

Civil Service Act

It was brought to the attention of the committee by the civil service commissioners and by certain deputy ministers that particularly in cases of surveys in far-distant portions of Canada, when an employee became unruly or no more worthy of retaining his position, the officer in charge of the party could not suspend him but had to communicate with the deputy head at Ottawa. That took time and in the meantime the man was continued on as an unruly subject. On the recommendation of the officers of the departments and also in conformity with the representations made by the civil service commissioners for the better administration of the act, the committee felt justified in making this recommendation because the law, section 51, also provides in paragraph (b) that the head of the department may remove such suspension. The recommendation now made does not alter the remaining portion of paragraph (b) of section 51 which reads:

... but no person shall receive any salary or pay for the time or any part of the time during which he was under suspension unless the commission is of opinion that such suspension was unjust.

The amendment simply means that for the time being the superior officer will have the right to suspend, but the whole case will have to be referred to Ottawa and will not be disposed of until the head of the department and the commission have passed thereon.

Mr. NEILL: But my point is that these suspensions will be much more frequent in the future on account of this loose authority.

Mr. GARLAND (Bow River): I am very much inclined to take the same view that my hon. friend from Comox-Alberni has taken and to regard this amendment as an extension of too great authority possibly to persons who may not have the judgment to exercise it. In any case we may perhaps narrow down the scope of the clause if we cannot defeat it. Would the minister be good enough to give a definition of a remote district? What is meant by that phrase, "remote district?" Is it to cover the case of a man such as the senior member for Ottawa suggests, who is employed on surveys far away from rail and telegraphic communication, or are there any fixed territories that would come within the ambit of what are now called "remote districts"?

Mr. VALLANCE: These cases were never referred to the Civil Service Commission at all, but the engineer in charge wired to the deputy head and he, in every instance, gave the powers that this section now gives.

[Mr. Chevrier.]

Mr. GARLAND (Bow River): What is the power?

Mr. CHEVRIER: The right to suspend never belonged to the commission.

Mr. VENIOT: No; I am wondering, however, how conduct of officials who do not come under the commission could be referred to that body. Let us consider post offices with less than \$3,000 revenue which would not come under the commission at all.

Mr. CHEVRIER: That is not the point, Mr. Chairman. The point is that the present law provides that a civil servant cannot be suspended by the Civil Service Commission but by the head or the deputy head of the department. There are two things which may happen however, and they are these: Where expeditions and things of that nature are carried out some of the employees are under the Civil Service Commission and some are not. Those who are not under the control of the commission are not affected in any way by this legislation because the old rule prevails. But those who are—

Mr. VENIOT: That is not so, here.

Mr. CHEVRIER: Yes. So that those who are under the Civil Service Commission, and in remote districts, may be suspended by the chief of the expedition or party. The law has to be carried out as it would have been if the deputy had been in control, namely that the Civil Service Commission eventually must pass upon the merit or demerit of the suspension.

Mr. GARLAND (Bow River): I should like the minister to explain the meaning of the term "remote district" as it appears in the act? I have in mind men who may take a trip to the Arctic ocean.

Mr. CAHAN: I think the term "remote district" simply means a remote district, that is a district far removed from the centre of administration.

Mr. GARLAND (Bow River): Bow River, for example?

Mr. CAHAN: This section will be carried out under regulations framed by the commission and approved by the governor in council. I do not think any prejudice is likely to result to any civil service officer or employee in the civil service who is doing his duty. I can understand that a man employed by the civil service and operating in a remote district may become an habitual drunkard, or demented, or he may suffer from ill health so