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Chair

Mr. Robert Oliphant

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• (1105)

[English]

The Chair (Mr. Robert Oliphant (Don Valley West, Lib.)): I'm calling the 10th meeting of the Standing Committee on Public Safety and National Security to order.

As you know, we are continuing our study, on reference from the House of Commons by order of reference on Thursday, March 24, to study Bill C-7 a bill that all Canadians are concerned about, of course, but there are certain groups more implicated in it than others. We are delighted to have with us representatives from the Mounted Police Professional Association of Canada, the National Police Federation, and the Mounted Police Association of Ontario.

We're going to begin today with a 10-minute presentation from the Mounted Police Professional Association of Canada. It will be followed by a joint presentation from the National Police Federation and the Mounted Police Professional Association of Ontario for 10 minutes as well.

Mr. Rae Banwarie (President, Mounted Police Professional Association of Canada): Good morning, honourable members of the parliamentary committee, Chair.

My name is Rae Banwarie. I am the President of the Mounted Police Professional Association of Canada. Thank you for the opportunity to address the committee regarding Bill C-7.

I have been involved in the pursuit of collective bargaining and unionization of the RCMP since 2007. MPPAC is a national, non-profit police association comprising regular members and civilian members of the RCMP in every region of the country. We're seeking to become the certified bargaining agent for all non-commissioned members of the RCMP.

I will begin by speaking to some of the amendments we would like to see in Bill C-7 that are found in our brief, which everybody has. We are compared to civil servants in this piece of legislation. The restrictions found in Bill C-7 are from the PSLRA. Why, is the first question? We are not civil servants, yet we're being compared to civil servants. We are a national police agency and should be compared to large police agencies like the OPP, Sûreté du Québec, Toronto metro, Vancouver PD, or Winnipeg Police.

I'll talk about some of the points on page 2 of our brief. As everyone knows, and has been made painfully aware, we continue to lose members of the RCMP. We've had incidents like Mayerthorpe, Moncton, and St. Albert. The list goes on and on. In all of these incidents the components of inadequate resourcing, inadequate training, and inadequate equipment have caused death and injury to

our members. The recent four charges still pending in Moncton support this fact.

Why would we have a collective agreement that will continue to place our members' safety and that of the communities we police at risk? When we undermine the member resourcing, the equipment, and the training by not having proper measures in place to safeguard these critical parts of our policing, we're placing our membership at risk and everybody in every community that we police at risk.

We're seeking to have minimum staffing levels. For example, article 22 of the collective agreement of one of the biggest police agencies, the Toronto Police Service, talks about minimum resourcing. That's contained in the brief. We're looking for the ability to have that covered in the collective agreement.

We are also seeking to remove the reference to equipment and their restrictions on the scope of bargaining found in this bill and to add new provisions to address this in a collective agreement. We have amendments that we suggested on page 3 of our brief.

We conducted a national survey for our membership. We did a snapshot of approximately 1,000 members: our members and civilian members who are not part of MPPAC. We have the results, and 94% of the membership we surveyed say they want this as part of their collective agreement: just this one point. That's significant.

I'll move on now to harassment. Canadians sadly have become aware of the issues of harassment, which continue to plague the RCMP. There is a class action in the certification process in British Columbia with over 400 past and current female members of the force. There is another class action led by Linda Davidson, which is seeking \$500 million in damages.

There have been multiple cases over the past decades of harassment. Why would a significant issue such as this—which has caused harm to our members and led in many cases to PTSD, sickness, depression, occupational stress injuries, and in some cases, suicides—not be brought under a collective agreement, so that it can be dealt with in an open and transparent manner? Binding arbitration has a potential component for redressing these situations, just like our core values in the RCMP of transparency and openness.

Without harassment being included in the collective agreement, we are essentially assisting in furthering this issue and allowing it to reproduce and flourish in the RCMP. This issue goes directly to the culture of the RCMP, and we have to address it. If we don't address it, we're setting up our organization to continue to fail.

We must delete the reference to "including harassment" in proposed paragraph 238.19(c) of this legislation that we're studying today. I believe it can be brought and should be brought under a collective agreement so we can start to mitigate it and deal with it.

Our recommendations are found on page 3 of our brief.

That is my portion. I will turn the rest of the presentation over to Lee Keane, my director.

•(1110)

Mr. Leland Keane (Board Member, Mounted Police Professional Association of Canada): Mr. Chairman, honourable members of the committee, thank you for inviting me here to speak.

My name is Leland Keane. I'm a director of the Mounted Police Professional Association of Canada, also known as MPPAC.

I've been involved in the pursuit of collective bargaining for members of the RCMP since 1995. I would like to draw your attention to page 4 regarding discipline in part of our brief.

We have concerns with Bill C-7 about the adequacy and independence of the current process regarding discipline. The commissioner has the authority for appointing conduct authorities and conduct boards, but the appeals from these bodies are decided by the commissioner. The procedure lacks any independence from the RCMP commissioner.

In comparison, Ontario, for instance, has the Ontario Civilian Police Commission, which is much more independent. The first level of decision there on most misconduct issues is decided by the chief of police. Under section 87 of the Ontario Police Services Act, police officers or complainants can appeal that decision with the Ontario Civilian Police Commission, which is appointed by that lieutenant-governor. Further appeals would go through divisional court under section 88.

MPPAC calls upon the government to amend the current RCMP procedures for code of conduct and discipline matters to ensure a greater level of independence from the RCMP commissioner. We would like to see some civilian oversight.

