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—
Chair

The Honourable Diane Marleau

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Comité permanent des opérations gouvernementales et des prévisions budgétaires

Thursday, June 7, 2007

• (1535)

[English]

The Chair (Hon. Diane Marleau (Sudbury, Lib.)): I call this meeting to order, now that we have a chair. I'm told it's always just 3:30 when the chair shows up.

Before we go to our witnesses, Mr. Kramp wanted to say a few words, and I will let him say a few words.

Mr. Daryl Kramp (Prince Edward—Hastings, CPC): I address this to my colleagues. My apologies to our witnesses here today.

Concerning the issue we're dealing with later on with the motion of Madame Bourgeois, I have a couple of concerns. I would ask for your indulgence on this.

The fact is that our committee role is really oversight and not necessarily to make specific decisions on policy, under the practices. There is the possibility that this decision we make could or could not be in the best interests of the crown or of the taxpayer, and there could even be a potential for not only a loss, but maybe even civil liability back to the crown, due to the fact of our having an ongoing thing.

Regardless, I would ask that we obtain legal counsel here today prior to our vote on the motion, just asking for the House's legal opinion on this matter, if they're available to come.

We don't want to put this off. We want to have a decision today and we're quite free to roll with whatever decision we take. But I think this is a fail-safe that could be in place and could ensure that we're not about to do something that might not be in the best interests of the crown, the taxpayers, and/or third parties.

I would ask for your thoughts.

The Chair: On that topic I don't want to take too much time, because we have witnesses here.

Monsieur Bonin.

[Translation]

Mr. Raymond Bonin (Nickel Belt, Lib.): Madam Chair, I can't speak for my team, but, for my part, I have no objection to receiving legal opinions. However, I will stick to Mr. Kramp's comment, that this must be settled today. So we must be allowed to have a vote today. I'm not afraid of receiving a legal opinion, because a committee can only make recommendations to the House. So the consequences that we fear do not exist. If the House decided to support our recommendation, that would change everything.

So I have no fears on that subject. If you promise us not to delay the meeting until 5:30 p.m., as was the case the other evening, I am personally prepared to support that.

The Chair: Ms. Bourgeois.

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Mr. Kramp, I find it hard to understand the urgent nature of your request. If I've correctly understood, the study of two banks is the only thing on the table. The minister was to ensure that he had a supplementary study. We were to set a third study in motion before taking any action whatever. Did I understand correctly?

At the moment, the buildings are not for sale. So I don't see why we would have a legal problem or why you wouldn't accept my motion. They aren't for sale at this time. Furthermore, Madam Chair, the minister doesn't have the third study, whereas he undertook to get it.

The Chair: Ms. Bourgeois, they are for sale, remember.

An hon. member: Yes, they are for sale.

Ms. Diane Bourgeois: They're for sale?

An hon. member: There is a bid.

The Chair: We're not going to debate the question. Do we agree to request a legal opinion?

An hon. member: Yes.

Ms. Diane Bourgeois: You agree, but I'm looking.

The Chair: Who is available and at what time?

Ms. Diane Bourgeois: It's all well and good to request an opinion

—

The Chair: Can Mr. Walsh come?

Ms. Diane Bourgeois: At what time?

Ms. Bibiane Ouellette (Clerk of the Committee, Standing Committee on Government Operations and Estimates): I phoned him.

The Chair: The clerk phoned.

[English]

Mr. Daryl Kramp: We want to see whether our head legal counsel is available. I don't know.

[Translation]

Ms. Diane Bourgeois: Will it be today, before we finish?

The Chair: Yes.

Ms. Diane Bourgeois: All right. Then, once we've heard from the legal counsel, we can vote.

The Chair: Ms. Bourgeois, he's an officer of Parliament.

Ms. Diane Bourgeois: And we will vote at that time.

The Chair: Yes.

Ms. Diane Bourgeois: Excellent.

[*English*]

The Chair: Thank you. That's settled.

Now we're going to go the topic of the day. As you know, we have guests.

A number of us have been very preoccupied with the challenges that certain employees of the public service have had across the country. As you know, we have not had much luck at finding out where the problems are exactly. We know there are some challenges in different departments. We're looking forward to finding out more. Hopefully you will shed more light on which departments are having the biggest challenges. I think that would be important for us.

I will turn it over to you, and I would ask that Mr. Gordon....

• (1540)

[*Translation*]

I don't know where to start. What would be best? Should we start by hearing from Mr. Gordon, or Ms. Melançon, Ms. Louis-Seize or Randy Moore?

Ms. Susan Louis-Seize (Association of Compensation Advisors): We have no objection to it being Mr. Gordon.

The Chair: One or the other, it's all the same to me. They're in line. The clerk has put Mr. Gordon's name first on the list. So it's all the same to us.

Mr. Gordon, you have 10 minutes, 15 minutes at most. Then we'll turn the page and hand over to Ms. Melançon before asking our questions.

Mr. Gordon.

[*English*]

Mr. John Gordon (National President, Public Service Alliance of Canada): Thank you, Madam Chair and members of the committee, for inviting me here.

When I appeared before this committee on March 29 of this year to address issues related to recruitment, retention, and hiring practices of the federal government related to employment equity, I and my colleagues had an opportunity to address a number of issues that impact on the compensation advisor community.

I did this in response to interventions from the chair, a chair who was then and I hope is now frustrated and angry that successive governments have their priorities wrong when it comes to the appropriate classification, recruitment, and training programs for its compensation advisors.

Madam Chair, on March 29, you said, "Obviously we have to do something, because people aren't going to work for us if we can't pay them." My predecessor said pretty much the same thing at the PSAC national triennial convention in both 2003 and 2006.

I sincerely hope that the attention given to this issue by this committee will ensure action and allow me to stand before the 2009 PSAC convention and say that the government has finally got it right and has provided its compensation advisors, among others, with an appropriate and justifiable classification.

During our appearance on March 29, we said that the fundamental underlying problem faced by compensation advisors is that they are improperly classified, that their classification standard dates back to 1965—that is, it hasn't been updated since then.

The nature of their work has changed significantly over the past 42 years. The complexity and the files, myriad regulations, and legislative provisions have increased dramatically, yet changes to the classification of compensation advisors have not kept pace with the program and regulatory changes. Where's the justice in that?

I should tell you that I had an opportunity to raise the issue directly with the Treasury Board president, Vic Toews, on April 16, which was subsequent to my appearance before your committee. I have to say in fairness to the minister that he expressed concern over this issue, but time will tell whether his concern will translate into timely and appropriate action.

Your specific interest in this file, as well as the union pressure and individual representations to the minister and departmental officials directly from compensation advisors, is the best way to ensure speedy action.

I say this because classification issues historically take years to be resolved, and for whatever reason, the government does not have the capacity to move many classification files to completion at the same time.

For example, when my union and the Public Service Human Resource Management Agency of Canada agreed to a comprehensive classification process for the PA group a little over a year ago, we knew full well that some other federal public sector groups would have to wait for their legitimate classification issues to be formally addressed. That was the right decision, despite the negative consequences, because the PA group is the largest in the federal public sector. It is in many ways the most complex, and it includes compensation advisors.

I would say as well that the previous government acknowledged the extent of its classification problem, at least in part, when it earmarked fully \$1 billion to correct existing classification problems. A measure of the failure to connect the extent of the problem with timely corrective measures and to engage meaningfully with PSAC on important related initiatives, such as policy renewal and how we can better move the labour relations and human resource communities forward, is the fact that very little of this money has been spent; in other words, the money remains on the government balance sheet and not in the pockets of the workforce, where it rightfully belongs.

In a submission to your committee, the Treasury Board's compensation advisors said the Treasury Board's solution to a centralized pension service in Shediac, New Brunswick, is a solution they do not believe will fix the problem. I would like to comment on that issue as well.

•(1545)

I should say at the outset that I, as well as other federal public sector union presidents, have been briefed on the government's proposal. I agree with the Treasury Board's compensation advisors that the planned transformation of pension administration will not fix the problem, but I have to say that in many ways it is a step in the right direction. The fact of the matter is that the pension administration system is broken, and centralization of the function in Shediac makes sense.

That said, this centralization will have a considerable impact on the compensation advisors community, an impact that I do not believe has been fully factored into the government's planned transformation of the pension administration. Moreover, there is a real concern that the transformation of the pension administration is motivated as much by employment reductions as it is by improved client service. This too needs to change.

I would also point out, as did the Treasury Board's compensation advisors, that employees, like all Canadians, do not consider 1-800 numbers and web self-services to constitute an appropriate level of service. This system is seen by government as an expected benefit from the pension administration transformation. Yet the same government must appreciate that its attempt to implement a similar client service model at Service Canada has been plagued by client alienation, dissatisfaction, and resistance, particularly from seniors. I am not a Luddite, and I believe that there are significant benefits from the use of tools such as 1-800 numbers and web self-service systems, but they are tools to assist the process and cannot replace focused face-to-face communication between pension and compensation experts and the people who have pension and benefit questions or who are in need of an analysis of their options.

So to sum up, the government has inherited a pension benefits and pay administration system that is antiquated. It has inherited a system in need of a complete overhaul. It has inherited a system that undervalues considerably its compensation advisors' workforce.

While it is not an issue that is on the public's radar screen, it is an issue that the government has both an obligation and an opportunity to fix, and my members will take your action on this file into consideration when they next have an opportunity to vote.

Again, I thank you very much, Madam Chair, for inviting me here to give you a presentation.

The Chair: What can I say? This is something that's important to me and to all of us. I don't think there's any one party in this room that cares more about making sure that people get paid, because we're all caring about that issue. The problem is that we're having a difficult time getting the kind of information that we need. That's really the issue here.

I'm going to go to Madame Melançon now.

There are such things that we'd like to know. Which are the departments that have the most problems? We haven't been able to find that out yet. That's one question. There are other questions that I'm not sure the association can answer. Those are some of the issues we're wrestling with.

Madame Melançon, go ahead, please.

Ms. Diane Melançon (Association of Compensation Advisors): Madam Chair, I have such a cold right now. Do you mind if I ask Michael to speak in my place?

The Chair: Absolutely not.

Go ahead.

Mr. Michael Brandimore (Association of Compensation Advisors): Was it the departments, specifically, that you were asking about?

The Chair: We want to know what's been happening. I have heard from people across the country that there are some problems just about everywhere. The Deputy Minister of Public Works and Government Services told us that at one point there were over 2,000 in the backlog. They had caught up about 1,000. I don't know what point they're at now. They may have caught them all up. I don't know.

