts. Writs issued on April 11, 2017 (Day 0).
- General election day set under the *BC Constitution Act*– May 9, 2017 (Day 28).
- Campaign period ends on Day 28 – general voting day.
- Election period generally 51 days long – ends after the date set for return of the writs – once results are confirmed.



3. Transition Period

- LGinC asks the leader of the political party that holds the confidence of the majority of the Legislative Assembly to form a government and become the Premier.
- Executive Council (Cabinet) established by OIC under the *BC Constitution Act*, made on the recommendation of the Premier.
- No specific time limit for forming the new Executive Council, but there is an expectation that the new Cabinet will be formed 'without unnecessary delay'.



Governing Principles

- Canada's Constitution – The Constitution Acts 1867 & 1982
- *BC Constitution Act*, RSBC 1996, c. 66
- Constitutional Conventions
- *Election Act*, RSBC 1996, c. 106
- *Budget Transparency and Accountability Act* SBC 2000 c. 23



The 'Caretaker' Period

- Constitutional convention of 'responsible government'.
- Legislative Assembly is dissolved once writs are issued.
- Cabinet continues as executive government with the election in progress – in 'caretaker' role.
- The rationale for this convention is that, following dissolution of the government, there is no elected chamber to which government can be held accountable and the government cannot assume that it will command the confidence in the next Legislature.



Issues to Consider during the 'Caretaker' Period

- Specific issues arise including:
 - records management;
 - appointments and recruitment;
 - entering contracts and agreements;
 - government spending;
 - government communication; and
 - use of internet and social media.



Issues to Consider during the 'Caretaker' Period

- Government facilities and resources continue to be used only for official government business.
- Public servants continue to carry out their responsibilities in a non-partisan manner.
- If there is doubt, questions should be directed through supervisors to Ministry Executive.



What happens to the Legislative Assembly, Cabinet, Ministers, MLAs and ministerial staff during the election period:

- Cabinet continues in caretaker role – Ministers continue to hold portfolios.
- MLAs no longer hold office.
- Executive and ministerial assistants on leave without pay.
- Minister's administrative coordinators and support staff remain.



Deputy Ministers' roles

- During the 'caretaker' period, Deputy Ministers have a key role in ensuring the continuance of necessary government business.
- Deputy Ministers are accountable for ensuring that government facilities and resources continue are used only for official government business and that the public servants in their ministries carry out their responsibilities in a non-partisan manner during the 'caretaker' period.



What government can and cannot do during the election period

- Government operations continue – confined to necessary public business – either routine or urgent.
- Constitutional conventions require government to avoid implementing major initiatives that would bind an incoming government.
- Cabinet members are legally able to make ministerial decisions, in practice major actions and decisions are deferred.



Records and Information Transfer

- Deputy Ministers are responsible for the proper management of government records during the interregnum.
- Refer to the Recorded Information Management (RIM) manual and the RIM glossary for definitions of government records, non-government records, and MLA records.
- Three categories of records to consider:
 - Cabinet Records;
 - Personal and MLA records; and
 - Non-Cabinet government records.



Cabinet Documents

- Particular care must be taken to ensure Cabinet confidence is retained.
- Basic rule : Cabinet records must be kept confidential – they are not automatically accessible to a succeeding government of a different party.
- Control of Cabinet records is with the Cabinet Secretary during the interregnum and transition periods.
- Deputy Ministers in each Ministry are accountable for the proper management of Cabinet records during these periods.



Personal and MLA documents

- Ministers' administrative staff are responsible, under the direction of the Deputy Minister, for ensuring that government records are separated from the Minister's personal and MLA records prior to the interregnum.
- Personal and MLA records - personal in nature - not received or created as part of daily ministry business activities.
- MLA records include records created by a Minister while acting as an MLA.



Non-Cabinet Government Records

- Government information is defined in the new *Information Management Act*.
- The primary consideration in the management of government records during the caretaking period is ensuring confidentiality and security.
- Consider *FOIPPA*, the *Information Management Act*, Core Policy, and approved information schedules.



Contracts and Appointments

- Routine contracts can be entered and routine decisions made. No major contracts or 'milestone' decisions (those with significant cost or schedule implications).
- Non-OIC staff recruitment and placement within the public service continues as normal, within spending restrictions.
- Government appointments to boards, agencies and commissions that would normally be made after the date of dissolution of the Legislature are deferred until after the interregnum and transition periods.

