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Chair

Mr. Pat Martin

Standing Committee on Government Operations and Estimates

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• (1530)

[English]

The Chair (Mr. Pat Martin (Winnipeg Centre, NDP)): We will call to order the 25th meeting of the Standing Committee on Government Operations.

Today we will be reviewing and assessing the nomination of Anne-Marie Robinson for the position of president of the Public Service Commission of Canada, which was referred to the committee on February 3, 2012.

Mr. Wallace.

Mr. Mike Wallace (Burlington, CPC): As you know, Mr. Chair, there is a potential for votes this afternoon. We would like to deal with our commissioner candidate today, which would be great. So we are willing to give up our first time slot to the Liberals to make sure they have an opportunity to speak and ask questions; then we'll go back to our regular round—so NDP, Liberal, NDP, then back to us, and we'll see what time we have after that.

The Chair: Thank you, Mr. Wallace, for the spirit of cooperation in light of the truncated timeframe we have. We want to give ample time to Ms. Robinson to introduce herself to the committee, and that would leave us with one round for the Liberals, one round for the Conservatives, and two rounds for the NDP.

If the bells should begin to ring, we really are duty-bound to quickly put the matter to a vote and conclude the meeting at that time.

Are we in agreement?

Hon. John McCallum (Markham—Unionville, Lib.): If they are 30-minute bells, won't the bells start in 15 minutes?

The Chair: They are 30-minute bells. We're reluctant to set the precedent of going beyond the bells, although with unanimous consent of the committee, we can do it if we want.

Seeing as we're dealing with not a very controversial matter, it may be the will of the committee to go beyond the bells for a few minutes while we deal with the matter, but we would like to conclude the matter in this one committee meeting.

Having said that, we don't want to waste any more time. We will welcome Ms. Anne-Marie Robinson.

The floor is yours, and welcome.

[Translation]

Ms. Anne-Marie Robinson (Acting President, Public Service Commission of Canada): Mr. Chair, honourable members, thank you for your invitation.

I am pleased to be able to discuss my nomination as president of the Public Service Commission of Canada—a unique institution with a remarkable history.

[English]

More than 100 years ago, Parliament passed legislation creating the first permanent commission responsible for safeguarding merit and non-partisanship in the federal public service. Under the Public Service Employment Act, my nomination as president requires the approval of both the House of Commons and the Senate. I value this meeting as an important part of the process. I also went through an exhaustive selection process, which I would be pleased to discuss today with the members.

I'm honoured to be recommended for this position, and if I am confirmed, I look forward to bringing to my work a deep respect for Parliament, a good understanding of the Public Service Commission, and a good understanding of human resource management.

I also bring my recent experience as a senior executive in a large operational department and a profound sense of pride in the work I do on behalf of Canadians as a public servant. I also am committed to excellence and looking for innovative ways to continually improve how the commission fulfils its mandate, and I'm both humbled and happy to have the opportunity to return to the commission.

My first job at the commission was director general, policy, at a time when we were moving forward with policy initiatives to modernize human resource management in the public service. I'm proud to have supported Parliament's work on the legislative reforms that eventually became the current Public Service Employment Act in 2003. Those changes had significant impacts on the Public Service Commission.

When I later became vice-president of the corporate management branch, I was pleased to help develop the stronger oversight role in a fully delegated staffing system, a new political activities regime, and a new approach for the delivery of its staffing and assessment services.

The commission put in place corporate systems and structures to support this transformation—for instance, in the areas of communications, governance, and protocols for reporting to Parliament. I worked closely with Mrs. Barrados in building these systems, and I'm happy to see they are still in place.

I have spent the last three years at Health Canada as assistant deputy minister of first nations and Inuit health, and more recently as associate deputy minister. There I was responsible for overseeing regional operations and played a key role in managing its investment planning and performance management.

Throughout my career I'm grateful to have had the opportunity to have both worked on the policy side and managed large programs and dealt with complex issues. I've seen firsthand the role that recruiting and staffing play in the delivery of health care to first nations and Inuit and other vital services for Canadians.

As well, I've learned the importance of working with stakeholders and building relationships based on mutual trust and respect.

• (1535)

[Translation]

I would now like to speak about the mandate and activities of the Public Service Commission.

The Public Service Employment Act sets out a staffing system based on values where deputy heads have greater responsibilities. The commission fulfils its mandate by delegating staffing to deputy heads, providing clear policy direction to support delegation, conducting effective oversight, and delivering innovative services.

