

[Delays predicted as DOJ chops more jobs](#)

Law Times, Monday, July 09, 2012 | Written by Elizabeth Thompson

Unions representing lawyers and support staff at the federal Department of Justice are predicting possible delays in legal proceedings involving the government and a reduction in service to the public after hundreds of additional employees learned their jobs are in jeopardy.

Currently, 83 federal government lawyers have received workforce adjustment notices and are waiting to learn whether they'll lose their jobs, says Lisa Blais, the newly elected president of the 2,700-member Association of Justice Counsel.

Jan Hauck, national vice president of the Union of Solicitor General Employees, says 483 of the 2,000 members of her union who work for the Justice Department in areas such as libraries and records keeping received workforce adjustment notices on June 27. That's in addition to 35 members who received notices in April.

Half of the notices are for positions in the Ottawa area while the rest are spread across the country, says Hauck.

So far, neither union has received notices for their members working in the Public Prosecution Service of Canada.

"It's grim," says Blais. "The morale is really low."

"The morale is probably at an all-time low," echoes Hauck, adding her members are "worked to the bone" already.

The notices handed out by the Justice Department are the first step in a long and complicated process triggered by Finance Minister Jim Flaherty's spring budget.

The goal of the government's strategic and operative review, also known as the deficit reduction action plan, is to trim the federal public service by 4.8 per cent, or 19,200 positions, over the next three years.

Besides the reductions at the Justice Department, the courts administration service that supports the various federal courts (but not the Supreme Court) is looking for \$1 million in cuts by 2014-15 and has identified 12 positions for cuts.

While it isn't the first time federal government belt tightening has resulted in public service job cuts, these are the first large-scale cutbacks under the current process.

The number of workforce adjustment letters sent to "affected" employees will likely exceed the actual number of jobs cut. In many cases, the government has to notify all of the employees in

a given job classification even though not everyone who gets a letter is going to lose their position.

There's also an alternation process that allows public servants who want to leave the government to take the place of someone whose job is on the line.

If departments still need to cut jobs after the voluntary departures, they're to hold job competitions among employees in those sections for the remaining positions. That means that someone who may have worked for the government for years has to reapply for the job and compete against colleagues.

Carole Saindon, spokeswoman for the federal Justice Department, says the department is looking for savings of \$67.5 million by 2014-15 and notes the goal is to cut 6.5 per cent of the overall workforce. "The vast majority of notifications to employees have now been delivered," she says, noting there still may be more notices.

Among the steps the Justice Department is taking to tighten its belt is reducing discretionary spending on consultants, travel, hospitality, and conferences.

It will also streamline "internal services by consolidating the delivery of communications, human resources, finance, and other administrative and management services" in addition to moving to electronic information services.

The department also plans to streamline "the delivery of legal services to government departments" and increase "efficiency by creating and expanding centres of legal expertise in some areas of the law" such as labour and employment and access to information.

As part of the efficiency efforts, it has merged some departmental legal services units, according to Saindon.

In the meantime, Blais says lawyers are trying to piece together how the job cuts will affect how the Justice Department does its job.

Among those who have received notices are lawyers who work in areas such as negotiating aboriginal land claims. The cuts also affect lawyers in the section that drafts regulations.

Outside the Justice Department, three lawyers at Human Resources and Skills Development Canada have received notices.

In addition, the government has declared one lawyer's position at the Hazardous Materials Information Review Commission to be surplus. The cuts also affect one lawyer at the Office of the Information and Privacy Commissioner as well as two lawyers at the Patented Medicine Prices Review Board.

Blais notes her union is also seeing an increase in outsourcing of some prosecutions to private law firms. Saindon, however, suggests otherwise.

“There are no plans to expand that use,” she says.

Blais says she believes the cuts will take a toll in morale among federal government lawyers and their ability to serve Canadians.

“I think you’re going to have tired, overworked lawyers. Who ultimately pays the price for that is the Canadian public.

“We have a government that says they value law and they value order. Law and order is not just putting criminals behind bars.

A broader view of law and order is to have a society that functions in a way that all Canadians are safe and secure and not just from the bogeyman but that their meat is protected, the planes they fly are safe, they live in a world where their human rights are respected, the medicines they buy are safe, they live in a society that is open and free, they live in a society where their privacy is respected — all of these subsets of justice and all of these smaller departments fulfil a role and they impact Canadians’ lives directly and indirectly.”

Hauck predicts the cuts will result in delays in legal proceedings involving the federal government.

“I do believe there will be an impact in the courts and how it shakes out, I don’t know.

Whether it’s a delay, whether it’s a loss of charges based on timelines, whether it’s just workload volumes, low morale, then you have higher sick leave. I really do see this is not a good picture.”