

ordinary as a lawn sign. The public servant says: Can I put up a sign saying that I support Member X Y Z? The Commission says: I am not sure. But if you do put up a sign and there is a complaint, you are going to get into hot water! I remember the Miller case, where Mr. Miller, a Winnipeg public servant, wrote to his supervisor asking him to explain the Liberal Party's position on political participation, and it was about one of those grey areas. The document he sent us is quite interesting, and I would like to read to the House some extracts from this file, because it shows that public servants are in fact in an almost untenable situation.

● (1710)

[English]

This gentleman from Winnipeg wrote to his supervisor asking permission to attend a political meeting and, possibly, actively participate in the choice of delegates to a convention. The answer given was: "No. You cannot go to that political meeting because you are a public servant and, therefore, you would compromise your status." The public servant complied with the ruling but wrote to Mr. John Brown, Director, Personnel Services, Department of Indian Affairs and Northern Development, Manitoba Region, in Winnipeg, Manitoba. He put forward a very good case which reflects the essence of the difficulties most public servants face. The letter reads:

My reading of the act allows me to:

1. attend political meetings (partisan or otherwise).

I think the law states that that is correct. We all agree that it is correct. The letter continues:

2. express my own view at political meetings.

I think, again, he can do that and there would be no complaint.

3. write letters to members of parliament expressing personal views.

We all receive letters of that type all the time.

4. write letters to editors of public communications media expressing personal views.

That is also correct.

5. maintain a membership in a political party.

Again, that is accepted, even by the Commission.

6. contribute funds to a political party.

Again, that is accepted by the Public Service Commission as a right allowed under Section 32. He goes on to state:

My reading of the act prohibits me from:

1. raising money for a political party.

I do not know why that would be and I do not see it in the Act. However, that is the way he reads it.

2. acting as a spokesperson for a political party in public forum while on the public payroll.

3. publicly supporting or working for a partisan candidate—

That would be forbidden by his own interpretation.

4. running for political office . . . without securing a leave from my employer to do so—

*Public Service Employment Act*

The following section of the letter is one which I find interesting and enlightening. He says in his letter that when he asks permission to do certain things he is told that he cannot do them because he will compromise his role as a public servant. He goes on in the letter to use an analogy which I think is interesting and one which I wish to share with Members. He states:

In the obviation of your responsibility, you state in your last letter that I may be subject to some form of disciplinary action. Well, I may be hit by a truck crossing the street, but with the observation of certain traffic rules and conditions, and the application of good judgment, I will be able to avoid that possibility with reasonable certitude. On the other hand, I would not want to cross the street blindfolded, and that is what you are asking me to do.

Public servants who work for the public good are being told that if they do this they may be exposed to that so be careful and do not do anything. They are being told not to cross the street because they may get hit by a car. That is the gist of the difficulties faced by public servants. They do not have a clear understanding—neither do I as a matter of fact—of how to interpret Section 32 of the Public Service Employment Act.

To clear the matter up and to make sure the issue is well aired and well understood, we have suggested the question of political participation be sent to a committee of the House so that all parties interested—union, individuals, groups—may be heard, advance their arguments and then proceed from there to modify, change or improve the legislation. Up to now, we have not been able to do that, and we have had great difficulties in trying to cope with this matter.

I must remind the House of one important factor with respect to the question of political participation. The law states that the Commission may act on a complaint laid by a candidate to an election. In other words, the whole question of triggering Section 32 and the consequences which flow therefrom may occur to someone who, in the opinion of the Public Service Commission, may have broken the guidelines or the law. The whole question is triggered by a candidate. According to my research, there has never been a candidate who has complained to the Public Service Commission. Therefore, the provisions of the Section have never been triggered. Thus, we have no way of knowing what exactly is in Section 32 of the Act.

I plead with the House to get this matter cleared up. Let us get the question aired. Let us get the whole problem out of the way by sending the matter to a committee of the House which will sit down and take decisions as it should. The committee does not expect the Commission to take those political decisions at election time. It is up to parliamentarians to look at the question of political participation by public servants and air the matter completely. It is up to us to take a decision with respect to what the legislation means. In that way, public servants will be better off.

There is all sorts of documentation on the matter, Mr. Speaker. I know Members have in their offices a great deal of research that we could use in discussion of the matter. I encourage the House to adopt the motion before us and get on with the work.