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# **Standing Committee on Government Operations and Estimates**

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**EVIDENCE**

**Thursday, October 27, 2011**

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**Chair**

**Mr. Pat Martin**



## Standing Committee on Government Operations and Estimates

Thursday, October 27, 2011

• (1530)

[English]

**The Chair (Mr. Pat Martin (Winnipeg Centre, NDP)):** Good afternoon, everyone. I'm going to call the meeting to order, as it is 3:30.

Welcome to the 13th meeting of the Standing Committee on Government Operations and Estimates.

Today we are pleased to welcome one of our favourites, and one of the hardest-working officers of Parliament, the president of the Public Service Commission of Canada, Maria Barrados. Welcome, Madam Barrados. I'll ask you to introduce the guests you have with you, and then make your presentation. We will have questions following that.

Madam Barrados, you have the floor.

[Translation]

**Ms. Maria Barrados (President, Public Service Commission of Canada):** Thank you, Mr. Chair and honourable members of the committee.

I am here with H el ene Laurendeau, Senior Vice-President, Policy Branch, and Elizabeth Murphy-Walsh, Vice-President, Audit and Data Services Branch. We are here to discuss the Public Service Commission's 2010-2011 Annual Report and its audit reports for 2011, which were tabled in Parliament earlier this week.

The PSC is an independent body accountable to Parliament for safeguarding the integrity of staffing in the public service and the non-partisanship of the public service. The PSC is free from ministerial direction in the exercise of its executive authorities for hiring and non-partisanship, but it is accountable to Parliament. We report annually to Parliament on our activities and results and we welcome the opportunity to discuss them with your committee.

The PSC's 2010-2011 Annual Report covers the fifth year of operation under the Public Service Employment Act. As of March 2011, there were 83 organizations, representing over 216,000 individuals, to which the PSC has delegated its appointment authority.

There was no growth in the core public service in 2010-2011, as compared to 3.4% in the previous year. We saw less recruitment, especially new permanent hires, with no change in departures. Fewer young employees joined the public service in 2010-2011, and, for the first time in a decade, there was a decrease in the number of employees under 35 years old.

Although there is less hiring, there is still significant intake. Over 1,250 students entered the public service through post-secondary recruitment as opposed to nearly 1,650 the year before.

There was a marked reduction in not only hiring, but also internal staffing activities—15.2%—compared to last year.

• (1535)

[English]

The government has entered a period of fiscal restraint. There will be pressures on the staffing system. We see continuing interest in public service jobs—but it will be for fewer jobs.

The PSC is responsible for managing a priority program for displaced employees in the federal public service. Our legislation provides for a priority person to be appointed ahead of all others to vacant positions in the public service, if the person meets the essential qualifications of the position. This program is important in providing fairness to displaced employees, and we need to make sure that it works well. An evaluation identified areas for strengthening the program, and we are making a number of changes to make it more robust and rigorous.

In addition, our analysis of 19 audits over the past two years showed that in 11 % of appointments, problems were identified in obtaining priority clearance. As well, proper use and better planning of both the permanent and contingent workforces are essential to ensuring that managers are able to respond to their needs in a flexible way, while respecting the values in the PSEA. We believe, however, that targeted hiring must continue to ensure succession in the public service and to maintain a public service that delivers results for Canadians.

I would like to now turn to our overall assessment. Based on our oversight activities in 2010-11, we have concluded that overall, merit is being respected in the staffing system. And our audits show that managers are doing a better job of applying the merit test. Organizational performance in the management of staffing continues to improve. We saw positive trends in hiring strategies, which better support staffing priorities, as well as improved HR capacity. However, we have concerns about the quality control of appointment processes, the lack of appropriate assessment and documentation of merit, and the poor rationales for non-advertised appointment processes.

In addition, there continues to be a small proportion of cases where merit has not been met. This is usually the result of error, omission, or improper conduct. As well, there are still too many cases where merit is not demonstrated in the staffing files or other organizational records.

The PSC continues to be concerned about employees' perceptions of the fairness of the overall staffing process. About a quarter of employees persistently feel that the overall process is not at all fair, or fair only to some extent. We are also concerned that the continued low rate of external appointments for persons with disabilities will have a negative consequence for their representation in the public service over the long term.

With respect to non-partisanship, we find that a small proportion of public servants are politically active. In 2010-11, the PSC received 94 candidacy requests from public servants. Still, we are concerned that public servants are not well informed about their rights and responsibilities with regard to political activities. We believe that more effort is required to properly safeguard this core value.

Now, I would like to turn to our audits. This year the commission examined 11 organizations, and it placed additional conditions only on the delegation of the staffing authorities at the Office of the Commissioner of Official Languages. The commissioner has provided an action plan that outlines how they will respond to the audit recommendations, and they will also provide semi-annual reports on how the plan has been implemented. The PSC has removed the conditions placed upon Health Canada and some of the conditions on the Royal Canadian Mounted Police, following their past audits.

Following a 2009 audit, the PSC and the Immigration and Refugee Board of Canada reached an agreement with respect to the auditing of additional appointments, the conduct of investigations, and corrective actions. A report on this agreement was also tabled in Parliament. The PSC found improvements in their staffing practices; however, the IRB has not accepted the conclusions of the majority of the investigations completed by the PSC. Any decision not to respond to the results of an investigation or not to undertake appropriate corrective measures undermines the integrity of the staffing system. Instead of removing all of their staffing authorities, we are now moving forward with a process whereby the PSC would carry out investigations and order corrective actions in the internal processes at the IRB.

• (1540)

[*Translation*]

As we move forward, the PSEA values will be as important as ever. With fewer opportunities, each appointment decision takes on more significance relative to the integrity of the system as a whole. The PSC's oversight activities provide important information about the integrity of the staffing system and assurance to Parliament that the core and guiding values are being met.

The PSC will also continue to work with members of this committee as well as other parliamentarians, deputy heads, bargaining agents and other stakeholders to ensure that the staffing system is responsive to the changing operational and fiscal context, and that staffing values continue to be respected.

[*English*]

My term as president has been extended until a replacement is found. PSC is committed to supporting a smooth transition to a new commission over the coming months. We'll continue to ensure that Canadians benefit from a professional public service in which merit and non-partisanship are independently protected.