It protects the values of fairness, access, representativeness and transparency. Those are fundamental values, in my opinion. The commission must identify and eliminate barriers in recruitment and staffing with the continued objective of promoting a public service that is more representative of Canadian society. It also contributes to maintaining a bilingual public service that respects Canada's two official languages. I have the privilege of working in an organization where bilingualism is well-established. I strongly encourage everyone to interact with me in the language of their choice.

I am very aware of the commission's responsibility to report to Parliament on its activities and on the health of the staffing system. Ms. Barrados made an important contribution towards establishing productive relations with Parliament. I hope to have the opportunity to work together with Parliament to review budget documents, annual reports and any other issue of interest. I also look forward to participating in the discussions on the Public Service Modernization Act report recently submitted by the President of the Treasury Board.

I would now like to discuss the priorities I foresee for the commission. In a delegated system, the commission needs effective oversight to ensure that values are respected. That requires sound analysis of objective data, studies, audits and investigations. The commission will be called upon to deliver its mandate while looking for ways to better utilize its centralized data. In the coming months, the commission will also be called upon to provide ongoing support to organizations as they undertake the implementation of their deficit reduction plans.

I realize that this period will be difficult for both organizations and employees. If I am confirmed as president, I plan to provide deputy heads and employees with a priority administration system that functions soundly and to support selection processes that are transparent and fair. I am also committed to working closely with our human resources partners. I intend to collaborate with the commissioners, once they are nominated, in order to pursue the work already undertaken by Ms. Barrados.

The role of the commission in regard to staffing values will be critical. Employment equity and official languages are also important issues. Those issues will need to be kept in balance while the deficit reduction plan is being implemented. At the same time, the public service will need to continue conducting targeted recruitment to ensure that the public service of the future has a skilled workforce that can deliver results for Canadians.

• (1540)

[English]

Mr. Chair, in conclusion, the Public Service Commission has played a vital role in creating a public service that is a model for many countries. If confirmed as president of the Public Service Commission, I look forward to working with this committee, your fellow parliamentarians, and also PSC commissioners. I would as well say that I deeply value the dedication and professionalism of the employees who work at the commission. I look forward to working with them in carrying out this mandate.

I am also committed to fostering strong relationships with all stakeholders, departments, and with bargaining agents as well, so that Canadians will continue to benefit from a public service that is both professional and non-partisan.

Thank you very much. I would be very pleased to answer your questions.

The Chair: Thank you, Madam Robinson, for your introductory remarks.

We've just learned that we're good until 4:08. I believe the order of questioning should be just about perfect.

Without any delay, we'll introduce Alexandre Boulerice for the first five minutes of questioning.

Alexandre, the floor is yours.

[Translation]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Thank you very much, Mr. Chair.

Good afternoon, Ms. Robinson. Thank you for being here today. I want to commend and thank you for making your presentation in both official languages. We, the NDP, feel that's very important.

That being said, since May 2 of last year, when the Conservative Party won the majority, there has been a series of partisan appointments, which the opposition finds somewhat mind-boggling. I know this does not fall within your mandate, but as you know, former MPs and election candidates have been appointed to the Senate and UNESCO. The former Winnipeg North candidate is working for Diane Finley. The former Beauport—Limoilou candidate is working for Ms. Aglukkaq. The former Notre-Dame-de-Grâce—Lachine candidate is working for James Moore. Saulie Zajdel, the former Mount Royal candidate, was hired by the government. The Longueuil—Pierre-Boucher candidate was appointed to the National Parole Board. The Montmagny—L'Islet—Kamouraska—Rivière-du-Loup candidate was appointed to the Quebec Port Authority. The Berthier—Maskinongé candidate was appointed to the Canada Employment Insurance Commission, as was the Welland candidate. That's not taking into account the 16 people with connections to the Conservative Party who have been appointed to the Immigration and Refugee Board of Canada. That's a lot of people.

As the new president, what do you plan to do about those partisan appointments that should be excluded according to the very mandate of your commission?

Ms. Anne-Marie Robinson: Thank you, Mr. Chair.

I want to start by saying that the commission's mandate is to protect non-partisanship when it comes to public servants. Under that mandate, we have to establish a balance between public servants' right to participate in political activities and the fact that they must do their work impartially. Our mandate also includes investigating allegations, if necessary, and taking corrective measures. However, we have to consider every situation on a case-by-case basis. That applies only to the activities of public servants whose position comes under the Public Service Employment Act.

Mr. Alexandre Boulerice: Thank you, Ms. Robinson.

Maria Barrados, who held your position before you, said the following in a March 2011 appearance: However, there is no independent assurance that the appointments to positions of leadership are merit-based and not politically influenced.

