

*Private Members' Business*

what is known as the veterans' preference. Section 16(4) of the Employment Act empowers the Public Service Commission to confine its selection in certain cases to persons in receipt of a pension by reason of war service or persons who are veterans or widows of veterans. There are obviously some humanitarian considerations and bona fide occupational requirements involved.

In the case of open competitions, that is competitions open to the general public, the Employment Act also empowers the Public Service Commission to appoint Canadian citizens to the Public Service in priority over non-Canadians. I think that is an exception that most Canadians would agree with. Another common sense exception to the merit principle is contained in section 30 of the Employment Act. This section provides for the appointment of a public servant who is returning from leave of absence or whose job has been filled during his or her absence to be appointed to a position for which he or she is qualified in priority to all other persons. This is another exemption that I feel is easily defensible, one that most reasonable employers practice in any event.

I want to emphasize that I am a whole-hearted supporter of the merit principle in hiring and I am not supporting exemptions but to draw my argument to a logical conclusion, I am illustrating existing exemptions that are made and allowed to the merit principle.

Another example of a variation in the merit principle is in section 29 of the Employment Act which provides for the consideration of a person or persons who have ceased to be employed by reason of lay-off resulting from lack of work or discontinuance of a function to positions for which they are qualified. This provision has been of great value in recent years during the downsizing of the Public Service. The provision has been used as a basis for an agreement with the Public Service unions on a policy to address workforce adjustment situations. This policy now forms part of our collective agreements.

The final exception contained in the Employment Act from the requirement to appoint the best qualified persons to positions in the Public Service is contained in section 39. That is the section being proposed for amendment by Bill C-225. This amendment to the act calls for the provision of the same privileges regarding statutory priority entitlement that are currently given to the staffs of ministers to the Crown to be extended to the

employees of all members of Parliament. This priority entitles the individual for a period of one year from the day his or her position terminated the right to be appointed without competition to a position in the federal Public Service for which in the opinion of the Public Service Commission the person is qualified.

As I stated earlier, the history of the neutrality is long and complex and should be a major concern to Parliament. The question of political neutrality and the appearance of political neutrality is of particular concern to ministers and they must be assured that the advice they receive is not motivated by partisan or other types of political considerations. They must also be assured that in the execution of their duties, officials are acting without political motives.

It is also extremely important that the public not feel that political alliances enter into or in any way affect their dealing with government departments. The public expects appointments to be made to and within the Public Service on no other basis other than one's ability to do the job. Any suggestion that one's political activities had any bearing on appointments to the Public Service will undermine public confidence in the Public Service.

Any good government will have concern with the concept of public interest. In order to deliver services directed toward the public good, governments need impartial employees, capable of offering objective advice. They must not fear that the advice offered by a public servant is slanted toward his or her political beliefs or designated to embarrass the government politically.

In addition to these concerns and considerations, Bill C-225 would further impede those public servants who are on a lay-off status or have been placed on a priority list from obtaining a new position at the same time. This bill would also reduce opportunities for those public servants who wish to compete for a particular position as a career move because there is an even greater likelihood that this position will be filled with a person from this expanded pool of priorities. This I believe would do little to improve morale—

[*Translation*]

**The Acting Speaker (Mr. DeBlois):** I am sorry to interrupt the hon. member for Red Deer—