Thank you.

[*Translation*]

I would be pleased to respond to any questions you may have.

[*English*]

**The Chair:** Thank you, Madam Barrados.

How long have you been in this extended status? Do you have any information about the appointment of a new commissioner?

**Ms. Maria Barrados:** My term ended on May 20, but has been extended until December 31 or until a replacement is found.

The president of the public service is an appointment that has to be made with parliamentary support. We'll follow a process whereby a nomination is made by the Prime Minister. It will go to Parliament and will require a vote in both chambers before an appointment can be made.

**The Chair:** I understand you're juggling two jobs. You have some post-career plans, yet you're maintaining your old duties and doing a great deal of international travel. How are you managing?

**Ms. Maria Barrados:** I think I'm okay, except I have a bad cold. My husband has a different view.

For other members of the committee, one of the ideas I had as I was retiring was to spend some time working with the Mongolian government on their public service reform. This is a project supported by CIDA, our international development agency. I had thought that once I finished, I could let my successor do her thing and I would be out of the way. Unfortunately for me, I'm still doing my current job and there's a parliamentary agenda in Mongolia where they're trying to get their reforms through. So I've had to do a bit of travel while keeping in touch with the office back here. Mongolia is an interesting country, because it's situated between two large powers and it's working hard at being a parliamentary democracy.

**The Chair:** Isn't that interesting! Congratulations on that work and for the good work you've been doing for us, Madam Barrados.

We have questions now.

First, for the official opposition, Alexandre Boulerice.

[*Translation*]

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Good afternoon, Ms. Barrados. Thank you for being here today. It's most appreciated.

I'll stop complaining immediately about my travels between Montreal and Ottawa.

**Some voices:** Oh, oh!

**Mr. Alexandre Boulerice:** We've been talking a lot about staffing today, but I'd like to take the opportunity to talk about some data in the report of the Canadian Centre for Policy Alternatives. It talks about a phantom public service. I'd like to point out to what extent, despite the government's austerity measures or maybe even because of them, instances of contracting work out have not only increased in the past few years, but they have really exploded. Between 2005-2006 and today, the use of various consultants, temp services and management consultants has increased by 80%. It's in excess of \$5.5 billion in taxpayers' money. We're talking about a 100% increase over the past few years in four main services or departments.

In your opinion, should we, and the government, look at the issue of outsourcing? Is this a way of providing Canadians with the best services at the best cost? I'd also like to know whether you are concerned about the increasing use of subcontracting, in the sense that it makes it possible to circumvent all the rules of the hiring process and the rules of the Public Service Commission of Canada. In fact, these private companies aren't subject to the same bilingualism, hiring or staffing requirements. We are troubled by the massive use of outsourcing, particularly at Public Works, when we are being told to be careful with taxpayers' money.

What do you think about this explosion in outsourcing? Are you not concerned about it as a way to get around the rules of the federal public service?

• (1545)

**Ms. Maria Barrados:** Thank you.

During the last Parliament, there was a motion by this committee asking us to do a study of temporary work in the public service,

which we did. Elizabeth Murphy-Walsh was responsible for that study.

The result of the study showed some interesting things. First, it is not a staffing process, but rather a contracting process. The Public Service Commission is responsible for all staffing. This committee asked us to do a study, which we did. In my opinion, if it's something that works like a staffing process, we have the right to review it.

We found that there really is a lack of planning in this area and that there isn't enough control. We often have temporary workers who appear to be permanent employees. We have no information about whether these people meet the bilingualism and security requirements. This doesn't mean that people in the public service can't use this type of contract. It is appropriate if the job really is temporary.

At the PSC, we are very concerned if the process is being used not only for temporary work, but also for permanent work and is being used instead of a formal staffing process.

We haven't looked at the other sections that you mentioned. These are other contracts with professionals.

**Mr. Alexandre Boulerice:** Thank you very much.

[*English*]

**The Chair:** Be brief, please, Alexandre.

[*Translation*]

**Mr. Alexandre Boulerice:** We are concerned about the transmission of skills and the loss of expertise caused by outsourcing. The Duchesneau report, in Quebec, indicated that because the Quebec transport department was emptied of its substance, the remaining federal public servants were unable to evaluate contracts and bids presented to them by the private company and by subcontractors. Are you worried about this loss of internal expertise within the federal public service?

**Ms. Maria Barrados:** We are now in a situation where we are experiencing a significant change in the public service. Right now, I think we have managed it. We have hired employees to compensate for the departures. But for the future, we think that we must pay much more attention to planning to avoid problems related to a lack or a loss of skills. We also need to plan to ensure a good transition.

[*English*]

**The Chair:** For the Conservative side, we'll go to Mike Wallace.

You have five minutes, please, Mike.

**Mr. Mike Wallace (Burlington, CPC):** Thank you, Mr. Chair.

Madam President, thank you for coming. This is my first opportunity to talk to you. I've been here for five years but I haven't dealt with this report before.

I was a city councillor for 13 years in the city of Burlington. People often ask me what the difference is. For me, the fundamental difference is that we knew in city council knew the people who did the work at the city, but here we obviously don't know the thousands of public servants who do great work for Canadians across the country, including in my riding, where I've had them out doing seminars and so forth. I appreciate the work our civil servants do. They are often not as appreciated as they should be, but I appreciate your work on this.

I just have some basic questions because I don't know the answers to them. In your statement you said that merit was not demonstrated in some staffing files. Is there a good definition of merit? Should everyone in the system know what it means to set meritorious requirements? Do you make that definition? Does each individual department make that decision, or how does that work?

● (1550)

**Ms. Maria Barrados:** The Public Service Employment Act has a definition of merit. As most of you probably know, this act was put in force in 2005. There is actually a statutory evaluation of that forthcoming. It will probably come to this committee.

That piece of legislation says merit has two elements in it: one, essential requirements; and two, asset requirements, meaning other things or other organizational needs that might be required in filling that position.

The merit test is that the essential requirements are met. It is the manager, the people doing the hiring, who sets out what the essential requirements of the job are. Those essential requirements are set out by a department, by the manager. We expect these to be set out upfront so that everybody knows what the essential requirements are—you can't go and change them along the way—and that an evaluation be done against these essential requirements.

