

Adjournment Debate

into second class status. It is not fair to the 500,000 public employees of Canada and other public employees across this country.

The adoption of a Charter of Rights and Freedoms for all Canadians can have real meaning only if we give it proper force and effect. If we cannot invoke the Canadian Charter of Rights and Freedoms in a practical situation to support the public statements of an employee of the Government of Canada, a Canadian citizen seeking to redress wrongs done to him, then it is meaningless and empty. Therefore, my point on rising is to bring to the attention of this House and of the public the plight of Paul McNeill and all other public servants whose right to express their opinions freely is unnecessarily restricted by the code of conduct and by improper interpretation of the Charter of Rights and Freedoms. I hope the government will see the error of its ways and right the wrongs which have been done to Paul McNeill and other government employees.

Some hon. Members: Hear, hear!

Mr. Dave Dingwall (Parliamentary Secretary to Minister of Energy, Mines and Resources): Mr. Speaker, first allow me to say to the hon. member for Halifax West (Mr. Crosby) that I am glad to hear that he and his party are in agreement with the program that the Minister of Consumer and Corporate Affairs (Mr. Ouellet) has announced as it relates to the problem of UFFI. Furthermore, no one on this side of the House disagrees or questions the integrity or, indeed, the competence of the individual in question. That is certainly not the issue.

The nature of the various provisions contained in the code of conduct referred to by the hon. member are by no means peculiar to the Canada Employment and Immigration Commission. These guidelines respecting employee conduct are founded on a well-established and widely understood principle, based on jurisprudence and precedent as these have evolved over time in both the public and private sectors. The proscription against public criticism in particular has been tested and supported many times through third-party review in the labour courts and tribunals, where it has consistently been held that while terms and conditions of employment may be publicly commented upon, employees must avoid public statements which are closely associated with criticism of government policies and programs.

In the case of Mr. McNeill, the Canada Employment and Immigration Commission met its obligation to remind the employee of the provisions of the code of conduct and to ensure that the guideline with respect to public criticism was properly understood. The decision was ultimately Mr. McNeill's, whether or not to continue as public spokesman. It should be noted that at no time was Mr. McNeill requested or required to forgo his membership in this interest group.

The Acting Speaker (Mr. Blaker): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until two o'clock tomorrow afternoon.

At 10.52 p.m. the House adjourned, without question put, pursuant to Standing Order.
