



Press Release

For Immediate Release

Restrictions on “Political Activity” for Federal Public Service Employees

Ottawa, April 15, 2011... The *Canadian Association of Professional Employees* is concerned that advice provided by the Public Service Commission (PSC) and by some departments will discourage public service employees from exercising a legitimate right to engage in political activities during the current federal election.

“Freedom of thought, belief, opinion and expression,” along with other civil and political rights, are protected by the *Canadian Charter of Rights and Freedoms*. CAPE believes that its members should be fully entitled to the benefit of these protections, keeping in mind the relationship of the public service to government.

Indeed, this important nuance is what we find in the *Public Service Employment Act* (“the Act” or “PSEA”). The *Act* places some restrictions on the right of federal public service employees to engage in political activity. Section 113(1) enshrines the right of federal public service employees to participate in political activities while, at the same time, requiring a balance to be struck between this right to participate and an impartial public service. It is important to CAPE that this balance not be unjustifiably tipped so as to unduly restrict the political rights of its members.

The PSC is responsible for the oversight of public service employees’ involvement in political activities. In the absence of any clear direction on permissible political activity in the *Act*, the PSC has made available an on-line self-assessment tool, which it is encouraging employees to complete. Reports indicate that the PSC’s self-assessment tool raises red flags about participation in relatively low level political activity, for example, wearing a button in support of a candidate or attending a meeting of a political party. Furthermore, the PSC has been advising employees to contact their manager or their organization’s Designated Political Activities Representative (DPAR) before taking part in a political activity. It is not clear what, if any, confidentiality is in place to protect what an employee discusses with a DPAR, especially given that the PSC website indicates that Advisors should direct all political activities inquiries to a PSC email address. Given that employees can be subject to discipline for participation in political activity that is not permitted, CAPE has concerns about its members going to their managers or Designated Political Activities Advisors.

“While CAPE understands and fully supports the need for impartiality in the workings of the public service,” said CAPE President Claude Poirier, “The PSC’s “guidance” to employees on political activity amounts to fear-mongering that will no-doubt inhibit some of CAPE’s members from exercising their constitutionally protected rights of expression and free participation in the political process.”

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