**Mr. Mike Wallace:** In some cases in your audits, you're finding that those criteria had not been set out. Is that what you are saying to us?

**Ms. Maria Barrados:** Yes. From looking overall at all of the audits this year, we're saying that in about 30% of the cases we really can't tell whether merit was met or not. It's small proportion, or only 5%. We can tell from the files that in terms of one of the essential requirements, merit wasn't met in these cases. But the preoccupation is with the 38% because we wonder, was it sloppiness? Often it can be. Was it haste? It can be. Or was it somebody who really didn't do a good job, and merit really wasn't met, and they didn't put anything in the file?

**Mr. Mike Wallace:** Okay.

My next question is based on your presentation today and your comment on the poor rationales for non-advertised appointment processes. Are there criteria setting out what needs to be advertised and what doesn't need to be advertised?

Then, can you give me an example of a non-advertised appointment?

**Ms. Maria Barrados:** The act provides for two ways of putting somebody in a job. It can either be by recruiting them from outside, or by promoting someone to a higher or different level in the public service. They allow these positions to be advertised, meaning that

the job post is put on the jobs website or on an internal website. It explains what the job is, and lets everybody apply who thinks they can apply. They also allow non-advertised positions, meaning that the job is not posted.

The commission prefers advertised positions, particularly when we're recruiting from outside, because I think we should have as broad a reach of Canadians as possible. In my view, these are good jobs, and everyone should be given a fair chance to apply for them.

But there are cases where it's acceptable to have non-advertised positions. For example, if you have run a process looking for someone for a specialty area and you have not been successful in finding a candidate meeting your requirements but then happen to find someone who meets your requirements, I'm fine with that kind of person being appointed unadvertised. I still expect you to document why you've done that.

About 26% or 27% of recruitments are unadvertised, and I want a good, clear explanation as to why people think it's justified to go with an unadvertised position, because my preference and that of the commission is to have these positions advertised.

**The Chair:** Mike, I'm afraid your time is up.

We have Mathieu Ravignat for the NDP.

**Mr. Mathieu Ravignat (Pontiac, NDP):** Thank you for being here, and thank you for your work. It's of immense value to us.

I have two principal concerns that I'll address today. One of them is the capacity to actually offer services to Canadians in a certain context—but I'll come back to that later.

Right now I'd like to address the part of the report that talks about patronage appointments. What worries me is the lack of clarity in the report on our being able to measure and handle this issue.

You mention in the report that 37% of people indicated they weren't aware of their rights and responsibilities with regard to political involvement. I'm familiar with part 7 of the Public Service Employment Act, but wonder if you could speak to whether or not it's an issue with the act itself, or if it is a simple issue of awareness.

I might have some sub questions.

● (1555)

**Ms. Maria Barrados:** The issue that I raise in this report is the lack of awareness.

There are two parts to part 7. One is the process if you want to become a candidate and run for election; the other is for other political activity. In other documents, I have questioned whether the definition is perhaps too narrow, because political activity is activity in support of a political party. You could have activity that is in support of an issue that, de facto, becomes partisan, but not necessarily in support of a political party. Right now the act defines it in terms of support for a political party.

**Mr. Mathieu Ravignat:** We know there are some issues that have come out recently, particularly with patronage at the IRB, and you mentioned in the report that there might be some issues at the Atlantic Canada Opportunities Agency.

Could you tell me what is being undertaken right now to respond to those two instances of blatant patronage?

**Ms. Maria Barrados:** The set-up of the Public Service Commission—which is very unusual, in that we don't take directions from ministers on the appointment process—is meant to keep ministers out of the appointment processes. So we operate through our audits and our monitoring, and we take complaints.

In the case of the IRB, when we did an audit in 2009, we were concerned by the fact that people appointed through Governor in Council appointments were finding their way into the core public service. Those appointments are made by a minister through a Governor in Council process without independent scrutiny. We continue to do audit work in the IRB, and there have been no more appointments like that. So we did see them in the past, but we haven't seen any appointments like that since then.

In the case of ACOA, we've had a number of complaints. When I get complaints, I send them to my investigative unit. So regardless of who has sent the complaint, it goes to my investigative unit, which consists mostly of lawyers. They will look at a complaint and consider whether it is in our jurisdiction, that is, whether or not we are responsible for the entity; and whether there is an appointment or something that we can potentially correct.

**Mr. Mathieu Ravignat:** That's very interesting.

I just have a really quick question for you.

Given the lessons from these cases, what other tools do you need to ensure that these don't continue?

**Ms. Maria Barrados:** We do a full investigation. What my office needs and is getting—so I have no reason to make any kind of complaint—is the ability to maintain the capacity to do these investigations and to continue making its reports to Parliament. It is very important that we maintain the link with a committee like this so that if I get resistance from the system, I have a place I can go.

**Mr. Mathieu Ravignat:** Thank you.

**The Chair:** That pretty well wraps up your time, Matthew.

On the Conservative side, we have Scott Armstrong.

**Mr. Scott Armstrong (Cumberland—Colchester—Musquodoboit Valley, CPC):** Thank you, Chair.

Thank you for being here. I listened intently to your presentation, and I have a few questions.

First of all, I'll go back to the issue of merit. My background is in education. I was a school principal, and when we hired, we had to look at seniority. So could you tell me how the public service balances seniority within the system versus merit? How is that set up?

• (1600)

**Ms. Maria Barrados:** We don't look at seniority per se. In the merit statement, the statement of what is expected, we expect people to make a statement about the kind of experience they might expect to see. That would be the only way we would deal with seniority.

**Mr. Scott Armstrong:** Are you satisfied that this is an effective way? To me, we need to ensure that the best person gets the job, not the person who might have been around the longest.

**Ms. Maria Barrados:** We have done an assessment of the act, and I am satisfied that this is a good tool. We don't have quite enough experience yet with making it work; hence, my comments about areas I think should improve.

I think we have to do a lot more work with it before we start changing it.

**Mr. Scott Armstrong:** I appreciate that.

You said that you didn't recruit as many younger people into the public service last year but that you also had a drop in the overall number of employees in the public service. Was it the first time this has happened in a while, or the first time ever? How far back does this date?