On this fair dispute resolution process, RCMP members are precluded from striking. It's also in MPPAC's constitution. We don't want or seek the right to strike. Binding arbitration is vital to replace that process to make it fair and independent, which replaces our constitutional right to strike.

We have serious concerns about fairness and constitutionality of this dispute resolution in place. We understand the necessity for attracting and retaining personnel and Canada's fiscal circumstances, and the government's position is skewed in favour of that position.

In regard to arbitration, we want an arbitrator to independently consider all relevant factors and weigh those. Factors such as classification of employees would be something that we would be interested in having in the collective agreement. RCMP members are

not civil servants, and it's not relevant to compare us to other civil servants.

MPPAC would propose such phrases "as between occupations in the public service" be deleted from the arbitrational factors in the PSLRA. We would like to see, on page 5, a paragraph (b):

the necessity of offering compensation and other terms and conditions of employment in the public service that are comparable to those of other employees in similar occupations in the private and public sectors, including any geographic, industrial or other variations that the arbitration board considers relevant;

The Chair: Mr. Keane, I don't want to interrupt. I just want you to know you only have one minute left, and you're about halfway through your submission. It may be appropriate for you just to highlight the key points and then refer the committee to your whole submission just so you have covered the whole thing.

Mr. Leland Keane: Thank you very much, Mr. Chairman. Absolutely.

I'll draw your attention to clause 40 of Bill C-7, the Government Employees Compensation Act. We would like that section struck. We have a situation that's dealt with internally by the RCMP management. Our members overwhelmingly do not want to be subject to provincial workers' compensation boards. Witness our recent survey, which we can provide to you.

We also have concerns regarding the clarity of the terms regarding affiliation under the PSLRA. It's too vague. There are some charter issues there with the association under the charter. "Affiliation" is not defined and can be used once we have certified, even against us in that.

What we seek in Bill C-7 is that the term "affiliated" be more specifically defined in order to give better guidance to the employee association, which would be allowed to certify.

I think that pretty much covers what we have. I draw your attention to our brief, and we certainly do welcome questions regarding any of those issues in our brief.

•(1115)

The Chair: Thank you.

I commend the whole of the brief to the committee members. We'll consider this part of your submission.

Mr. Merrifield, from the Mounted Police Association of Ontario.

Mr. Peter Merrifield (Director, Mounted Police Association of Ontario): As a past president of the Mounted Police Association of Ontario, and a current director, I was one of the original people involved in the application before the courts that began in 2004 and 2005, in the preparatory stages, to be filed in 2006. That application by the Mounted Police Association of Ontario, supported by the British Columbia Mounted Police Professional Association, has led this committee to this room. For 13 years, I have been committed to a piece of legislation whose spirit and intent was to be driven by officer safety and working conditions. This was never an application about pay, benefits, and issues like that.

I would like to tell you briefly about myself so you can understand what, who, and how is addressing you here today.

I am currently a sergeant in the RCMP. For the last three years I have been a member of the internal staff relations program. I have been a member of the Mounted Police Association in good standing for 13 years. I've sat on the board of directors of the Canadian Police Association, and I've been president of the MPAO. I am one of the co-founders and executive chairs of the new National Police Federation, which is another group seeking national certification to represent members of the RCMP. I am also a military veteran, and I proudly served in the Canadian Armed Forces in rotary-wing operations, Mr. O'Toole, just so we are clear. I've stood for Parliament and was the first serving member of the RCMP to run in a general federal election, in 2004. Because I am not on that side of the table, I think you know the outcome.

As a co-chair of the national officer safety committee within the RCMP, as well as a member of the national policy health and safety committee, I have been responsible for representing members of the RCMP on health and safety issues in accordance with the Canada Labour Code and in conjunction with RCMP management. Having had a seat at the table, I have a very good view of what's going on inside.

Because the spirit and the intent of this legislation, when we brought it forward as a legal challenge, were to improve the working conditions of the members of the RCMP, I am very concerned over the exclusions and the very limited scope of collective bargaining that have been included in Bill C-7. Originally, we would have liked to see a Royal Canadian Mounted Police labour relations act. That didn't seem to come to fruition. There seem to be remnants, from our management and whoever was involved in drafting the legislation, that seem to mirror the former Bill C-43. We have to work with what we are given, and as an appellant before the courts I appreciate the very strict timeline that this committee has been given to try to generate this.

As a result of that, and my having been one of the people who compiled this, there really was an overwhelming desire to improve officer safety and working conditions. Our application sought rights and the ability to influence and determine our working conditions. Once it was submitted, we fought for nine years before the courts, at every level: Ontario Superior Court, Court of Appeal, Supreme Court of Canada. We sought to right a wrong, which is often what police officers do. Our seeking to right that wrong was to seek the fundamental rights that every other Canadian had, that every other police officer in the country had, and that was to have a say in our working conditions, to be entitled to legally supported collective bargaining.

More than a year after the decision by the Supreme Court, it would appear that the legislation presented by way of Bill C-7 does not embrace the spirit and intent of the MPAO/BCMPPA application, nor of the SCC decision itself. The intention of the SCC included a key word, which I often do not hear repeated, and that is the word "meaningful". It was to include choice and independence, to guarantee that we were able to participate in meaningful collective bargaining.

