

**TO THE HONOURABLE THE LEGISLATIVE ASSEMBLY OF MANITOBA:**

Your Standing Committee on Legislative Affairs presents the following as its Third Report.

**Meetings:**

Your Committee met on January 17, 2019 at 1:00 p.m. in Room 255 of the Legislative Building.

**Matters under Consideration:**

- Report and Recommendations of the Judicial Compensation Committee dated May 23, 2018

**Committee Membership:**

- Mr. ALLUM
- Hon. Mr. CULLEN
- Mr. CURRY
- Hon. Mr. FIELDING
- Mrs. GUILLEMARD (*Chairperson*)
- Mr. MARCELINO
- Mr. NESBITT
- Ms. LAMOUREUX
- Mr. REYES
- Mr. WIEBE
- Mr. YAKIMOSKI

Your Committee elected Mr. NESBITT as the Vice-Chairperson

**Public Presentation at the January 17, 2019 meeting:**

By leave, your Committee heard one presentation on the Report and Recommendations of the Judicial Compensation Committee from:

Susan Dawes

Provincial Judges Association of Manitoba

**Motions:**

Your Committee agreed to the following motions at the January 17, 2019 meeting:

- *THAT the Standing Committee on Legislative Affairs:*

accept the recommendations in Schedule A; and  
recommend the same to the Legislative Assembly.

**SCHEDULE A**  
**Recommendations of the Judicial Compensation Committee**  
**accepted by the Standing Committee on Legislative Affairs**

1. That the annual salaries for puisne judges are:
  - (i) April 1, 2017 to March 31, 2018 is \$259,000;
  - (ii) April 1, 2018 to March 31, 2019 – a cumulative adjustment equal to the annual percentage change in the average weekly earnings for Manitoba on April 1, 2018;
  - (iii) April 1, 2019 to March 31, 2020 – cumulative adjustment equal to the annual percentage change in the average weekly earnings for Manitoba on April 1, 2019.

The percentage change in the average weekly earnings shall be calculated based on the percentage change over the preceding calendar year.

This recommendation should apply to all who were judges as of April 1, 2017, including those who retired or otherwise leave the Bench prior to implementation.

2. That the salary differentials for the Chief Judge and the Associate Chief Judges remain in place as of April 1, 2017. This will mean a salary of \$279,720 for the Chief Judge and \$271,950 for the Associate Chief Judges.

This recommendation shall apply to all judges who were either a Chief Judge or an Associate Chief Judge as of April 1, 2017, including those who retire or otherwise leave the Bench prior to implementation.

3. Simple interest shall be paid, from April 1, 2017 to the date of retroactive payment of salary increase(s) including the differentials for the administrative judges and related per diems for senior judges, in accordance with the relevant prejudgment and post-judgment interest rates as set out in the *The Court of Queen's Bench Act*.
4. Prejudgment interest shall be payable from April 1, 2017 to the date the salary and per diem recommendations are implemented (whether by vote of the Legislature or by virtue of s.11.1(29) of the Act), and post-judgment interest should be payable from that date to the date that judges are paid the retroactive adjustments.
5. That the Chief Judge be allowed to approve down payments in respect of any expenses relating to educational conferences to be held in the next fiscal year, in accordance with Court policy.
6. That there be a provision of a drug card to all Active Judges as part of the Prescription Drug Plan as soon as practicable after implementation of this recommendation.
7. The Province shall pay 75% of the Association's reasonable legal costs to a maximum aggregate of \$45,000.
8. The Province shall pay 100% of the Association's disbursements including the costs of experts to a maximum of \$22,500.
9. That, unless otherwise stated, all changes shall be effective on the date of approval by the Legislative Assembly of Manitoba.
10. In these recommendations, "date of approval" means
  - a. the date that the vote of concurrence referred to in subsection 11.1(28) of The Provincial Court Act takes place with respect to these recommendations; or
  - b. if the recommendations must be implemented because of subsection 11.1(29) of The Provincial Court Act, the first day after the end of the 21-day period referred to in that subsection.

**Report Considered and Concluded:**

Your Committee has completed consideration of the Report and Recommendations of the Judicial Compensation Committee dated May 23, 2018.

Submitted by,

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Mrs. Sarah GUILLEMARD, Chairperson  
January 17, 2019