

Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

Brison agrees to interim measures for bargaining with PS unions

Kathryn May, Ottawa Citizen, June 7 2016

The Liberal government is introducing stopgap measures for the current round of collective bargaining with Canada's public servants that will get around controversial rules of Tory-era legislation until that law is repealed.

Treasury Board President Scott Brison told the 18 unions in a recent letter that he agreed to the interim measures as a way to speed up the negotiations, which have been dragging on for several years.

"These interim measures are meant to support a timely resolution of this round of bargaining," Brison said in the letter. "While the measures must be permissible under the current legislation, they are meant to reflect, to the extent possible, the spirit of the pre-Bill C-4 regime."

"The government ... is committed to restoring fair and balanced labour laws that recognize the important role of unions in protecting the rights of workers."

Last month, Brison promised the Liberals would unwind the Tory-era legislation that rewrote rules for collective bargaining that had been in place for nearly 50 years. Those changes were a major blow to the unions bargaining clout and their right to strike. The unions quickly filed constitutional challenges in court to overturn them.

With the new measures, the unions have agreed to postpone their constitutional challenge of the Tory legislation, which was scheduled for a court hearing Tuesday.

As pleased as unions had been about Brison's earlier promise, legislation to rescind the Tory law wouldn't be tabled until the fall, which meant the current and highly contentious round of bargaining over sick leave would be under the Tory rules.

The measures were quietly negotiated with the government behind-the-scenes in recent months and will cease once the new legislation is introduced in the fall.

The measures they have come up with mirror the way the government and unions used to bargain and handle impasses. They manage to comply with the Tory legislation but give unions the rights they enjoyed under the old rules.



Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

Debi Daviau, president of the Professional Institute of the Public Service of Canada, said the measures are a “big victory” and are as close to operating under the old rules as possible without repealing the law.

“This agreement reflects the spirit of where we intend to go in the fall when the legislation is changed,” she said. “In the meantime, it resolves all the concerns we have to get us through this round of bargaining while waiting for the repealing of C-4 in the fall.”

Labour relations in the public service used to be unique. Under the old rules, bargaining was a two-track process that allowed unions to decide whether they wanted to settle their disputes by arbitration — a process in which arbitrators can impose a settlement — or conciliation, in which a settlement can be recommended rather than imposed, and is backed by the right to strike.

The Conservatives changed all that. The government would decide whether disputes were solved by arbitration or conciliation/strike. The only bargaining units that could seek arbitration were those in which more than 80 per cent of the employees have been designated essential workers.

The Liberals will now let bargaining agents decide whether they want to resolve a dispute and they have until Sept. 1 to decide. They can opt for “binding conciliation” on some or all issues. This process is the equivalent to arbitration under the old rules. The conciliation report’s recommendations are binding and unions can’t strike.

The Tory legislation also blunted the impact of strikes by giving the government “exclusive” right to decide which workers were essential and thus couldn’t strike. The government could decide which “service, facility or activity” would be designated “essential” for the safety and security of Canadians and unions had no recourse to challenge those designations.

The Liberals have agreed to issue a directive by June 30 to all departments that any employees occupying designated positions can’t be given non-essential work in the event of a strike.

Brison also agreed to a process to review essential services designations with unions. Any disagreements will be sent to a third party to resolve.

The Conservatives also limited the factors arbitrators and conciliation boards could consider when making their decisions in disputes — a measure unions argued favoured the government. Arbitrators had to give primacy to two factors: the government’s “fiscal circumstances relative to its budgetary policies” and the ability to recruit and retain employees.



Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

The Liberals have made arbitrators free to consider whatever factors they “see fit.” The government can make arguments about the state of economy and retention and recruitment but they won’t be primary factors to consider.

Avancée importante pour les syndicats de la fonction publique fédérale

Catherine Lanthier, ICI Radio-Canada, le 7 juin 2016

Le président du Conseil du Trésor, Scott Brison, a informé les représentants syndicaux que le gouvernement tiendra compte immédiatement de « l'esprit du régime antérieur au projet de loi C-4 ». Dans la lettre obtenue par ICI Ottawa-Gatineau, Scott Brison explique que ces mesures intérimaires « visent à appuyer la résolution rapide de la ronde de négociations ».

Ces mesures prendront fin lorsque le projet de loi visant à abroger la section 17 de la loi C-4 sera adopté. Cette loi issue des conservateurs avait été à maintes reprises décriée par les syndicats du secteur public fédéral, qui la qualifiait d'entorse au droit à la négociation collective.

Cette nouvelle tombe donc à point pour les syndicats représentant les fonctionnaires fédéraux, alors que les négociations se poursuivent pour le renouvellement des conventions collectives dont la majorité est échue depuis deux ans.

Manifestations prévues

Des milliers d'employés de la fonction publique fédérale s'apprêtent à participer à la journée d'action organisée mercredi par l'Alliance de la fonction publique du Canada (AFPC), qui a prévu des activités de mobilisation, un peu partout au pays.

Dans sa convocation aux membres, l'AFPC accuse le gouvernement libéral de « recycler les propositions des conservateurs », faisant allusion au remplacement du régime de congés de maladie par un régime d'assurance invalidité de courte durée, et à l'augmentation des salaires de 0,5 % par année. « Rien n'a changé », clame ainsi l'organisation qui représente plus de 170 000 travailleuses et travailleurs.

Parallèlement à cela, l'Institut professionnel de la fonction publique du Canada (IFPC) organise une autre manifestation, vendredi midi, à l'angle des rues Bank et Laurier, à Ottawa. L'Institut compte plus de 57 000 membres.

Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

L'annonce de ces mesures intérimaires pourrait toutefois adoucir le ton lors de ces négociations.

Time to empower next generation of public servants, says Canada's top bureaucrat

'This issue of generational renewal is important to me,' says Michael Wernick
Julie Ireton, CBC News, June 13 2016

As the annual Public Service Week gets underway today, Canada's top bureaucrat says there's a clear focus this year on empowering the next generation inside the federal bureaucracy.

In fact, the Clerk of the Privy Council, Michael Wernick, will lead a virtual town hall Monday morning aimed specifically at young bureaucrats.

"I'm pushing for a theme of engaging with our younger cohorts, because this issue of generational renewal is important to me." said Wernick, who himself was headhunted into the federal government 35 years ago this month.

Over those decades, Wernick said he has witnessed the many ebbs and flows of the federal government's relationship with its workers.

There have "already [been] changes in tone, for sure" under Prime Minister Justin Trudeau, said Wernick, the man who gave him his current job.

But those changes haven't been as fast or as far reaching as many federal employees had hoped. Last week alone, government workers from three of the major unions came out to rallies across the country.

"We want to have a dialogue with the clerk," said Emmanuelle Tremblay, president of Canadian Association of Professional Employees, adding she knows Wernick is interested in engaging the next generation of public servants.

"Stop using lower paid workers with no benefits. Offer these young people decent jobs," Tremblay said. "They will stick around. This will be motivating for them."



Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

Several unions are asking for fair contract negotiations and an end to what they call "out of control" outsourcing.

