

Adopted by the Board of Internal Economy May 6, 2015

DIRECTIVE #6.4
(s.49(3)(d) - c.L-11.3)

CONSTITUENCY ASSISTANT BENEFITS

GENERAL

- (1) Constituency assistants are eligible for vacation benefits and statutory holiday benefits in a manner similar to Members of the PS/GE collective bargaining agreement within the Saskatchewan Public Service. The administration of constituency vacation benefits shall be in accordance with the Legislative Assembly Constituency Assistant Vacation Leave/Pay policy.
- (2) Constituency assistants are entitled to receive the same number of sick leave entitlements that are available to Members of the PS/GE collective bargaining agreement within the Saskatchewan Public Service. The administration of constituency assistant sick leave provisions shall be in accordance with the Legislative Assembly Constituency Assistant Sick Leave Policy and the Pressing Necessity and Personal/Family Responsibility Policy.
- (3) Constituency assistants who meet the eligibility criteria must be enrolled in the following benefit plans: Group Life Insurance Plan, Disability Plan, Public Employees Pension Plan, Dental Plan, and Extended Health Care Plan. Constituency assistants may participate in the Legislative Assembly Employee and Family Assistance Program.
- (4) In the absence of a specific policy/program established by the Board of Internal Economy, the Members shall default, at the least, to the minimum provisions of *The Saskatchewan Employment Act*.
- (5) Constituency assistants shall not receive any payments in excess of the amounts specified in this directive for any of the benefits that are authorized by this directive. The Member, as the employer, shall be responsible for any costs incurred beyond what is allowable under the provisions of this Directive.
- (6) In the event of the Member's death, the Speaker may authorize payments to constituency assistants pursuant to this directive.
- (7) The cost of the provisions outlined in this directive, except for the benefits specified in clause (1), shall be paid by the Legislative Assembly on behalf of the Member, but shall not reduce the amount of funds that are available to the Member under Directive #4.1 – *Constituency Service Expenses* or Directive #6 – *Constituency Assistant Expenses*.

April 1, 2019

WORKERS' COMPENSATION BENEFITS

- (8) A constituency assistant is eligible to receive Workers' Compensation benefits if he or she is injured in the performance of his or her duties and the injury is compensable under the provisions of *The Workers' Compensation Act*. The administration of Workers' Compensation benefits will be in a manner similar to that used for Members of the PS/GE collective bargaining agreement within the Saskatchewan Public Service.

MATERNITY/ADOPTION/PATERNITY LEAVE SUPPLEMENT TO EI BENEFIT (SUB) PROGRAM

- (9) A constituency assistant, who takes a leave of absence for maternity, adoption, or paternity reasons, is eligible for benefits under a maternity/adoption/paternity leave supplement to EI benefit (SUB) Program. The provisions and the administration of the program will be in a manner similar to that provided to Legislative Assembly Service employees.

COMPASSIONATE CARE LEAVE SUPPLEMENT TO EI BENEFIT (SUB) PROGRAM

- (10) In this section, "member of the constituency assistant's family" means a member of a class of persons prescribed pursuant to the regulations made pursuant to *The Employment Insurance Act (Canada)*.
- (11) A constituency assistant is entitled to a compassionate care leave of up to eight weeks to provide care or support to a member of the constituency assistant's family who has a serious medical condition with a significant risk of death within twenty-six weeks from the date the leave commences.
- (12) A constituency assistant who takes a leave of absence for compassionate care is eligible for benefits under a compassionate care leave supplement to EI benefit (SUB) program. The Legislative Assembly will be responsible for the first two weeks of the constituency assistant's salary at 100%. The Legislative Assembly will then provide a supplement to EI benefits up to 100% of the constituency assistant's salary immediately prior to commencing the leave for up to an additional six weeks of the compassionate care leave period.
- (13) In a period of fifty-two weeks, a constituency assistant is not entitled to take more than one compassionate care leave pursuant to clause (11).
- (14) A constituency assistant's compassionate care leave pursuant to clause (11) ends:
- (a) if the constituency assistant is no longer providing care or support to the family member;
 - (b) on the termination of the twenty-six week period described in clause (11); or
 - (c) on the death of the constituency assistant's family member.

- (15) A constituency assistant must have served a minimum of one year of consecutive service with a Member and be a full-time employee of the Member in order to be eligible for this benefit.