Correspondence and FOIPPA

- Normal correspondence continues.
- References to post-election action are in terms of the 'incoming government'.
- Access to Information requests continue to be processed.

Advertising

- Government is permitted to continue to inform the public of available services during the campaign period.
- Be aware that there can be perception issues regarding what does and does not constitute election advertising.
- All communications requests must be approved by ministry GCPE Communications Director.



Use of Logo, Internet and Social Media

- Use of BCID is permitted in some circumstances. Logo affiliated with government programs may not be used during campaign period.
- Websites, except BC Laws, are generally frozen during interregnum – except to make corrections.
- Websites and social media accounts considered critical to public health and safety will continue during interregnum.
- Other postings must be considered on a case by cases basis and must be approved by the ministry GCPE Communications Director.



Policy decisions

- By convention new policy changes or projects are deferred.
- Major actions or decisions are deferred.
- No new policy initiatives, new contracts or undertakings to bind the incoming government are made.
- Ministers remain legally capable should urgent circumstances or matters in the public interest arise.



Policy decisions and appointments cont.

- Ordinary meetings of Cabinet, Treasury Board and Cabinet Committees are not held during the interregnum.
- Senior government executive plan for this period and identify issues that may unavoidably arise during the caretaker period.
- If issues arise unexpectedly, senior government executive will seek direction from the Cabinet Secretary.



Routine matters

- Officials and departmental resources continue to be at the disposal of Ministers for the purpose of their government duties.
- Ministers and staff must ensure that government resources are not used for campaign purposes.
- Vigilance as to the distinction between *official government business* supported by government resources, and *partisan political activities*.



Routine matters – in practice:

- In the election period, government should restrict itself – in matters of policy, expenditure and appointments – to activities that are:
 - Routine;
 - Non-controversial;
 - Urgent;
 - Reversible by a new government without undue cost or disruption; or
 - Agreed to by opposition parties (if consultation is appropriate).



What public servants can and cannot do during an election.

- Public servants are generally, depending on their role in government, not precluded from political participation.
- However, the impartiality of the public service is a cornerstone of Canadian democracy.
- This means that care is necessary in order to ensure that the public servant's rights to freedom of expression and association are exercised in harmony with the duties of employment and the standards of conduct for public servants.



Standards of Conduct provide guidance:

- Duty of loyalty – serve the government of the day to the best of one's ability
- Impartiality – must not introduce partisan politics into workplace or use their position to lend weight to expression of opinions
- Government resources must not be used in support of political activities – including confidential government information
- Employees must not engage in political activities during work hours or using government resources
- Conflicts of interest must be avoided



Standards of Conduct provide guidance:

- Employees may hold jobs outside government, carry on a business, receive remuneration from public funds for activities outside their position, or engage in volunteer activities provided it does not:
 - interfere with the performance of their employment duties
 - bring the government into disrepute;
 - represent a conflict of interest or create the reasonable perception of a conflict of interest;
 - appear to be an official act or to represent government opinion or policy;
 - involve the unauthorized use of work time or government premises, services, equipment, or supplies; or
 - gain an advantage that is derived from their employment.



Standards of Conduct provide guidance:

- Public servants can, outside of work and on their own time engage in political activity without compromising their neutrality.
- Care should be taken in use of personal social media not to blur the lines between professional and private lives.
- Public servants should not identify themselves as public servants or wear their uniforms or I.D. cards when canvassing, soliciting donations or attending public events.



Running as a Candidate

- Under s. 67 of the *BC Election Act*, an employee is entitled to leave without pay from employment to run as a candidate in an election.
- The candidate's employer must grant the individual a leave without pay in accordance with this section.
- Deputy Ministers review requests to ensure conflicts of interest do not exist between the employee's work and duties for the office to which nomination is sought.



Voting

- Employees are entitled to have 4 consecutive clear hours in order to vote.
- Leave from work only if there are less than 4 clear hours outside of working hours available to vote.
- Operational requirements must be considered in scheduling.
- If operational issues arise, employees may also take advantage of early polling opportunities prior to the date of election.



Conclusion

- If you have any doubt, don't hesitate to seek guidance from your Ministry Executive through your supervisor.
- We are confident that with the support of supervisors and senior ministry executive, you will be able to continue to act with integrity and support the proper functioning of government through the various periods leading up to the next general election in British Columbia and the transition to the incoming government.



