

Civil Service Act

What I wanted to point out here was the need for constant vigilance in order to see that this condition continues. This is a very important matter. I do not wish to rethresh old straw, but I had a difference of opinion with the Minister of Finance having to do with this very subject. Regrettably we did not have an opportunity of debating that matter fully because of the form in which the matter came before the house. However, I thought he was less objective or less vigilant than I would have wished him to be in his appreciation of the necessity for preserving the independence of the civil service commission on this point and related points.

Holding that view, I wish to stress again the necessity for continuing and continuous vigilance to preserve the independence of the civil service commission in its work. If we do not do that; if it becomes a mere agency of government as opposed to an independent commission with its independent guarantee in its performance of the duties with respect to the public service which it is created to perform, then we will have indeed indirectly undone the very thing we are seeking to do and to continue by this legislation.

There is another point of considerable importance that I wish to mention. Of necessity the authority of deputy ministers has been increased. My colleague the hon. member for Ottawa East yesterday put on record the dangers arising from patronage within the service. While we have in this bill increased the powers of deputy ministers and deputy heads of departments, I am not convinced that we have come up with a wholly satisfactory solution by way of appeal procedures to protect all civil servants against improper use of that power. In setting up appeal procedures and methods of protecting individual civil servants against the abuse of that power it is very easy to get a cumbersome kind of system that will impede the work being done and the internal efficiency of administering the service. There is presented a complex problem which I recognize at once.

On that point I am not satisfied that the bill as presented embodies a wholly happy conclusion. I shall therefore content myself now with asking for continued vigilance on the part of all members of the House of Commons to see that, if administration of the act reveals the necessity for a strengthening of the appeal, arbitration and related procedures in relation to this subject, the bill is brought back to this house or forced back to this house and the necessary action taken. From my point of view I thought our solutions were not quite as adequate as they should have been, and there is considerable doubt and uncertainty in my own mind as to just what the future holds in that respect.

I hope my fears in this connection will never be realized but will be proved wrong. None the less, I would be less than frank if I did not say that they were there. I observe that my time has expired, Mr. Chairman.

Mr. Bell (Carleton): Go ahead.

Mr. McIlraith: There are some other remarks that perhaps could be made.

The Acting Chairman (Mr. McCleave): The hon. member's time has now expired. Is it the pleasure of the committee to give further time to the hon. member?

Some hon. Members: Agreed.

Mr. McIlraith: I do not wish to abuse the good nature of the committee on this question of using more time than is provided by the rules. However, I have a few more remarks to make and I will try to abbreviate them.

There is the question of holidays. Changes had to be made for two main reasons. There are new problems in this field. The new problems arise out of the universal acceptance of the five day week since the original act was passed. It seems to me that a great many members of the committee failed to realize that the five day week, as a universally accepted proposition, is really in the final analysis comparatively new in relation to the 42-year history of the former act. It is something that has developed only since the end of the war and really in the last very few years. That consideration presents new problems in drafting legislation on the subject of holidays.

Then there is another problem that has arisen in connection with holidays. I refer to the very swift expansion of the civil service, particularly during the second great war. The civil service has gone into activities which, by their very nature, involve shift work and work of that nature other than office work to a far greater extent than was the case at the time of the 1918 act. Those two changes, with the effluxion of time, have created problems in relation to holidays for the different segments of the public service of Canada. When you are dealing with administrative staff and office staff it is quite a simple problem, but it can become a very complex problem where you are dealing with shift work, overtime pay and other related facets of the subject.

I am not sure that our committee came up with an adequate solution of that problem. I hope that again the commission under the regulations will be able to work out something that is satisfactory. We had some reference to this problem in the House of Commons in connection with the Post Office Department. I put a question to the Postmaster