There have also been renewed calls for more independence for scientists: some federal workers say the "unmuzzling" of scientists, something the Liberals promised to do, still hasn't happened.

Ray Paquette, who works at Public Services and Procurement Canada and is on the negotiating team for the Professional Institute of the Public Service (PIPSC), said the Liberals have made some changes — but not nearly enough.

"We have a big problem. The science community is still being muzzled, not being able to openly discuss projects that they're on, [and that] would benefit the people of Canada," he said.

"The federal government is still holding them back from being able to do their job properly."

Wernick: 'We're far from perfect'

Wernick isn't under any illusions, however. In an interview with CBC, he outlined a number of challenges, including the need for better internal IT systems, healthier government buildings. and — in what seems to be an oxymoron — a less bureaucratic bureaucracy.

"There are specific challenges around workplace well-being issues," he said. "We have to do a better job on mental health issues. I think people are looking for less hierarchy, fewer rules, lighter structures. That's all something that can be done."

Those objectives are just part of a heavy political agenda that includes investments in infrastructure and new commitments around refugees, Indigenous communities, recreational marijuana and climate change.

Unions know none of these priorities can be delivered without public servants.

Debi Daviau, the president of PIPSC, said at a rally in Ottawa on Friday there's a simple solution to helping the government deliver, and it includes building the right environment.

Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

"There was a very difficult and toxic environment created over the past nine years. And from my perspective, something needs to come from the top if they're going to have the capacity to deliver the commitments of this government," said Daviau.

Without pulling any punches, Daviau said the senior ranks of the bureaucracy need to let go of the "Conservative ideology" and turn their focus to the Liberals' agenda.

"They have to let go completely of whatever they've been clinging on to for the last nine years. That's the only way they're going to speed up a culture change in government," said Daviau.

Adding to the chorus of other union leaders, Daviau said recruiting staff — rather than contracting out — is necessary to replace the "capacities" lost under the Conservatives.

Wernick was just 23 years old himself when he got his first job. More than three decades later, he remains a loyal servant.

But he recognizes it's not the same institution he joined in 1981.

"How we work will change. It will continue to evolve," Wernick said. "But there is a constancy of the values, of non-partisan excellent service to elected governments and Canadians, that really needs to be constantly reaffirmed with each cohort that comes in."

Government needs to provide meaningful work to attract millennials to public service: experts

Treasury Board President Scott Brison says there's 'a lot of work to be done' and 'I'm not going to overstate the progress we've made in a few months.'

Derek Abma, the Hill Times, June 6 2016

As the federal public service gets older and the government looks for ways to attract younger workers, an idea that comes up regularly from various quarters is that you have to give them the opportunity to "make a difference."

Treasury Board President Scott Brison (Kings-Hants, N.S.) said as much in during an interview in the House of Commons foyer last week.

Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

“Millennials share values of wanting to make a difference,” Mr. Brison said. “They’re looking not just for a job, but they’re looking to make a difference. Our case to young people, in fact to all Canadians, is that you can really move the needle in terms of big societal change and progress within the government.”

He noted that non-governmental organizations (NGOs) appeal to many young people “because they believe that’s the best place to make difference. I actually believe that they can make huge difference within the government.”

Yet, Mr. Brison and others recognize that change needs to take place to reverse trends that see a lack of younger workers being recruited, or at least retained over long term, in adequate numbers to make up for the flood of baby boomers that will be retiring in the coming years.

The average age of new recruits in the public service is now 37, which means it is missing out on many members of the key millennial generation, the oldest members of which are now just hitting their mid-30s, and who Mr. Brison described as “the most connected, educated, and informed generation in the history of the country.”

The most recent annual report from the Privy Council clerk to the prime minister indicated that, as of March last year, the public service had lost more than 1,500 workers in the age range of 25 to 34 in the space of a year, and almost 2,000 people aged 45 to 54. During that time, the number of workers aged 55 to 64 jumped by more than 1,600 and there were almost 400 more in the category of 65 and older. The overall number of public servants was relatively stable at 257,034, down about 100 from a year earlier, as the average age rose slightly from 44.9 to an even 45.

“There’s a lot of things we have to change,” Mr. Brison said. “The government’s too hierarchical. The decision-making process is too convoluted. We have not yet embraced, to the extent we need to, the kinds of technological and communication tools that are available. ... There’s a lot of work to be done.”

As for when the changes the government recognizes need to happen in the federal public start taking shape, Brison said: “We’re working on it right now. I’m not going to overstate the

Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

progress we've made in a few months. ... It's something we need to do, because if we're going to be successful, we need the contribution of this bright, talented generation with their ideas and their ideals."

Robert Shepherd, a professor of public policy at Carleton University, agreed that a key to boosting the number of younger workers in the federal government is to provide them with meaningful work.

"They want to be involved in public policy," he said "They want to be involved in meaningful work."

Kathy Brock, a policy studies professor at Queen's University, said millennials "want to have some control over their work. You've got to be able to get them involved in policy creation in a meaningful way without sacrificing accountability."

She added: "Millennials want to see themselves as having an impact. They want to feel valued. ... They don't just want to see their voice as one of many that's going up a chain of ladders. They want to know that they're being heard."

Michelle Dagnino, a Toronto-based organizational consultant who's done some work with the federal government, said: "It's about creating an environment and a space where young people have opportunities for roles and positions that allow them to take on positions of leadership."

She said millennials have a reputation for wanting to be in charge of whatever organization they work for immediately. While that's an exaggeration, she said this generation has less patience than those that came before them for spending a lot of time working their way up the workplace ranks.

"What employers need to think about are: What are different ways that we can create leadership opportunities? It doesn't only have to be attached to a title," she said, adding that putting younger workers in charge of charitable campaigns or providing them with professional development opportunities are some of the ways of getting workers highly engaged early in their careers.

Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

Prof. Shepherd explained that with the advanced levels of education the younger generation has, expectations are higher with regard to the quality of employment they receive in their entry-level years.

“A lot of them are coming in with master’s degrees now,” he said. “It’s not high school diplomas like it was in the ‘60s and the ‘70s. So if you’re hiring a graduate student, then you better give them something meaningful to do.”

Prof. Shepherd said the government’s problem is not so much attracting new entrants to the public service, but keeping them around for the longer term. This fact seems supported by the fact there was an uptick of about 650 public service workers younger than 25 in the 12 months up until March 2015, despite the drop in numbers in the next age category.

“Everyone comes in, they look around, they poke at the tires, and they say, ‘There’s a lot of hierarchy here and there’s not a lot of people giving me meaningful work.’ ”

Prof. Shepherd said it’s hard for many millennials—who grew up surrounded by communications technology—to find themselves facing such tight restrictions in the use of social networks and other internet resources once they start working for the government.

“Now you’re seeing much more controls being placed even on those things where you need 50,000 approvals to send out a tweet,” he said. “This generation sees all that and they go, ‘What the hell?’ ”

He added that millennials also have less patience for structure and protocols enforced in government with regard to communicating with people who might be able to help them with a problem.

“They’re task oriented,” Prof. Shepherd said of millennials. “That’s how they’ve been trained, to be very task oriented. So if you’re trained in that way, why can’t I call my colleague over in the Department of Fisheries and Oceans? Why can’t I do that? That person has all the information I need.

Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

“[Millennials] don’t understand that you have to go through all the checks and everything and everything and everything that flows from that, especially when they’ve got their smartphone sitting right next to them.”

Pay levels are not a major factor in why many millennials are turned off by the public service, Prof. Shepherd said.

“When I talk to my students and other students, pay is not something I tend to hear a lot of,” he said. “If you’re coming in as a graduate student ... your making 50-grand! For a first-time job, that’s more than ample, living in the city of Ottawa. For them, it’s more: How do I move up the chain?”

Ms. Dagnino noted: “This generation cares as much about the type of work and the meaning in your work as they care about the pay and benefits. And for a long time, the appeal of the public sector has been it’s a good-paying job, it’s a stable job, it’s a job with a pension, and those factors are just not as important for this generation. They want to know that they are doing work that has meaning and doing work that makes the best use of their abilities.”

With the size of the federal public service having been reduced by about 26,000 workers since 2010, there’s some question whether its numbers are sufficient to carry through the business of government, particularly the ambitious agenda of a newly elected government.

Mr. Shepherd noted that, amid efforts to reduce costs under the Conservative government under Stephen Harper (Calgary Heritage, Alta.) over the last decade, an incentive program was implemented that encouraged government executives to cut staff rather than add them. He said the Liberals under Prime Minister Justin Trudeau (Papineau, Que.) have not yet made substantial changes in this regard.

“For all intents and purposes, we’re still under a hiring freeze,” Prof. Shepherd said.

What has changed in recent months is that a lot of work has been thrown at public servants, Prof. Shepherd said. However, he said a problem being encountered now is that public servants’ work-life balance has been thrown out of whack.



Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

“We’re being overworked now as opposed to being underappreciated, and we just don’t have the right people in place,” said Prof. Shepherd, a former executive in the public service. “So if you’re in the public service right now, you’re being overworked, and this is not attractive to young people; it never has been. We want good work-life balance and I want to be able to get out at a half-decent hour and go biking along the canal, or whatever I want to do.”

Data shows that young people have elevated unemployment rates. The latest Statistics Canada jobs report showed unemployment among those aged 15 to 24 at 13.1 per cent in April compared to 7.1 per cent for the general population. Other data from Statistics Canada shows an average unemployment rate in 2015 of 10.4 per cent for those aged 20 to 24 in 2015 and 7.4 per cent for those 25 to 29. It was 5.7 per cent for people in their 30s, 5.4 per cent for people 40 to 44, and 5.1 per cent for those 45 to 49.

Prof. Brock explained, however, that the kinds workers the government wants are uniquely qualified and highly sought by all kinds employers.

“When you’re looking at the types of people that the public sector needs to attract, [they] are energetic, innovative individuals who aren’t afraid of hard work and who are serious workers,” she said. “People who have the skills that they are going to have are not going to be that common. This is a subset of the whole employment field—people that have that desire to assist in the public good and then have all the skills you need as well as that brightness and that energy that we see in millennials.”

Age makeup of federal public service

March 2014 March 2015

Younger than 25 7,949 8,598

25-34 45,941 44,367

35-44 70,678 71,415

45-54 84,106 82,145

55-64 43,660 45,334

Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

65 and older 4,805 5,175

Source: PCO clerk's annual report to prime minister

Policymaking as a movement: Is the public service ready for Trudeau?

Don Lenihan, National Newswatch, June 10 2016

Remember when Elizabeth May called on Prime Minister Justin Trudeau to dismiss his top tier of public servants? She worried they'd been contaminated by Stephen Harper and couldn't be trusted to carry out Trudeau's agenda.

While I see no reason to question these officials' integrity, it is fair to ask if they have the right skills for the job. After all, Trudeau and Harper have very different ideas about governing.

To get a better fix on this, let's start with a bit of context.

The '90s and early 2000s were a watershed for governments everywhere. The digital revolution spawned a new vision of government and the challenge for public servants was to transform a loose collection of policy silos into an integrated information system.

One benefit was to policymaking. Sharing information across the silos allowed officials to connect the dots between different sets of issues, which, in turn, exposed all kinds of new links between them.

For example, policymakers got new insights into the complex relationship between health, on one hand, and factors like culture, gender, and income, on the other. They also learned about how the economy was affecting the environment—and a lot of other things.

Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

These were heady days for Ottawa. Liberal governments invested hundreds of millions of dollars in new information systems to help connect and integrate the federal silos. Officials enjoyed an international reputation as leaders of this digitally-enabled, holistic revolution.

It didn't last. The arrival of the Harper government in 2006 signaled the beginning of the end. Harper, a skeptic, mocked the fuzziness of holistic thinking (recall his attack on Trudeau for "committing sociology") and was in no hurry to transform government.

Indeed, the old system of silos had a clarity he found appealing. It fit well with his policy ideas, which assumed causal links that were simple, direct and uniform: natural resource exports create jobs, crime can be controlled by rigorous enforcement, and federal and provincial governments get along best when they stay in their silos. Unsurprisingly, federal leadership on holistic policy all but disappeared under his leadership.

Most senior public servants today are eager to relaunch the discussion. Few would deny that finding and exploring holistic links is essential to the solution of many policy issues. But there is a division of opinion over just how far the government should go in this direction.

In Ottawa's heyday, the debate was mainly about how best to coordinate policy across government departments. Holistic thinkers today want to go further. In their view, solutions to issues like innovation, climate change or public safety often require greater public involvement.

Ontario, for example, is asking each community to develop its own safety plan. These plans will be drawn up and implemented by local governments, community organizations and citizens.

The guiding principle is that everyone has a role to play in helping make their community safe.

Lots of senior officials in Ottawa worry about this kind of engagement. It is big, messy and moves policymaking outside government, and that, they say, is a bridge too far. (Collaborative initiatives are not all big and messy.)

Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

Others reply that collaboration is sometimes the only way to get real results and, where it is, government has to give the partners a meaningful say in developing the plan or they'll never accept responsibility for helping to deliver it.

I would add that, far from destabilizing the policy process, collaboration actually increases policy cohesion. What the critics often miss is that, in this new world, policymakers must be more than just ideas people. They must be equally skilled at getting communities and organizations to work together in ways that help the government achieve its goals.

Relationship-building is at the heart of collaboration.

I think Trudeau's goal of making politics a "movement" is on the same track. It suggests that governance is increasingly a team sport that requires participation and buy-in at all kinds of levels and from a critical mass of stakeholders and citizens. Holding the reins of power is no guarantee that a government can deliver its agenda. Public buy-in is often critical.

So is the public service ready for this?

Shortly after the government was sworn in last November, Trudeau's new cabinet gathered at the Pearson Building in Ottawa for a meeting. On his way in, the new PM was mobbed by a cheering crowd of admiring public servants. Many were young.

I've worked closely with hundreds of young public servants across the country and I doubt many of them would be cheering Trudeau because he is a policy wonk. Rather, they believe he represents generational change and they know instinctively what that means for them as public servants.