**Ms. Maria Barrados:** It was the first time in 10 years.

**Mr. Scott Armstrong:** It was the first time in 10 years that the public service didn't grow.

With regard to the lack of recruitment of younger people, if you're hiring people based on merit, wouldn't you have an opportunity to bring younger people in anyway, because they wouldn't be blocked out?

**Ms. Maria Barrados:** We make a special effort to bring people in at the entry level, so it's a function of how many jobs there are at that entry level. Because people in the public service tend to spend their careers there—though not necessarily in the same job—it's very important that we keep that flow of young people coming in.

**Mr. Scott Armstrong:** I'm going to talk a bit now about political activities by employees of the public service. We're all involved in politics here.

People are confused. There's confusion within the public service, both at the provincial and federal levels, about what they're allowed to participate in and what they aren't. For example, can they put up a campaign sign on their lawn if they're a member of the public service but their spouse may not be? Their spouse may want to put up a sign, but they often say they can't put one up because they're a member of the public service.

Does that also apply to provincial parties when there's an election going on? Can you flesh that out, because I know there is confusion out there?

**Ms. Maria Barrados:** I will get H el ene to add to this.

Yes, there is uncertainty with it. We had a Supreme Court ruling that said that public servants, as citizens, still have rights to be politically active, but that they must do it in such a way they don't compromise the non-partisan nature of the public service. It comes down to where you are in the public service, how much work you do with ministers, what your profile is, what your responsibilities are. Something that might be quite acceptable for a more junior officer in an operational department would not be acceptable for a junior officer in the Privy Council Office, and it would not be acceptable for a senior person.

H el ene, maybe you would want to talk about our tool on the website, as well as some of the complaints that we've had.

**Ms. Hélène Laurendeau (Senior Vice-President, Policy Branch, Public Service Commission of Canada):** As Madam Barrados pointed out, when it comes to determining whether political activity is appropriate or not, it's a matter of an assessment and balancing act that needs to be done between the clear obligations at the very senior level—limited to the right to vote, for the deputy minister, for example—and what is appropriate given the circumstances of someone's employment and the types of activities they're involved in. It could include provincial and federal activities, but it's more about the level of influence there may appear to be, or a threat, if you wish, to the impartiality of the public service.

The assessment will be made. We do that by assisting public servants to do a self-assessment of their own activities in the same way that it would be done, to a certain extent, for conflict of interest. You are entitled to have outside activities. You're even entitled to do things on your own, but you always have to be mindful as a public servant of the impact these activities may have, or whether you leave yourself open to an inappropriate form of influence.

The test is similar for political activity. We have a self-assessment tool on the website, consisting of a series of questions asking public servants about the types of activities they are doing professionally, in contrast to the ones they would like to do as a citizen.

We have received a couple of complaints about it. Some of the bargaining agents told us that they felt it was overly limiting. It's not a compulsory tool, but a guide, like any other information we put on our website, to try to raise awareness among public servants about what it means. We are in the process of reviewing that tool, taking into consideration some of the comments given to us.

•(1605)

**The Chair:** Thank you, Scott. That concludes your five minutes.

We go to John McCallum, for the Liberals.

**Hon. John McCallum (Markham—Unionville, Lib.):** Thank you very much, and thank you all for joining us today.

Going back to the question of merit that was raised at the beginning, did you call them core requirements?

**Ms. Maria Barrados:** Essentially.

**Hon. John McCallum:** You said a set of core requirements should be established, and during the process of looking for the person those core requirements should not change.

Presumably, if they do change, then it is no longer meritorious?

**Ms. Maria Barrados:** If they do change, you have to start again.

**Hon. John McCallum:** That would apply, for example, if one of the core requirements was to be bilingual, and then they hired a person who wasn't?

**Ms. Maria Barrados:** The way we operate in the public service is that the language requirement is an essential requirement. Whatever the requirement of the job, it has to be an essential requirement. If you don't meet the language requirement, you don't get the job.

**Hon. John McCallum:** I know this doesn't come under your jurisdiction, but the reason I mentioned it is that in the recent search process for the new Auditor General, the job was described as

requiring a bilingual person, and the person who is about to be hired is not bilingual.

Presumably that does not come under your jurisdiction.

**Ms. Maria Barrados:** We are not responsible for the Governor in Council appointments.

In the five-year assessment that the Public Service Commission did of the legislation, we put forward the views of the last commission on where we thought there was potential for change and improvement. One of the areas we flagged was the Governor in Council appointments, because that is an area where most western countries have instituted some other kinds of process. We have put in place a public appointments commission, which hasn't really been used. Our recommendation was that it was important to have more scrutiny of these appointments and the process around them.

**Hon. John McCallum:** Thank you.

I want to change the subject now.

When we did an expenditure review back in 2005, my perception was that there was a regional bias in the public service. Other things being equal, if there were more people to be hired, it would be in the national capital region; and if there were people to be fired, it would tend to be in the regions. So we used what we called the gender lens to try to overcome this bias.

I notice from your report that in the last year, the proportion of the public service in the National Capital Region has indeed gone up. I think I read somewhere that it has been rising generally since about 2006. Is that correct?

**Ms. Maria Barrados:** You are correct. The proportion of public servants in the national capital is now around 40%. In the nineties, I think we were at about 30%.

I'm not sure I can pin down the dates, but I will get back to the committee and give you the numbers as to what the proportions were over time.

**Hon. John McCallum:** I would very much like to see that.

Do you think there is a bias against the regions, or do you think for some reason it is appropriate that the share coming to the National Capital Region goes up over time?

**Ms. Maria Barrados:** Well, it's a challenge. We want a representative public service, we want a public service that reflects the total population, and so I'm concerned about employment equity. We want to make sure that we represent the whole country in everything we do.

It is government that decides where they locate different functions. Policy decisions are made as to whether something is located in one place or another. Once those decisions are made, my remit is really to talk about the processes we use to get the people there.

**Hon. John McCallum:** How much time do I have?

**The Chair:** You have 30 seconds.



**Hon. John McCallum:** I wonder if you can provide a time series, not only for the location but also for the executive versus non-executive members of the public service. Has that been going up over time?