But we are also interested in knowing where the biggest problems lie. It would be nice for us to know, because maybe we could call those departments before us. Is it the departments with the new systems? Is it the departments with the old systems? Because we did get Treasury Board to explain to us, last Tuesday, that there were two different systems. Where the biggest problems are would be a good start.

I'm sure you have a prepared statement, and I would like to hear what you have to say as well.

•(1550)

Mr. Michael Brandimore: Well, I'm fine with trying to answer that one, because I think a lot of our prepared statement has been addressed, and I don't want to reiterate the same things. But one of the impediments to the reclassification, of course, has been service delivery models. It appears that instead of reclassifying the expertise we have, a way of circumventing that is to come up with how we deliver our service.

You are correct when you say there are two. There's one that is current, which is what most departments have; and one that is called activity based, which is the newer model. It takes responsibility away from individual compensation advisors to oversee your account, and what it does, in essence, is to set it up so that your account is handled by as many compensation advisors as there are. If you are getting a promotion, that will go to someone who is doing promotions. If you're getting acting pay or if you're retiring, it will all be very relative to a specific activity, and it is indeed these departments that are causing the greatest number of problems.

The moment you remove responsibility from the compensation advisor, it's a slippery slope to chaos, because now if you have any questions about your account, who do you even address it to in the compensation community? It also takes away expertise overall, because a couple of years down the road, as people are moving on with their expertise and retiring, you will have people who, if a complex issue were to be examined in your account, such as an issue with a T4 that was just not balancing out—Who do we give that to, if no one's done T4s and no one has the overall global knowledge, because all they've done are little bits and pieces of our job overall? So it's caused huge backlogs and chaos, with different people working on the same things.

It's also put people in a situation where, because of the huge backlogs, it's become a health issue. People are working six days a week and still can't keep up with the huge backlogs, so they are leaving. It used to be that compensation advisors could move from one department to another, based on anything from the job being closer to where they lived to their feeling that people were treated better at one job than another. Now fully trained compensation people are leaving; they're not going to compensation jobs in other departments. They're getting out and saying "I'm not going to do this job with this responsibility and this much pressure—given the complexity of the knowledge that's required—for this kind of money."

So it is the departments—And you did mention one of them, Public Works, and there are CRA and Stats Canada. And DND is in a delivery model that straddles the two at the time but is trying to go to this activity-based model, and we've put up a huge struggle with management to say why this won't work.

The Chair: How about Human Resources? Are they on the old system or the new one?

Mr. Michael Brandimore: Human resources really hasn't changed very much. It's really the functions of the compensation advisor, or the breakdown of their functions in delivery models. How we get things from the other aspects of human resources really hasn't changed.

The Chair: No, what I meant was Service Canada. It's not a department yet; I still call it Human Resources Canada.

I'm talking about Service Canada. Do they have the new system?

Mr. Michael Brandimore: I think they do.

Ms. Diane Melançon: I think they do. I'd have to double-check, but I think they also do—

Mr. Michael Brandimore: I think so as well.

Ms. Diane Melançon: —so they're going to have problems also.

And as I say, when you have a compensation advisor who has expertise in all the domains or at doing everything—retirement, transfer of a position, a promotion, or anything—and they are told, from now on all you're going to be doing is promotions, that's it, that's all, they leave those departments. They go to departments where they can do all of the duties they're normally expected to do. So they don't want to lose expertise.

The Chair: Now I'm going to ask you a question, and you may not know the answer.

Was there a study done somewhere before they started this, and who would have done that study, if you know? If you don't know, I'll ask somewhere else.

• (1555)

Mr. Michael Brandimore: I think it originally came from Transport Canada, although one of the questions we've had with our management at DND—and I don't know if this is going to help you—when they were looking at going this way.... Obviously compensation advisors speak to other advisors in other departments and were well aware of the situation that Service Canada was in because of this, and we did ask, "What is the impetus to keep

looking into this activity-based model? Have you seen a success story?" And they really could not answer that question.

I don't know whether there was much study done before—although I know that the Ministry of Transport was involved early on. Certainly afterwards we've been hard-pressed to get an answer from our department whether they could show us a successful story in a department where compensation has gone to this activity-based model, and we haven't seen any.

The Chair: I don't want to monopolize everything, so I'm going to go to questions. I am doing very well. This is a particularly touchy subject for me, because I've heard of too many cases. I mentioned it and all of a sudden I started hearing all the horror stories and became even more engaged.

[*Translation*]

Mr. Bonin, go ahead, please.

[*English*]

Mr. Raymond Bonin: *Merci, Madame le présidente.*

Thank you for not monopolizing the discussion. You've asked a few of my questions.

First of all, Madam Chair, through you to Mr. Gordon, I'd like to say about the threat of voting one way or the other, we're not in the forties, and your representative in Sudbury, the guy with the baseball cap, threatened me the first year I was elected. He's gone, and I'm still there, so that's nonsense. Don't threaten with me with "I'll vote for you or I won't". I know damned well you don't vote for me, and you won't. Your members do, though.

I take offence to that one. You take people who have the duties that we have, the responsibilities that we have, and suggest that we can be bought with a vote.

I want to know if there's a problem. I want to know if the people who called us are not getting paid for three months. That's all I care about. The system is so screwed up I wouldn't understand it anyway. We've had your managers here. One department didn't know what the other department was doing. They couldn't answer our questions. I don't have the energy or the lifespan, enough years left, to fix the situation. I want to know if the young lady or the young man or the single mother working for the Government of Canada has to wait three months to get paid. That's all I want to know. Once I know that's happening, all I want to know is damn it, did you pay them? Are you caught up? That's all I want to know. All the rest....

Please tell me that's what you're going to talk about and I'll go to my office until we vote on something. I wasted time here on Tuesday. It's not what we want to study. Am I correct?

An hon. member: Yes.

Mr. Raymond Bonin: Okay, let's stick to it. We want to know about the employees, the ones who don't threaten us with their votes. We want to know because we care about them. Are they getting paid on time? If not, then we're going to take the ball and we're going to carry it. Somebody needs to inform us if the people who are calling us are telling us the truth. I believe they are, but I know damned well that the employees are so afraid of talking since January 2006.

I'm not kidding. It has become very serious. Directors of departments don't have the right to talk to members of Parliament, and their employees are even more afraid to talk to us. That's another problem. That's why we can't get in all the rest, and I'm going to ask that this committee study why the employees are so afraid to talk to their MPs. If the employees of the government are afraid to talk to us, how will they know how the Canadian public is being governed? That's another issue.

Please help me out. Are there people who are not getting paid? Is it caught up? Is the problem over, or are we still behind? Let's stick to that, please.

• (1600)

The Chair: Can we get answers to that?

Ms. Diane Melançon: In fact I had somebody e-mail you, Madame Marleau, because one of the main problems, as we said, with PWGSC, Statistics Canada, all these departments is we have employees who are transferring from their departments to, say, Industry Canada, our department, with a promotion. Of course we have to change their salary. We have to do their promotion. We often have to change their income tax status because they were working in Quebec and they're now working in Ontario. We offer, of course, ECOPASS and things like that, and maybe at the other department they didn't have that. We're stuck. We can't do anything. We have some cases where it's been almost a year now and we're still waiting for the other department to transfer the employee so we can do these things.

At one point I had an employee and I said that would be a fantastic example to send to Diane Marleau, but there are tons of cases like that.

We would have to contact the employees. If we see any in our department, I'm going to start asking them to e-mail their MPs. Something has to be done, because we've all sent a letter to Vic Toews at Treasury Board.

The Chair: It was copied to me.

Ms. Diane Melançon: It was copied to you, and we all got a reply saying that the Canada Public Service Agency and the human resource council has engaged in the public-service-wide recruitment effort to build capacity in the compensation community.

I'm part of this recruitment process. I went to their meeting last week, and out of 5,800 applicants, they're down to 129 who passed all the tests and everything. Out of that, there are 56 who want to work in Ottawa. Out of 56, there are already 31 compensation advisors who are working in pay as terms, so they're going to be appointed as indeterminate. That leaves us with 25 who could be hired, which we'll all be fighting to have in every department.

This hasn't resolved anything. We had this process years ago. They don't stay in pay and benefits, because it's too complex and too much responsibility, and they're not recognized for the type of work they do. They have university degrees, and they leave for other jobs. This does not solve anything at all.

It is not an administrative error; it's the way they changed the service-delivery model. When you need to speak to somebody, there's a call centre. They give you a ticket number, and you wait for somebody to call you back. Well, good luck. It could take weeks; it

could take months. That's the type of service they have, and this is what they want to change. They want all the departments to function this way.

Well, it's not functioning. I know, because at Industry Canada we've been asked if we can go help out Stats Canada. We've been doing elections—people who want to buy back service before they retire and things like that—dated 2005. But we are now in 2007. This is unacceptable, and it's only getting worse.

Mr. Raymond Bonin: We've established that there is a problem. There are people who haven't been paid for a long time, and that still exists.

Ms. Diane Melançon: Yes.

Mr. Raymond Bonin: Are we establishing that there's a shortage of employees in that department?

Ms. Diane Melançon: Yes.

Mr. Raymond Bonin: It's because it takes too long to get hired once you apply. I've seen that they put them through tests for which a person needs a university degree, but the job pays \$10 an hour.

Ms. Diane Melançon: They've made the test so complicated that, as I said, there were 5,800, and they are down to 129. These are the ones who could be doing the job, and that's across Canada.

Mr. Raymond Bonin: I believe you, because I've lived it with the employees, and I thank you very much. You gave me information that made my presence here worthwhile.

Ms. Diane Melançon: Thank you.

[*Translation*]

The Chair: Thank you, Mr. Bonin.

We'll now hear from Mr. Nadeau, of the Bloc québécois.

Mr. Richard Nadeau (Gatineau, BQ): Thank you, Ms. Marleau.

Good afternoon, everyone.

The day before yesterday, we heard from people from the Treasury Board Secretariat. I don't want to be mean to them, but they didn't seem to be aware of what was going on. That surprises me very much.

I had the pleasure of meeting Minister Fortier in March. Other people wanted to attend that meeting, but they were afraid of losing their jobs if they met the minister, as a result of the scope that the matter was taking on for them. Although I received the minister's consent—and I'm not saying that the minister is a bad wolf—he had one fear.

Even though I had told the people to consult their union to be sure they had used the right process, one of them was quite happy to go with me. I did it as a favour to her and to move things forward. She wanted to express her distress: as a new employee, she had had to wait three months before receiving her first pay cheque. That's one of the points that was highlighted.

Another point is overtime, that the government is slow in paying. We heard someone say that he had had to wait up to one year before his overtime was paid to him.