NOTICE OF LAY-OFF

- (16) A constituency assistant shall receive proper written notice of lay-off.
- (a) The amount of notice a constituency assistant will receive depends on their length of eligible service and shall be in accordance with *The Saskatchewan Employment Act*. Eligible service for the purposes of this provision includes continuous employment with a Member or Members of the Legislative Assembly without a break in service.

A break in continuous service would occur in the following circumstances:

- (i) dismissal;
- (ii) resignation;
- (iii) previous receipt of a pay in lieu of notice payment as a constituency assistant.
- (b) If the Member is unable to provide proper written notice, the constituency assistant shall receive pay in lieu of notice payment provided that the Legislative Assembly receives the appropriate documentation signed by the Member requesting that the pay in lieu of notice payment be made.

NOTICE UPON TERMINATION OF EMPLOYMENT

Employment of less than one year and/or Casual Constituency Assistants

- (17) A constituency assistant whose employment is terminated without just cause, or due to the defeat, resignation or death of a Member, shall receive pay in lieu of notice of termination according to *The Saskatchewan Employment Act* provided that:
- (a) the Member provides formal written notification of termination, as the case may be, to the constituency assistant; and
- (b) a copy of the notification is received by the Legislative Assembly.

Eligible service for the purposes of this provision includes continuous employment with a Member or Members of the Legislative Assembly without a break in service as defined in 16 (a) (i) to (iii) above .

Employment of one year or more - TRANSITION ALLOWANCE

- (18) A transition allowance, calculated in accordance with clause (21) shall be paid to each eligible constituency assistant by the Legislative Assembly who:
- (a) has been employed as a CA for a minimum of one calendar year ; and
 - (b) was a full or part time constituency assistant for the full 120 days prior to dissolution;
 - (c) ceased to be a constituency assistant due to their Member’s defeat at the polls;
 - (d) was a constituency assistant for a Member at dissolution but who’s Member does not stand as a candidate for re-election;
 - (e) was a constituency assistant for a Member who resigned his or her seat prior to dissolution;
 - (f) was a constituency assistant for a Member who died; or
 - (g) was a constituency assistant terminated without just cause;
- (19) Transition allowance shall be paid bi-weekly during the transition period. Constituency Assistants must complete a bi-weekly declaration to confirm their eligibility for the transition allowance during the entire transition period. These declarations must be filed in accordance with the bi-weekly pay schedule. Late declarations will be processed in a subsequent pay period.
- (20) A constituency assistant is not eligible to receive a transition allowance if the constituency assistant:
- (a) is appointed to a paid position on a government board, commission or agency during the transition period;
 - (b) begins employment or returns to his or her former position of employment in a provincial government ministry, Crown corporation, agency, board, commission or recognized political party caucus office during the transition period; or
 - (c) begins employment as a constituency assistant with another Member;

- (21) The transition allowance shall be based upon the constituency assistant's years of eligible service as follows:
- (a) two weeks of pay per year of service to a maximum of twenty-four weeks for twelve years or more of service; transition allowance will be prorated for less than full years of service;
 - (b) service shall be calculated based on actual hours worked, adjusted for periods of mandatory definite leaves, with one year of service equaling 1872 hours.

Eligible service for the purposes of this provision includes continuous employment with a Member or Members of the Legislative Assembly without a break in service. For the purposes of this provision, a break in service means any:

- (i) dismissal;
 - (ii) resignation; or
 - (iii) previous receipt of a severance or transition allowance payment as a constituency assistant.
- (22) Any transition allowance calculated in accordance with clause (21) shall be deemed to be inclusive of Pay in lieu of Notice of Termination. In the event that a transition allowance calculation results in an amount lower than the pay in lieu of notice required by *The Saskatchewan Employment Act*; the provisions of the Saskatchewan Employment Act shall prevail.
- (23) Periods of employment which were compensated by a previous severance or transition allowance payment(s) are not eligible for consideration in subsequent transition allowance payments.
- (24) A constituency assistant is limited to a cumulative lifetime maximum of 24 weeks of transition allowance. In those instances where a constituency assistant has achieved the lifetime maximum, the constituency assistant will receive pay in lieu of notice of termination in accordance with *The Saskatchewan Employment Act*.

CONSTITUENCY OFFICE CLEAN-UP AND CLOSURE

- (25) Upon the defeat, resignation or death of the Member, one constituency assistant who is assigned responsibility for constituency office clean-up and closure may receive a maximum of fifty (50) hours pay for performing this duty provided that the Legislative Assembly receives the appropriate documentation signed by the Member authorizing the assignment of this responsibility.