• (1610)

**Ms. Maria Barrados:** Yes, it has. We put the last numbers in our report. Usually the proportion of executives positions grows, with a little bit of a lag, compared to the rest of the public service. So we've seen quite a bit of growth, and the executive group has grown in the same proportion, with a bit of a lag.

Now we've seen a slowing down, and the executive group continues to grow. It is the group, however, that has the highest rate of departures. I don't know whether the planning hasn't quite caught up, so I'm cautioning people about this. They are looking for replacements and continuity. I'm not sure if this is a long-term trend, but in the last little while, it has grown more. The public service has hardly grown, but this group has grown.

**The Chair:** Thank you, Madam Barrados.

Jacques Gourde, you have five minutes, please.

[*Translation*]

**Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC):** Thank you, Mr. Chair.

Thank you, Ms. Barrados, for being here today. I'd like to congratulate you on your leadership, and for taking the time to work for another democracy and testify so that people can benefit from your experience and expertise. As Canadians, we are happy to have high calibre people who can share our knowledge with other societies. I think it's commendable and I wanted to mention it.

This isn't the first time I have seen you appear before the committee. You have always made me aware of the fact that the retirement of many public servants, given the age groups, may cause problems in the public service because these people have a lot of expertise, which vanishes when they leave.

Can you tell us about the situation now and for the next few years, and give us an overview of the number or percentage of public servants who may be leaving?

**Ms. Maria Barrados:** Thank you for your comments.

Yes, we are in a period where the baby boomers are in the process of retiring. The rate of departures due to retirement is holding. The retirement rate is currently 3.7%, which has remained almost the same for the past five years. The retirement rate for the executive group is about twice as high. It was higher for some time. There is a little variability there because the numbers are much smaller. I think we will see this same trend for another three years.

**Mr. Jacques Gourde:** Unless I'm mistaken, about 10% of our public servants will retire at a rate of 3.5% or 3.7% per year. Out of necessity, it seems that these people are going to leave us.

Among the people who work for the Canadian public service, will we find the expertise we need to replace all this knowledge that is going to leave or will we need to recruit outside the public service to compensate for the lack of expertise in certain areas? Regardless, do we have programs within the public service to round out employee

skills so that employees might need only training or an additional six months of experience to take on these positions? Or will we have to recruit outside the public service?

I'm concerned about what you just said.

**Ms. Maria Barrados:** Yes, that's a concern.

I am not responsible for training within the public service. We are now entering a period of budgetary cuts. During that period, we will have to try to use the priority program to fill vacant positions by first recruiting public service employees with the required qualifications.

I know that we still have to train people, but I believe that it will be important to continue with targeted recruitment to ensure having the kind of expertise we need now and in the future. That requires solid planning.

• (1615)

**Mr. Jacques Gourde:** Thank you very much.

That's all for me, Mr. Chair.

[*English*]

**The Chair:** Thank you, Jacques.

Denis Blanchette is next for five minutes.

[*Translation*]

**Mr. Denis Blanchette (Louis-Hébert, NDP):** Thank you, Mr. Chair.

Ms. Barrados, when you read your statement, the terms you used gave me the impression that there was some loss of control in terms of merit management. It's as if you were gradually becoming less and less able to verify and apply the merit rule. Is that really what's happening?

**Ms. Maria Barrados:** No, I don't think so. Actually, we have seen an improvement in how merit is assessed. However, I complain because we still have cases where that assessment is unclear.

**Ms. Hélène Laurendeau:** In fact, we are seeing an improvement in how managers perceive their merit assessment obligations. That said, a few signs indicate that there is still room for improvement.

Although there is still a percentage of cases where merit is not demonstrated, we have nevertheless increased the number of investigations to try to take corrective measures within departments. Those investigations are administered by deputy heads.

So, examining that information enables us to determine whether progress has been made. Nevertheless, we must also mention that there is room for further improvement. In an ideal system, we would have a much lower rate of demonstrated merit.

That is why we must continue working and reporting on what comes up in our audits.

**Mr. Denis Blanchette:** That's a bit surprising to me because, normally, fairly rigorous procedures are followed in public administration. Yet, we are being told that it is currently difficult to implement the process itself.

**Ms. Maria Barrados:** Five years ago, a major amendment was made to the legislation. The system was completely overhauled. As Ms. Laurendeau said, we have seen some progress. However, there are still issues to address when it comes to applying that definition and assessment standards.

**Mr. Denis Blanchette:** We know that many job cuts are forthcoming through attrition and that the government wants to reduce the size of the public service. Against such a backdrop and with the knowledge that, of course, all departments and organizations will be required to provide the same service, the government will be under pressure to quickly hire people.

Do we not risk short-circuiting the merit process to achieve a result as quickly as possible?

**Ms. Maria Barrados:** Yes, that is always a risk. When the amendments to the legislation and new approaches started being enforced, the Public Service Commission was responsible for a number of staffing services. We have talked about what we would do with those services. In the end, we decided to keep them. That way, employees from various departments could use them so that things could be done properly. In addition, all the tools for carrying out the process correctly would be made available.

**Mr. Denis Blanchette:** Thank you very much.

[*English*]

**The Chair:** You have about one minute left.

[*Translation*]

**Mr. Denis Blanchette:** I have one minute left. That is just enough.

I have a question about something else. One of the key things in any organization is clearly its age pyramid. Actually, for staff renewal purposes, an organization must ensure that it has enough employees of every generation, so that expertise can be transferred from one generation to another.

Is the public service's age pyramid adequate in terms of that, or are we beginning to see holes in certain areas?

• (1620)

**Ms. Maria Barrados:** For the first time, we are seeing a decrease in the proportion of people under the age of 35. Actually, that is one of my worries. In the past, we have noticed that Canada's public service was aging. Employees are currently retiring. When a reduction in that young population becomes apparent, it is a sign that we need to be careful.

**Mr. Denis Blanchette:** In that case....

[*English*]

**The Chair:** Thank you, Denis. That's well over time now.

Ron Cannan, for five minutes, please.

**Mr. Ron Cannan (Kelowna—Lake Country, CPC):** Thank you, Mr. Chair.

Thank you, Commissioner Barrados. We appreciate your seven years of service, and maybe we need to clarify the definition of temporary in regard to your extension, because income tax was temporary as well.