Furthermore, people who were with the minister said during the meeting that some executives or senior officials who had changed positions and received a salary increase had had to wait a long time before receiving the difference in pay. Once that was said, a figure was cited, that is 2,000 persons at Public Works who live in Ottawa or Gatineau. I'm also from the region. They came to see me or called me to find out what was going on and what could be done. The minister told us that he would make the necessary effort to solve the problem. It was obviously inappropriate to say anything else.

You've previously talked about this in committee, and your documents discuss it as well. The people who were with me emphasized that there was a problem with regard to compensation. The compensation advisors receive training and go through all the stages and so on. But when they realize that they could have a better salary elsewhere with fewer duties, they leave their positions.

You suggest increasing salaries to market levels. You gave the example of computer engineers. We recently proposed solutions for keeping our computer engineers because they were leaving their positions very quickly to take up other positions elsewhere in or outside the public service.

You are a kind of union, and you represent your members. Do you have any clear solutions that we could present to the minister when he comes before this committee? That will appear in the record of this meeting. We know the problem, at least in part. Mr. Bonin is experiencing this situation in his riding, and other people know government employees elsewhere.

Do you have any potential solutions to propose?

• (1605)

Ms. Diane Melançon: Since 2000, we've appeared before all the committees of the federal government, including the Public Service Human Resources Management Agency of Canada, PSHRMAC, which is now called the Canada Public Service Agency. We also met Ms. Turmel, who was at the union at the time. We constantly tossed the ball back and forth. They said they were ready to reclassify us, if PSHRMAC agreed. The agency said it agreed, provided the union agreed.

When Mr. Gordon became our union president, they examined our situation and agreed to meet with us. They finally admitted that there was really a serious classification problem. As people don't want to work in compensation, there is a serious staff shortage. People aren't being paid on time. People who work in compensation do a lot of overtime and are making themselves sick.

That has a major impact on the income taxes of those employees. When a person is a year behind in paying provincial income tax and has only paid federal tax, that has a significant impact at the end of the year. As regards promotion, that person should have had it in 2005. It's now 2007, and she hasn't yet received her cheque. When she does receive her cheque, that will have a significant impact on the tax that she will have to pay.

Until they review classification, there will still be a problem. People don't want to stay in compensation. The work is too complex. At the moment, they're talking about taking duties away from us and sending certain files, such as pensions, to Moncton. That will resolve nothing. We're the ones who have employees' files. They'll still

phone us. We'll have to confirm information, search the files and so on. People don't want to be served by a 1-800 number. When I retire, I'm going to call Moncton, and they're going to fax me documents so that I can complete them.

There are a number of us compensation advisors, and we meet with people in the associations and committees. When they know that we are compensation advisors, they tell us they work at Public Works and have no one to turn to. One person previously asked me to help her; she's changed her retirement date three times. Another person told me that documents had been sent to her by mail and that she did not know how to complete them. She told me that she would pay me if I helped her do it.

That's terrible; it's unheard of. They have to review our classification. If they refuse to do so, nothing will change, even if they hire people from the outside.

• (1610)

Mr. Richard Nadeau: We are in the federal government. The provincial governments, including those of Ontario, Quebec and Alberta, also have a pay service. Do they have ways of making things simpler? I'm simply trying to see whether there are potential solutions elsewhere.

[English]

Ms. Susan Louis-Seize: I'd like to answer this question, if I may.

Actually, I'd like to give a little bit of history. Going back, I think, to 1997, there were cuts in the public service. In particular, Treasury Board cut Public Works and Government Services Canada. As a result, a lot of the duties were transferred to compensation. Since 1997 we have had a lot more policy changes, a lot more collective agreement changes. There's been pay equity. It's been continuous, a growing number of policies.

If we compare our public service to a provincial one—I looked at the website, for example, for the collective agreement for the City of Ottawa employees, a very basic collective agreement, about five pages long. We have over 72 collective agreements. We have over 70,000 rules and regulations that have occurred over the time of government. And because of all of the departments, because of all the agencies, we have to know crown corporations, pension laws. The former Auditor General, Denis Desautels, wrote about this in 2000, and he wrote that it is one of the worst jobs in the government due to the broad body of dissimilar rules and regulations. So if we compare it to a provincial level, it doesn't work.

If we look back at the pay records of 1970, it was a walk in the park. They came, they arrived, there were no rules and regulations. But as government changed and policies came into play, it got more and more complex over time with all the collective agreements. And this is why we cannot compare it.

[Translation]

The Chair: Thank you very much.

Mr. Warkentin.

[English]

Mr. Chris Warkentin (Peace River, CPC): Thank you very much, Madam Chair.

I'll say for the record, I don't find Mr. Bonin very scary, so any civil servant who has difficulty going to him, he's not scary.

The Chair: They're not afraid of Mr. Bonin or me. They're afraid of their employer. I was told by someone that because they had come to me, they would not be recalled as a term employee. They were convinced of it. Now, maybe they were, but that's the fear they have.

Mr. Chris Warkentin: This may be something we need to look into, but I know I have no problem meeting any of the folks who come and visit me in my office, and they are many. They haven't been on this issue. I don't represent a riding with a huge public service population, but we do have different offices, and this issue hasn't come up. I'm wondering if somebody at this table could provide us the specific numbers of people who haven't currently been paid. I think that's what we're looking for at this point, not innuendo or anecdote.

I don't know if anybody has that number or if somebody could provide us with that number with some accuracy. Does anybody have a number like that here? And if not, I think even a ballpark would be appropriate.

• (1615)

Mr. John Gordon: I certainly don't have the number, but as president of the Public Service Alliance of Canada, I can poll my executive, who deal directly with the various locals, and we can try to get you a snapshot of the number of issues that come directly to them. That would only reflect a small portion, but it would be substantial.

Mr. Chris Warkentin: Thank you, Mr. Gordon. It would be helpful if you could give us actual numbers. They would have to be, for our purposes, people who haven't been paid, and the length of time on average these people haven't been paid. Second, it would be very important and helpful for us if we could find out the number who should currently be being paid, because I understand there are people who have been promoted and are receiving a paycheque, but they're not receiving their full amount.

I've heard that through anecdotes from other people, but I think it would be important for us to be provided with that information. And if it could be hammered down as to what departments these people are from, that would be helpful as well. It's important for us at this point not to hear any more anecdotes, because I think most of us have heard them to some degree, but the hard and fast numbers and where we need to go in terms of which departments we need to be seeking information from.

So that's one thing. The second part I would like to speak briefly about, and maybe get your input on, is we just heard of the growing rules, in terms of the bureaucracy, and obviously that may be one recommendation you would leave with us in terms of moving forward, so we can make this a less complicated process and maybe attract more people to these positions. Obviously you've brought forward the idea that pay needs to be addressed in this department, the pay of the people who are issuing the cheques. Are there any other recommendations you'd bring forward to us that we would then pass on to officials?

The Chair: Just a second, I think they're having trouble with the translation.

[Translation]

Is that better now?

[English]

Maybe you're speaking too quickly.

Mr. Chris Warkentin: Is it BlackBerries, or am I speaking too fast?

The Chair: BlackBerries.

Mr. Chris Warkentin: Okay.

The second part I would like to know is if there are any recommendations, other than pay, and then speak a little bit more in terms of the complexity or the paper burden or the red tape that needs to be reduced. Are there any other things that need to be done to ensure that people are attracted to these positions and then stay in these positions? Because obviously there's a huge cost in having people turn over in this department, I can imagine. Is there anything you can leave us as recommendations? Because I think all around this table there's a desire to see this fixed, and fixed for the long term.

Mr. John Gordon: We've mentioned a couple of areas, and I'll touch on them again, but one of the other areas is that they've got to hire more people and they've got to provide the necessary, appropriate training for the people they bring in, to bring them up to the level they need to get to. In addition to that, though—

Mr. Chris Warkentin: Can I ask for a bit of clarification? My understanding is that there's a fair bit of testing. Are you saying that testing doesn't necessarily equate to people being equipped for the job?

Mr. John Gordon: The testing is one thing, and they have to address what they want to get in. If they want to get people with the qualities and who could be trained to do the job, they could do that if they really wanted to do it, but that does not fix the problem. One of the basic issues is not that they can't get people. They can't get people to stay because they refuse to address appropriately the classification structure within this group and in the entire group.

Mr. Chris Warkentin: Okay, but for those at the table, what do you mean by classification structure? Is it just a pay issue? We want to know the specifics as to what things need to be addressed in the classification. What does that mean to people on the ground? Does that mean pay? Does it mean benefits? Does that mean holidays? What are we talking about?

Mr. John Gordon: Your classification determines your rate of pay. If you're an AS-2, AS-3, AS-4, AS-5—

• (1620)

Mr. Chris Warkentin: It is just a pay issue.

Mr. John Gordon: Your classification is determined by the level of the work you have to do, and the people who are there right now are not appropriately classified and therefore they move on to other departments. Why do they want the headache of doing all of this very, very detailed work and not getting—

Mr. Chris Warkentin: I appreciate that.

Is there anybody else?

I just want to go back to the paper burden and the bureaucracy of the different collective agreements and that type of thing. Is there anything you can identify that would help streamline that particular end of things? I imagine it's going to take a major overhaul.

Ms. Susan Louis-Seize: I will just give you an example. I really don't think I could answer that question as yes, we could do something. The government tried with UCS, the universal classification system. I was a member of that committee and I was chairing one table, classifying jobs. We went through this for over two years, and the whole purpose of that exercise was to reduce the number of classifications, to simplify, and to get some basic groups —

Mr. Chris Warkentin: And those aren't being employed, or even with those being employed—

Ms. Susan Louis-Seize: It was thrown out because it was going to be too costly. The universal classification system, which was supposed to take over our present job classification system, was thrown out because they felt it did not meet the needs of the government—Treasury Board.

Can I also say something else? We often talk about how our classification does not meet our needs, but, simply spoken, if we look under the definitions, we fall under this umbrella called AS. If you read the tasks or the duties that are performed under AS, there are maybe 20 tasks, and somehow we got thrown in there, but it's actually a category that represents people managing things, and that does not represent us at all. Therefore, we're not classified. We don't get points for the work we do, the intellectual effort, the level of communication, the responsibility when we're quoting people and advising people and counselling them. None of that is accounted for when it falls under the umbrella of managing things.

That may have worked well in the seventies, but it doesn't work well today with our present job classification. That is the simplest way I can say that.

Mr. Chris Warkentin: Thank you.

The Chair: Thank you, Mr. Warkentin.

Madam Nash.

Ms. Peggy Nash (Parkdale—High Park, NDP): Thanks very much, and welcome to all of you.