As members of the official opposition, we earnestly hope that things will change and that impartiality will be more present from now on.

I will use my remaining time to ask you a question on the freedom of expression of federal public servants in important positions.

Last July, Mr. Sheikh left Statistics Canada. He disagreed with Mr. Clement's decision to cut costs by abolishing the mandatory long-form census. The chief economic analyst at Statistics Canada, Mr. Cross, recently left his job, claiming he was no longer able to express his opinions in a free and independent manner.

What do you intend to do about those situations?

• (1545)

Ms. Anne-Marie Robinson: Thank you for the question.

I could perhaps clarify an aspect of my mandate under the Public Service Employment Act. That aspect consists in monitoring

situations involving current public servants. I don't think it applies to public servants who have left the public service.

Mr. Alexandre Boulerice: What do you intend to do in the future to make sure that unfortunate things like this don't happen again?

Ms. Anne-Marie Robinson: Our website contains tools all public servants can use to understand their responsibilities when it comes to public impartiality. They can use those tools to figure out whether they are acting in a non-partisan way. It all depends on the nature and the profile of their position, on their duties and on the type of political activity. It is our mandate to provide all public servants with advice. They can also use our tools to determine whether they are in a conflict of interest situation.

[English]

The Chair: That's your time, Alexandre. Thank you.

[Translation]

Mr. Alexandre Boulerice: I wish you the best of luck.

[English]

The Chair: The next five minutes go to John McCallum with the Liberals.

Hon. John McCallum: Thank you, Mr. Chair, and thank you, Ms. Robinson, for being with us today.

You have probably heard the story from a week or so ago about six public servants from Citizenship and Immigration Canada effectively masquerading as new Canadians in a citizenship ceremony for a media appearance. Given your responsibility for, I guess I could say, the professionalism of the public service, do you have any comments on the appropriateness of that situation?

Ms. Anne-Marie Robinson: I can't comment directly on the situation because it hasn't been brought to the attention of the commission. Obviously, I have seen things about that in the newspaper.

Public servants can come forward, or if people have concerns, they can bring those concerns forward to the commission. If there is a concern that a public servant has been involved in political activities, the commission can look at those things. I don't have a lot more information about that particular event.

Hon. John McCallum: Okay.

The next question is about order in council appointments. Your predecessor, when questioned by us, did indicate some concern that the Public Service Commission didn't have any role in order in council appointments. Also, she expressed the opinion that if the position was advertised as being bilingual, and then the government wished to appoint someone who was not bilingual, they should restart the whole process. Obviously, if others who were unilingual had known that a unilingual person was acceptable, those others might have applied.

I guess my question is twofold: whether you agree or not with your predecessor's concerns over order in council appointments falling outside your mandate; and also whether you agree that, in the circumstance I described, the whole hiring process should have been restarted.

Ms. Anne-Marie Robinson: The nominations by Governor in Council are not under the mandate of the Public Service Commission. I can speak about how appointments are done under the Public Service Employment Act. I'm not as familiar with how the nominations are done for Governor in Council appointments.

I think, as the former president said, the nominations under the Public Service Employment Act are based on the fact that a person must meet the qualifications and must meet merit. There are two parts to merit; there are essential qualifications and asset qualifications. Under essential qualifications, a candidate must meet all of those qualifications.

• (1550)

Hon. John McCallum: So at least in the case of appointments that do come under your jurisdiction, if the position was advertised as requiring bilingualism, you wouldn't hire a person who was not bilingual. Or, if you wanted to, you would have to restart the process, saying that the position did not require a bilingual person. Is that right?

Ms. Anne-Marie Robinson: Under the Public Service Employment Act, someone must meet all of the essential qualifications for the position. If they do not, then the process is normally declared unproductive. Then the department has the chance to go out and relaunch a competition.

Hon. John McCallum: This is the last question. We are in a period where there are likely to be significant cuts announced in the upcoming budget. We don't know exactly what, but it appears they may be substantial. I guess that poses a special challenge for you. My question is, how do you ensure that the public service remains effective, professional, and merit-based in an environment of potentially significant reductions in the size of the public service?

Ms. Anne-Marie Robinson: Thank you very much for the question.

We have two key roles to play during the transition the government will face during the deficit reduction action plan. The first one is that the commission is responsible for a policy called selection for retention. In cases where departments have to downsize their workforce, that is the policy, which is a merit-based policy that departments will use to determine who will be retained. It is a merit-based process. We must ensure that it's applied in a fair and transparent way. That's a very key role that the commission must play. Since I arrived in my job, I very much focused on supporting departments and human resource specialists, so that we can send lots of information out about this policy and apply it appropriately.

