

24

**AMEND EMPLOYMENT ACT TO PROTECT
FEDERAL EMPLOYEES WHO BECOME DISABLED**

RECOMMENDATION: That the Federal Government amend the Public Service Employment Act in order to protect Federal employees who have a prolonged absence from work because of disabling illness or injury by:

- Ensuring that such employees are given preferential consideration to return to former or similar employment;
- Providing for transitional arrangements to facilitate the return of these individuals to the workplace;
- Ensuring that such persons have full access to all the services and aids provided in the proposed Affirmative Action Program.

UNDER CONSIDERATION



Single Rate: A complete review of the pension policy in respect to leave without pay is underway within the Treasury Board Secretariat. At the present time, under the regulations of the Public Service Superannuation Act, a person who is absent because of disability or illness would contribute only the employee's share of pension contributions, what is called "single rate", the remaining amount of the contributions required is paid by the employer. Payment can be made in a lump sum or in installments.

Other options are being studied as part of the pension review. This will lead to changes in the Public Service Superannuation Act.

Alter Regulations: The Public Service Commission supports the aim of the recommendation but feels that legislative change is not the most effective route. The Commission prefers to alter regulations relating to leaves of absence in the Terms and

Conditions of Employment Regulations. This "can resolve situations more quickly, produce concrete results much more quickly and much more effectively" through regulation rather than legislation.

Existing Policy: Treasury Board and the Public Service Commission feel that the intent of the recommendation is being carried out through the existing policy that requires the appointment of a person in each department or agency to assist persons who become disabled and who cannot return to their previous jobs to obtain new jobs.

Protection: The Committee is convinced that public servants who become disabled should have legislative protection. The Committee commends Treasury Board for reviewing the pension policy and urges the early completion of this review so that appropriate legislative changes can be introduced. It urges Treasury Board and the Public Service Commission to make renewed efforts to assist public servants who become disabled to find meaningful employment quickly within the public service.