**Some hon. members:** Oh, oh!

**Mr. Ron Cannon:** We know it's hard to find good people like you, so we thank you for your years of service to our country.

I appreciate your report. Just reading through it, I noticed significant progress has been made but there's also more to be done, which is often the case. In your seven years of service, how many different organizations have you audited? There are 82 altogether, you said.

**Ms. Maria Barrados:** Yes, we have done a number. We have 82. We're in a cycle. Elizabeth is doing the calculation for me.

We are trying to do a seven year cycle—five to seven years—to make sure we visit every organization in that period of time. We're in the third year.

Elizabeth?

**Ms. Elizabeth Murphy-Walsh (Vice-President, Audit and Data Services Branch, Public Service Commission of Canada):** It is 23.

**Ms. Maria Barrados:** Elizabeth tells me we have done 23.

**Mr. Ron Cannan:** Is it fair to say it's getting better as you go through each year?

**Ms. Maria Barrados:** Yes, it is. But I have to say as well that if we think you are an organizations that has some issues and we think there is higher risk, we will put you to the front of the line. So you would expect the earlier ones to actually have had more difficulty.

**Mr. Ron Cannan:** I appreciate the fact that we're working with the most qualified and are talking about merit, not just necessarily seniority.

One issue that concerns me is the decline in external appointment rates for persons with disabilities. What have you recommended to address that issue?

**Ms. Maria Barrados:** One of the things we tend to forget when we are looking at the public service—and I'm always looking for improvements—is how well regarded we are abroad. We have a very fine public service and can be very proud of it.

This is the second year I have seen and remarked on this. We have four employment equity groups and we've done quite well with three, but the fourth—persons with disability—we haven't.

I think we have to take lessons from how we've done things with the other groups, and that means we have to start a lot of discussions about this. My staff has done a literature review and looked at the experience of others. We do have to make a more concerted effort to reach out to them through job fairs and other special efforts, because not only are we not hiring them but they're also not applying in the proportions that we would like to see.

**Mr. Ron Cannan:** I used to be on the HUMA committee and Minister Finley's ministry has dedicated additional resources specifically for accessibility and helping persons with disability. I applaud that initiative.

When you mentioned that our public service is highly regarded externally, you reminded me of a speech that I read not too long ago that Minister Flaherty gave to the Ivey School of Business at the University of Western Ontario. He said that public service was good for you. It brought him back to when he was in university and a speech that Robert Kennedy had given Princeton, which talked about the importance of giving back to your country and the patriotic perspective, explaining that public service was good for you and would give your lives a greater impact on others in your country.

You referred to job fairs. Are we reaching out and getting some of those energetic, educated, and youthful new hires from the universities and colleges across Canada?

**Ms. Maria Barrados:** Yes, we are. We run FSWEF, the federal student work experience program. We brought in 8,000 students. We also have a co-op program that we run, through which government brings in people. We have post-secondary recruitment, and even though that number is down—a year before we had 1,600—we still hired 1,200. Now the numbers are lower, but I am strongly encouraging government, regardless of the kinds of pressures on the budget they may face, to continue with their plans to allow for some inflows of these young people. We need them for our continuity, we need them for their energy, and we need them for the kind of expertise they have. They know about technologies that I can't begin to understand. Imagine computing with clouds. I think we need that kind of expertise.

• (1625)

**Mr. Ron Cannan:** Thank you very much. I agree.

**The Chair:** Thank you, Madam Barrados.

Ron, that concludes your time.

Alexandre Boulerice.

[*Translation*]

**Mr. Alexandre Boulerice:** Thank you very much, Mr. Chair.

Despite Mr. Cannan's reassuring remarks, I want to share some concerns.

Our friends from across the table generally have little regard for public services and the civil service. They have even announced \$11 billion in cuts to public services over the next three years. That will result in a significant and unfortunate loss of jobs.

I want to point out that it's unrealistic to believe that reducing the size of government will help Canadian taxpayers save money. Just one example is that, over the last five years, the payroll of Human

Resources and Skills Development Canada has decreased by 4%. Meanwhile, the number of contracts awarded to subcontractors has skyrocketed by 242%. Money paid to subcontractors has gone from \$35 million to \$120 million. Therefore, we have to look at all the expenses and not just the number of jobs cut or the reduction in payroll. More than just service quality would be compromised.

Do you feel that the increased use of subcontracting services usually involves a risk in terms of transparency in the federal public service?

**Ms. Maria Barrados:** I think that the most important thing is that all managers and departments to carefully plan their workforce, regardless of whether the employees are permanent, temporary or contract. All of those types of employment can be justified, but there needs to be planning. I would not like for the use of contracts or temporary services to become a way to recruit people. A proper and suitable process should be used.

**Mr. Alexandre Boulerice:** Thank you very much. Your answer is very clear and specific. I think that we share that concern. Does the internal planning of expertise renewal in the federal public service seem to be improvised? If so and if there is also little respect for merit principles that apply to promotions and staffing within the federal public service, do you think that we are opening the door to favouritism, arbitrariness or even nepotism in those areas?

**Ms. Maria Barrados:** We have noted that, when important legislative changes take place, there is little planning involved. We recently assessed human resource planning and have once again noted an improvement. In that report, I indicated to the departments that, during a period of budgetary cuts, it's even more important to do that planning. The recruitment will have to be done in a very strategic way. In addition, some flexibility in terms of staff will be required. In fact, the public service must follow the minister's guidelines. That is its role. However, that must be done in a fair way and in accordance with the requirements of the legislation.

**Mr. Alexandre Boulerice:** How much time do I have left?

[*English*]

**The Chair:** You still have one and a half minutes.

• (1630)

[*Translation*]

**Mr. Alexandre Boulerice:** The Commissioner of Official Languages noted a number of shortcomings when it comes to services provided by the federal public service in both official languages to Canadians who ask various departments questions or contact them. Those shortcomings are not only in terms of Canadians being able to speak to someone in the official language of their choice, but also in terms of the answers received by email and the e-mail response time.

Do you think there is a guideline from the government, especially when it comes to staffing, to correct the problems raised by the Commissioner of Official Languages? Is there such a concern? Does the government want to resolve those issues?