For further information on legal issues arising in relation to the 2017 general elections, contact:

James N. Harvey, Legal Services Branch

Assistant Deputy Attorney General

Phone: 250 356 8800

E-mail: James.Harvey@gov.bc.ca

Page 072 of 103 to/à Page 080 of 103

Withheld pursuant to/removed as

s.13



Memorandum

Deputy Minister's Office

Office of the Premier

Date: March 15, 2013

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 16, 2013, 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, B'TA, 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, cell phones, 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 MAs 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 Services Branch in the Ministry of Citizens' Services and Open Government is available to provide assistance to ministries. Deputy Ministers may contact their Ministry Records Officer if needed to assist the Minister's staff in the application of the procedures set out below.

The Government Records Services Branch will provide technical advice to Ministry Records Officers.

There are three types of records:

1. Personal and MLA records
2. Cabinet records
3. Non-cabinet government records

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

1. Personal and MLA Records

Under the direction of the Deputy Minister, Ministers' administrative staff are responsible for ensuring that government records are separated from the Minister's personal and MLA records prior to the interregnum.

Personal and MLA 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 *Administrative Records Classification System (ARCS)* for definitions of government records, non-government records, and MLA records.

Minister's personal/political documents in computer libraries will be printed. If the Minister wishes to keep personal documents in an electronic form, the record can be saved to a CDROM or removable memory device. Once completed, these electronic records on the 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, GRSB will store any

Member's personal and MLA papers until such time as they would like them shipped to another location or taken into the BC Archives. To arrange transfer please contact Alex Wright, Director, Records Management, at (250) 588-4057.

2. Cabinet Records

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 are defined as: memoranda, submissions, reports, recommendations, agendas, minutes, notes, and other confidential papers, 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 Ministry Records Officer will be advised 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 *Document Disposal Act*.

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 his 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

A government record is all recorded information regardless of physical format which is received, deposited or held by, or in, any ministry. Government records are subject to the *Document Disposal Act*, Core Policy, and approved records schedules.

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.

The *Freedom of Information and Protection of Privacy Act* 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 and the mail log printed and 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 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 Government Records Services Branch. 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.

Staffing and Appointments

Non-OIC staff recruitment and placement within the BC Public Service should continue as normal, within the current spending restrictions.

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.

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 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 2013, 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 2013/14, 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 co-workers.
- 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, 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 (8:00am to 8:00pm) 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 any further clarification, please call me at 250-356-2206.

You may also wish to contact the following directly with specific questions:

- Budget and financial management - Peter Milburn, Deputy Minister of Finance at (250) 387-3184;
- Staffing – Lynda Tarras, Head, BC Public Service Agency at (250) 387-2166;
- Records Management – Kim Henderson, Deputy Minister, Citizens' Services and Open Government at (250) 387-3997;
- Communications issues should be directed to GCPE.

Sincerely,



John Dyble
Deputy Minister to the Premier, Cabinet Secretary
and Head of the BC Public Service

June 22 2017

Prepared for: **Deputy Minister, BC Public Service Agency**
For Information

Issue: **Movement of Order in Council (OIC) Appointees Policy into the public service**

Background:

- Section 9 of The Terms and Conditions of Employment for Excluded Employees references the policy governing the movement of OIC appointees to public service positions.
- The policy (attached as Appendix A) applies to OIC appointees under Section 15.1 (a) and (b) of the *Public Service Act*, who were immediately preceding their appointment hired under Section 8 (merit) of the *Act*.
- The policy allows that eligible OIC appointees may be considered for placement without competition in the public service at or below their former level, and have in service status for competitions, for a period of 60 days following the date the OIC is rescinded.
- The origin of these policy dates back to a directive issued in 1991. Initially, it only applied in situations due to a change in government administration as a result of an election. The policy was later changed to apply at any time, not just for a change in government, and to include all section 15.1 appointments.
- In 2011, the Deputy Minister and Head of the Public Service Agency made the decision to allow all OIC appointees to have in-service status to apply for regular competitions regardless of whether or not they were previously in a regular public service position. However, the policy statement has not been amended to reflect this change.

Discussion:

- The wording of the policy makes it clear that the placement of OIC appointees is discretionary and is not an entitlement.
- The policy is also open to interpretation regarding the meaning of “immediately preceding their appointment”. This could be interpreted as immediately preceding their current OIC appointment or immediately preceding their original OIC appointment. There are many appointees who started their public service career as regular Section 8 employees and then have moved to and retained an OIC appointment for several years.
- There are currently 95 OIC appointees that at some time in their public service career held a Section 8 appointment on merit prior to their OIC appointment. Of these 95 appointees, 70 are from Government Communications and Public Engagement (GCPE) and only 22 of the 95 have held a regular Section 8 appointment within the last 5 years.