This is an issue we have been trying to grapple with for some time and, as you have heard, we have not been very successful. We had a bit of frustration on Tuesday, when we had some witnesses who really could not provide us with the information we were looking for. I think we're getting more to the nub of the issue with your being here today. Thank you for the information you're providing to us.

I want to make sure I understand the problem. The problem arose when members of the committee were hearing that there were people who were not getting paid in a timely fashion, or not getting paid, period. What I'm hearing is that the pay problems are a result of problems with the position of the compensation advisor. From what you're saying today, I understand that this job not only requires complex skills but also deals with this myriad of very complex rules, collective agreements, and a variety of factors. You're dealing with all aspects of compensation.

As I understand it, the core problem with the compensation advisor is that the job is not classified properly, and therefore people are being underpaid because they're not ranked at the proper classification level. Because they're underpaid and the job is extremely demanding, there is a retention problem and a recruitment problem. This means greater staff shortages, which are compounded by the difficulty of replacing the baby boomers who are leaving, so it's a problem that keeps getting worse.

I noted in your handout that the compensation advisors also end up working extra hours that they're often not compensated for. Of course, we have all heard this week about the class action suit that's being launched against one of the major banks for this very issue. It is an issue that—It seems like a simple thing to get someone's paycheque solved, but it's actually the tip of a much bigger iceberg.

It sounds like an easy thing to maybe reclassify the positions, but how do we actually grapple with this? If the classification is the root of the problem, then if people were properly classified and paid at the appropriate level, it would be more attractive and easier to recruit and retain people. How do we get that done?

• (1625)

Mr. David Orfald (Director of Planning and Organizational Development, Public Service Alliance of Canada): As you were talking, what came to mind was an analogy to global warming. In answer to Mr. Warkentin's question about the level of the problem, I think the difficulty is that you are starting to see the tip of the iceberg, and the problem facing this community is going to get worse. Unless some actions are initiated now and moved forward, it's going to get worse at a rate that is essentially uncontrollable, I think.

Ms. Peggy Nash: Are you agreeing with the way I have framed the nature of the problem?

Mr. David Orfald: Absolutely, and we have done a lot of work as a union with the members who are on the front lines of this work. Together we have put forward a series of proposals to what is now the Canada Public Service Agency about how to move forward on the classification immediately and how to move forward on the classification in the longer term, because that does take a longer term. We have recommended together the development of a certification program for the group; it involves a well-designed training and certification program that recognizes the professional nature of the work for the group.

There has been some level of positive response from the agency, but the feeling of the union and of the members who work on a front-line basis is that none of those is moving fast enough and that the resources that need to go into that initiative aren't moving fast enough.

Ms. Peggy Nash: I understand from your document that the Treasury Board is proposing moving pension services and centralizing them to Shediac, New Brunswick. Why isn't that a solution?

Mr. John Gordon: It's only one solution, because that is only one portion of the work that this community does. Shediac, as you know, is where all pension files that are relied upon for making the decisions on the pensions of individuals who are in the plan are housed. It's not all of the files; the departments still have some files. But that's only one part of a solution.

The other parts—your actual paycheque while you're working, acting pay, your pay increase when you get promoted, and all of these things—are still there, and they're in every department. Those are the things for which people realize every payday they are not getting the money.

Ms. Peggy Nash: If you were going to put your finger on the nub of the problem of why there isn't the focus and the intention to deal with this when it's hitting people in the paycheque, what would you say it would be?

Mr. John Gordon: The whole thing is that people are leaving the system faster than they can bring them in, and they're leaving it because they're not addressing some of the things such as the classification.

Ms. Peggy Nash: How do we get that addressed? If you're saying that you presented these proposals and they're not being addressed, they're not being acted upon, or they're not being embraced, why is that?

Mr. John Gordon: Retention is one thing, but the whole thing is getting the resources, getting to sit down with the appropriate people in the Public Service Human Resources Management Agency, or whatever they're called today—the agency.

Ms. Peggy Nash: That is Canada Public Service Agency.

Mr. John Gordon: Yes, they just changed the name, but the legal term is still that.

They have to put the resources into it to make it work, and they have to sit down and come to the table. It was more than a year ago that they signed a letter saying that they would work within six months with us, and then we heard no more about it. Then we went after them, and so on and so forth. There are a lot of players.

We are knocking on the door on a regular basis trying to get them to move on it, and it's just a very difficult thing to do.

The Chair: Do you want to add something, Mr. Brandimore, to that?

Mr. Michael Brandimore: Yes, I do.

Basically, I want to say that people in the compensation community are asking the exact same question that you're asking. I'm going to give just a really brief rundown on a handout that we have, if you'd like to have it.

This community has spent the last seven years attempting to have a fair and equitable classification resolution using every avenue available to us. There have been departmental grievances, Treasury Board submissions, a human rights complaint, and finally a submission of AS round-table reports by our union. Still, after seven years, it's amazing—we're all sitting there.

I've been involved in the Human Rights Commission a little bit with the AS round table, and a little bit with lawyers who have been involved in this. It's amazing—we have yet to sit in front of an individual or a group of people who—They say that they see our point, they understand our point, but that it's not in their hands to do it. The departments are saying they can't do it—reclassify—individually as departments; it has to be done nationally. Treasury Board has come back and said that is not the case at all, that the departments have every right to do it, and that they only got involved

so that it would be fair and above board, and everyone could see what was going on.

I'm obviously not answering your question, but I'm backing up. We have had the same question for over seven years. They know what the problem is, and it's not addressed.

• (1630)

Ms. Peggy Nash: Too bad we didn't hear your presentation before our witnesses on Tuesday, because on Tuesday we had Mr. Rick Burton, vice-president of the human resource management modernization branch of Canada Public Service Agency, and Phil Charko, assistant secretary, pensions and benefits from Treasury Board. These are questions we could have put to them if we had heard your presentation first, but there are still questions we have.

[Translation]

The Chair: Thank you, Ms. Nash.

We'll now go to Ms. Simard.

[English]

Hon. Raymond Simard (Saint Boniface, Lib.): Thank you very much, Madam Chair.

I'd like to thank the witnesses for being here this afternoon.

Madam Melançon, can you tell me when the classification structure was established? Was it established 10 years ago, 15 years ago? Has it been reviewed recently?

Ms. Diane Melançon: I think it was 1965 or 1964 when we had our classification.

Hon. Raymond Simard: Was there a major review at some point?

Ms. Diane Melançon: At one point, yes, there was a slight review.

I think she can answer this.

Ms. Margaret Jaekl (Classification Officer, Public Service Alliance of Canada): Perhaps I can help you. I am a classification officer with the Public Service Alliance, formerly with the government.

The standard for the administrative services group, which is where these positions are currently classified, was established about 1965 as part of the original set of classification standards for collective bargaining in the Public Service. It has never been reviewed.

Hon. Raymond Simard: Madam Chair, I guess the Tuesday meeting was very frustrating for us. We had witnesses who didn't seem to have the answers we required. We're talking about employees here who aren't getting paid for three months. We're talking about employees who are being promoted and not getting their additional funding. It seems that we're also getting departments that are kind of passing the buck. We're not sure who's responsible. They're not sure who's responsible.

My concern is this. I don't want to prevent my colleagues from speaking on this, and we can keep going, but I will be presenting a motion. I'm really concerned that we're going to be gone for the next three or four months. By the time our committees are reactivated, and by the time we get witnesses from different departments, we won't be dealing with this issue until next spring. I think that's too long.

I'm going to make a recommendation that the Auditor General get involved in this with some sense of urgency. I think we should also forward this. It just seems to me that at this point, it's getting ridiculous. We're hearing about this not through official channels; we're hearing about it through employees who are coming to us or are calling our MPs' offices.

The Chair: Let me just add something. It might be possible for us to invite her, if you are willing, next week to one of our meetings. Perhaps we can discuss it with her then. There may be other people we can invite, as well.

Hon. Raymond Simard: That would be great.

The Chair: Go ahead, Mr. Brandimore.

Mr. Michael Brandimore: When you were talking about people being afraid to come forward, I have to tell you that it has not been easy for people in the compensation community, for the same reason.

I know that we don't want to get anecdotal here, but I attended a forum specifically on retention and recruitment, and Sylvie Joseph, from Treasury Board, attended that and told us in the first 15 minutes that we were not there to discuss classification. The entire thing was to bring compensation people together, and they were going nationwide to get our opinions on what would be the resolution to this. Classification was not even to be discussed.

• (1635)

Hon. Raymond Simard: Madam Chair, if we're on the topic and I have a motion in both official languages, is it in order?

The Chair: It is, because we are discussing the topic. Did you want to allow other people to speak? You have to be speaking to present the motion.

Hon. Raymond Simard: I am speaking. That's why I'm doing it now, because I may not get another opportunity.

The Chair: Your motion is that....

Hon. Raymond Simard: The motion is that given the lack of satisfactory information providing assurance to the committee that the employee compensation delivery system is functioning as it should, and given the number of errors reported by government employees in the recent past, the chair be authorized to send a letter to the Auditor General asking her to examine this file and make recommendations as to how federal public employees can be paid properly and on time.

The Chair: Before we go forward, do you want a letter, or do you want us to invite her?

Hon. Raymond Simard: Let's invite her.

The Chair: Mr. Bonin.

Mr. Raymond Bonin: I would like to respond to that. If the Auditor General comes here as an invited guest, she can only say "Oh, is that so?" She is the expert. She should look into it. All we

can do is tell her what we've heard here. But she needs to get into the heart of it and find out what the problem is. I don't think she can contribute. She probably could; she's a smart lady.

Mr. James Moore (Port Moody—Westwood—Port Coquitlam, CPC): One thing I would suggest, then, is that the clerk put together the written testimony that has been provided by these witnesses and others and compile it and give it to her as a starting point.

The Chair: Absolutely. We could also give her all the correspondence I have received and anything else we have. She has already asked for the blues, I'm told.

I'll call the question.

(Motion agreed to) [See *Minutes of Proceedings*]

Mr. James Moore: Give her the blues as well, Madam Clerk. I know it takes time, but I think it would be helpful.

The Chair: Okay.

Before they leave, Mr. Albrecht, did you want to ask them a question? We can continue. We also have Mr. Walsh waiting afterwards, but we have time.

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Thank you, Madam Chair. Thank you to the witnesses for appearing today.