The second thing that's really important is that the commission is responsible for the priority administration system. That's the system that employees who are declared surplus use, for the period of time that they are on the priority system, to find jobs for which they are qualified.

If I could also add, looking to the future and notwithstanding that we are going through this period of adjustment, I think it's really critical that we have an eye to the future and that we continue to do some targeted recruitment in areas where we, over the short term, have shortages. We need to think about ensuring that we sustain our capacity as a public service over the long term.

Hon. John McCallum: Thank you very much.

The Chair: We're well over time. Thank you very much.

This time only we're going back to the NDP.

Mathieu Ravignat, go ahead for five minutes, please.

[*Translation*]

Mr. Mathieu Ravignat (Pontiac, NDP): Thank you, Mr. Chair.

Ms. Robinson, thank you for joining us.

I will first ask a question in English.

[*English*]

As you know, last spring your predecessor, Madam Barrados, recommended the implementation of a code of conduct for ministerial staff. It's something that we on the NDP side find particularly important. We remember cases like that of Sébastien Togneri, who interfered with the good work of access to information staff. Of course, we can't forget the case of Bruce Carson. If anybody needed a rule book, it certainly would be him.

Here's my question. What plans do you have to ensure that your staff will move forward with this worthwhile project, that is, a code of conduct for ministerial staff?

Ms. Anne-Marie Robinson: Thank you for the question.

I'm not sure that the code of conduct for ministerial staff is something that is within the jurisdiction of the commission to do, because the commission's role relates to staffing and political impartiality within the federal public service. We do have a role, though, if political staff, after a certain period of time, want to re-enter the public service. I don't know the process exactly, because I'm new at the commission, and I don't know all the technical details, but there is a process that the commission follows up on. In such a case, after a period of time people can make an application to be eligible to apply for jobs in the public service, and we assist them with that, and then we look at those situations.

• (1555)

[*Translation*]

Mr. Mathieu Ravignat: Okay.

Here is my second question. As you probably know better than I do, the Public Service Commission is responsible for managing a priority program for displaced employees in the federal public service. As you also know, the government has entered a period of budgetary cuts. The staffing system will be affected by the resulting pressure.

My question is precisely about the staffing system. We continue to see a growing interest in public service jobs, but there will be a reduced number of jobs. In that environment, what will you do in terms of the priority program for displaced employees?

Ms. Anne-Marie Robinson: Thank you for the question.

I am very aware of the fact that the implementation of the deficit reduction plan will be hard on employees. That is why it is important for us to improve our priority system. I must make sure it is working properly.

We can also support redundant employees by providing them with better access to positions they are qualified for. However, that will depend on the number of positions available. The Public Service Commission must ensure that its support for employees looking for a job is appropriate.

Mr. Mathieu Ravignat: Good luck. There will be a lot of competition there.

My last question is about the cuts. As you know, the Public Service Commission has made some cuts to second language training. That has the majority of the country's francophones concerned. The government is increasing its reliance on external consultants and subcontractors to provide that service.

What is your view on second language training at the Public Service Commission?

Ms. Anne-Marie Robinson: We are in charge of second language tests. During the transition period, the commission will continue monitoring the success rate for each test. The idea behind that is to check whether there is a difference between the success rate of those who attended courses with private sector instructors and of students who had public service language instructors.

Mr. Mathieu Ravignat: Do you think that the public system conducts non-subjective assessments of public servants' language proficiency and that using external resources—private ones—is not any better for assessing the same skill?

Ms. Anne-Marie Robinson: The commission will always be in charge of writing the tests used to assess second language skills.

Mr. Mathieu Ravignat: Who will conduct the assessment, the commission or the subcontractor?

Ms. Anne-Marie Robinson: Could you repeat your question, please?

Mr. Alexandre Boulerice: Who is going to assess the skills, the commission or the subcontractors?

Ms. Anne-Marie Robinson: The commission prepares the tests, and it will continue administering them to all public servants. We can also track the success rate.

Mr. Mathieu Ravignat: Okay, thank you.

[*English*]

The Chair: Thank you, Mathieu. That's the end of your time.

Next is Mr. Jacques Gourde for the Conservatives.

You have five minutes, Jacques.

[*Translation*]

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

Thank you for being here today.

By the way, I would like to congratulate you on your level of bilingualism. It seems to be perfect. This is going to be great.

Our government has also made other appointments. We appointed a former NDP premier of Manitoba as Canada's ambassador to the United States. We have even appointed a former liberal minister as a minister in our government. Our philosophy is that the best available

Canadians should occupy the best available positions in the public service.