They have grown up in a world where complexity and change are the norm; they know that relationships are the key to stability and cohesion. When it comes to public service, they want leadership that will send them to the front lines, in person and online, to build these

Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

relationships. They are inherently networkers and activists who are as at ease with holistic policymaking as they are with digital tools. I think Trudeau gets this. He is that way himself.

As for the deputy ministers, some will never see policymaking as anything other than a rigorous search for the best ideas. Others are more than ready to combine ideas-generation with relationship-building. And that brings us back to Elizabeth May.

She shouldn't worry about the integrity of the public service. Key values such as neutrality, fairness and respect remain strong.

Nevertheless, the skills sets do change over time. And change is coming. Those who can't adapt will quietly move on. After all, if our political leadership is already in the throes of generational change, how far behind can the public service be?

'That's it, we have had it': PS union demands new glitchy pay system be shut down

Kathryn May, the Ottawa Citizen, June 8 2016

The largest federal union has asked the Liberal government to shut down the new Phoenix pay system until it is fixed and can pay Canada's public servants properly.

Chris Aylward, vice-president of the Public Service Alliance of Canada, said the union formerly requested the shutdown Tuesday in a meeting with Marie Lemay, deputy minister of Public Services and Procurement, the government's pay master.

He said the union executive decided ongoing pay glitches aren't being resolved and it's time the system was fixed.

"That's it, we have had it," said Aylward. "Phoenix isn't working and we can't wait any longer to make sure people are being paid accurately and on time, so we asked that it be shut down, taken offline and fixed, whether that takes, six months or a year."

Aylward said complaints keep rolling in every day from employees who have been overpaid, underpaid or not paid at all.



Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

The union has been a thorn in the department's side since it began the rollout of a new pay system, known as Phoenix. The first phase went live in February with the first round of 34 federal departments, followed by the second rollout of 67 departments.

Aylward said problems the department has declared fixed are still cropping up and new ones are appearing. He spoke to an employee last week who was overpaid by \$17,000 on a single paycheque and to retirees who are still getting regularly paid after leaving work months ago.

He said employees going on maternity, paternity or disability leave still aren't reliably getting the record of employment needed so they can collect the employment insurance.

Aylward said the department and union set up a "resolution mechanism" to help resolve pay problems but it isn't working. Since April, the union turns over any complaints it receives, along with the employees personal identifier or PRI for the department to help people sort out their problems.

The union tried to turn up the pressure by filing a policy grievance with the Public Service Labour Relations and Employment Board, alleging the government breached provisions in collective bargaining on technological change. He said the union even considered a class action suit to help employees recover the money owed but that law prohibits that.

Aylward said the department seems sympathetic to the union concerns and determined to resolve problems. They don't, however, see eye-to-eye on extent or nature of the problem.

The department says the system is working because most people are being paid and glitches aren't out of line for a project of this scale and complexity. The department also argues those who aren't paid should seek emergency or advance payments from their departments

"They don't seem to get the human side, when a single mom doesn't get paid or a family has to buy (groceries) on credit cards," Aylward said. "Not getting paid has a tremendous impact on people and that's what they don't get. They say 95 per cent get paid and we say they have a responsibility to pay 100 per cent."

Anecdotally, it appears the new system works for anyone who gets a regular paycheque, working a 9-to-5 day with no extra-duty payments.

At first the glitches began with changes, adjustments or supplementary payments such as overtime, acting pay, increments or maternity leave. There were also problems with casual and term contracts, new hires and terminations. Employees with varied work schedules, such as coast guard employees, also faced problems.



Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

After the second rollout, the department began holding regular press briefings where they claimed the system was working and the problems identified were being fixed. Officials maintain they have only had several hundred complaints.

They claimed many problems were the result of a huge learning curve for such a large and complex system and will be worked out as people master it.

In some cases, the problem is employees and departments not providing timely information for the centre.

Phoenix is the last of the two-stage “pay transformation” that the previous Conservative government initiated in 2009 when it decided to put the pay centre in Miramichi as a trade-off for jobs lost when the long-gun registry was closed.

Systeme Phénix: le NPD dénonce l'inaction libérale

Paul Gaboury, Le Droit, le 8 juin 2016

Le Nouveau Parti démocratique (NPD) demande au gouvernement libéral de régler les problèmes liés au système de paye Phénix, alors que de nombreux employés fédéraux affirment avoir été sous-payés ou pas payés du tout.

Le critique néo-démocrate des Services publics et de l'Approvisionnement, Erin Weir, soutient que les problèmes liés à l'implantation de Phénix durent depuis trop longtemps.

Il demande au gouvernement d'établir un plan pour corriger la situation.

«Il est honteux que plusieurs fonctionnaires ne reçoivent pas à temps leur paye. Le gouvernement a mis certains de ses employés dans une situation très difficile. Certains d'entre eux ne peuvent pas payer leur hypothèque ou doivent faire leur épicerie à l'aide d'une carte de crédit», a dénoncé le député Weir.

En comité, la ministre des Services publics et de l'Approvisionnement, Judy Foote, a indiqué que les problèmes liés à la paye découlaient de la transition et qu'il fallait donc s'y attendre. Toutefois, le député Weir estime que le gouvernement fait tout pour minimiser l'ampleur des problèmes.

«Il est encore pire d'entendre les prétextes servis par le gouvernement et ses efforts pour minimiser le problème en disant qu'il ne concerne qu'une infime partie de ses employés,

Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

souligne M. Weir. De nombreuses sources affirment pourtant que beaucoup de personnes ne sont pas payées. Il ne s'agit pas d'un cas d'exception.»

Le NPD a demandé au gouvernement libéral d'élaborer un plan pour réparer immédiatement les dégâts.

«Les libéraux ont promis de faire les choses différemment et de respecter la fonction publique. Payer ses propres employés, c'est bien le minimum», a mentionné M. Weir.

Statement by the Prime Minister of Canada on National Public Service Week 2016

Prime Minister's Office, June 12 2016

The Prime Minister, Justin Trudeau, today issued the following statement for National Public Service Week 2016:

"This National Public Service Week, I invite Canadians to join me in celebrating our federal Public Service.

"Every day, public servants work hard to strengthen the middle class and improve the lives of all Canadians. Their commitment ensures that we receive the services we need, no matter the pressures they face or the challenges before them.

"The theme of National Public Service Week, 'Proudly Serving Canadians,' could not be more apt. Since last November, my team and I have seen the passion and dedication of Canada's public servants in every task and project that they undertake. Whether helping resettle more than 25,000 Syrian refugees into Canada, or assisting the thousands of Canadians affected by the devastating wildfires in Fort McMurray, Canada's public servants make a real difference – day in and day out – in the lives of Canadians and people around the world.

"Our public servants understand that to remain focused on the people we serve, we must work together to make openness and transparency key values of our institutions. They understand the need to renew and modernize so that together we can – effectively and efficiently – meet the needs of Canadians today and into the future.

"Now is also the time to build and promote a welcoming and healthy federal Public Service environment in which public servants can access the support they need in times of personal crisis. A healthy workplace is a proud workplace – a dynamic, engaging, and appealing one to young Canadians looking for an exciting career that helps them make a real difference in the lives of others.



Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

"To public servants, I say thank you for all that you do to help us tackle the real challenges that we face as a country. You serve a vital role in our democracy, and are a source of pride and a model to other countries and governments. It is truly a privilege to work with you every single day.

"I look forward to the great things we will achieve together for all Canadians."

Déclaration du premier ministre du Canada au sujet de la Semaine nationale de la fonction publique 2016

Bureau du Premier Ministre du Canada, le 12 juin 2016

Le premier ministre Justin Trudeau a fait aujourd'hui la déclaration suivante pour souligner la Semaine nationale de la fonction publique de 2016 :

« En cette Semaine nationale de la fonction publique, j'invite les Canadiens à se joindre à moi pour célébrer notre fonction publique fédérale.

« Chaque jour, les fonctionnaires travaillent sans relâche à renforcer la classe moyenne et à améliorer la vie de tous les Canadiens. Leur dévouement nous permet de recevoir les services dont nous avons besoin, quelles que soient les pressions auxquelles ils font face ou les difficultés qui les attendent.

« Le thème de la Semaine nationale de la fonction publique, 'Fiers de servir les Canadiens', ne saurait être mieux choisi. Depuis novembre dernier, mon équipe et moi avons constaté la passion et le dévouement des fonctionnaires du Canada dans toutes les tâches et tous les projets que nous entreprenons. Qu'il s'agisse de contribuer à la réinstallation de plus de 25 000 réfugiés syriens au Canada ou d'épauler les milliers de Canadiens touchés par les feux de forêt à Fort McMurray, les fonctionnaires du Canada font une véritable différence – jour après jour – dans la vie des Canadiens et de gens des quatre coins du monde.

« Nos fonctionnaires comprennent que si nous souhaitons rester axés sur les gens que nous servons, nous devons agir de façon concertée afin de faire de notre ouverture et de notre transparence des valeurs essentielles de nos institutions. Ils comprennent la nécessité de se renouveler et de se moderniser pour que nous puissions – de façon efficace et efficiente – répondre aux besoins des Canadiens aujourd'hui et au cours des années qui viendront.

« Le temps est également venu de bâtir et de favoriser un milieu de travail accueillant et sain pour la fonction publique fédérale, qui offrira aux fonctionnaires le soutien dont ils auront

Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

besoin lors de leurs épreuves personnelles. Un milieu de travail sain est un milieu de travail fier – un milieu de travail dynamique, stimulant et attirant pour les jeunes Canadiens qui cherchent une carrière passionnante grâce à laquelle ils pourront faire une véritable différence dans la vie des autres.

« Aux fonctionnaires, je dis merci de tout ce que vous faites pour nous aider à résoudre les problèmes concrets auxquels nous faisons face en tant que pays. Vous jouez un rôle vital au sein de notre démocratie, vous êtes une source de fierté et un modèle pour d'autres pays et gouvernements. C'est un véritable privilège de travailler avec vous chaque jour.

« Je suis enthousiaste à l'idée des grandes choses que nous réaliserons ensemble au profit de tous les Canadiens. »

Trudeau government seeks outsiders for top public-service jobs

Cabinet looking for fresh blood from private sector and elsewhere for top public-sector postings

Dean Beeby, CBC News, June 8 2016

The Trudeau government is looking beyond the federal public service for executives to run some big departments, but is being cautioned that outsiders can sometimes be a bad fit for the public sector.

A tender issued this week asks headhunter firms for proposals to create lists of outside candidates willing to become deputy ministers, the top jobs in the federal public service.

"Ongoing talent sourcing will lead to the identification of an inventory of interested, high-potential candidates from outside the federal public service who have senior leadership abilities ... who can add to the diversity of the deputy cadre," says a June 6 tender document from Privy Council Office.

The goal is to have these candidates available for consideration whenever cabinet needs to fill some of the 70 deputy minister and associate deputy minister posts across government.



Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

"Existing public service members are not being excluded from this process," said Raymond Rivet, a spokesman for the Privy Council Office, the central agency of government answerable to the prime minister.

"An executive search firm will ... ensure that other candidates from outside the federal public service are identified for possible consideration."

The job initially will require three to five candidates to be assessed each month, with the final master list updated every two months. The successful headhunting firm is also forbidden for two years from hiring away candidates who actually win deputy minister jobs.

Master list a new initiative

Rivet pointed to several successful deputy minister appointments from outside the public service over the last decade – Richard Dicerni at Industry, Glenda Yeates at Health Canada, Paul Boothe at Environment. But he says the master list is a new, formalized initiative.

Donald Savoie, an expert in public administration at the University of Moncton, says the federal government has become too Ottawa-centric, so he applauds the effort to "sprinkle the public service with a different perspective."

But Savoie predicts the new recruiting process will not see more than two deputy ministers appointed from the outside over the next four or five years — and he thinks that may be a good thing.

Government departments and businesses are vastly different entities, he says, requiring different skill sets. There are too many examples of business executives who came into the public service and "bombed."

"I saw where they came in and made a mess of things," he said in an interview. "You need a deep appreciation of the culture of the public service."

Suitable outside candidates, however, can also come from provincial governments, universities or other non-business entities, he notes.

Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

Rivet said the Trudeau cabinet has already begun to hire from the outside, citing the appointments of Catherine Blewett as deputy minister of Fisheries and Oceans, and Dylan Jones as deputy minister of Western Economic Diversification, both effective June 20.

Blewett has extensive experience with the Nova Scotia government, while Jones was president and CEO of Canada West Foundation, a Calgary-based think-tank.

The prime minister on Tuesday also announced several new deputy minister appointments from within the ranks of the federal public service.

The recruitment tender closes in July 18, with the winning firm likely to start list-making by the fall.

Don't like C-14? Pass it anyway.

The assisted death bill may be imperfect — but it beats the alternative

Dianne Pothier, iPolitics.ca, June 8 2016

Bill C-14, the government's response to the Carter Supreme Court ruling on medical assistance in dying, is generating a lot of criticism from diametrically opposed perspectives — from those who think it's too permissive and those who think it's too restrictive.

Constitutional law scholar Errol Mendes, testifying before the Senate Committee, was right to invoke the old adage: "Perfection is the enemy of the good." It's especially apt where assisted dying is concerned, since there are so many different versions out there of what constitutes 'perfect'.

The Supreme Court of Canada concluded that the absolute ban on physician-assisted suicide ran counter to the Charter of Rights because it went too far in its attempt to protect the vulnerable — those who seek death in a moment of weakness. The Supreme Court suspended its declaration of invalidity until June 6 in order to give Parliament time to develop a complex regulatory regime.

The most contentious aspect of Bill C-14 is that it is limited to those who are dying, but with no time-limited cut-off. Those who think Bill C-14 is too permissive are seriously constrained by the Supreme Court of Canada's ruling. No attempt to completely prevent medical assistance in dying is possible without invoking the Charter's notwithstanding clause — a highly unlikely option. Very restricted access to assisted dying — such as the proposal from the Conservative

Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

bench that assisted death should be allowed only for patients with less than a month to live — would almost certainly fail a Charter challenge.

