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Office of the Warden

Dear Milford Haven Home for Special Care Staff Member,

November 24, 2016

In August of this year, the Municipality received a *Freedom on Information and Protection of Privacy* ("FOIPOP") request from a resident of the Municipality. The resident requested and I quote "*For fiscal years '2014 & 2015' a list of full time staff names, and salaries, a list of part time staff names and salaries, and a list of staff names and salaries for staff/hired contracted through Departmental Budgets as well as remuneration for all overtime. What benefits do employees receive and what is the employer/employee cost share*".

At that time, the request was for employees working directly for the Municipality. As a result, Council made a decision that it would not release individual names and specific salaries that they receive, the cost of the individual benefits that are paid for by them and the portion paid by the Municipality, nor any overtime that they specifically earned and the Municipality paid them for.

Rather, on October 18, 2016, we released for both fiscal years (2014 and 2015), the job categories, the salary range for each job category, the number of people in each job category, and the total overtime paid out in each job category for employees working directly with the Municipality of the District of Guysborough. There were no names or any connections of monies paid to any one individual. And we gave the resident a copy of our Policy J-5 Employee Benefits.

The resident has now filed what is similar to an appeal with the Office of the Information & Privacy Commissioner ("OIPC") and asked for a review by OIPC indicating that we did not provide the information as requested.

In the correspondence received in our office on Monday, November 22, 2016, the OIPC forwarded us the clarified list which is as follows:

*"Records for the fiscal year 2014 and the fiscal year 2015 as follows:*

- a) A list of full-time municipal staff names and **actual** salaries including staff of the two rest homes owned by the Municipality;*
- b) A list of part-time municipal staff names and **actual** salaries including staff of the two rest homes owned by the Municipality;*
- c) A list of staff names and **actual** salaries for staff hired/contracted through Departmental Budgets including staff of the two rest homes owned by the Municipality;*
- d) A list all Municipal staff names for which overtime was paid and the **actual** amount of overtime paid for each employee including staff of the two rest homes owned by the Municipality;*
- e) A list of benefits received by Municipal employees including staff of the two rest homes owned by the Municipality;*
- f) The **actual** amount of municipal employees' cost share for all benefits employees receive including staff of the two rest homes owned by the Municipality; and*



- g) *The **actual** amount of the Municipality's cost share for all benefits employees receive including staff of the two rest homes owned by the Municipality"*

As you are aware, both the Milford Haven Home for Special Care and Canso Seaside Manor are owned and operated by the Municipality of the District of Guysborough. However, the day to day operations of both long-term care facilities are managed by your Administrators who report to the CAO and the Municipal Home Management Board and in turn report to Council. As a result of the fact that both nursing homes are owned by the Municipality, the resident has amended their FOIPOP request to now include each of you, the employees from both the Milford Haven Home for Special Care and Canso Seaside Manor.

**What does this mean?**

For each of you, we would have to release your name with the exact regular salary you received in each fiscal year, the exact amount of overtime that you were paid, a list of benefits that you received from the Milford Haven Home for Special Care (Municipality), the amount of money that you paid for health, life, disability, pharmaceutical and dental insurances either for an individual or family plan, and the amount of money that you contributed to your pension if applicable. The Milford Haven Home for Special Care (Municipality) would also have to provide what we paid on your behalf for the same health, life, disability, pharmaceutical and dental insurances, any monies paid to you as a clothing/safety boot allowance if applicable, and the amount of money that the Milford Haven Home for Special Care (Municipality) contributed towards your pension plan if applicable.

Your Council and Employer is not in agreement with the release of this information as it believes that this is an infringement on your personal privacy for both you and your families. The person receiving it could distribute it to other parties, provide it to media outlets, post it on social media platforms including but not limited to Facebook, and for other purposes that the person requesting the information deems appropriate.

Given the information provided, we would ask you to fill out the attached form to indicate whether you consent or you do not consent to the release of this information.

If you have any questions, I would encourage you to talk to your Administrator, Deputy CAO, CAO, or the undersigned.

Regards,

Vernon Pitts  
Warden