

Government Orders

the President of the Treasury Board that no one would be paid if he or she were not working.

However, from the briefing departmental officials gave us on the bill, we learned that there may in fact be a six-month period when a public servant's position might be declared surplus. Then the public servant would be paid for six months without having a job to do.

The first amendment simply calls on the government to fulfil the promise it made in the House which basically said that if a person is not working he or she will not be paid. That is something Canadians want and expect. Even public servants recognize that obviously they cannot be paid if there is no work to do.

The second motion I would like to speak to amends clause 8. It would give power to the Public Service Commission to appoint employees without competition. The last part of clause 8 reads as follows:

—the Commission may, before the lay off becomes effective and if it is of the opinion that it is in the best interests of the Public Service to do so, appoint the employee, without competition and in priority to all other persons, to another position under the jurisdiction of the deputy head for which, in the opinion of the Commission, the employee is qualified.

We have some real problems with the power that provision would give to the government. It flies in the face of the whole idea of competition and merit in the public sector. Western democracies have always depended on a series of checks and balances. This is born out of a basic mistrust of government, an attitude that says: "We might think you are nice right now, but we do not know what you will do later on if there are not checks and balances in place, so we need to put those checks in there while things are still smooth". One of the reasons we have opposition parties in the House of Commons is to provide checks and balances.

Checks and balances are vital to the health of the country. When we see that an opposition party, for example in some third world country, is being mistreated by the government, we see that democracy and the country in general are in trouble.

There are checks and balances in the system in Canada. One check against nepotism, bribery and other forms of corruption in government is the competitive process developed in Canada for public service jobs. This means that people get jobs through merit, not because they are someone's friend or they contributed to someone's campaign or happen to know someone in an inner sanctum somewhere. The process is open. It is fair. It means that we get the best person for the job. That is what competitions do. The selection process within the federal government is quite fair for the most part. That is why I felt such a concern when I read clause 8 of Bill C-76.

I realize we are in a period of flux in Canada following the Budget Implementation Act. Departments are downsizing and things are a bit chaotic. During this time of downsizing and readjustment within the priorities of the departments, controls and vigilance on the merit principle are perhaps not as strong as usual. The clause as it stands now would empower the Public Service Commission at this chaotic and stormy time to:

—appoint the employee, without competition—to another position under the jurisdiction of the deputy head for which, in the opinion of the Commission, the employee is qualified.

• (1610)

This is a dangerous trend to get away from the merit principle. Reformers believe that a system of checks and balances is the only way to ensure that corruption is weeded out of the system and that the competitive process is the check on errors in hiring in the public service. It is missing because of this clause.

All sorts of irrelevant qualifications could be used here from good friends of decision makers to relatives, to political friends and so on, if it is just in the opinion of the deputy head that a person should be appointed. We think that is wrong. The way the clause reads now, a manager could use it to settle a score with someone. He or she could use the clause as a tool to get back at someone who has not been co-operative in the downsizing. At any rate people can be appointed without consideration of merit by using the clause.

We agree with the idea that the commission should be able to appoint surplus employees to different departments because during this time the government needs the flexibility to preserve the best of our human resources. However to do it outside the competitive process is a big mistake.

Our amendment would ensure that the Public Service Commission still has the power to appoint employees, but it would require that a competition be held among surplus employees for the jobs across the public service. This would ensure that the merit principle is preserved and would be fair therefore to surplus employees. Even government members would be able to support the amendment.

I have another motion I would like to talk to. Perhaps in the next round of motions I will speak to a very important motion about how employment equity is affected by the bill.

The Deputy Speaker: Is the House ready for the question?

Some hon. members: Question.

The Deputy Speaker: Motions Nos. 1, 2, 3 and 4 will be voted on separately. The question is on Motion No. 1. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.