Critics who think Bill C-14 is too permissive should consider the consequences of defeating or significantly delaying the bill. From their perspective, going forward with no law could only make things far worse. Without criminal legislation, courts would have to fall back on the Supreme Court of Canada's ruling invalidating the ban on physician assisted dying — which would result in much wider access to physician-assisted death than C-14 would permit.

Then there are those who think wide access is constitutionally *required*, and that by limiting physician-assisted death to those facing a reasonably foreseeable death, Bill C-14 violates that requirement. These critics claim that since the Supreme Court of Canada's declaration said nothing explicit about limiting assisted death, no limits should apply. If an end-of-life stipulation were permissible, the argument goes, the Supreme Court would have said so.

I find the opposite argument more compelling: If the Supreme Court had determined already that Parliament could not adopt an end-of-life stipulation, it would have said so and explained why. But it never weighed the pros and cons of any end-of-life stipulation, such as exists in American states and in Quebec's law. It handed over the task of evaluating an end-of-life stipulation to Parliament.

Much has been made of the comment by Justice Andromache Karakatsanis on January 11, 2016, during the hearing on the application to give Parliament extra time to respond to the Carter ruling. Justice Karakatsanis, discussing Quebec's legislation, said that "whereas in Carter we rejected terminally ill ..." — the implication being that the law must not limit access to physician-assisted death to those already dying.

Much less attention has been paid to the fact that Justice Karakatsanis herself pulled back in the Court's written reasons just four days later. She was one of five judges who said the court "should not be taken as expressing any view as to the validity" of the Quebec legislation.

If Bill C-14 is unconstitutional in being limited to those who are dying, so is Quebec's legislation. In the second Carter decision, the Supreme Court was careful to leave the issue open. Despite that, those arguing that the first Carter decision already settled that there can be no end-of-life stipulation in an assisted dying bill are saying that this matter is not even *open* for debate.

The principled defence of Bill C-14 — the reason why it's likely constitutional — is that the risk of an irreversible error (of subjecting people to a premature death who may have ended up changing their minds) is much higher for those not already close to death. To claim that *all* that counts is individual autonomy is to deny society's duty to protect the vulnerable.



Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

The Supreme Court ruling has not obliterated suicide prevention as important public policy. Bill C-14 may not be perfect, but it's far better than the alternatives.

'This is a big step in Canadian society and justice,' Trudeau says of assisted dying bill: Paul Wells

Justin Trudeau remains unconvinced that Bill C-14 can't withstand legal challenge.
Paul Wells, the Toronto Star, June 7 2016

As the Supreme Court's deadline for assisted-dying legislation passed with no new law in place, Prime Minister Justin Trudeau yesterday rejected claims his proposed law doesn't go nearly far enough.

"Around the cabinet table, some of the most compelling conversations we had was around the disability community and the concerns around protecting vulnerable Canadians," Trudeau told the Star during a lengthy interview in his Centre Block office. "Because, yes, defending people's choices and rights is part of being a Liberal — but protecting the vulnerable is, too."

Last year the Supreme Court of Canada struck down Criminal Code provisions forbidding physician-assisted suicide and gave Parliament a year to rewrite the law. The government of former prime minister Stephen Harper did not draft a new law before its defeat in last October's election. With the court's original February deadline looming, Trudeau's government asked for a six-month extension. The court consented to only four more months.

That deadline passed on Monday. Physician-assisted suicide can now be performed legally starting Tuesday, with no restrictions under the Criminal Code. The House of Commons passed the new Liberal law, C-14, last week. The Senate has only begun deliberating.

Bill C-14 permits physician-assisted suicide only in cases where the patient's death is "reasonably foreseeable." That's different from the Court's phrasing: it held unanimously that a patient suffering a "grievous and irremediable medical condition" could seek a physician's help to end "suffering that is intolerable."

The distance between the court's language and the Liberals' has led some critics to suggest C-14 is too timid to withstand legal challenge. Constitutional scholar Peter Hogg on Monday joined the ranks of those critics. He told a Senate committee examining C-14 that the new bill fails the test set by the top court.



Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

Trudeau remains unconvinced. “This is a big step in Canadian society and Canadian justice,” he told the Star. “Getting that balance right means defending Canadians’ rights and freedoms and ability to make choices about themselves — but also protecting the most vulnerable.” Bill C-14 “respects the challenge the Supreme Court asked us to respond to,” he said.

But he also seemed to argue the new law could evolve through real-world application and court rulings. He called C-14 “a big first step that is going to be followed by a lot of discussions and evolution over the coming decade as we begin to develop practices and case law.”

Trudeau’s comments came during a wide-ranging interview on several topics. The Star will carry his remarks in separate stories over the next five days.

One of the leading organizations criticizing physician-assisted dying has been the Council of Canadians with Disabilities. The group has argued that severely disabled Canadians, especially those whose condition is new to them, could be so depressed they give up or could feel pressured by “social and economic circumstances.”

Does Trudeau share the fear that patients could be coerced into physician-assisted dying? “That’s been the slippery-slope argument that’s always brought up when medical assistance in dying is talked about from certain quarters,” he said. “But we’ve seen very clear studies from around the world, from jurisdictions that have that, that have said no, that simply isn’t something that ends up happening.

“But of course you need to make sure that it’s there in the framework,” he said. “Which is why we’re demanding (approval from) two physicians,” as well as a mandatory 15-day “reflection period” so patients have a chance to reconsider their choice.

Trudeau’s lead ministers on this file, Health Minister Jane Philpott and Justice Minister Jody Wilson-Raybould, urged legislators to move fast to pass C-14 before Monday’s deadline. But now that the legal vacuum they warned against is upon us, Trudeau downplayed its seriousness.

Will patients and doctors create facts on the ground by ending patients’ lives before the new law passes? “I’m certainly hopeful that in the coming days, not too much is going to happen,” Trudeau said. “I don’t think Canada is well served by having a void on this issue. And I’m certainly encouraging the Senate to get this done responsibly.”

Earlier prime ministers could have called their government leader in the Senate and urged that Senators on the government side of the upper chamber follow the government line. Trudeau



Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

gave away that power when, as leader of an opposition party, he kicked Liberal Senators out of his party's caucus. Does he regret that move?

"Oh, I knew that when I made this decision . . . there were going to be days that I grumbled at myself for having done this," he said. "But I also deeply believe that Canadian politics — and, mostly, Canadians themselves — will be better served by having a thoughtful, serious group of people look in on what's best for Canadians in the Senate and express that."

L'aide à mourir est officiellement décriminalisée

Le jugement de la Cour suprême s'applique, faute de projet de loi fédéral

Hélène Buzzetti, Le Devoir, le 7 juin 2016

Cette perspective a été maintes fois évoquée, mais elle est devenue réalité lundi : il n'existe plus de loi au Canada — mis à part au Québec — pour encadrer l'aide médicale à mourir, seulement les directives de certains collèges de médecins et le jugement de la Cour suprême. Il en sera ainsi jusqu'à ce que les sénateurs terminent l'étude du projet de loi C-14. Et ceux-ci, qui recevaient trois constitutionnalistes en comité lundi, ont entendu des avis divergents.

