

On section 8—Gratuity in lieu of retiring leave.

Mr. MACKENZIE KING: May I ask the Secretary of State if this clause is intended to enable the government to make immediate appointments once clerks are retired?

Mr. CAHAN: It was pointed out before the committee by deputy heads of departments that at present a retiring official has the right to a certain length of leave according to the number of his years of service, the maximum being six months' leave. It has been found very difficult at times to administer a department during the term of leave of absence of a retiring official as under the existing law there is no power of appointment until the leave of the retiring official has expired. It was suggested before the committee, and upon consideration the government thought it advisable to provide that an official upon retirement should be allowed to retire at once, so that in case there is need of a new appointment at once it could be made, the retiring official receiving a gratuity in lieu of leave of absence.

Mr. MACKENZIE KING: What my hon. friend says as to the difficulty in administration, as I recall it, is correct. I hope, however, that this provision will not be used by the government to retire too many officials all at once.

Mr. CAHAN: I may say, Mr. Chairman, that that suggestion is certainly not applicable to my administration of my office because I have not retired any officials. Death has retired quite a number, and even in these cases I have refrained from making new appointments so far as it was possible so to do consistent with maintaining efficiency.

Mr. MACKENZIE KING: I hope that the example of the Secretary of State in the particular he has mentioned will be followed by other ministers.

Mr. VENIOT: I am glad that this amendment is being made to the act because my experience as head of the Post Office Department would certainly suggest its advisability. Knowing how difficult it was to administer the act and do justice to those applying for positions that had been vacated by the retirement of officials, I was seriously considering during my latter years of office attempting to have such an amendment made to the act, and I am glad, therefore, that it has been made.

Section agreed to.

On section 9—Suspension of employees in remote districts.

Mr. NEILL: I would like to ask the necessity for this clause. Who asked for it?

Mr. CAHAN: The necessity arises out of the fact that in remote districts where there has been malfeasance of office, theft or other dereliction of duty of a very material kind, no suspension of such officer can be effected at present until it is reported to the head office and the deputy minister or the head of the department takes measures to suspend such an official. This amendment authorizes the chief officer of the department in a remote district to suspend the official and report the suspension to the deputy head in Ottawa for further definite action.

Mr. NEILL: I am entirely opposed to this idea. I do not think this amendment is justified. There is no part of Canada, or very few parts at all events, that are not now in reach of communication by wire, and how long would it take for the chief officer, the little petty man out in a remote place, to wire to Ottawa to get consent to suspend? Are we going to go back to the old days of the divine right of kings when, if the King's porridge was not cooked to his taste, he said "Behead the cook"? I visualize a situation somewhat like this: This amendment talks about the chief officer, but actually he may be a very petty, inferior officer. One day he may get out of bed on the wrong side or he may have had a quarrel with his wife, or he may be drunk with a little brief authority and power, and he suspends one of his officials. The deputy minister has power to remove the suspension, but the man would not be paid in the meantime, and the head out in the remote district, having ordered the suspension, would naturally endeavour to make good on it and have it confirmed. Nine times out of ten the man would get a raw deal. Nothing is going to happen even if a man who has stolen money is left on the staff for a few hours longer until authority is received from Ottawa for his suspension. I do not think this amendment is justified. It is going to lead to a lot of trouble and a lot of injustice.

Mr. CHEVRIER: The law as it now stands, section 51 of the act, reads:

The head of a department, and in his absence the deputy head, may

(a) suspend from the performance of his duty any officer, clerk or employee guilty of misconduct or negligence in the performance of his duties.