

by open competition. In this respect, it is recommended that there should be no undue delay in the calling of a competition to fill a vacancy in a required establishment.

8. Appeals and Appeal Boards

(a) In reviewing the Commission's method of providing for appeals, the Committee notes that while the regulations do not forbid an appellant from being represented by counsel, the Commission, nevertheless, does not normally permit legal representation. The Committee is of the view that an appeal should be considered a "judicial process", and therefore recommends that an appellant should not be discouraged from retaining legal counsel when appearing before an Appeal Board.

(b) The Committee also was informed that an appellant may select, as his representative, a Civil Service Staff Association. The Commission, under examination, conceded that under such a circumstance the representative of the Staff Association sits as both judge and counsel during the course of the appeal. The Committee acknowledges that the Commission has itself suggested an improvement of this system, and we therefore recommend that this anomaly be removed at the earliest possible date.

(c) An appellant, in appearing before an Appeal Board, should be permitted to exercise wider choice in the selection of an advocate. Under the present system the employee may only choose a Staff Association as his counsel and is therefore denied a selection as to the individual who will represent him. It is therefore recommended that the Staff Associations should provide a panel of advocates from which the appellant may be entitled to select his personal counsel.

(d) It is further recommended that the officials appointed to act on an Appeal Board should be senior to the members of the original examining Board.

(e) It was brought to the attention of the Committee that under certain circumstances, unsuccessful candidates were apprehensive in registering an appeal on either an appointment or on a promotion. This apprehension, we were advised, results from alleged discriminatory action against the appellant on a subsequent occasion. While it is acknowledged that there is no evidence to suggest the degree to which such a situation may exist, the Committee recommends that the Commission should undertake to remove any cause for apprehension and to reassure every appellant of his complete freedom against any such discrimination.

9. Temporary Status

The Committee was advised that temporary civil servants registered with the Commission continue to be numbered in the thousands. It is acknowledged, however, that some progress has been made to reduce this total through reclassification or the discontinuance of the service of those persons who are surplus to the requirements of the public service of Canada. The Committee, however, views with some concern the substantial number of civil servants who, having served continually for many years in the Civil Service, are continued to be regarded as temporary employees. It is therefore recommended that where the requirement has been established, every effort should be made to reclassify those entitled to qualify under the regulations, so as to provide some assurance of employment stability to the individuals concerned.

10. Organization and Methods Division

(a) Your Committee examined in some detail the effectiveness of the Organization and Methods Division of the Civil Service Commission. While recognizing the need of staff requirements resulting from the increased activity of government departments, the Committee is of the opinion that the present