I am somewhat concerned that the input provided to the committee has relied heavily on the management perspective of the RCMP, because this bill, this legislation, is about empowering the members of the RCMP. Because of the information you've been given by management, I feel that—if I can use a euphemism here—somehow the foxes have installed a security system in the henhouse, if you will. I'd like you to consider what matters. When our officers are safe, the public is safe, and that is your responsibility as elected officials.

Now, I had very short notice to appear at the committee. Part of that was my fault. I have a written submission that I will be providing to the clerk through the weekend. It is important you realize that some things that were brought up at the meeting the other day.... I have put my position in the RCMP at risk speaking to you today, and I have brought the signed order of the commissioner of the RCMP with me, if you wish to see it.

That would be my timer, so I would stop at this point and answer any questions you like.

● (1120)

Mr. Sauvé.

Mr. Brian Sauvé (Co-Chair, National Police Federation): Good morning, Mr. Chair and members of the committee. Thank you for allowing us to speak today on behalf of the general membership of the RCMP.

I'll tell you a little bit about me. I am also a sergeant in the RCMP, presently stationed in Vancouver, British Columbia, but also on leave without pay from the RCMP to work in the National Police Federation as a co-founding chair.

Previous to my role in the National Police Federation, I was a staff relations representative. That particular body elected me to run as the chair of the staff relations representative program's health committee. We advocated on behalf of better health benefits and working conditions under the Canada Labour Code, as well as such supplemental benefits as dental care and massage therapies.

During my period in that role, between May 2012 and February 2016 just past, I was involved in a number of large initiatives. I'll just hit on a couple of them. One was the transition of the RCMP to provincial-territorial health care. Others were the discussions around changes to supplemental benefits, such as dental care and massage; the drafting and release of the RCMP's mental health strategy; the implementation of the Road to Mental Readiness training for members of the RCMP to increase their mental resilience; the outreach of Veterans Affairs benefits to members of the RCMP; and I was directly involved with the study of, the drafting of, and the implementation of the RCMP's internal determination process with respect to occupational injuries. I brought to that the perspective of a member on the ground.

I'll discuss the determination process, because it came up on Tuesday in discussion, and I want to clear up a few issues there. The need for this process came about for two reasons. The first was the change to provincial health care. The second was our position that the RCMP for many years had not dealt with members who got sick on the job in a timely fashion, allowing them to languish, perhaps fall through the cracks, and not return to work in a timely and effective manner. Our position was simple. The RCMP needed to adopt a national determination process for occupational injuries to treat all members equally, regardless of posting, division, province, or territory.

I will say that the idea of moving to a provincial compensation or a workers' compensation board idea was brought to the table by RCMP management. It was unequivocally, categorically, and vehemently opposed by me, by my committee, and by the entire SRR program. The reasons for that I'll go into now.

We are Canada's national police force. Our members should be treated equally everywhere in Canada, no matter their province of posting. Most of those members do not choose their province of posting. This brings in the area of concern over adjudication of occupational injuries and how provinces differ.

Some examples, and these are just the highlights, would be presumptive legislation for PTSD regarding first responders. Ontario just passed that. Ontario has it. Alberta has it. Manitoba has it for all employees. Nova Scotia, New Brunswick, and B.C. have private members' bills out there that are seeking to get it, but we don't know if those will pass. Other provinces do not. Suffice it to say, then, that in today's RCMP, with the focus on the mental health and well-being of its members, I would suggest perhaps more study needs to be done in that area before pulling the pin.

Chronic stress claims resulting from workplace harassment vary significantly from province to province under workers' compensation. There is no clear benchmark. In my role as an SRR, I can attest that disciplinary proceedings have a significant impact on the involved member. The stress from protracted investigations and protracted discipline hearings can have a permanent impact on that member's life.

Appeal timelines in the workers' compensation world vary considerably between provinces. The lowest is a 30-day appeal for Nova Scotia. The longest is one year. Some provinces have different timelines according to what the decision was about.

Then there are the job search bonuses in case of a discharge—for example, if someone cannot return to active duty and they end up taking a medical discharge. The job search bonuses, whether you're actively seeking or not actively seeking, vary widely across the country, depending on the province you're in.

These are a few of the concerns, just the highlights, with respect to the inequality of care that exists today under WCB legislation across Canada. We have not even begun to discuss a scenario such as a member who gets hurt in Alberta, returns to work, and then gets transferred to New Brunswick. It's my understanding that the receiving WCB can ask to review the entire file of the approving WCB and alter, rescind, or modify treatment.

●(1125)

Not all avenues—

The Chair: Just to give you a warning, could you wrap up fairly quickly. Thank you.

Mr. Brian Sauvé: Not all avenues have been adequately explored, and I'd suggest that this change to GECA is premature at best. There are other possible options.

As members of the RCMP, we already are eligible for access to Veterans Affairs Canada through the Pension Act for permanent disabilities. Members who receive a permanent disability related to their service to Canada can apply for a disability pension through VAC. VAC is an independent adjudicator, separate from the RCMP, with internal avenues for appeal such as the Veterans Review and Appeal Board. Through the discussions on disability management, we made the suggestion that seeing as Veterans Affairs Canada is involved at the back end on permanent disability, why not have them involved at the front end making the initial adjudication, so that there is consistent service delivery across the country.

With Veterans Affairs, we've had those discussions with the deputy minister and they are on board. They are interested in doing that. What we would have to provide to them are the business rules that we want to follow. For example, do we want to follow WSIB's business rules? Veterans Affairs would then train and staff-up their staff and provide that service delivery across the country. However, RCMP management was not interested in entertaining that option.