**Ms. Maria Barrados:** It is my experience that an effort is being made to make all services available in both languages. The Public Service Commission of Canada is in charge of language proficiency tests. We are very concerned about the success and pass rate of those tests. In addition, the tests have been changed. A major issue we must address is modernizing the way those tests are administered. All those efforts show a true commitment.

[English]

**The Chair:** Thank you, Madam Barrados. Thank you, Alexandre. Brian Jean.

**Mr. Brian Jean (Fort McMurray—Athabasca, CPC):** Thank you, Mr. Chair.

Thank you to the witnesses for attending today. I appreciate it very much.

I was reading that you have a political activities self-assessment tool. I'm just wondering how many pages it was or how many questions it has.

**Ms. Hélène Laurendeau:** I couldn't give you the exact number of questions or even the number of pages. It's web-enabled, so it works through a series of questions and sub-questions. Depending on how you answer, some questions will lead you to others.

**Mr. Brian Jean:** So it's possibly 20 to 40 questions?

**Ms. Hélène Laurendeau:** Yes, it's something along those lines.

**Mr. Brian Jean:** Are there lots of tools like that available in the public service?

**Ms. Hélène Laurendeau:** Do you mean for political activities?

**Mr. Brian Jean:** No, I'm thinking of relocation assessment tools, and sexual harassment assessment tools. I know that some private corporations have those kinds of forms and a lot of different questionnaires.

**Ms. Hélène Laurendeau:** That's a good question.

As far as I know, for the Public Service Commission, that's the only type of tool we have of that nature. There might be others elsewhere, but they're under the responsibility of other departments.

**Mr. Brian Jean:** Okay. Thank you.

You also mentioned there is a breakdown to reflect the representation of Canadians in the public service.

Does that mean that...? For instance, I'm from northern Alberta and, frankly, I don't know of many federal government employees there. In fact, I probably could name five or six employees I've seen in 186,000 square kilometres in northern Alberta, in my constituency.

Since we're 10% of the population in Alberta, would that be reflected in the public service as 10% of the public service?

**Ms. Maria Barrados:** We actually do have a breakdown in the report. We have a map and the number of applications and the number of positions by province. So we have that information.

I must say, though, that Alberta is one of the areas where we've had more challenges with bringing people in, because of your very hot labour market. It's a very competitive labour market.

But that information is all in the report.

**Mr. Brian Jean:** Would the ratio be anywhere close to being reflective of the population?

**Ms. Maria Barrados:** I think we're pretty well aligned, but I'll do the calculations for you and get back to you.

**Mr. Brian Jean:** I'm just curious about this. Since most of my constituents are from Newfoundland, would it be fair to say they would be reflected adequately in Fisheries there? There seem to be a lot more federal government employees in a place like Newfoundland and Labrador. Would that be fair to say?

**Ms. Maria Barrados:** Well, you have two things there, right? First, the federal government has allocated the jobs in something that reflects the population. I have a chart that gives me the number of federal public servants in each region and the number of staffing activities.

What I don't have is whether that number of jobs is reflective of the population of the province.

**Mr. Brian Jean:** Do you suppose I could get that—

**Ms. Maria Barrados:** Yes, I'll get that for you.

**Mr. Brian Jean:** —calculated out per province? And could you get that to the chair, if you don't mind.

**Ms. Maria Barrados:** Sure. I will.

**Mr. Brian Jean:** Mr. Chair, since I'm not a normal committee member, I would appreciate that being forwarded to my office.

**The Chair:** Absolutely.

**Mr. Brian Jean:** I'm also curious to know if you do audits of efficiency and costs compared with other countries' public services, such as other Commonwealth countries?

• (1635)

**Ms. Maria Barrados:** We have actually tried to do comparisons of the staffing processes and we tend to use, as a proxy, time to staff. So we will do comparisons on time to staff, and that gives an indication of how long it costs. That's not been terribly successful. The reason for that is there are a lot of differences, even though we're Commonwealth countries, that make it not a meaningful comparison.

**Mr. Brian Jean:** I do understand that, but to be fair, are we high or low on that comparison level in a general sense? In Canada where do we fit with respect to our cost in the public service and our efficiency?

I have one final question, and I know the chair's going to cut me off if I don't get that question in beforehand—

**The Chair:** You have 45 seconds, Brian.

**Mr. Brian Jean:** Thank you.

I would also like to know if the language requirements in French and English are at same level of competency for bilingual people, for instance. I have heard about people going to French training in Saint-Jean several times. I've heard it's very difficult to be at a French competency level, depending on the level they're supposed to acquire. But I've told to people that it is not the same for English, and I'm just curious about your understanding of that. Is it the same level of proficiency of communication?

**Ms. Maria Barrados:** First, on where we stand on the comparison of cost effectiveness, I think we're pretty close to the experience in the United States. I think the Australians are faster than we are, but they—

**Mr. Brian Jean:** In time to hire or...?

**Ms. Maria Barrados:** Yes, on time to hire. But they have a more decentralized approach to what they've done. I think if you make comparisons with countries like India, you will find they're completely on a different scale. We're talking about years.

The EU, for example, was taking a long time and came to us to learn how to do it, and is actually putting systems in place that are like ours.

**Mr. Brian Jean:** And the language question?

**Ms. Maria Barrados:** On the language question, I have a group of specialists in the psychology assessment centre who assure me that the level of language proficiency, whether for English or French, at the CBC level is the same. So the language competency required for English or French at a B level is the same.

**Mr. Brian Jean:** Thank you very much.

Thank you, Mr. Chair.

**The Chair:** Thank you, Brian.

We go to the Liberals, and John McCallum, again.

**Hon. John McCallum:** Thank you.

I hope you don't mind my asking a question based on a short conversation we had before the meeting. At that time you said that in the case of the appointment of any officer of Parliament, if there weren't consensus among the parties, it would be bad for the office. I didn't have time before to ask you why. What do you mean by it being bad for the office?

**Ms. Maria Barrados:** I can only talk about my own experience and my views of the Public Service Commission. I've been appointed through a parliamentary process. I was nominated by the Prime Minister. I believe it was Prime Minister Chrétien at the time and, subsequently, Prime Minister Martin, because I was interim. It's very complicated. I finally got a vote and full support of all the parties.