- An incoming government has a number of options in how manage these 95 OIC appointees including:
 - determining whether to offer placement to any or all of the appointees;
 - determining the criteria for choosing which appointees are offered placement; and
 - determining whether appointees will be placed directly into positions or will be required to participate in a limited competition.
- Any options for placement or limited competitions will need to be communicated to the selected appointees when their OIC is rescinded.
- An incoming government has the opportunity to update the policy and clarify the eligibility criteria. Changes to the policy will require approval of the Lieutenant Govern in Council (LGIC) under section 25 (3) of the *Public Service Act*.

Summary:

- Current policy enables OIC appointees to be placed in regular public service positions when their OIC is rescinded if the appointee was in a regular public service position immediately preceding their appointment.
- An incoming government has the discretion to offer this placement option, or not, and, to decide on the method and criteria for selecting which OIC appointees would be eligible.
- Once the decisions have been made about placement, the policy will need to be updated and approved by the LGIC.

Recommended By

Approved By

Personnel Policies

BC Public Service Agency

[Agency Home](#) | [Forms](#) | [Search](#) | [Contact Us](#)

Archived copy for PSA use only - not for distribution

[BC Gov Home](#)

Order in Council (OIC) Movement to Public Service Act (PSA) Position (Formerly Policy Directive 4.4) - Policy 4.7

1. Objective	The objective of this policy is to define the placement opportunities for Order in Council appointees who were previously in public service positions.
2. Application and Scope	This policy applies to persons appointed by Order in Council under Section 15.1 (a) and (b) of the <i>Public Service Act</i> (PSA) who were, immediately preceding their appointment, in regular public service positions.
3. Principles	The Government of British Columbia is committed to ensuring that persons in OIC positions who were previously hired under Section 8 of the <i>Public Service Act</i> are considered for placement in the public service and are considered in service for competition purposes.
4. Mandatory Requirements	
4.1 Placement to Public Service Position	Where an appointee's OIC is rescinded, the appointee may be considered for placement without competition to a public service position, at or below their former level, for a period of sixty days following the date the OIC is rescinded.
4.2 In Service Status	<p>During the term of OIC appointments, appointees will have in service status for the purpose of applying on competitions for permanent positions. They may not apply on temporary appointments as these are considered career development opportunities and, as such, are open only to Section 8 public service employees.</p> <p>Where an OIC is rescinded, an appointee will have in service status for the purpose of applying on public service competitions for a period of sixty days following the date the OIC is rescinded.</p>
4.3 Continuous Service	<p>During the term of OIC appointments, appointees will be granted credit for years of continuous service for competition purposes, up to but not including time spent in the OIC appointment, provided there was no break in service.</p> <p>Where an OIC is rescinded, an appointee will be granted credit for years of continuous service for competition purposes, up to but not including time spent in the OIC appointment, provided there was no break in service.</p>

Order in Council (OIC) Movement to Public Service Act (PSA) Position (Formerly Policy Directive 4.4) - Policy 4.7

4.4 Length of Service

Where an OIC is rescinded, an appointee will be granted credit for length of service for benefit entitlement purposes, including time spent in the OIC appointment, provided there was no break in service.

5. Responsibilities

BC Public Service Agency

The head of the Agency is responsible for:

- Providing advice, guidance and assistance on this policy; and
- Considering the placement of persons, under this policy, into public service positions.

Ministries

Deputy Ministers are responsible for:

- Ensuring that persons are considered, under this policy, for placement into ministry positions.

6. Legislative Authorities

Public Service Act

7. Other Authorities and References

Personnel Policy Manual, Policy 4.1 – Recruitment, Selection and Appointment

8. Effective Date

February 15, 1996
Administrative Update October 19, 2005

Appendix 1
Order in Council (OIC) Public Service Act (PSA) Summary

OIC's appointed under Section 15 of the PSA who were, immediately preceding their appointment, in regular public service positions.

- a. in service status for purposes of applying on competitions during the term of the OIC appointment and for sixty days after the OIC is rescinded (no rights for review of staffing decisions);
- b. credited with points for continuous service (not including time spent in the OIC appointment) during the competition process;
- c. may be considered for placement without competition to a public service position at or below previous level for sixty days after the OIC is rescinded.