Do you feel it is important that the best available Canadians occupy the best available positions within the public service, regardless of their political affiliation? When the best Canadians are available, can we hire them, regardless of their political affiliation?

Ms. Anne-Marie Robinson: Under the Public Service Employment Act, it is very important for all appointments to be based on the merit principle. I think that even in the case of staffing processes not regulated by this act, there is an obligation to have a very strong selection process, a clear statement of qualifications, fair and transparent procedures and open access. The selection committee must also be diverse and qualified.

• (1600)

Mr. Jacques Gourde: Thank you for your answer. As you know, many public servants are currently retiring simply because they have reached their retirement age.

Do you think that an attrition formula could be useful, given that some positions could be abolished in the public service?

Ms. Anne-Marie Robinson: The public service will need to be reduced and many public servants are close to retirement. That will perhaps make it possible to keep some of the employees affected by the reduction of the public service. It may help create some space to keep younger public servants or those who would like to remain in the public service longer.

Mr. Jacques Gourde: As we just said, people will leave, but they must also be replaced by a new generation of public servants. Will you place special emphasis on young people who may enter the public service?

How will you encourage young Canadians to join the public service, be it at universities or elsewhere?

Ms. Anne-Marie Robinson: You just asked a question I feel is extremely important. Even though we will go through a period of transition and cuts, it is still very important for the public service to continue recruiting.

Even during this time of fiscal restraint, some occupations are experiencing shortages. There is still a shortage of nurses, financial officers, and so on. Therefore, we will continue to hire young people. We will also continue to conduct recruitment campaigns in universities and colleges.

Mr. Jacques Gourde: You were appointed to the commission about a month ago. What will your priorities be over the next 100 days? In what direction will you take the commission?

Ms. Anne-Marie Robinson: My ultimate priority is supporting departments and employees during the implementation of the deficit reduction plan. In order to provide that support, I will work closely with our human resources partners. I will also ensure that any strategic advice provided is clear.

As I already mentioned, the priority administration system is working well. I will also use centralized technologies and data in order to establish an increasingly efficient staffing system.

In addition, I would like to do some work with regard to the administrative burden. I think we should also review some of the staffing processes, so that the systems can operate more efficiently.

[*English*]

The Chair: You have 15 seconds, Jacques.

[*Translation*]

Mr. Jacques Gourde: How will you promote the two official languages?

Ms. Anne-Marie Robinson: Personally, I will continue speaking French and working with my whole team in French.

The commission has a key role within the public service. As I already mentioned, we are in charge of the language testing system. We monitor the success rate very closely.

In addition, when it comes to public servants appointed to a position through non-imperative staffing, the commission's role is to ensure that all public servants obtain the required results over a two-year period.

The commission also has the mandate to ensure that public servants can speak in the language of their choice in every competition.

Those are the commission's three key roles.

[*English*]

The Chair: Thank you, Mr. Gourde.

Thank you very much, Ms. Robinson. That concludes the time we have set aside for the examination of your nomination to the position.

We're just under the wire here.

I see that Mr. Wallace has a—

Mr. Mike Wallace: I'll move an official motion, if you'd like, and then we can have a little debate on it, if need be.

The Chair: We would welcome the appropriate motion, if you have it there.

•(1605)

Mr. Mike Wallace: Yes. I wrote it out. And it's as appropriate as it's going to get, I think.

I move the following:

That the Standing Committee on Government Operations and Estimates supports the nomination of Anne-Marie Robinson for the position of President of the Public Service Commission of Canada.

The Chair: Perhaps I could ask, Mr. Wallace, if you would add “and that the Chair shall report the same to the House”.

Mr. Mike Wallace: Oh, yes: “that the Chair reports this to the House, and as soon as possible.”

The Chair: You've heard the motion. Is there a seconder to the motion?

We have a seconder.

Is there any debate on the motion?

Hearing none, we'll put the question.

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

The Chair: It appears to be unanimous.

Congratulations, Ms. Robinson.

Some hon. members: Hear, hear!

The Chair: It appears our committee is satisfied with the interview that we conducted today. We will report the same to the House of Commons tomorrow.

Congratulations. We wish you the very best as this proceeds.

Ms. Anne-Marie Robinson: Thank you very much, and thank you for the time to be here today.

[*Translation*]

Thank you very much.

[*English*]

The Chair: Thank you.

That concludes our meeting. I believe we will have the bells in a moment.

An hon. member: I move that we adjourn.

The Chair: The motion to adjourn is non-debatable. Therefore, we are adjourned.

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