In my job, I think it's really important for me to have the support of all parties, because I have work to do. I need to be able to have relationships with both sides of the House and, certainly, I've been in my position long enough that the sides and the seats have changed. So it's a good thing that I had good a relationship with the opposition at one time, because it became the government.

That's the nature of the comment I made, that for me to do my job it's really important that I have the support of all members of the House.

**Hon. John McCallum:** So in your case the first time was with Mr. Chrétien and the majority government then, but you still had the support of all parties.

**Ms. Maria Barrados:** Yes.

**Hon. John McCallum:** Okay.

This is purely of academic interest.

**Some hon. members:** Oh, oh!

**The Chair:** Very interesting.

**Hon. John McCallum:** I'll leave it at that. Thank you very much.

**The Chair:** Okay.

Thank you, John.

Bernard Trottier, you have five minutes.

**Mr. Bernard Trottier (Etobicoke—Lakeshore, CPC):** Thank you, Mr. Chair.

And thank you to the guests for coming in.

Going over your remarks, I see a lot of very positive language. You say that managers are doing a better job, overall merit is being respected, management of staffing continues to improve, and you see positive trends in hiring strategies, and that there's better support and improved HR capacity.

Can you give us a sense of the timeline, because I note a trend over time that things are getting better. Are there periods of time when things have shown a really marked improvement and times when things have slowed down? In your seven years, what's been the trend, if you could describe it more?

**Ms. Maria Barrados:** There was a big change in the legislation in November 2003, probably the largest change we'd seen for about 30 years, with the Public Service Employment Act. It came into force piece by piece. So it didn't come into force all at once. It came fully into force in December 2005.

So my comments dating from that period of December 2005—beginning on January 1, 2006, if you like—are in regard to how all of those changes were put into place and the kinds of progress we've been making. And we are making progress. I feel there is responsiveness on the part of the public service and that there are real improvements, as I've outlined. I also go on to say, of course, that I'd like to see further improvements. But there are real improvements.

● (1640)

**Mr. Bernard Trottier:** It's a pretty good story. You mentioned that compared with the public service in other countries—to the extent that you're able to make those comparisons—it's actually a pretty good story here.

Where I see a chasm is when you talk about 25% of people within the public service not feeling that the system is fair. Could you explain that difference, that perception, that chasm? It's a pretty good public service, at least from a fairness and equity point of view, and yet there is not a perception that things are fair.

**Ms. Maria Barrados:** This is a preoccupation. We've spent some time looking at that. We asked people if they think the staffing processes they were involved in were fair. People who haven't won a competition tend to be more likely to think it wasn't fair than the people who won. That is probably not a surprise. But you would want people, even if they didn't win, to feel they had been in a fair process. Some people who didn't win say it was fair.

In an effort to try to be more efficient, people are doing a lot of collective processes. For example, we had 3,000 postings on the job website. But there were actually many more jobs, because one posting leads to more jobs. And people are quite frustrated with that: They find that they're not sure what is happening, that it's taking a long time, and they're worried about how fairly they are treated. So we have to do better in providing information.

**Mr. Bernard Trottier:** Thank you.

**Ms. Maria Barrados:** Information to people seems to be a factor. Sometimes they're not getting the information on how things are going and where they are in a process. People outside the government are not complaining as much as people in the government.

There are a number of things we're looking at. We'll do some more work to see if we can make improvements.

**Mr. Bernard Trottier:** When we talk about hiring and being hired for new positions, it speaks to the issue of managing a career path within a large organization. In a large organization that's not growing, it can become especially frustrating not to get those promotions. If you think of the organization as pyramidal in shape, over time that pyramid has to be maintained. Otherwise, if it inverts it's too expensive and overly top heavy.

Are there things that the public service is doing better with respect to providing people with opportunities? Maybe this could be done through a series of lateral moves that keep jobs interesting and keep people motivated and give them learning opportunities—even though they aren't being promoted all the time. Are HR practices being put in place to satisfy some of those needs that people have in the public service?

**Ms. Maria Barrados:** The public service in this respect is different from a lot of private organizations. We are a position-based system where the jobs are advertised. So employees can apply for other jobs and move themselves. In fact, I was complaining at the committee last year that there was too much movement in the system; I thought it was becoming unstable, because of the rate at which people were moving. That has slowed down.

So we do have a system where people can move themselves, if they're qualified. In addition, all managers will work with their employees and develop a training plan and talk to them about things they could learn, or about other opportunities. You can move people at the same level without a competitive process. So that's another thing that is going on in the public service.

It's true that the growth has slowed down, but we still brought in about 15,000 permanent and temporary term workers. Those were replacements so you had about that number of people going out. So there is still movement in and out.

**The Chair:** Thank you, Madam Barrados. That actually completes our second round of questioning, and I hope the committee members feel they've had ample opportunity to grill you on your report.

While you're still with us here, I want to say that this will probably be the last annual report you file before Parliament. I, too, want to say how much we on this committee have appreciated our long relationship with you. I remember your service even prior to that in the deputy position, I believe.

• (1645)

**Ms. Maria Barrados:** It was Assistant Auditor General.

**The Chair:** Yes, you were in the Auditor General's office. Many of the MPs wouldn't have known you in that capacity, but we've been well served by you for many, many years in Parliament.

We wish you every success and happiness in the next stage of your career, whatever interesting things that may bring. So thank you again.

If you have any closing remarks, we'd be happy to give you a moment or two to conclude your presentation today.

**Ms. Maria Barrados:** Thank you very much, Mr. Chairman, and thank you for those very kind words.

The Public Service Commission is preoccupied with a lot of work that's inside government. But it is a really important organization to protect the integrity of our staffing system and the non-partisanship of the public service, which I think we very rightly can be very proud of.

As I leave, I would encourage this committee to keep its connection with the Public Service Commission and to be available to it, if the commission has issues it wants to bring forward to you. Certainly you will have the opportunity to look at the five-year review and assessment of the government, and there's our report on proposals for potential statutory change. I'm sure the commission will be coming out with other reports the committee may find of interest.

**The Chair:** Thank you very much, Madam Barrados. We enjoyed that presentation very much.

The meeting is adjourned.

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