

Government Orders

Whether we are dealing with standards of promotion or standards of hiring based on the merit principle or the standards principle the fact of the matter is that the people who are going to be administering this act are prepared to circumvent it in any way that suits them.

I would suspect that if at a point in time it was decided that they would not go by the merit principle but by the standards principle, which this portion of the legislation allows, it would be no time at all before a hiring situation would open up in which they would ignore their own principle of doing it on the basis of standards and revert to the merit principle on the basis that the person who was being hired was a friend of the manager, or maybe a relative of the manager. Certainly, the potential for nepotism is ripe within these changes and on political whim, which is something that is to be abhorred in the extreme.

To reiterate, the merit principle has demonstrated itself to be the very best method of determining the qualifications of someone when it comes time for hiring or promotion. We cannot help but think that if the government was to adopt the amendment as put forth here many of the abuses that are anticipated and predicted to occur within this legislation would be averted.

To my sorrow, I am sure the government will not be taking into account amendments put forth by both the opposition parties in this debate. That is much to the disgrace of the government and to the loss of the civil service and the government.

[*Translation*]

Mr. Eugène Bellemare (Carleton—Gloucester): Madam Speaker, I want to comment briefly on the amendments to clauses 15, 16, 22 and 23.

The amendment restores the definition of "eligibility list" as it appears in the current legislation.

If we approved the government proposal which allows the Public Service Commission to make regulations on how the eligibility list is established it would be possible to change this list at any time. The obvious effect would be to make it extremely difficult for employees or potential candidates to know what their rights are. Moreover, abuse would again be possible with regard to the merit principle.

As for the restrictions put on the right of appeal in Clause 16 and subcontracting *vis-à-vis* term employees, this amendment is designed to change subsection 21(4), in clause 16, which would impose serious restrictions to employees who would want to exercise their right to appeal if they felt that an appointment has been made without due consideration to the merit principle.

This clause seems to be further emphasizing the problems we have uncovered with the new wording of clause 10 which deals with the merit principle. We have great difficulty with clause 16 as it stands, because it enables the commission to interpret the merit principle as they please. Without the proposed amendment the clause could give the commission the power to decide whether the appeal board is required or not in a particular case provided it is of the opinion that the merit principle was respected.

The amendment to clause 19 gives certain rights to term employees under the workforce adjustment policy.

As regards transfers in clause 22 the bill as it is presently worded is not subject to the provisions of the Public Service Employment Act dealing with eligibility criteria, qualifications, bilingualism and merit as they apply to transfer. None of the principles that ensure fair treatment at the time of hiring apply to transfers. The results are obvious.

Motion No. 43 strived to at least have merit and bilingualism included as eligibility criteria for transfers.

Finally, as regards appeal regulations in Clause 23 this amendment forces the Public Service Commission to make regulations ensuring that appeals are duly carried out.

The essence of this amendment was the subject of three reports from the Standing Joint Committee on the Scrutiny of Regulations. The Public Service Commission constantly refused to make such regulations.

[*English*]

Mr. Peter Milliken (Kingston and the Islands): Madam Speaker, I wish to address some remarks to the government's abandonment of the merit principle contained in this bill. This is really one of the most shocking amendments that the government has put forward in the whole legislation.