

I am not too sure from reading this section, and particularly subsection 2, whether the independence of the commission, which has been enshrined in this legislation for years, is continued through section 7. What I say in this respect is not criticism of this or any other Government, but it is a point I think which should be considered when the bill is before the committee. It would appear that the Civil Service Commission and the Government are on one side, and the staff organizations, which I have already listed are on the other side when it comes to these discussions or consultations. I think this is not the spirit of the legislation, and I do not think it is the type of thing to be done at this time by this legislation.

Now, let me say this: The word "consultation" was objected to before the committee of the other place, and some persons there asked that the word "negotiate" or "negotiations" should be used or, in any event, that there should be direct negotiation between the staff organizations representing the workers, on the one hand, and Government representatives on the other. The Civil Service Federation of Canada asked for direct negotiations at pages 31 and 34 of the evidence, and the Civil Service Association of Canada asked for it at page 67. The Public Service Institute of the Civil Service of Canada, at page 80, also asked for it. However, there were two organizations which appeared before the committee which went further. The Canadian Labour Congress, at page 139, suggested that the right to strike should be accorded public servants. A similar suggestion was made by the Postal Employees Association of the Public Service.

The answers—and here I am trying to deal with evidence for the moment—given by Government representatives to these various points of view are these: That section 7 should be read with section 10 (3). It is further suggested that conditions in the public service are really not comparable to conditions in industry. The rules for collective bargaining as they have been settled in provincial legislation and in the Industrial Disputes Investigation Act, for example, are not really applicable to the public service. These rules call for certification, for conciliation, for annual contracts. The right to strike and all the rest of it is there, and it is said by representatives of Government, I think frankly and with good reason, that if too much rigidity is put into section 7 it will hamper rather than help the staff organizations.

What is desired by the public service staff organizations in this country is the development of the British system, called the Whitely system, which has grown up over a

number of years and under which the staff organizations have developed procedures for dealing with grievances and conditions of employment in the British public service.

One must always remember too that even if there is a discussion across the bargaining table that the Government has other responsibility, namely, its budgetary and fiscal responsibility. Ultimately too, Parliament must pass whatever is decided in the way of the compensation rates to be awarded.

I think that section 7, in the light of what I have said, deserves very thorough discussion in committee and I hope all honourable senators will contribute to that discussion.

I believe what is desired by everyone in Parliament is that there should exist in the public service of Canada fair, reasonable, and attractive conditions of work.

I spoke earlier of the dangers which are to be avoided in respect of political patronage in the public service. The Heenev Report points to another kind of patronage called "bureaucratic patronage"—in other words, civil service politics. This is also to be avoided, and can be avoided if proper procedures are set up under the regulations, particularly those to be made under section 69(d) for consultation between employer and employee representatives.

The Heenev Report suggested that ultimately, with certain minor exceptions, there should be one public service in Canada. I think that is to be desired but it cannot be accomplished over night.

There are other matters I might raise, but I have spoken much too long already.

Hon. Mr. Aseltine: No; go on.

Hon. Mr. Connolly (Ottawa West): I think that this act, taken by and large, would improve conditions in the public service. It is a step forward. I hope that if any changes are to be made in the legislation they will be made—as I am sure they will be—by this body, in a constructive manner, with a view to improving the legislation, to ensure that the public service of Canada will always be second to none anywhere.

Hon. Mr. Taylor (Westmorland): Honourable senators, for the purpose of clarification I would like to ask the honourable sponsor of this bill a question. Subsection 2 of section 5 appears to be new. It reads as follows:

For the purposes of this Act, the Commission and the staff of the Commission constitute a department and the Chairman is the deputy head in relation thereto.

Is the deputy head a deputy of a department of Government over which there is a