The Chair: Thank you.

Mr. Brian Sauvé: I'm open for questions down the road.

This was a last-minute attendance by myself as well, so I'll provide a written submission to the clerk.

The Chair: Very good. Thank you very much.

To begin our questioning, we're going to start with Mr. Mendicino for seven minutes.

Mr. Marco Mendicino (Eglinton—Lawrence, Lib.): Thank you very much, Mr. Chair.

I want to begin by thanking each and every one of you for coming before this body today to provide some evidence and important testimony on what is I think a bit of a watershed moment for the RCMP and its members.

Just to give you a little bit of personal background, I'm a former federal prosecutor, with over 10 years of service with the PPSC, which before was the Federal Prosecution Service. In that capacity I was the president of the Association of Justice Counsel, which was the first association to represent DOJ civil lawyers and federal prosecutors at the bargaining table. So I just want to tell you there is light at the end of the tunnel.

I was there when we were certified and we had to go and compete for it. I was there when we did our first two rounds of collective bargaining. I was there when we regrettably had to actually engage in some litigation with the government. Hopefully it doesn't come to that. I think that your appearance today will be part of a productive and ongoing dialogue as we make our way towards your end goals, your workplace goals.

I've got three areas I'd like to focus on, and most of them can fall under the broad category of exclusions. I take it from your written submissions that this is an area of primary importance. I'm talking specifically about what I think is proposed subsection 238.19, where the exclusions...what would not be bargainable, if I can put in just more general language.

Let's talk quickly about harassment, and I don't mean to do the subject any disservice, but I know that there is a lot of history there. It's well documented. There is active litigation. It's a delicate issue. Can I ask, are there other collective bargaining agreements, that you have come across where harassment has been on the bargaining table? It really is an open question. I don't have anybody in mind in answering this.

Mr. Peter Merrifield: When it comes to exclusions, I think the models to cite.... I listened to the testimony Tuesday, and comments from both Deputy Commissioner Dubeau, and I believe Minister Goodale talked about Bill C-7 being in alignment with all of the other police associations in the country, but we beg to differ. Two of the largest provinces, British Columbia and Ontario, don't list exclusions. So, yes, in their collective bargainings, within British Columbia the fire services and police act, have no exclusions, absolutely none. Within Ontario, it's listed within section 119(3) of the Police Services Act, where so long as it falls in compliance with section 126, which describes the duties of a police officer, components may be included in collective bargaining.

• (1130)

Mr. Marco Mendicino: So the short answer is yes. I think to be fair to the RCMP management witnesses who testified a couple of days ago, they did clarify in their testimony that they had some research that would illustrate that this wasn't unprecedented. I wouldn't want to leave any member of the public or the members of this committee with the impression that they were in any way trying to mislead. I think they would admit that there are other examples to be cited from.

I think one of my colleagues, Mr. Erskine-Smith, did ask them to come back to us with evidence, so we hope to receive that. I would encourage you to do the same.

Have you got any concrete language or proposals? Have you started to turn your mind around what a statement of principle around harassment looks like? Unless I'm mistaken, I don't see that in your submission.

Mr. Rae Banwarie: We're just in the introductory stages of that as part of an amendment to it, but it is a very big, dynamic, huge issue that we're going to have to bring forward in terms of what you're asking for, but that's something that our lawyers are looking at right now to go into more in depth for us as part of our proposal for a collective agreement.

Mr. Marco Mendicino: Let me leave this thought with you. There are substantive rights and there are procedural rights in the law, and you could have, assuming this is something you are thinking about and brainstorming... Again, I am in no way trying to sort of predetermine the outcome of this committee's deliberations on this subject. If you were talking about a substantive right like no discrimination or harassment in the workplace, and then leave it to

another form or body to scope out procedurally how you uphold that right... I put that out there.

The second area that I want to talk to you about is just safety and uniforms. This is something that did come up in your submission, and you actually refer to a case that is from the Ontario Court of Appeal, which is at page 2, footnote 2, and the name of the case is Re Metropolitan Toronto Board of Commissioners of Police and Metro Toronto Police Association. That's very helpful for all of us.

I'm going to go back and try to read that case a little bit, but I do believe that since that case there have been amendments to the Police Services Act that would make the very subject matter that was approved by the Ontario Court of Appeal at that time not bargainable. What I'm referring to, again very generally, is operational requirements. When you go to the board and say, "We want to put this in the hopper to be negotiated", when you start to move into a zone that really falls within operational requirements decisions, the general rule is that is a no-fly zone, putting it colloquially.

Mr. Peter Merrifield: What they've done with respect to that is the residual management right, which is recognized in labour law. With the residual management right within collective bargaining, there are certain things we could not encroach on, but what is supported within other case law decisions is the speaking to the direct officer safety working conditions so, while they did recede a bit on the 1975-76 decisions with the arbitrators and the court of appeals with regard to two-member cars, when it came to the significant components of officer safety, most of those elements have been upheld and allowed to continue to be in collective bargaining agreements. There is language to support that, which is missing in Bill C-7, even language about collaborative committees. There is not one word in Bill C-7 for a collaborative committee outside of the Canada Labour Code mandatory committee.

Mr. Marco Mendicino: I'm familiar with that kind of entity, but just in the interests of time, I want to come back to harassment because I know that this is a real preoccupation with all of the associations and I'm sure with the employer as well. There was a statement made by one of the witnesses that resonated with me, and that is, if we don't have harassment on the bargaining table, it would allow the current state of dysfunction to continue, if I understood it correctly.

