

*Public Service Employment Act*

party during the campaign, namely, that the issue being an important one public servants ought to know what their rights are in the political process. To make this possible, we suggested that a parliamentary committee be asked to consider the issue of participation in the political process by public servants.

It seems to me that nothing has changed much in Parliament over the years. I remember that in 1972, when I was elected as a Member, the matter was already being discussed and continued to be in the years that followed. We talked about it when the late Walter Baker was the Member for Nepean-Carleton. He too presented bills, as I did, but the matter kept being postponed, because people said it was an issue of interest only to Members for Ottawa and the area, including of course Hull and Gatineau, Glengarry-Prescott, Lanark and the general area.

Mr. Speaker, we are talking about a fundamental principle. The Charter of Rights and Freedoms gives every Canadian the right of association, and freedom of speech, opinion and expression.

Section 2 of the Canadian Charter of Rights and Freedoms of the Canadian Constitution is clear, where it says:

2. Everyone has the following fundamental freedoms:

- (a) freedom of conscience and religion;
- (b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;
- (c) freedom of peaceful assembly; and
- (d) freedom of association.

Public employees ask themselves these questions: What are we allowed to do, as federal civil servants? What are we allowed to do during an election campaign? What can we do without jeopardizing our career and our role as public employees? Those questions have been asked many times, but Government authorities have yet to respond.

In 1979, as a result of certain initiatives taken by the previous Government and the work done by a parliamentary committee which had made an in-depth study of the whole question, it was recommended that a committee of experts in this field be appointed to consider the whole issue of the merit principle and related matters. We all recall the famous "Report of the Special Committee on the Review of Personnel Management and the Merit Principle". The report contains a rather direct recommendation concerning participation in the political process. Mr. Speaker, here is a quotation from page 171:

Simply because political participation is a right of citizens, we believe—

We, the commissioners—

—that this should be the principle that applies to public servants, only limited in the exceptional cases where an indication of partisan political interests would compromise the reputation of the public service for impartiality or would damage the individual's effectiveness as a public servant.

That is clear.

The commissioners went on to say that public employees ought to be divided into three groups.

The first group is the professional group whose duties in every job are of a rather delicate nature since it acts as adviser to the Government; therefore any partisan or political participation is excluded.

The second group is the professional group whose duties may be of a professional nature such as medicine, veterinary medicine. What difference does it make whether the gentleman or the lady happens to be a veterinarian or a physician if he or she does not give political advice to the Government? I simply cannot see how they can be told: Well, because you are a physician, a veterinarian or an engineer, you are excluded from participation in the democratic political process.

And the third group is the professional group whose duties are of an administrative nature, administrative support or maintenance, for example. All those people, most of them in support jobs, all those people—some 80,000-odd, Mr. Speaker—ought to be free of any restriction and free to act on the political scene if they so desire.

Mr. Speaker, the problem stems from the interpretation of Public Service Employment Act Section 32 which is rather restrictive for all federal employees, whatever their classification, and prevents them from enjoying political rights as do all other Canadians.

We all know about the regular announcements and statements made by the Public Service Commission of Canada when there is an election. A few months before an election is called, the commissioners deliver what is called their message, the message from the commissioners of the Public Service Commission of Canada to all federal employees. The message goes like this: Beware, friends, you must not participate in the political process; given your duties, you might be caught flagrante delicto and be called upon to answer for your actions and your words to the commission, thereby jeopardizing your career as public employees.

Mr. Speaker, the interpretation given by the Commission—since it is an interpretation—is served up every time an election comes around and causes a number of problems as well as a lot of anxiety and concern among the electorate and in ridings where there a lot of public servants. It causes problems because, quite frankly, and I do not think any Members of this House will deny this, public servants—of course I may be generalizing a bit—with the exception of those who act as political advisers to the Government, public servants in general, like all good citizens want to get involved and be allowed to get involved in the political process. We are talking about democracy in action, and they feel it is important to be able to express their views as citizens, and I think they are perfectly right to want to do so.

Occasionally, statements by the Commission create a certain degree of anxiety, reflected, for instance, in issues as