Order in Council (OIC) Movement to Public Service Act (PSA) Position (Formerly Policy Directive 4.4) - Policy 4.7

Staff in minister's and Premier's office in secretarial, administrative or program support positions appointed by OIC up to and including Feb. 20, 1996, who were not previously in regular public service positions.	<ul style="list-style-type: none">a. in service status for purposes of applying on competitions during the term of the OIC appointment and for sixty days after the OIC is rescinded (no rights for review of staffing decisions);b. not credited with points for continuous service during the competition process;c. not eligible for placement without competition to a public service position.
OIC's, including staff in minister's and Premier's office appointed after February 20, 1996, who were not previously in regular public service positions.	<ul style="list-style-type: none">a. not considered in service for purposes of applying on competitions;b. not credited with points for continuous service during the competition process;c. not eligible for placement without competition to a public service position.

Note: Deputy Ministers and Assistant Deputy Ministers appointed under Section 12 of the *Public Service Act* are regular public service employees and therefore the normal public service entitlements apply.

[Top](#) [Copyright](#) [Disclaimer](#) [Privacy](#)

[Feedback](#)

From: Yuma Morisho, Okenge PSA:EX
To: Hockin, Amber PREM:EX
Subject: Employee's Conduct
Date: August 24, 2020 12:57:36 PM

Amber:

Please find below a summary of what is expected from BCPS employees during a election campaign.

All employees are bound by the 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.

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 co-workers.
- 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 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.

Hope this helps.

Okenge Yuma Morisho
Deputy Minister
Head of the BC Public Service Agency

From: [Hanson, Joanne PSA:EX](#)
To: [Yuma Morisho, Okenge PSA:EX](#)
Cc: [Hanson, Joanne PSA:EX](#)
Subject: As discussed
Date: September 10, 2020 4:07:59 PM
Attachments: [Qs As for Premier's and Political Staff OICs Final \(Revised 2016-17\) - updated 09JAN17.doc](#)

I'm reattaching a document that I previously sent to you that outlines the process s.13

s.13

We can chat more about this if you would like me to format this differently to communicate, but in essence, we can help a great deal if we're brought in and Amber can really do some pre-work

s.13

Page 099 of 103

Withheld pursuant to/removed as

s.13

Election Policies and Procedures – Leave Without Pay

Staff in the Premier's Office and Ministers' Offices

GENERAL INFORMATION

Political staff in the Premier's Office and Ministers' Offices, including Chiefs of Staff, Ministerial Assistants, and Executive Assistants, are required to take leave without pay (LWOP) during an election. This policy is based on the principle that employees who are political advisors to ministers must not be on the public payroll while working in a provincial election campaign.

Administrative Coordinators and support staff in ministers' offices are not required to take a LWOP during an election. However, if they wish to participate in the election campaign, they must also take a LWOP.

STANDARDS OF CONDUCT

As a condition of employment, Administrative Coordinators and support staff in the ministers' offices are required to follow the "Standards of Conduct for Public Service Employees". This policy is available [here on MyHR](#). All other staff in the Premier's Office and Ministers' offices are required to follow the "Standards of Conduct for Political Staff" that is available [here on MyHR](#).

QUESTIONS AND ANSWERS

For purposes of taking a leave of absence without pay (LWOP), is there a difference between campaigning for a candidate in an election and running in an election?

No. Both activities require the employee to take a leave without pay.

When should staff commence their LWOP? When does the leave end?

All political staff must commence their leave on April 11, 2017 (the day the writ will be issued) to ensure they are not on the public payroll while working in a provincial election. Staff may return from leave on May 10, 2017, the day following the election.

Who signs off the LWOP?

General Leave Without Pay is to be entered in Time and Leave. Please advise Michelle Leamy once this has been entered and she will have the leave processed.

Can banked leave or vacation time be paid out when a LWOP is taken?

Yes. Unused vacation carry-over (Bill 66) or Executive Benefit Plan (EBE) time bank credits may be paid out.

Although not normally permitted, for the purpose of leave without pay during an election period, earned current year vacation (2017) credits may also be paid out.

Current year vacation credits earned by staff are based on receiving 10 days pay at straight time rates in a month which includes statutory holidays. This means you are eligible to request vacation payout for credits earned and not yet taken for a maximum of three months entitlement (January to March 2017).