It's pretty obvious that we have a very complex situation. You mentioned the 70,000 rules and regulations and the 10,000 pages, and on and on. Earlier this week we had someone from Treasury Board Secretariat outline two very simple differentiations as to how this is working. One is a generalist—the pay advisor cares for all the different activities—and one is a specialist: it's farmed out, so to speak, to different specialists. It seems rather contradictory to me that on one hand, I think I heard Madame Melançon say, your advisors want to do all of it, and yet you have 70,000 regulations for that one person to do all of it. Help me understand why it wouldn't be helpful to have one person specializing on one issue and another on another. I'm just having trouble understanding that.

Ms. Diane Melançon: I know this is surprising to you, but most of us, the compensation advisors, the people I know, are very hard-working people. We care about giving excellent service. We don't believe in your calling this telephone line and getting a ticket number.

Mr. Harold Albrecht: So that's the sticking point, the 1-800 number, which then divides them.

Ms. Diane Melançon: Yes. And I know employees.... I know a compensation advisor who works at PWGSC and she is working right now on specific actings, overtime for employees. She had this employee ask, "Could you prepare a pension estimate for me if I wish to retire in three months?" And she was going to do it, because she believes in giving good service. She's from my department. She transferred there. And she was told, "Don't you dare. You are not allowed to do this. She's going to have to be given a ticket number and it's another section doing that, and that's it and that's all."

That is not good service.

Mr. Michael Brandimore: Can I add something to that too? I think the problem with when those are prepared, and we've run into this often, is that people don't understand the complexity of the work we do and they assume that all these things are unrelated. They're not unrelated at all. And as I mentioned earlier, in the departments that have gone that route, that's where the chaos is.

So it looks like, when you look at this, why would you not want to do that?

Mr. Harold Albrecht: I think you've helped me understand that.

In your submission you mention under number 3 that an independent classification officer looked at the case in 2003 and would have reclassified you from AS-2 to AS-5. Could you help me understand what the difference is in terms of compensation between those two levels? Could you give me a range?

● (1640)

Ms. Diane Melançon: I'll give you an example. At Treasury Board an AS-2 is paid \$51,989 a year. An AS-5 is paid \$72,919 a year. This is the maximum of each level I'm looking at.

And right now the biggest problem is—and Treasury Board let this happen—Before, if we were under Treasury Board and you worked at an agency, say the Canadian Food Inspection Agency, we're doing the same thing, but you were at an agency, and you made maybe a few dollars less than we did at Treasury Board. Now some of these agencies are making \$16,000 to \$20,000 more a year. All the agencies are being paid more than we are, and we're all fighting to go to those departments. We don't want to stay under Treasury Board any more.

Mr. Harold Albrecht: And then further to that, back up to number 2 on your submission, you said that your jobs under this UCS reclassification would have gone to a PE. I'd like to just understand the gradation here. One is \$51,000 and one is \$72,000. PE is?

Ms. Diane Melançon: If I look at a PE-3, it's \$69,303, and that's of today, but a PE-4 is \$77,050. And that was confirmed by a PE who worked on the UCS. He confirmed that if this had gone through, we would have been PE-4s.

Mr. Harold Albrecht: Thank you.

Just going on to another topic in terms of training, is there a system in place where the baby-boomers who are retiring, who have all this expertise, could continue on a part-time basis, a couple of hours a day or a couple of days a week, to help mentor some of the people who are coming in new? Is that a viable option?

Ms. Diane Melançon: In fact we have two retirees—

Mr. Harold Albrecht: Two people?

Ms. Diane Melançon: —two people in our section who are working right now, but there are not that many any more, because once they retire, with the present classification problem they don't want to come back.

But I wanted to point out something. It takes two years to train somebody in compensation. Two years is a lot.

Mr. Harold Albrecht: And that's on-the-job training?

Ms. Diane Melançon: On-the-job training and courses at the Public Service Commission. So it takes two years before they are reclassified from an AS-1 to an AS-2 level.

Mr. Harold Albrecht: And this is specifically unique to government compensation? This is not something they could pick up at a university or in a college course or some other way?

Ms. Diane Melançon: No, not at all, and even this new process of recruiting is the same thing. It takes two years, and then they will be reclassified. But even with two years of training you can't function on your own. There are too many laws, too many cases, dead cases you've never had to do, visibility cases, because we meet people when they're sick, we meet their families, we have to meet employees sometimes at the hospital, we deal with dead cases, we deal with everything.

So two years of experience is not enough for them. So if nobody does anything, it's only going to get worse. Just in our department, Industry Canada, within two years there will be five people leaving, fully trained compensation advisors leaving the department, and three managers, and we're a group of 41.

Mr. Harold Albrecht: That's a pretty high percentage.

Mr. Brandimore, did you want to speak?

Ms. Diane Melançon: So if we're going to be stuck with all trainees—

Mr. Michael Brandimore: We do have people in most departments. I've been in several departments where people have retired and choose to stay on in some capacity. I like your idea of the mentoring, but they're not mentoring. The workload is so staggering that they are there doing the job and there's really no time to mentor.

Just to add to the two-year training, you can see in the retention element of recruitment and retention that we lose, honestly, about 60% of those people in that training period. Now they realize what's in store, and they're saying thanks, but no thanks.

Mr. Harold Albrecht: If I have two seconds, under number eight you're saying that a new pay advisor comes in at the same level as someone who has ten years' experience. Am I reading that correctly?

Ms. Susan Louis-Seize: What we mean is our pay scale only has two increments. You start at one salary, and then you go up. You have two years. After two years I would be making as much as the person who has ten years' experience. The two cannot be compared.

Mr. Harold Albrecht: That seems pretty obvious to me.

We have a system that needs to be fixed.

Ms. Susan Louis-Seize: I would like to address one point that you made. That is, can the tasks be divided? The problem with dividing the tasks into pay or just pension or just insurance is that they are all interrelated, and it would create an area for error.

● (1645)

Mr. Harold Albrecht: That point was well made. I understand.

Thank you.

[Translation]

The Chair: Does one of the Liberals want to say something?

Mr. Bonin?

Mr. Raymond Bonin: May I speak later?

The Chair: It's your turn now. It's a Liberal's turn.

[English]

Mr. Raymond Bonin: Let's go to the reality now.

The reason that we have this situation is because these positions are negotiated.

The Chair: Mr. Bonin, no—not the classification, I don't think. The classification is a different issue.

Mr. Raymond Bonin: Are you telling me that they can change their classifications without signing an agreement with the union? They can?

Mr. John Gordon: They would apply on a competition. That would be a staffing matter to change from one classification to another. It's certainly not negotiable.

Mr. Raymond Bonin: That a classification would cause that some of the people are underpaid—that's not negotiated?

Ms. Margaret Jaekl: Classification is not negotiated. We would like it to be, but classification is not negotiated. It's management's right. Management determines the classification of the positions. We negotiate the rates of pay within those classifications, but it's management that decides what the classification of a position is.

Mr. Raymond Bonin: That's good. Thank you. I'm glad you cleared that up. It doesn't make sense to me, but—

That's the way we did things in 1965. I worked on a teletype unit in 1965. People don't know what a teletype is today. I won't draw it out any more.

[Translation]

The Chair: Ms. Bourgeois.

Ms. Diane Bourgeois: Thank you, Madam Chair.

First of all, I would like to say that I have enormous respect for the work done by government employees. In my opinion, in this world where we try to rationalize to the extreme, employees are usually the ones who take it in the neck.

I'm shocked by the question of the vote, which was raised by Mr. Gordon. I think that's fair game. It may have been perceived as tactless, but I think it's a power struggle. To the extent that Quebec and other federal members are involved in this power struggle, I understand the situation. I don't bear you a grudge.

Madam Chair, we now know, since you yourself raised the question, that employees are afraid of their employer. I know the extent to which they are protected and that even the Whistle Blowers Protection Act doesn't protect them enough. I've made speeches in the House for the protection period to be extended. The Whistle Blowers Protection Act provides for 60 days, if I'm not mistaken, which is unacceptable.

In closing, I'm going to ask you a quite harmless question.

If your salary were raised, would all the problems be solved?

[English]

Mr. John Gordon: I would say that if you increased the salary they would like it, but it certainly wouldn't solve the problem. It's deeper than just that.

A voice: But people might stay.

Mr. John Gordon: It would be a step in the right direction, but it wouldn't solve the problem. It's a systemic problem and it has to be dealt with.

[Translation]

The Chair: Ms. Melançon.

Ms. Diane Melançon: I don't entirely agree.

Of course, we might perhaps still have problems. There can always be problems, but our major problem is definitely classification. Until that's solved, we'll always have problems. People don't want to work in compensation, don't want to keep positions of that kind, where the work is complex and responsibilities numerous.

For example, people classified as AS-2s are administrative assistants. They work in administration. I'm not trying to demean them, but I must say that their work is not complex like ours. The responsibilities are not the same, but they receive the same salary. I've also seen secretaries reclassified as AS-2s. Their salaries are now the same as ours.

• (1650)

Ms. Diane Bourgeois: That's it. I needed additional information. Your duties are too great, and it's not a higher salary that will solve the problem. If I understood correctly, classification makes it possible to establish definitions of tasks.

Ms. Diane Melançon: Yes.

Ms. Diane Bourgeois: If a person is classified as an AS-2, his or her duties are no doubt different from those of a person classified AS-4. If there are a number of classifications and they are clearly determined, the duties of the incumbent are clearly specified; the incumbent therefore does not have to do someone else's job and is paid accordingly, of course. That's what I understood.

Ms. Diane Melançon: Yes, and, at the moment, our job description, which states what we do as classified AS-2 employees, is not—

Ms. Diane Bourgeois: We understood that that hadn't changed since 1965.

Ms. Diane Melançon: That's correct. We aren't given any points for responsibility, complexity and so on. We shouldn't even be classified AS-2s. That classification doesn't at all recognize the work we do. We've filed grievances, we've done everything, and that has resulted in absolutely nothing.

Ms. Diane Bourgeois: In closing, Madam Chair, I would like to recall, in the interests of this committee, that Ms. Barrados told us when she appeared that she clearly saw staffing problems coming in the federal public service, if I remember correctly. She told us that there wasn't any problem, that she didn't see any. Ms. Jauvin, from the Public Service Human Resources Management Agency of Canada, told us that, in her view, everything was “under control”, that there was no problem.

In view of what we're being told today, I'd like to know whether it is possible to examine this problem in greater detail. Unhappy employees are tired employees, who are sick more often. That has an impact on the government's budget. That is why I would like to question Ms. Barrados and Ms. Jauvin further. Is that possible?

The Chair: Ms. Jauvin has appeared, and we know—

Ms. Diane Bourgeois: I'd like to see her again.

The Chair: Ms. Barrados told us that she was responsible for recruitment and that compensation was not her responsibility. However, we could invite the Clerk of the Privy Council to appear before our committee. He is in fact the senior person responsible.