I would say that, in a scenario where harassment is determined in our report referred back to the House not to be on the table, in other words, that the current proposal remain as is, it seems to me on a reading of the Public Service Labour Relations Act, under which you would fall, that you do have other recourse. Namely, you could file an unfair labour practice complaint, and so there is language that does deal specifically with harassment and with discrimination, and those statutory avenues would be presumptively available to you in a situation where you couldn't bargain it, so just to give you some—

The Chair: I'm afraid I need to interrupt you.

If you would like to respond specifically on that issue, we would welcome anything in writing.

Mr. O'Toole.

•(1135)

Hon. Erin O'Toole (Durham, CPC): Thank you all for appearing and certainly for your service.

The Conservative Party has tried to approach Bill C-7 in a way that respects the timelines involved and respects the unique nature of the RCMP, so, unlike Mr. Mendicino, who just talked about harassment, we're focused on clauses 40 and 42. You may have followed our questions on that, and that's where our concern lies.

I was struck though, Mr. Banwarie, that you suggested you are surprised that this is like the PSLRA, but that was what the court case was about. The charter right was that the staff relations program did not provide the charter right, which is kind of why we're here.

A couple of you mentioned that you were part of the staff relations program, the insufficiency of which led to the decision of the Supreme Court of Canada. What specifically with that structure was the inherent weakness, from your point of view, for those who were involved directly in those roles?

Mr. Peter Merrifield: Fundamentally, with the application from the MPAO side it was a lack of independence for management that was probably the key component. It's very difficult to utilize the system for resolution for workplace conflict, difficulty, harassment, safety concerns, when your program of representation ultimately reports to and is funded and controlled by management. It was that seeking of independence.

Make no mistake: they fought some great fights on behalf of members and they achieved certain things, but the court clearly recognized that because of the totalitarian nature of a paramilitary structure, in the Royal Canadian Mounted Police, there was a glass ceiling. This was to remove that glass ceiling.

That would be the most inherent difficulty, I suspect, and it forced a lot of creative manoeuvring to try to get around it.

This just opens the door and gives the same fair ability to deal directly with management from an independent, protected position that other police services enjoy through their associations.

Mr. Rae Banwarie: We have the same sort of scenario now, with the Enhancing Royal Canadian Mounted Police Accountability Act, in terms of discipline and everything. The employer controls all facets of that process, whether it's a conduct board, a medical board, or a discharge process. The only avenue available to our members is through litigation and the courts; that's it.

There's no procedural fairness in that set-up. That's why that whole component involving discipline and conduct must be removed and must go to an independent process.

Hon. Erin O'Toole: I'd like to follow up on that, because that is an area in which I feel the government has struck the right balance.

Mr. Merrifield, you talked about the RCMP and their important role as a paramilitary organization. I think there are certainly problems.... If discipline, operational matters, postings—all of the unique nature of our federal police service, which I'm very proud of—should not be part of collective bargaining, essentially you don't have a chain of command, and you can't be the unique force that you are.

Not that I'm trying to help these guys too much, but Bill C-7 tries to get the balance right. That's my point of view. I don't want to see a unionized military. I don't think you would have thought it would work well when you were in rotary-wing.

I'm going to devote what little time I have to what Mr. Sauvé focused on very well, which is the potential lack of a high standard with clauses 40 and 42.

While I was veterans affairs minister, as someone in the crowd knows here today, I made sure that the veterans association was part of my direct stakeholder advisory group, and I was inclined to the solution you discussed in terms of using the expertise at VAC.

A key concern is whether you have been able to identify provinces in which the standards for workers compensation are not at levels that you feel are sufficient for the RCMP.

Mr. Brian Sauvé: Yes and no. I can only go on the experience with the changes to the Canada Health Act from 2012-13, which were included in budget 2012. Then there were nine months or so to implement it, up to April 1, 2013.

Changes to the Canada Health Act allowed regular members of the RCMP to fall under provincial or territorial health care. For example, now I carry a British Columbia medical services plan health card. Members in Quebec carry a RAMQ card. Here in Ontario they carry an OHIP card. Previously they did not.

The changes to that... For example, in British Columbia the medical services plan does not cover prostate screening exams. In Manitoba it does. Neither does it in Ontario. With just that one little piece of change to the provincial-territorial health care, all of a sudden you have those who want to have a prostate screening exam paying out of their pocket for it, or if it's directed by their doctor they're paying out of their pocket for it, whereas previously they did not.

•(1140)

Hon. Erin O'Toole: This is where my concern stems from. If we are, given the unique nature of the role, posting a family from Nova Scotia to B.C., for example, I would want to think that there was a consistency of benefit and of performance for someone who, given the unique nature of the case, cannot grieve that posting, for example.

We recognize the unique nature; therefore we have to guarantee a high level of service. That's your concern with 40 and 42, in a nutshell.

Mr. Brian Sauvé: I have two concerns with 40 and 42. First, I find it ironic that a bill that is going to allow members of the RCMP the ability to collectively bargain terms and conditions of employment includes a change to those same terms and conditions of employment. That's a little ironic.

Secondly, I think 40 and 42 should be struck. The simple solution is to sit back and say, let's see which bargaining agent certifies when they certify and then put it on the table for bargaining.

