

Public Service Employment Act

fied for appointment under the PSC Act or have been employed for at least three years in the office of a Member of the House of Commons.

Let us look at the existing order of priority for appointment to the Public Service. The Public Service Employment Act currently provides three levels of priority for appointment to the Public Service of Canada. Public Service employees returning from leave of absence have top priority; Ministers' staffs are second in the order of priority, and former indeterminate employees who are in lay-off status for one year following the lay-off have the least priority.

There is growing concern about the existing order of priority for appointment to the Public Service relating, for the most part, to the low priority for reappointment of lay-offs. Government initiatives over the past few years, including general over-all restraint programs, decentralization or discontinuance of functions and, specific program cuts, have resulted in increased numbers of indeterminate employees being added to the lay-off lists. At the same time, and for the same reasons, the number of job opportunities in the Public Service is declining progressively.

● (1740)

The situation is summarized as follows. At the end of March, 1984 there were more than 600 persons on lay-off lists, 13 Ministers' staffs remaining to be placed, and close to 800 employees were in surplus status prior to lay-off. The indeterminate job opportunities in the Public Service decreased by one-third in 1983. In addition, the number of such opportunities in the first quarter of 1984 is down 16 per cent from the same quarter in 1983.

In 1983, there were 800 surplus lay-off priorities in the National Capital Region. At the end of March, 1984 there were 300 persons yet to be placed. Based on estimates and past election history, a general election could add an immediate 190 to 200 more persons to these growing NCR figures should the proposed amendment be approved.

Until now the Public Service unions have been co-operative in implementing our work force adjustment measures. There is a risk, however, that by providing the close to 1,100 persons employed in Members' offices with a higher level of priority entry into the Public Service than that given to ex-union members who are on lay-off, we might jeopardize this co-operation. Resulting increased union resistance could, predictably, include demands for longer notice periods and extension of the period of lay-off status.

The stated intent of Bill C-215 is to provide staffs of Members of Parliament the same priority entry into the Public Service as is presently enjoyed by Ministers' staffs. It should be noted, however, that what the actual wording of Bill C-215 proposes is to provide Members' staffs with the same priority as that of senior members of Ministers' staffs. Technically speaking, the wording of the amendment to the PSE Act contained in Bill C-215 would provide a higher priority for Members' staffs than for any Ministers' staffs, including the senior members. Priority entry into the Public Service without

competition after three years' employment in a Minister's office applies specifically to ministerial aides, for example, a Minister's executive assistant, special assistant and private secretary. Support staffs in Ministers' offices enjoy this priority only if they were formerly public servants, or if they qualified for Public Service appointment while serving in a minister's office.

Since Members' employees are primarily support staff people, their position *vis-à-vis* employees in comparable levels in Ministers' offices would be vastly superior if Bill C-215 were approved in its present form.

Section 37 of the PSE Act provides for the payment of salary to Ministers' staffs for a period of 30 days after a Minister ceases to hold office, which means that their priority for appointment to the Public Service can only commence after completion of this 30-day period. Since there is no similar pay provision included in the proposed amendment, the priority for appointment for Members' staffs would start 30 days sooner than for Ministers' staffs. This 30-day headstart could be an advantage following any general election, particularly for support level employees.

The primary concern of the Public Service Commission is, understandably, for protection of the merit principle.

Since 1918, when it was first introduced, the protection afforded Ministers' staffs only changed when the Acts, the Civil Service Act and later the Public Service Employment Act, were opened to over-all reviews. The last changes were made in 1967 and were part of an over-all review of personnel management in the Public Service and related legislation.

The amendment to Section 37 of the PSE Act proposed in Bill C-215 could be similarly reviewed. The provision should be considered on its own merit and not as an add-on to provisions designed and approved for another group of employees.

The best procedure for achieving changes to legislation governing personnel management in the Public Service is through detailed review of the situation at hand in both existing and in proposed legislation rather than by approval of an isolated amendment presented in a Private Members' Bill.

A Members' staff who have served a term of employment of at least three years should, in my opinion, have some protection. This would be moving in the right direction. These people who have worked for three years in an MP's office have gained a tremendous wealth of experience which would stand them in good stead for most government related positions.

This is a serious problem which needs to be addressed in an in-depth manner as quickly as possible.

I therefore recommend that this Bill be given top priority by the House. It is an urgent matter.

Mr. Maurice Foster (Parliamentary Secretary to President of the Treasury Board): I am happy to speak on Bill C-125. I know this principle has been widely canvassed and discussed in the Standing Committee on Management and Members' Services. I believe it finds much support on all sides of the House.