Note if you are away from work due to illness between January 1 and April 10, STIIP benefits do not count towards the 10 days pay unless you top up your sick leave using earned time banks. If you do top up your STIIP, the top up portion (i.e., 25%) is counted towards the 10 days.

What is the administrative process for recording LWOP and the payout of time banks?

Enter General Leave Without Pay in Time and Leave no later than Wednesday, March 1, 2017 and advise Michelle Leamy by e-mail once you have submitted the request for approval. Michelle will coordinate the processing of leave in cooperation with the BC Public Service Agency.

If requesting time bank payouts (Bill 66 and EBE), please enter your payout request in Time and Leave by Wednesday, March 1, 2017 for approval by your office.

If requesting payout of current year vacation, please send Michelle Leamy an email with the specifics by Wednesday, March 1, 2017. Michelle will coordinate the processing with the BC Public Service Agency.

Can I request that my leave and vacation banks be paid out after the start of my LWOP?

No. Leave and vacation banks must be paid out before the LWOP commences on April 11, 2017. This prevents the perception that an employee is working on the election while being paid by the taxpayer. Requests for such payouts should be made before starting the leave.

Are there any tax implications to be aware of related to the payout of my leave and vacation banks?

To address concerns regarding tax deductions when these payouts are included in the normal bi-weekly pay, direction will be given to payroll offices to process the payouts separately as an off-cycle payment. Depending on the pay level, this may result in less tax deducted than if the vacation payout was included with the regular paycheque for that bi-weekly pay period.

What happens to my benefit coverage while I am on LWOP?

Extended Health, Dental, Group Life Insurance, BC Medical, and LTD coverage will continue as long as you receive pay for one day in a calendar month. If your leave will only be for the mandatory time frame identified above your coverage will continue normally as you will receive pay in both April and May 2017.

If you plan on taking LWOP that exceeds the required leave period noted above, and if this leave precludes you from being on pay for one day in each month of your leave, you may opt to maintain benefit coverage by submitting an Option to Continue Benefit Employee Benefits While on LWOP form. This form should be sent to AskMyHR: www.gov.bc.ca/myhr/contact. Once received, you will be contacted regarding costs and options for payment.

Will my LWOP affect my pension under the Public Service Pension Plan?

Yes. During a leave without pay, you will not receive pensionable or contributory service. At the conclusion of your leave, you may be able to purchase the time if you meet the required criteria.

The employer will pay the employer portion as long as the leave does not exceed 30 calendar days in duration and you will be required to pay the employee portion. If your leave without pay is longer than 30 calendar days you will be required to pay both portions.

Further information regarding purchasing of leaves of absence is available from the BC Pension Corporation's website.

From: Yuma Morisho, Okenge PSA:EX
To: BCPSA Agency DMC List
Cc: BCPSA Agency DMC Admin & Operational Support
Subject: Federal Elections
Date: October 2, 2019 5:08:02 PM

Colleagues:

In the context of the current federal election campaign, please take the opportunity to remind your staff about their obligations as public servants with regard to political activity. While we are entitled as citizens to participate in political activities, we must do so in ways that do not impact our obligations to impartiality and avoid all real, perceived and potential conflicts of interest. That includes not engaging in political activities during working hours or using government facilities, equipment or resources.

For more information, employees can review the following online resources:

- The Standards of Conduct for BC Public Service Employees:
<https://www2.gov.bc.ca/gov/content/careers-myhr/about-the-bc-public-service/ethics-standards-of-conduct/standards-of-conduct>
- Conflict of Interest guidelines for employees, managers, ethics advisors and deputy ministers: <https://www2.gov.bc.ca/gov/content/careers-myhr/about-the-bc-public-service/ethics-standards-of-conduct/conflict-interest>
- The social media guidelines, which provide helpful direction on engaging in political activities online: <https://socialmediatoolkit.gov.bc.ca/>
- Information on the @Work site about time off to vote in the Oct. 21 federal election: <https://gwww.gov.bc.ca/announcements/2019/0920/federal-election>

As always, if employees have questions about their ethical obligations, they are encouraged to consult with their supervisor, their Ministry Ethics Advisor (<https://www2.gov.bc.ca/gov/content/careers-myhr/about-the-bc-public-service/ethics-standards-of-conduct/ethics-contacts>) or the Corporate Ethics Advisory Service (ethics@gov.bc.ca).

Thank you.

Okenge Yuma Morisho

Deputy Minister

Head of the BC Public Service Agency