Le comité sénatorial a sollicité l'avis de trois avocats pour savoir si C-14 est, à leur avis, constitutionnel. Respecte-t-il le jugement de la Cour suprême ou est-il susceptible d'être invalidé par les tribunaux ? Deux des avocats ont donné raison à Ottawa en soutenant que son projet de loi était acceptable, tandis que le troisième a affirmé le contraire.

Peter Hogg, un des plus éminents constitutionnalistes au pays, a ainsi fait valoir que le projet de loi ne passerait pas le test des tribunaux. « À mon avis, C-14 ne respecte pas les paramètres constitutionnels établis par la Cour dans son jugement Carter », a-t-il dit aux parlementaires. Selon lui, la Cour suprême a reconnu à toutes les personnes souffrantes un droit à l'aide à mourir. En restreignant ce droit aux personnes en fin de vie, Ottawa déroge au verdict.

« Alors, un droit qu'ils ont aujourd'hui [depuis que le jugement s'applique] disparaîtra lorsque C-14 sera promulgué par le Parlement. » Gerald Chipeur a défendu la thèse opposée. « C'est toujours bon d'avoir deux avocats, car lorsque vous avez deux avocats, vous êtes assurés d'avoir deux opinions et c'est le cas ici. »

M. Chipeur a cité les portions du jugement où il est question de la déférence dont les tribunaux doivent faire preuve envers le législateur. Oui, la Cour suprême a reconnu un droit aux malades, mais ce droit n'est pas absolu et le Parlement peut vouloir le restreindre au nom d'autres impératifs, comme la protection des plus vulnérables, pense-t-il. « Vous n'êtes pas menottés,



Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

vous n'êtes pas enchaînés. Votre opinion est importante. » Il reprend ainsi l'argumentaire de la ministre de la Justice, Jody Wilson-Raybould.

Quant à Tom McMorrow, il a soutenu que la Cour avait choisi de ne reconnaître qu'aux gens malades le droit à l'aide médicale à mourir. « On peut donc dire que le jugement Carter limite l'accès à l'aide médicale à mourir. En principe, on peut donc dire que le Parlement peut en faire autant. »

Mardi, le Sénat étudiera le projet de loi article par article. Il fera ses recommandations d'amendements, si tel est son désir, cette semaine. Si le Sénat devait modifier le projet de loi, alors il devrait retourner à la Chambre des communes pour y être voté de nouveau.

Précipiter sa mort ?

La ministre de la Santé, Jane Philpott, espère que C-14 sera adopté le plus rapidement possible pour que le Canada ne soit pas sans loi trop longtemps. « Bien que j'aie bon espoir que les professionnels de la santé s'acquitteront de leurs obligations de manière responsable et éthique, je crois que les cadres réglementaires ne sont pas à eux seuls suffisants compte tenu de la nature de ce qui vous sera demandé », a-t-elle déclaré alors qu'elle s'adressait à un parterre de médecins. « Les infirmières, les pharmaciens et les autres qui épaulent les médecins n'auront pas les consignes ou les protections dont ils ont besoin », a-t-elle ajouté.

À Québec, le ministre de la Santé, Gaétan Barrette, a donné un conseil aux médecins de la province : « Si vous avez à faire face à une demande d'aide médicale à mourir dans l'état actuel du droit, prenez votre décision en fonction de la loi québécoise. »

Grace Pastine, la directrice des litiges de l'Association des libertés civiles de la Colombie-Britannique, le groupe ayant piloté la cause Carter, estime que l'imminence de C-14 place les malades devant un « choix cruel ». Ils pourraient être tentés de demander la mort maintenant de peur de ne plus y être admissibles lorsque la législation entrera en vigueur.

Les libéraux accusés d'incohérence

Deux garderies pourraient fermer parce que le gouvernement maintient une décision des conservateurs

Guillaume Bourgault-Côté, le Devoir, le 25 mai 2016



Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

Des garderies d'Ottawa et Montréal menacent de fermer leurs portes parce que le gouvernement Trudeau maintient une décision des conservateurs de couper le financement octroyé par le fédéral. Le geste est perçu comme une incohérence par rapport au discours libéral encourageant la conciliation travail-famille.

« Il y a une contradiction manifeste, soutient la députée néodémocrate Hélène Laverdière : on a un premier ministre qui se dit féministe et un gouvernement qui dit qu'il veut travailler à la conciliation travail-famille. Mais pendant ce temps, on coupe des subventions à des garderies. C'est un recul là où on devrait avancer », dit-elle.

Les deux garderies menacées sont des garderies en milieu de travail accueillant surtout des enfants de fonctionnaires. Le Centre à la petite enfance (CPE) du complexe Guy-Favreau, à Montréal, perdra à la fin de l'année une subvention annuelle de 190 000 \$ qui permettait de payer la totalité de son loyer.

Coupes maintenues

Les subventions accordées par Québec aux CPE pourront combler une partie du manque à gagner, mais le comptable de l'établissement évalue la perte anticipée à quelque 130 000 \$. Quelque 70 enfants fréquentent cette garderie située en plein cœur de Montréal.

La subvention de la Garderie Tunney's Daycare (GTD, un établissement bilingue de 49 enfants) d'Ottawa a quant à elle été abolie en 2014, à la suite de changements apportés au programme Garderies en milieu de travail, géré par Services publics et Approvisionnement Canada (SPAC). Là aussi, le financement était versé sous une forme indirecte : les gestionnaires de la garderie ne payaient pas de loyer — une économie estimée à plus de 220 000 \$ annuellement.

Quand il a appris qu'il devrait désormais payer les coûts de location de ses locaux dans l'édifice de Statistique Canada, le conseil d'administration de GTD a négocié une hausse progressive du loyer. Malgré différentes mesures d'atténuation (augmentation des coûts par enfant, diminution de la masse salariale), il ne voit pas comment il pourrait assumer la totalité de la somme de 150 000 \$ qui sera facturée à compter du 1er juillet 2016.



Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

« *Le gouvernement considère que nous sommes une entreprise comme les autres, déplore Olivier Marois, président du CA de GTD. Il ne réalise pas que nous sommes à but non lucratif.* » Selon lui, la pérennité de la garderie aurait pu être assurée si Ottawa avait accordé un délai de trois ans pour permettre de revoir la structure (par exemple en augmentant le nombre de places disponibles) tout en gelant le loyer.

Dans une lettre datée du 8 mars et obtenue par *Le Devoir*, la ministre Judy Foote (SPAC) a refusé cette demande, accordant plutôt 90 jours au conseil d'administration pour trouver une solution permanente.

Dans une lettre envoyée à la députée locale — la ministre de l'Environnement et mère de trois jeunes enfants, Catherine McKenna —, Olivier Marois fait valoir que la fermeture de la garderie « *enverrait un signal à l'opposé des valeurs véhiculées par [le] gouvernement* ». GTD a « *permis à des centaines et des centaines de mères de participer au marché du travail* » depuis une trentaine d'années, écrit-il.