If you want to go down the road of establishing a service standard right now, I can go on my experience in the health committee and sit back and say WCB doesn't even have the same insured salary maximums across the country. The RCMP can say we will top you up to 100%—

Hon. Erin O'Toole: I don't have much time, but if there were that guarantee of consistency, would the independence and expertise of the review of the provincial agencies be sufficient, provided there was the certainty that members would receive an equal outcome across the country?

We've heard a bit here about choice and independence. The government is saying that there's some independence and expertise within, say, worker's comp and the WSIB in certain provinces.

Mr. Brian Sauv : I would agree.

Hon. Erin O'Toole: If there were a federal guarantee of consistency, would you be okay with those provincial administrations?

Mr. Brian Sauv : No, the reason being.... I could say yes if you're guaranteed a federal baseline, for example, across the country, but again, the challenge that comes in is that the majority of our membership does not live within a major centre, so how do we ensure...? You've probably seen this through Veterans Affairs, because not all Canadian Forces bases are within a major centre either.

However, you are centralized in your health care. We aren't centralized in our health care, so not every detachment has a doctor and nurse.

The Chair: I'm going to have to end it there.

I'm going to use the chair's prerogative to ask a question. If a province's care on an issue is higher than a federal bar would be—for instance, with Ontario and a new understanding of a threshold for PTSD or OSI—how do you reconcile that with not wanting...? A province may be doing better than the federal government is doing. Do you have any comments on that?

Mr. Brian Sauv : That's why my suggestion is that we are premature with clauses 40 and 42, because the study hasn't been done. Let's establish the best practices. Let's take the best from Ontario, the best from B.C., the best from Manitoba, and set up that federal level and then decide how it's going to look in the future. In my view, you're premature to just say to go to the WCB.

The Chair: Mr. Keane.

Mr. Leland Keane: Mr. Chairman, in response to the honourable member, Mr. O'Toole, the RCMP is a paramilitary organization, absolutely.

In response to the armed forces, I work with civilian members who are all former members of the armed forces or current serving members of the armed forces in a reserve capacity.

Look at the RCMP discipline system. I've sat in on three conduct hearings. In a court martial in the military, you are assigned—are you not?—an officer to represent you if you're a defendant, while another is the prosecutor. In the RCMP code of conduct hearings, there's the officer who's running them and has the investigation done and there's

the defendant: you have nobody assigned to defend you. It's not a real parallel when you're talking about discipline.

That's what we're looking for: procedural discipline with respect to our process, not necessarily in a collective bargaining sense, but in a process that's fair. That's all we're looking for.

•(1145)

The Chair: Thank you.

Hon. Erin O'Toole: [*Inaudible—Editor*] a separate justice system, right? That's the difference.

Mr. Leland Keane: Sure, and almost in effect we have to—

The Chair: We need to turn to Mr. Blaikie.

Mr. Daniel Blaikie (Elmwood—Transcona, NDP): I want to start by saying thank you to all of you for being here. I think it's been really helpful for the committee to hear from people who are members and who represent members what their thoughts are on the bill. I think this might have been even more productive at the drafting stage as opposed to the committee stage, and it would have been better to have done it at that time. Perhaps we could have avoided some of these conversations here today, although given that those provisions are in the bill, it's good that we're having them now. There's still time to fix some of what's wrong with this bill.

I want to come back to the end of your remarks, Mr. Merrifield. You were talking about feeling that your job was on the line in coming here today. I know that we've heard concerns from other RCMP members who are feeling that in approaching parliamentarians they're putting themselves—or certainly their jobs—on the line. We've already heard from some members on this committee criticism of the idea that we might use a card check system in the organizing drive. One virtue of the card check system is that it helps protect from employer intimidation in the lead-up to that secret ballot vote when you do it the other way.

I was hoping that you could speak a little more to your own experience. Perhaps we can also hear from the MPPAC folks about the experience of some of their members with respect to management's approach so far on allowing members to talk to parliamentarians about this bill and what that may mean for the certification process going forward.

Mr. Peter Merrifield: I have only one copy, but I'll gladly pass it around to the committee while we speak. This is an order issued from Commissioner Paulson. It was signed on February 12, 2016. It's a direction for divisional staff relation representatives, who include me. I would draw your attention to the section marked “(e)”, which I have highlighted. Let me send it around.

As you know, other elements of the RCMP Act also preclude members of the RCMP from speaking publicly, which would include to the media or in other venues, when they are critical of RCMP management, administration, or operations. It's a segment of the act not used regularly, but it's there, it hangs over our head, and it drives fear into our members.

I listened Tuesday to Mr. Brison, President of the Treasury Board. He spoke of seven members who visited his constituency office. I know that what he was trying to do was answer the concerns of the members, but what was left out of his statement is that when the seven members of the RCMP came to his office, there was a teleconference call and there was an assistant commissioner of the RCMP on the other end.

These seven members wished a private meeting with their member of Parliament. This is not to impugn the character of Mr. Brison. I appreciate that what he was trying to do was provide answers, but those members weren't approaching him as the President of the Treasury Board; they were approaching him as their local member of Parliament. They were constituents seeking a constituency meeting. The members who had that meeting called me after, and they felt fearful because there was an assistant commissioner of the RCMP listening in to the concerns that they wanted to share with their member of Parliament.