Ms. Diane Bourgeois: I met Mr. Himmelfarb, who was clerk of the entire public service, a year and a half ago. He was very sensitive to what employees were experiencing. I remember that he even published a small booklet and that it was distributed to everyone working on the Hill. He asked that the departments, ministers and deputy ministers take very specific orientations.

How can it be explained that that wasn't done?

The Chair: You'd have to ask—

Ms. Diane Bourgeois: Policies come and go, but deputy ministers remain.

The Chair: Perhaps the matter—I made a suggestion.

Ms. Diane Bourgeois: That's the question I ask myself.

Unless you have any other suggestions?

The Chair: The next person to speak is Mr. Poilievre.

But summoning the Clerk of the Privy Council is a suggestion.

Mr. Raymond Bonin: Madam Chair, let's call that a point of order: could we limit ourselves and stop at 5:00 p.m., in order to have a chance to touch on other subject?

The Chair: Yes.

Mr. Poilievre.

Mr. Pierre Poilievre (Nepean—Carleton, CPC): I don't even know why I'm on the list, because I have no questions.

The Chair: That's fine.

Mr. Raymond Bonin: May I suggest that we stop at 4:55 p.m., then?

Some hon. members: Oh, oh!

Mr. Pierre Poilievre: I know that all the members are disappointed that I have no questions, but that's the way it is.

•(1655)

The Chair: Does someone want to suggest that we invite the Clerk of Privy Council?

[*English*]

Some hon. members: Agreed.

The Chair: We will ask that the Clerk of the Privy Council come before the committee. We will ask him questions and maybe we will get some answers, or he has the ability to get the answers we would like.

Thank you very much for coming before us. As you know, this is an issue we all care about, because you work for the people of Canada. It's important that all the people who work for the people of Canada get paid on time and the right amount of money. So thank you for coming.

[*Translation*]

Ms. Melançon.

[*English*]

Ms. Diane Melançon: Before closing, I'd like to thank this committee for its interest and concern in the issue of clients not getting paid efficiently, and of equal importance are the issues relating to compensation advisors, who are being held accountable for this situation unjustly.

We further want to express our appreciation for any efforts taken by your committee so that we can escalate a speedy resolution to a classification issue that is long overdue to be resolved.

Thank you very much.

[*Translation*]

The Chair: Thank you very much.

We will now suspend for two minutes.

•(1700)

[*English*]

The Chair: Order.

Mr. Walsh, we have invited you, and I hope you've been given a copy of our motion. Perhaps you could quickly address the issue that is of concern to the Conservative members.

Mr. Kramp, you had a concern, if you want to bring it forth to Mr. Walsh.

Mr. Daryl Kramp: Thank you.

We've had significant testimony from many people in the field suggesting the reasons for confidentiality, competitive arrangements, and the first-, second-, and third-person relationship with the government. Some of us on this committee share a concern that if we move forward and establish clearer obligations, it might impugn the efficacy of the contracts in place right now between third parties and the government. We just don't want to run into a situation in which we are either creating a liability or creating an indefensible position with the contractual arrangements that have already taken place between the government and/or third-party officials.

We want clarity; we want information, but where do we start, where do we stop, and what are our bounds and parameters within our rights of a committee in asking for further information that may or may not complicate or create undue duress for departments or agencies?

Would you have any thought on that?

Mr. Rob Walsh (Law Clerk and Parliamentary Counsel, House of Commons): Madam Chair, this is not a novel subject. It comes up fairly frequently, to the point where I'm almost carrying around material on it all day long. I've had occasion to be before other committees recently on this, so I can't say that I'm totally surprised by the question or have come here entirely unprepared.

I'm looking at the motion, and the motion appears to propose that there be a moratorium on the sale of those buildings so the department can provide the committee with relevant studies and information. I take it that these studies and this information are the documents to which Mr. Kramp is referring when he is talking about seeking a document.

Given the nature of leasebacks, I take it that these documents would contain financial or commercial information of a kind that might be confidential to the interests of third parties contracting or dealing with the government. Is that right?

A voice: Correct.

Mr. Rob Walsh: Okay, I think I have the picture.

The general rule is easily stated, although it doesn't get you very far. The general rule is that committees have unlimited authority to call upon anyone, including the government, to produce documents for the committee.

Having said that, and maybe feeling a little warm all over having heard that, you then ask yourselves where you are. Well, not very far, frankly, because there are circumstances in which the government, or whoever the individual is, has bona fide legitimate reasons for not wanting to lose the confidentiality of these documents. Essentially what we're talking about here is confidentiality.

I should first refer you to Marleau and Montpetit, because that, of course, is our operational bible. This issue is discussed on pages 864 and 865. It provides an example, not exactly on all fours with what this committee is dealing with, but it's somewhat similar, on page 865:

Although the House has not placed any restrictions on the power to send for papers and records, it may not be appropriate to insist on the production of papers in all cases. In 1991, the Standing Committee on Privileges and Elections pointed out that:

—and this is contained in a report of that committee—

The House of Commons recognizes that it should not require the production of documents in all cases; considerations of public policy, including national security, foreign relations, and so forth, enter into the decision as to when it is appropriate to order the production of such documents.

In the footnote to this passage on that page, there is a particular case that emerged. A committee was not getting a document, and it reported to the House that it wasn't getting this document:

The Committee presented a report which concluded that the Standing Committee on Justice and the Solicitor General had been within its rights". This is the committee on privileges and elections, which is now the Standing Committee on Procedure and House Affairs. It looked at what was going on at this other committee on justice, and it reported to the House that the other committee, the committee on justice, was within its rights "to insist on the production of the two reports and recommended that the House order the Solicitor General to comply with the order for production. The House subsequently adopted a motion to that effect, with the proviso that the reports be presented at an in camera meeting of the Standing Committee on Justice and the Solicitor General.

Strictly speaking, the process here for this committee, if it's not provided with the documents it's seeking, is to go to the House, as that committee did. Or a member of the committee, or the chair, perhaps, on behalf of the committee, can raise a point of privilege or make a report to the House to the effect that you feel that your privileges have been breached. The House may then refer to the procedure and house affairs committee, then in turn report to the House. And the House may or may not concur with the finding that there was a breach of privilege and may or may not concur with an order to be given that the documents in question be produced.

That's basically the process. It may be productive, it may not be.

The other consideration you might want to look at—and I know this is not your favourite reading, but it comes into your life from time to time—is the Standing Orders. It is the document that sets out the mandate of the respective committees.

It might be informative for this committee on this occasion to look at the mandate of this committee, the Standing Committee on Government Operations and Estimates, and compare it to the work and the mandate of the public accounts committee.

Basically, government operations—and I'll explain that in terms of the Standing Orders in a moment—As the title of your committee indicates, government operations and estimates is about future spending, plans for spending. Public accounts is about what you spent and whether it was spent well.

If you read Standing Order 108(3)(c)(ii), which is the mandate provision relating to this committee, it talks about looking at the effectiveness, management, and operation, together with operational and expenditure plans.

● (1705)

When it refers to specific operational and expenditure items, as it does in subparagraph (iii) of paragraph (c), it refers to specific operational expenditure items across all departments and agencies. It is meant to be a government-wide review of such specific operational expenditure items.

I mention that just as a comparison to the public accounts committee, which then looks later at how the government spent the money it was given to spend. Of course, the public accounts committee also considers reports of the Auditor General. I mention this to you to indicate where your mandate comes from—from the House. The House tells you what you can do, and that's your reference point to see if what you're doing falls within it. I'm playing the part of your legal advisor in saying there's an argument to be made—it's just an argument, and we lawyers make whatever argument you want—that seeking documents relating to what deals the government may have made may not really be within the meaning of plans in terms of what government may plan to spend.

I don't know to what extent these documents fall within one category or another, but you're talking about studies of information on the impact of these leasebacks. Arguably studies done on the impact of leasebacks as a vehicle relating to the transfer of title to property as a financial study may well be something that's of legitimate interest to this committee relative to whether this is broadly speaking a valid way of proceeding in terms of the public interest.

On the other hand, to seek documents that show what particular leaseback deals either have been made or are in consideration with particular parties arguably may be going beyond what the public policy objectives of this committee or the public interest objectives of this committee are, and instead be an inquiry into particular transactions. I say this further, if I may, Madam Chairman, in the sense of the legal context in which this committee operates. I know it's true that committees have virtually an unrestricted power to demand documents. It's unrestricted in the sense that no one can go to court and get a court order saying you can't do it. But the committee is a public authority, as is the House, and it has legal powers. These are legal powers that you have. Generally speaking, in a legal context, legal powers are exercised pursuant to the granting of the powers in a statute, and generally speaking they're expected to be exercised with reason and in some cases with due process, etc.

You can say that doesn't apply to the committee of the House because who's to say what they're supposed to do. Maybe no one's out there who can tell you what to do, but this doesn't mean that you can disregard, in my view—Speaking now as a legal advisor to this committee and other committees, I think we have to operate in the House of Commons, notwithstanding our exemptions from many laws by virtue of parliamentary privilege, in a responsible manner, as if the laws of the land do apply to us. This is partly because it's the expectation, in my view, of Canadians that all its public figures, public officials, and public institutions will govern themselves generally speaking along the lines of what other institutions do, and that is to say act reasonably and allow for appropriate process.

Having said that, this committee is the judge of whether it shall or shall not go forward in pursuit of a document. Make no question about that. There's no one else other than the House of Commons itself who can interfere with the judgment of this committee about what it wants to pursue. If you are held accountable for that, it's in the court of public opinion, as they say. I just counsel you in the sense that there is a legal context in which you are operating, as we all operate in this country. You can almost say it's like a broad cultural value that's sometimes called the rule of law, but the rule of law is a legal principle that applies more in terms of justiciable issues in a court. But we are in a culture that has legal standards, legal values, and legal expectations, and it's one of reasonableness and process.

You have also in this legal context of course the Auditor General Act. The Auditor General Act gives the Auditor General, as a public official, the power to seek information from government regarding its spending and contracts, etc. I'm sure many of you are well aware of that statute. There are corresponding provisions relative to the Auditor General's work in the Financial Administration Act. That's out there. So there is the Auditor General as an officer of Parliament who could well be asked to look into the leaseback dealings of the government as to whether there's value for money and this sort of thing.

