

Employment in Public Service

the officials of some of the employee organizations particularly the Public Service Alliance, who considered that membership in a political party would tarnish the public image of a public servant. I will not go any further into the arguments in this regard. I would simply like to say that I believe the wording of the clause as it exists was carefully considered by the committee, which made its recommendation to the house, and we are willing to accept the clause as recommended to the house. Therefore we are not willing to accept the amendment. Having said that, I would ask, Mr. Chairman, that this clause stand until eight o'clock so that we may consider it further. We could revert to it at that time.

Mr. Barnett: Mr. Chairman, before the clause stands there is a question I should like to address to the minister. If I heard him correctly a little earlier, at the time the hon. member for York South was speaking on clause 2 and dealing with this subject matter the minister said there was nothing in the act which prohibited an employee being a member. Doubt was expressed on that point both by the hon. member for York South and a short while ago by the hon. member for Winnipeg North Centre. I would be interested to have the minister suggest on what grounds he bases that statement.

• (6:30 p.m.)

Mr. Benson: Mr. Chairman, the statement is based on the advice I have been given by officials with whom I have consulted in respect of this particular matter. You will notice that subclauses 1 (a) and (b) and subclause 2 of clause 32 deal with the conditions which exist at election time and do not deal at all with the matter of membership in a political party. They really deal with activities of civil servants at election time. The other matter is left in the same position it always has been. People say that members of the civil service cannot be involved in political parties. There is no provision. It is the same as it has been in respect of the Civil Service Act. People say that under the Civil Service Act civil servants do not have the right to strike; but if they have that right as an individual, then they have the right to do it and apparently it would be upheld in a court of law. I am informed that the same situation exists under this piece of legislation.

Mr. Barnett: Mr. Chairman, the minister may theoretically be right when he says this is parallel to the situation in respect of the right to strike. However I think it would be

quite unrealistic for anyone in this house to suggest that it has not been understood, and by and large accepted by people in the public service, that they cannot become members of political parties without placing their employment in jeopardy. Personally I have known a good many people employed in the public service who, to paraphrase what they say have told me they would like to be a member of a party if it were not for this rule. These people certainly had that understanding. I do not know from what source such a statement has emanated. It is, however, a very widespread assumption.

Mr. Benson: I think this really is just an excuse for not joining the New Democratic Party. Really there has been no provision under the act in respect of people being members of a political party, but this is quite different to their taking part in political campaigns. This is what the position has been. There are individual civil servants who no doubt believe that if they should be members of a political party this would somehow affect their position in the civil service. This feeling exists in the civil service. I have good friends who have said to me that they would not join the Liberal party even though they support its ideals and objectives because they feel that as members of the public service they should not do this. I believe it would be wrong to write into this legislation something to the effect that a civil servant can be a member of a political party, because then they would be in a position where pressure could be put on them to join a political party.

Mr. Barnett: I must say that I find myself entirely in agreement with some of the remarks the minister has just made. I think that by and large in a great many aspects of employment in the public service it is right and proper that individuals should decide not to belong to or actively participate in the activities of any political party, but on the other hand, the present range of employment in the public service of Canada embraces all types of occupational groups which find employment under types of employers.

As one example I might pick out the teaching profession. I know a great many teachers who feel free to participate actively in the activities of political parties in this country. I certainly have developed the impression, however, that the teachers who are employed, we will say, in the education branch of the Department of Indian Affairs and Northern Development, feel there is some prohibition to