Mr. Rae Banwarie: The same scenario is happening whether it's in B.C., Alberta, or Manitoba; it's the same situation. This ties back to the whole set of discipline clauses that we talked about, to why the regime has to be independent. The commissioner and his delegates have total authority over everything. What Mr. Merrifield said is correct: you cannot come out and publicly talk or criticize the operations of the RCMP or anything like that negatively, because you will be sanctioned; you could lose your job. Under the current act it's as simple as that.

Mr. Leland Keane: In one case in particular, there was an email sent to a member of Parliament. The member of Parliament referred that email back to the chief human resource officer of the RCMP, who contacted the person at their home address in writing regarding their communication with their member of Parliament. How would you take that, as a member of the RCMP? There certainly is a culture of fear. The people are working tired, and they're not at their best because they're so under-resourced. Add fear to that equation, and it's a very real concern, absolutely.

• (1150)

Mr. Rae Banwarie: That's what we're trying to bring, in terms of positive change, for everything we're doing.

Mr. Daniel Blaikie: Let me take a slightly different tack. All of you have been involved for a very long time in the litigation process that led ultimately to this bill. I'm curious to know, especially with respect to some of these exclusions, which pretty clearly rule out the ability of RCMP members to pursue their goals within the workplace, whether, if the bill goes through in this form, you are forecasting more drawn-out legal battles that will be expensive both to you and to taxpayers. That's part of our responsibility here too, I think: to get the bill right so that we're not—

Mr. Peter Merrifield: I would take that bet. I would absolutely take that bet to the bank.

Mr. Leland Keane: There's absolutely no result in further litigation. We've come this far. Look at how long it took to get the Supreme Court. Yes, these things must be changed in order for us to represent our people appropriately.

Mr. Peter Merrifield: Here's one of the key components to understand, if I may speak, Rae.

The thing with exclusions is this. By default, they're saying that concerning our working conditions or our unsafe working environment we can make a complaint under the Canada Labour Code. That's after the fact; that's after our three members in Moncton were murdered and there were Canada Labour Code charges. That's after four members were murdered in Mayerthorpe and there were reviews by the provincial level and the federal level.

The Canada Labour Code is after the fact: it's after I'm injured, it's after I'm killed. What I want is a system that permits me to be proactive. I want engagement with my management; I want guarantees in my collective agreement. I want to prevent death and injury; I don't want to respond to it as a learning lesson. That is what is unacceptable in the exclusions to working conditions in Bill C-7.

Mr. Rae Banwarie: This all ties back to the resourcing. We were approached by the labour tribunal in regards to the death of our member in St. Albert. Do you remember the member who got killed in the casino with the auxiliary? We were asked to be the respondents. I went there, along with another executive, and talked to the members not only at St. Albert, but in Stony Plain, in Sparwood, and all the surrounding detachments, including Viking. They're having the same issues.

It can be something as simple as radio communications. It was well known, through the investigation from the Canada health investigator, that the radios did not function in the casino. You have members going into a situation where, if they need help, nobody is going to be able help them. Things are as simple as that.

What is the RCMP doing? They're appealing the decision. They're appealing the directive issued to them by the investigator.

The Chair: That is not a unique situation.

Mr. Rae Banwarie: How do you manage that? Somebody has died. The auxiliary got shot. Now you are appealing the decision? Why, when it directly ties to the health and safety of our people?

When I was at the Senate standing committee, I gave testimony in regards to Bill C-42. I said that if this bill is allowed to go through with the total control of the commissioner or his delegates in it, then we were going to see more suicides in the RCMP.

We've had several since then. Every single one of the cases I have been involved in ties back to workplace issues. Let's fix this.

The Chair: Thank you.

Mr. Erskine-Smith. .

Mr. Nathaniel Erskine-Smith (Beaches—East York, Lib.): Let me say that it's absolutely unacceptable for anyone to feel intimidated in going to a member of Parliament and raising concerns with anything, to be perfectly frank. I trust, Mr. Merrifield, that you're here to give this committee advice. I trust that you won't be sanctioned for doing so. You are here to be helpful to our decision-making.

Mr. Merrifield, you mentioned a few times that the original charter application was driven by officers' safety and working conditions. Can you elaborate, and be specific as much as possible? Can you give examples of the safety and workplace issues you think ought to be on the bargaining table?

Mr. Peter Merrifield: Yes, I can.

In 2001 I was subject to rifle fire at the Fishing Lake First Nation reserve. I was 75 yards away from the door. I'm a very good shot. I'm what's known as a "crown shooter". I did not have the right tool to perform my duties and defend myself or anyone else in the public. I required a carbine. Given the distances and the requirement for accuracy to engage a target when lethal force is required, I put the public at risk if I use a shotgun. I put others in the home at risk if I use a handgun, which is not accurate at those ranges. It's about the right tool for the job.

Then in 2005 it was Mayerthorpe. Then in 2006 it was Spiritwood. Then in 2014 it was Moncton.

In 2006 I spoke out as a member of the MPAO publicly to the media. Commissioner Zaccardelli wasn't fond of that. I had asked for carbines. It's not about militarization.

I use this as an example. It's a tool, just like any tool on my police belt. I go to a lot of calls for lost children. On my belt I have a gun, pepper spray, a baton, and a radio. I use none of them when dealing with the mother. I go, I hopefully find the child, and I return the child. I have those tools with me so that if I need them, and if something were to go bad, I can protect a member of the public or another police officer.

All we've asked for is tools, and that's what has been withheld.