The question you have to ask yourself as a committee, and maybe I'm going beyond my brief here, is whether in what you're looking for you're going further than what's appropriate for a parliamentary committee, and whether in some respects—And this is an issue the public accounts committee in the past has faced, where it was faced with some difficult situations taking place in government. I

remember the chair at the time saying this committee is not getting into micro-management, we're not getting into managing government, we're not getting into trying to determine whether the right management decision was taken at a given time; we want to ferret out what took place, in terms of broad principles of probity and honesty, and so on, but we're not getting into management.

● (1710)

So in a similar fashion, you may ask yourself whether in fact what you're asking for is getting into micro-managing or entering into consideration of what is essentially the government's area of responsibility in managing the public funds they're authorized to expend.

While I agree with you, and I certainly want to affirm, and will be the first one to shout the loudest about this, that committees can do what they see fit—There's no question about that, and we don't have a democracy in this country unless this House of Commons and its committees are recognized to have that prerogative, sometimes referred to as the “grand inquest of the nation”. You can't have the House of Commons as the elected chamber carrying out inquiries in the public interest if in fact someone else out there can tell you, no, you can't do that. That is a privilege the House of Commons and its committees enjoy, but it's a privilege, in my view, that has to be or ought to be exercised responsibly—although there's no one who can tell you what that is. That's your own judgment, and I'm sure you will look at that in this frame of mind.

That's about all I would have to say on the position of this committee with respect to its seeking documents from the government.

The Chair: Thank you, Mr. Walsh.

Mr. Moore.

Mr. James Moore: Thank you very much, Mr. Walsh, for being here.

I chatted briefly with Ray—who I don't think will mind if I say this—outside the East Block yesterday, and I think there's honest intent on his behalf and that of Madame Bourgeois, Madame Nash, and everybody over there with regard to this issue. So keeping in mind what Mr. Walsh has suggested, and because the wording of the motion is quite vague and the committee is not convinced of the benefit, and so on, that relevant studies and information on the impact of the leasebacks—I think the information that Madame Bourgeois may be looking for may be very different from what Mr. Bonin is looking for and from what Mr. Simard is looking for.

As this is written, I think the committee will be asking the government to exceed what Mr. Walsh has described, which is the reasonable self-restraint of the public interest with regard to the confidentiality agreements the federal government has signed with regard to the sale and leasebacks and the marketing that is going on right now. But there is other information that may not have been brought forward by the minister or the deputy minister or the ADM responsible for real property when they came before the committee, which committee members may not be satisfied with. That's fine, and committee members have every right to ask for whatever information they wish.

So what I would suggest, then, as an alternative to this motion—and this doesn't require a motion—is that committee members put together a list of questions and a list of the very specific information that individual committee members haven't seen and would like to see. We would offer the Department of Public Works the chance to provide a briefing for any committee member who wants a full briefing on this issue in private, one on one, so committee members can have access to the ADM responsible for real property and ask individual questions.

But as this is written, I think Mr. Walsh has been very clear that the motion asks the federal government to violate confidentiality agreements we have signed with people with whom we are doing business with regard to the sale and leasebacks. But there's information beyond that, which many committee members want, and which they feel they haven't had access to, which we'd be more than prepared to deliver. If individual members who have those questions would be clear on what those questions are, I would be glad, as the parliamentary secretary to the Minister of Public Works, to present those to the minister for a written response as soon as possible.

• (1715)

The Chair: Mr. Bonin, you have a point of order.

Mr. Raymond Bonin: Madam Chair, through you to Mr. Walsh, could I ask if sharing of information with members of Parliament in an in-camera meeting is a violation of confidential information?

Mr. Rob Walsh: Madam Chair, it's not a violation of confidential information that we can say here, since we're not a party to the terms of the agreement setting out the confidential requirements. I don't know what those confidentiality requirements are, but generally speaking this committee is not subject to whatever the terms of those agreements might be.

The question is, if there is such a contract, would the minister be breaching that? While confidentiality generally means to me—Well, I guess, my short answer is no, in the sense that I think the minister has a legal obligation, in constitutional terms, to be here and account. But I think he has an obligation—and this committee, arguably, in the public interest, has an obligation—to take whatever steps can be taken to ensure the greatest amount of confidentiality, so that the information is not shared beyond what's immediately required for purposes of the business of this committee.

Let's not kid ourselves: there is a problem with in-camera meetings, historically. Ministers—and not just of this government, but also earlier governments—have shared the same reservations about in-camera meetings.

But that is the only opportunity, really, Madam Chair, to go the way of an in-camera meeting and just hope that in fact it will be successful in maintaining the confidentiality associated with the documents.

[Translation]

The Chair: Mr. Wrzesnewskyj.

[English]

Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.): Actually, I was about to raise the same point about in-camera meetings.

I'll follow up on Mr. Moore's suggestion that questions be prepared and forwarded and that answers come back; that process is available, but it's not nearly as full and enlightening a process as having witnesses come forward before committee. It doesn't allow the to-and-fro that provides greater insight and understanding. I do believe an in-camera meeting—with the understanding that it truly is an in-camera meeting, because at times it can be an issue—provides the method and the forum to address these sorts of serious issues.

[Translation]

The Chair: Ms. Bourgeois.

Ms. Diane Bourgeois: Thank for travelling to meet with us, Mr. Walsh.

First of all, I want to restate a little what I said at our last meeting. It must be clearly understood that this motion does not bear the colour of a party; it is not intended to be partisan. Nor is it a motion designed to prevent the sale of these buildings at all cost. Its purpose is simply to demand that we be provided with the information we need to do our work as members properly.

We have held four meetings of one and a half or two hours on these buildings. However, we have never been able to obtain the desired information. I find that quite pathetic. This is a matter of respect. You ask me what information I'm talking about. I'll give you an example. In 2003, a deputy minister at Public Works Canada appeared before this committee and said she had planning results indicating that the government was an efficient property manager. From what she said, the salaries of the employees who were sorting out those buildings was the only inefficient aspect.

The minister left telling us that the government was not a good property manager. I asked him on what he based that statement, but he did not answer me. We tried to determine even just a small percentage of the amount paid to the banks. We also wanted to know what would be done with the money from the sale of the buildings. Those people never gave us the slightest information about any planning concerning that money. They told us that it would be used to reconstruct other buildings, but without specifying the actual cost of those repairs. They told us they did not have a plan and did not know which direction to take on this issue.

I would like to point out to you that the money from the sale of those nine buildings also belongs to Quebeckers. If you are not accountable to Canadians, I am accountable to Quebeckers. I want my questions answered. I don't want to exceed my rights, but I want answers.

The second time the minister came and testified before this committee, we literally wasted our time. Everything is always confidential. I believe we are able to hold our tongues. We know just how far we can go. It's not a matter of boycotting the minister or the sale of buildings. It's simply a matter of respect for us as parliamentarians, our accountability and the Liability Act, under which we have obligations.

• (1720)

Mr. James Moore: [*Inaudible - Editor*] provide studies.

The Chair: Now it's Ms. Nash's turn.

[*English*]

Ms. Peggy Nash: Could I just ask a question?

We're in the middle of a discussion about a motion that is—

The Chair: The motion is on the floor, and we're having a discussion.

Ms. Peggy Nash: The motion's on the floor, and it's a thorny question that could take a few minutes.

This is really more a point of order. Because I think it's much less contentious, would it be possible to deal with the motion that I gave notice of at the last meeting, two days ago, and then return to this motion? My concern is that I actually raised this matter about three or four meetings ago; in another six minutes our time will have run out, and we will not have dealt with this motion.

The Chair: Ms. Nash, we cannot have a second motion on the table while we're discussing a motion. That's the issue.

Ms. Peggy Nash: We can't suspend the discussion of this motion?

The Chair: You'd have to have unanimous consent to suspend and move to another motion.

Ms. Peggy Nash: Do we have unanimous consent?

The Chair: No. Let's finish this one then.

Did you want to address this particular motion, or did you want to let the speaker go?

• (1725)

Ms. Peggy Nash: I'll let the next speaker go.

The Chair: Okay.

Monsieur Simard.

Hon. Raymond Simard: Thank you very much, Madame Chair.

Mr. Walsh, Mr. Moore indicated that you clearly indicated that this motion would violate confidentiality agreements. I didn't hear you say that.

Mr. Rob Walsh: I might have addressed the issue of confidentiality, but I don't think my remarks went directly to what this motion is saying.

This motion, in my view, has two components. One is to place a moratorium on the sale of the proposed buildings until we get further

information. It doesn't ask for information. It just says the production of information is the explicatory factor or the reason given for why the moratorium is being sought.

I'm being legalistic here in reading this, and it's not appropriate for a motion of a committee to be that legalistic, but I'll give you my instincts here. When you're seeking a moratorium, as you are here, and this motion is adopted, that doesn't say anything about the studies or the information that's being referred to here. There would need to be another motion, I would think, pursuant to this, calling for production of such studies and information by some date or something. The procedural clerk of this committee can better advise you on this. It seems to me all this does is place a moratorium on the sale of the proposed buildings.

The Chair: Is that motion to have a moratorium on the sale binding?

Hon. Raymond Simard: Can I continue, Madame Chair?

That's the question. The question is, technically speaking, when a committee makes a recommendation to the House, it is a recommendation. Is it legally binding? Does it stop this request for proposals from moving ahead?

Mr. Rob Walsh: Not legally.

Hon. Raymond Simard: Thank you. Not legally.

Now, if the House adopts this motion, then it's a different story?

Mr. Rob Walsh: No. It's like a resolution of the House. At the end of a supply day or even in private members' business, it's an expression of the intent of the view of the House. It's not a making of law.

Hon. Raymond Simard: You just resolved it. The motion does not have the force of law.

Mr. Rob Walsh: But it could well be the case—and this is something, obviously, that the recipients or object of this motion have to have in mind—that if the House were to adopt this and the minister were to act in violation of it, the House might be an unhappy House about that. That brings on implications for the minister vis-à-vis the House to whom he's accountable. You might not call that legal, but it's part of our legal system of government. In a sense, there's that possibility.

Mr. James Moore: I've never suggested that this would be scuttled as a consequence of this motion, but there's a consequence here beyond the legalities of the House of Commons. The consequence is—and this is what I was saying at the last meeting about what is in the best interest of taxpayers—if you have a majority of members in the House expressing a lack of support for it—and, as you've said at this committee, we know the Liberals in the past supported this policy, just 18 months ago—and it's a minority Parliament—and who knows how long minority Parliaments last—this could have a serious consequence on the ability of the federal government to get the best taxpayers' dollars as we are marketing the buildings as we speak. There is a financial consequence to doing this in terms of our negotiating position as far as getting bids for these government buildings goes. There's a consequence. That's the concern.

The Chair: Mr. Kramp, you're next.