Refonte

Mis sur pied en 1991, le programme Garderies en milieu de travail visait à aider les fonctionnaires parents à « *poursuivre leur carrière dans la fonction publique* ». Une douzaine de garderies ont profité des subventions de congé de loyer au fil des ans.

À la fin du règne conservateur, des changements ont été apportés aux politiques de SPAC en matière de prix des loyers dans les édifices fédéraux, entraînant des modifications au financement de garderies en milieu de travail. En novembre 2014, une première garderie (Tupper Tots Daycare, à Ottawa) fermait ses portes, incapable de boucler son budget.

Les menaces de fermeture évoquées par le CPE de Guy-Favreau et GTD sont pour le moment floues. Une pétition qui circule indique que « *sans subvention, le CPE sera contraint de fermer ses portes* ». La date du 1^{er} janvier 2017 a circulé, mais le comptable de l'établissement a



Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

confirmé au *Devoir* qu'il y a « *en banque des surplus accumulés qui peuvent permettre de vivre deux ou trois ans de plus* ».

Les libéraux pourraient d'ici là casser la décision. Hélène Laverdière le souhaite... mais souligne « *que ça fait plusieurs mois qu'ils sont au courant de la situation et qu'ils n'ont pas posé un geste encore* ».

Le Devoir a demandé des explications au gouvernement il y a plus de trois semaines à ce sujet. Mardi, tant le ministère que le bureau de la ministre cherchaient encore les réponses à donner. « *C'est un sujet complexe* », a-t-on fait valoir.

En campagne électorale, les libéraux ont promis d'utiliser une partie de son fonds d'infrastructures sociales pour aider les provinces et les municipalités à financer les infrastructures de garderie. Quant à la conciliation travail-famille des employés oeuvrant au sein d'entreprises de compétence fédérale, le gouvernement Trudeau a lancé la semaine dernière une consultation pour déterminer des axes d'interventions possibles.

Why so many young lawyers dislike their jobs

Allison Spiegel, The Globe and Mail, June 8 2016

Imagine a job where you would get paid to solve puzzles. You would be required to identify issues, devise solutions and outsmart your opponents. There would be an opportunity to help advance social causes, fight for what you believe, and affect material change. You would likely earn a good salary, too. Sounds pretty good, right?

It did to me and, so, I went to law school. Once I graduated and joined the ranks of the Big Law world, I was somewhat surprised to learn that many young lawyers dislike their jobs. Eight years after graduation, most of my law school friends have quit law firm life: they have moved in-house or they are doing something tangentially related to law or they have quit the legal profession altogether.

Why do so many young lawyers (particularly those working in the Big Law world) dislike their jobs? Although there are a number of contributing factors, part of the answer may lie in the way that lawyers bill their clients.

Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

The billable hour is the most widely used billing system in the legal world. The question should be asked: is the billable hour good for the very people who perpetuate its existence?

Rewarding time spent, not value delivered.

The emphasis on time above all else fails to properly reward creativity, ingenuity, or effectiveness, all of which are far more important to the making of a great lawyer than an ability to log hours. Leaving the world of professional services aside, there are few real-world examples where the result matters less than the time spent achieving it. It would be silly for a student who earned a C+ on an exam to request a grade change because she spent more time studying than the student who received an A. After a lifetime of being rewarded for results achieved, it can be a rude awakening for a new lawyer to learn that it is not her actual contributions that count, but, rather, how many hours of her life she is willing to devote to billing.

The pressure to spend more (and more and more) time billing.

Under the billable hour model, a law firm's revenue can only increase in one of two ways: higher hourly rates or more hours billed. Although hourly rates tend to increase every year, the market sets a ceiling. This leaves time billed as the only variable that can realistically change, which, for many firms, translates into an overriding emphasis on hours. Lawyers and, particularly, associates, feel pressure to spend an increasing amount of their time working, leaving less time for family, friends, and all other activities that contribute to a lawyer's sense of balance and well-being.

Devaluing non-billable time.

Just as importantly, billable work tends to be the only work that *really* counts from many firms' perspectives because it is the only work that directly contributes to the bottom line. Although many firms pay lip service to the need to spend time on non-billable work, many lawyers feel that their advancement within those firms is based largely on the hours they actually bill to paying clients. A failure to focus on non-billable time results in lawyers spending fewer hours on their professional development (e.g. marketing, business development, etc.) and feel-good activities (e.g. pro bono work, mentoring, etc.).

For junior lawyers, the problem is magnified. As clients increasingly refuse to pay for time spent training, junior lawyers receive less exposure to the interesting aspects of cases (e.g. attending court and client meetings – just to observe) and spend more time doing grunt work. Junior lawyers often leave law school intent on solving puzzles only to discover that a large portion of their early career will instead be spent reviewing documents in one form or another.



Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

At some point in a lawyer's career, however, the rules of the game change. Most partners are not expected to simply log hours; rather, they are expected to bring in new clients, keep old clients happy, and deliver results. As such, the failure to develop the skills necessary to succeed in these tasks is problematic, and probably more so today than in the past.

Unlike the good old days, in many of today's law firms, associates can toil away for eight years, prioritize work over everything else, and still fail to make partner. Associates who have been passed over slowly discover that without a book of business, the expertise to handle a file from beginning to end, or many business development skills to speak of, the world is not full of endless possibilities.

Increasing competitiveness in all of the wrong ways.

Making partner is harder than ever and that leads to competition amongst associates, which is not necessarily a bad thing. If time, however, is what counts, and Jimmy down the hall is willing to stay until 3 a.m. every day, succeeding at a firm turns into a race to the bottom of quality of life. For those lawyers who are ultra-competitive, who perform substantively better than their counterparts, but are unwilling to out-bill the Jimmys of the world (of whom there are many), this form of unwinnable competition is very demoralizing.

The billable hour disproportionately hurts women.

The prevailing view is that women still perform more unpaid household work than men. If time is the main metric by which a law firm judges its lawyers and women have statistically less time to spend at the office than men, aren't women trying to compete in a system whose rules are rigged against them?

While the billable hour is certainly not the only reason why women are failing to make partner in the same proportion as found in graduating law school classes, it is one that should not be ignored. I am not suggesting that the billable hour hurts all women more than men, simply those who spend more time at home and could out-compete their male counterparts if judged on metrics other than time spent.

This is not a call for lawyers to work fewer hours. The job of a lawyer under any billing model will always entail hard work and long hours. For many, however, it is not the sheer number of hours spent working that matters most; rather, it is their overall level of job satisfaction that counts.

Perhaps changing the billing system will change the focus. Lawyers will leave work thinking more about their results and less about the extent to which they stamped their time cards.

Press Clippings for the period of June 7th to 13th, 2016 / Revue de presse pour la période du 7 au 13 juin 2016

They will be expected to develop the skills necessary to turn them into great lawyers and will be rewarded for doing so. Staying at the office until 3 a.m. will no longer be a badge of honour; solving problems at record speed will be. A lawyer's worth will be measured by their output. That could make all the difference.

And why should law firms care how happy their lawyers are? Well, that seems obvious. Law firms are only as good as the lawyers they retain. Law firms should be spending more time figuring out how to keep their most valuable assets happy.