



Highlights



Use of Temporary Help Services in Public Service Organizations

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The Public Service Commission (PSC) is an independent agency reporting to Parliament, mandated to safeguard the integrity of the public service staffing system and the political neutrality of the public service. In addition, the PSC recruits qualified Canadians from across the country.

Why did the PSC conduct this study?

This study on temporary help services was conducted in response to a request by the House of Commons' Standing Committee on Government Operations and Estimates in April 2009 to report on the size, patterns of use and costs of temporary help services. In its 2008-2009 Annual Report, the Public Service Commission (PSC) expressed concern that temporary help services, meant for short-term use, may be used in a way that results in the circumvention of the *Public Service Employment Act* (PSEA) and its staffing values.

The PSC recognizes the need for temporary help services to meet short-term, immediate requirements. Managers are often called upon to deliver results immediately and require workers who can quickly and efficiently fill in during unexpected events, such as sickness, unanticipated workload increases or employee departures. Temporary help services represent one of several resourcing options available to managers to meet their short-term operational requirements. These services are obtained through a contracting mechanism guided by the policy framework set out in the Treasury Board *Contracting Policy* and through the Public Works and Government Services Canada (PWGSC) methods of supply.

The PSEA also addresses short-term needs, but through appointment processes, not contracting mechanisms.

The PSEA requires that all appointments be subject to the Act. In general, the PSEA establishes requirements for appointments in organizations under the PSC's jurisdiction. Parliament sets out a vision of a values-based approach to staffing, "a public service that strives for excellence, that is representative of Canada's diversity and that is able to service the public with integrity and in their official language of choice." In addition to the core values of merit and non-partisanship, the staffing system is guided by the values of fairness, access, transparency and representativeness.

The PSEA speaks to the following types of appointments: indeterminate (permanent) and non-permanent, which includes casual, term and student appointments. The Act anticipates managers' needs to address immediate resource requirements through provisions such as casual employment, which is excluded from the merit provisions. However, the PSEA places strict limits on casual employment in terms of duration of use to a maximum of 90 working days in any one organization within one calendar year.

What did the PSC find?

This study explored the use of temporary help services in 11 public service organizations, which collectively accounted for 50% of all temporary help service expenditures in 2007-2008. The study found temporary help services that were improperly used to address long-term resourcing needs. The PSC believes that long-term resourcing needs should be addressed through staffing mechanisms pursuant to the PSEA. In our opinion, the study reveals an additional workforce within the public service — one that is not subject to the PSEA, and that is used for long-term and continuous work.

This study found two practices that suggested long-term use of temporary help services. The first was the extended use of full-time temporary help service contracts. The second was the use of individual temporary help service workers in a continuous working relationship with the contracting organization, either by offering workers a series of temporary help service contracts or by using combinations of contracts and non-permanent appointments that fall under the PSEA, such as a term, casual or student appointment.

This study found that nearly one in five of the contracts reviewed (18.4%) were for durations exceeding 52 weeks, the longest being 165 weeks. Long-term contracts were more common for professional and technical workers than for administrative workers. In terms of a continuous working relationship, 16.3% of temporary help workers in these organizations were appointed to a public service position by the same organization in which they held their contracts within the two-week period prior to and/or subsequent to their contract. The PSC believes that, combined, these findings demonstrate the use of temporary help services in situations where the work is long-term and continuous.

The study findings indicate that, in practice, temporary help services provide a source of recruitment into the public service. The use of temporary help services as a source of recruitment places the PSEA value of access at risk, and limits the use of the national area of selection to promote Canada's geographical diversity within the public

service. This situation is exacerbated, given that 85.2% of contracts reviewed in this study were in the National Capital Region.

The study found that, within 180 days of the end of their contracts, one in five temporary help service workers in our study organizations (20.5%) became employed under the PSEA in the same organization in which they had held their contract. Casual employment was the first point of entry for the majority of workers recruited into employment under the PSEA.

By the end of our study period, 73.2% of the temporary help workers recruited into employment under the PSEA obtained indeterminate or term positions. Although the PSC has established a clear preference for external recruitment to occur through nationally advertised processes, nearly one third (30%) of all external appointments of former temporary help service workers to indeterminate or term positions were made through non-advertised processes.

Based on the PSC's analysis of data from the Public Accounts of Canada for all PSEA organizations, expenditures for temporary help services nearly tripled over the 10 years between 1999-2000 and 2008-2009. Expenditures for temporary help services increased at twice the rate of those for indeterminate salaries. While expenditures for temporary help workers increased, expenditures for term and casual employment leveled off or decreased. The upward trend in expenditures for temporary help services reinforces the PSC's concerns regarding the risks to the integrity of the public service staffing system.

Our analysis of 2007-2008 temporary help service contracts for our study organizations indicated that 37.3% were for professional or technical/operational workers; the remainder were for administrative services. Interviewees in our study identified a number of factors contributing to the use of temporary help services, including increased workload, lengthy public service staffing processes and the need to cover for absences due to turnover or leave.

The study shows that the decision to engage temporary help services is left in the hands of individual managers, who are provided little formal guidance to determine when their actions

circumvent the PSEA. Actions such as the extended use of a temporary help service contract, or the continuous engagement of an individual worker through a combination of contracts and PSEA non-permanent hiring mechanisms (term, casual and student positions) can adversely affect merit, fairness and access. Furthermore, due to the lack of integration between the contracting, financial and human resources reporting functions related to temporary help, it is difficult to monitor whether the objectives of the PSEA are being respected. Ultimately, only the manager and the temporary help service worker know whether a continuous working relationship exists.

What action is the PSC taking?

The PSC is committed to consulting with Treasury Board Secretariat, PWGSC and individual organizations to identify solutions to address the issues raised in this study, including facilitating better guidance and advice to managers. The PSC will also look at proposing possible amendments to the PSEA. The time required to staff a position under the PSEA is also being addressed by providing support and encouraging organizations to establish their own benchmarks. In addition, the PSC is committed to working with others to provide guidance to deputy heads on the use of temporary help services when conducting their human resources planning, and on how temporary help services can be used appropriately in relation to other non-permanent hiring mechanisms under the PSEA. As part of this consultation with stakeholders, the PSC will examine ways to monitor the use of temporary help services within the context of the PSEA and in light of recent contracting changes.