Mr. Daryl Kramp: I want to expand very briefly on Mr. Moore's statement. If we were starting from square one and this weren't in process and activities hadn't taken place, this could totally compromise the extent to which offers could come in or might not have come in.

Beyond that, another point I would like to make is that there isn't one person in this committee who's an expert in this field. At least, I don't know one person on this committee who is a total expert in this field. We've all had various degrees of experiences in property management and/or business, but what we did was listen to experts. We had many expert witnesses in, and without exception, every expert witness testified that this would be an appropriate process to follow at this time.

That's why I'm deeply concerned that here we are as a committee throwing this up, and going this way now flies right in the face of the testimony of any witness we have had here. Particularly, following through on Mr. Walsh's comments, this motion almost insults our process, in that regardless of who is there, as Mr. Walsh said, there is a reasonable expectation of that person's acting in a responsible manner as a parliamentarian and as an official. Quite obviously this says, basically, "We don't think you are."

In the face of the testimony that's already been given, I find that a little incredible. Had we heard conflicting testimony; if we had four against three this way, or there had been conflicting arguments, or there had been people who were suspect and weren't really straight about this.... But every bit of testimony we've had here has supported this argument and this position and this direction of the government. That's why I'm a little bit concerned that here we are at the eleventh hour now, literally at the eleventh hour—

• (1730)

The Chair: Mr. Bonin.

Mr. Pierre Poilievre: Actually, I'm on the list next.

The Chair: You weren't, but that's okay.

Mr. Pierre Poilievre: I was, because I put up my hand, whether you recognized it or not.

The Chair: I saw it, but I didn't realize you were asking me to be on the list.

Mr. Pierre Poilievre: You did see me; you just didn't want to write it down.

The Chair: It's true, I did see him, but I didn't think he was asking to speak. I thought he was just telling me he knew everything.

Mr. Pierre Poilievre: Can I speak now?

There's no need to state the obvious.

The Chair: Mr. Poilievre, go ahead. You have the floor.

Mr. Pierre Poilievre: The argument that we ought not be concerned with the confidentiality that are at stake here because the motion is not enforceable is really a sign of disrespect for the House. What does it say about us if we pass a motion, possibly knowing that it's not good for the country, on the grounds that it can't be enforced?

If it were enforceable, if someone might actually listen to it, then it would be bad, but because it's not enforceable, let's pass it. That's the logic I seem to be hearing, and that is a sign of disrespect to the House.

If the members in this committee honestly believed that the request in this motion would be good for Canada if it were to be implemented, then I'd respect their decision to vote for it; that I could understand. To vote for it because, while it's not good for the country or the taxpayer, it won't be implemented is a self-defeating exercise that shows disrespect for the House of Commons.

Second, there are confidentiality at stake here. I honestly don't believe members over there want to see confidentiality come out that would be detrimental to the Canadian taxpayer. I'm not seeing conspiracies around every corner here.

I would just suggest that the members who are pushing this motion simply amend it to list the precise information they would like to see. If they're not interested in seeing confidentiality, then just say we would like to see specific studies that have been done on the general nature of leasebacks, etc. Just list what it is you're looking for, and then I don't see any problem with the motion.

Perhaps it would be even simpler just to say "that doesn't violate confidentiality provisions in existing government contracts or contracts with suppliers", or something of that sort, just to demonstrate that this is a good-faith motion designed to enlighten legislators in making a better decision, and not an attempt by a parliamentary committee to infringe upon the confidentiality interests of government and the private sector.

I'm offering a suggestion to those who are pushing this motion that they might limit its impact to areas that are not touched by confidentiality, and that they do so explicitly. Then the motion has a better chance of being followed.

The only other alternative is to put forward something that we know cannot be implemented. Perhaps many people who are voting for the motion don't even want it to be implemented; they're voting for it because they know that it won't be implemented. That is a self-defeating proposition.

The Chair: Mr. Wrzesnewskyj, you have a point of order.

Mr. Borys Wrzesnewskyj: I have a point of order. I believe that was a totally inappropriate statement and an inappropriate insinuation. That was not what was at all—

The Chair: That isn't really a point of order, but while we're on the point of order, I want to ask whether anybody has further questions for Mr. Walsh. Do we allow him to leave?

• (1735)

Mr. Harold Albrecht: I would like to clarify one statement. Mr. Bonin asked about—

The Chair: Can you please ask the question to Mr. Walsh?

Mr. Harold Albrecht: It's related to an answer that he gave.

Mr. Bonin asked a question about confidentiality when we're in camera. I thought I heard him ask if it's appropriate for a member of this committee to tell a non-member or someone who wasn't here what happened in committee.

That's not what you asked? Okay.

Mr. Raymond Bonin: I know you can tell a member of Parliament anything that goes on in an in-camera meeting.

Mr. Harold Albrecht: No. We were clearly instructed last time by the clerk that you can go to the blues to read that—

Mr. Raymond Bonin: No, that's wrong. All members of Parliament have access to the blues.

Mr. Harold Albrecht: You have access to the blues; that's different. I want to clarify, Mr. Bonin, that's different from—

Mr. Raymond Bonin: Anyway, I didn't ask that. I didn't refer to that at all.

Mr. Harold Albrecht: Okay.

Mr. Pierre Poilievre: All right, so I'll just go on with mine, now that your point of order is....

The Chair: Thank you.

Mr. Poilievre, if you'd like to continue, feel free.

Mr. Pierre Poilievre: I think members can very easily demonstrate their good faith on this motion by restricting their request to information that does not violate confidentiality or by expanding on the particular information they're looking for, because right now we have a motion that is unclear and therefore unhelpful.

Thank you.

The Chair: Mr. Bonin was next, followed by Mr. Warkentin.

Mr. Raymond Bonin: Thank you, Madam Chair.

The reason I'm going to vote for this motion.... First of all, I'll say it's very poorly written. Whoever wrote it could be offended, but it wasn't thought out and it was just slapped on paper. When people do that, they cause problems for a committee.

The fact, though, is that this committee has a problem with what is happening in this area. This committee is not satisfied that appropriate information was shared with it. This committee is telling the House there's a problem here, that we're not satisfied, and we want the House to know about it.

If the House chooses to put on a moratorium, they can damn well do it. But we have a problem. We want the House to know.

An hon. member: Because you haven't called for that information.

Mr. Raymond Bonin: We have a promise from the government side that we would vote today. We're not going to spend three hours getting a list. If this committee chooses to study this, then we can start a study on that very problem. But the motion as it is.... I think we're ready to call the question.

Hon. Raymond Simard: Can I make one final comment on that?

The Chair: One final comment.

Hon. Raymond Simard: First of all, I went through the testimony of all the witnesses this morning, including Minister Fortier. A lot of questions were not answered that have nothing to do with confidentiality. Every witness refused to answer some of these questions. They're very simple, very straightforward. They have nothing to do with the contract. They will not affect the deal, they will not affect the RFP, but they were using that as a reason not to answer.

My position is we should support this motion. Tomorrow I'll submit my list of questions that I'd like to see answered. I will do that, but I won't do it without this motion being in place; otherwise I'll never see an answer.

We should call the question. Let's get this thing done, and I'll submit my list to you tomorrow morning.

The Chair: First, there was an amendment.

Mr. Poilievre, was it really an amendment, or just a suggestion?

Mr. Pierre Poilievre: It was a suggestion. It was a good suggestion.

The Chair: Okay. The question is on the main motion.

(Motion agreed to) [See *Minutes of Proceedings*]

The Chair: Shall we report the motion to the House?

A voice: That's what the motion says.

The Chair: Okay. Can we deal with the second motion?

Mr. Bonin.

Mr. Raymond Bonin: I don't know how you handle new issues to be discussed by the committee.

The Chair: It's not a new issue; she did give proper notice.

Mr. Raymond Bonin: I'll repeat what I said. I'm not talking about when it was said or the notice of motion.

You must already have a list of subjects you want to study. I think we should put that on the list and later on, as a committee, we decide when we're going to do it.

When I was chair of committee, we had 40 things on the list, and then the committee decided what's first. You don't need a motion for that.

• (1740)

[*Translation*]

The Chair: Ms. Nash.

[English]

Ms. Peggy Nash: Madam Chair, I had raised this some time back as one of the items we would look at studying. The decision at the time was that we would first bring in Public Works and trade representatives, and then we would bring in other representatives on this issue. So this is in fact a continuation of a topic for which we have already had witnesses.

The Chair: Yes, it is.

Does anybody want to debate this motion, or would you like to vote on it?

Hon. Raymond Simard: I'd like to vote on the amendment.

I don't mind the topic at all, I just don't want us to spend ten meetings on it. I think we should probably limit it to two—at maximum, two. If we can do it in one, good, but maximum, two.

An hon. member: Would you please read the motion out loud?

The Chair: The motion is that the Standing Committee on Government Operations and Estimates immediately continue its study on trade agreements and federal government procurement, to better understand the limitations and possibilities for leveraging federal procurement to create made-in-Canada jobs, with a view to making recommendations to the House of Commons; and that the appropriate officials from the Canadian business community, Canadian Labour Congress, as well as trade and procurement experts from think tanks like the Canadian Centre for Policy Alternatives be invited to share their thoughts and recommendations.

Mr. James Moore: I agree with Ray on this. I think it's an entirely legitimate topic to be raising here—fine—but as Ray said, a number of committee members have suggested different subjects to the subcommittee on priorities and planning. Just because Peggy brings in a motion—on a legitimate topic—and has a vote, trumping what other members have been pushing for—

The Chair: We've already had one meeting on this. Perhaps we can have another meeting.

Yes, Mr. Wrzesnewskyj.

Mr. Borys Wrzesnewskyj: Just for clarification, Madam Chair, what exactly is meant by the word “immediately”? I think we need clarification on that, or else a different phraseology there.

Ms. Peggy Nash: Madam Chair, I'm fine with taking out the word “immediately”. We've already had one meeting on this subject, and I'd like to continue on with it. If the House rises tomorrow, we're not going to have a meeting on it immediately. I'm fine taking that word out. I just don't want it to mean next January, either.

The Chair: Okay.

It's a friendly amendment. Everybody's in accord with removing the word “immediately”?

Some hon. members: Agreed.

An hon. member: And eliminating the two meetings.

Mr. Raymond Bonin: Madam Chair, can we agree to have a consensus that it be put on the list of issues to study?

The Chair: Or we can vote on the motion. It's the same thing.

All those in favour of the motion...?

An hon member: As amended.

The Chair: As amended, thank you.

An hon. member: What a harmonious little group.

(Motion as amended agreed to) [See *Minutes of Proceedings*]

The Chair: The meeting is adjourned.

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