• (1155)

Mr. Nathaniel Erskine-Smith: There are a number of exclusions: deployment, conduct, law enforcement techniques, probation, discharge, demotion, and specific exclusions that could potentially be on the bargaining table.

I note, Mr. Banwarie and Mr. Keane, that you made reference to staffing, equipment, and the conduct of harassment specifically. If you add safety and working conditions related to safety, can we limit it to those, or are you taking issue with other exclusions, as well?

Mr. Rae Banwarie: Absolutely, those parts you're talking about are key.

Mr. Nathaniel Erskine-Smith: Beyond the ones you made reference to in your brief, and beyond specific workplace safety conditions, would you take issue with any other exclusions?

Mr. Rae Banwarie: I would say the core ones that are in the bill are problematic for us, because they all come back to us being able to do the job effectively. Why don't we look at the other police agencies and see what they're doing? What are their best practices? How do they...in terms of their equipment, such as with something as simple as the carbine? We don't have to reinvent the wheel. It's already been done.

Mr. Nathaniel Erskine-Smith: Thanks very much.

Now, Mr. Banwarie and Mr. Keane, we have received your briefing. Mr. Merrifield and Mr. Sauv , when you do present your written submissions, if you could be as specific as possible with respect to the exclusions you want to be on the bargaining table, it would be very helpful for our decision-making.

Mr. Sauv , I understand there were broad consultations with respect to the response to the Supreme Court decision with the RCMP. Were there any consultations with respect to GECA?

Mr. Brian Sauv : Consultations, no; proposals, yes. Throughout the disability management process, yes, the management side of the table had proposed that they were looking to go and make a modification to GECA to remove our exclusion under the previous administration.

Again, we were unequivocally opposed to that. It never made it outside the room. It was not for publication. It was not for dissemination to our membership, because it was a closed discussion.

Mr. Nathaniel Erskine-Smith: Now, you have stated that this matter should be deferred until the union has an opportunity to form, and this issue itself should be on the bargaining table. I understood that to be your submission here today. When you provide your written submissions to this committee....

I understand that's your primary submission, but it would also be helpful, in the event it's not going to happen, if you could provide specific amendments that you would like to see in GECA that would at the very least ameliorate some of the problems. Is that acceptable?

Mr. Brian Sauv : Certainly.

Mr. Nathaniel Erskine-Smith: Thanks very much.

I would like to give the remainder of my time to Ms. Damoff, who may otherwise not have time to ask questions.

The Chair: You have two and a half minutes.

Ms. Pam Damoff (Oakville North—Burlington, Lib.): Thank you.

You mentioned that you've had preliminary discussions with Veterans Affairs about administering the workers' compensation side of things. How would the criteria be set, and what would be involved with getting that done? It's one thing to administer it, but as you mentioned, for operational stress and post-traumatic stress disorder it's different province by province. There are other issues as well that are different.

How would that be set up to then be administered by Veterans Affairs?

Mr. Brian Sauv : You're asking me to put the cart after the horse, are you?

Ms. Pam Damoff: I just wondered if you'd talked to them about that at all.

Mr. Brian Sauv : Veterans Affairs was going through a stage of transition at that time. We're going back about a year to a year and a half. We met with the deputy minister at the time, General Natynczyk. He still is the deputy minister. We spoke with him and his chief of staff at the time.

When we were talking about how we would cut off the...or if it was a good thing for RCMP members to fall under workers' compensation, if we would entertain discussions about going to the new Veterans Charter, which was part of a larger discussion, that moved and morphed into us sitting back and saying, "You know what? The smart thing to do, because you're involved already at the back end, and you're caring for our members once they retire through to death, is to get you involved at the front end." Michel and the general were like, "That makes a lot of sense."

Ms. Pam Damoff: But I guess the concern is that if you do that, you could go to the lowest bar, not the highest, right?

• (1200)

Mr. Brian Sauv : Well, you could, but obviously that was all preliminary. A lot of research has to be done, a lot of work has to be done, to figure out what the standard is.

Ms. Pam Damoff: I only have about 30 seconds left. Could you all give me your top three issues? If you were to change this bill, what would be the top three?

Mr. Brian Sauv : My top one is that clauses 40 and 42 should be struck.

Mr. Peter Merrifield: Balance to exclusions: there needs to be referencing directly in the bill that will permit collaboration between management and employees, both in enforceable committee meetings as well as things left to the collective bargaining table, to ensure proper working conditions.

Mr. Leland Keane: I couldn't give you three. I think what we've tried to say is that there are too many exclusions. It's not in the spirit of what the Supreme Court said.

We're not here just about pay. Our people are dying and getting injured, and nothing's happening. We need some protections for our folks with regard to staffing and a whole host of issues. Harassment is huge. It's an ongoing problem.

The Chair: Thank you. I'm afraid I have to cut you off.

Ms. Gallant, you can have a couple of minutes.

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): I'll be very quick.

Currently this committee, when it's not doing Bill C-7, is involved in an in-depth study on PTSD and its impact on the RCMP, looking at how to better serve your members. How will this bill impact the ability to treat members suffering from PTSD or operational stress injuries in general? Will it have a positive impact on the ability to treat them quickly or a negative impact?

Mr. Leland Keane: I would say a negative impact, because you're talking about provinces and territories. As my colleagues said, there are so many different bars on how PTSD and other mental illness is handled. A health care provider who's related to Veterans Affairs told me that the RCMP is 10 years behind the military in dealing with PTSD, and the military is 10 years behind the general public in dealing with it. So we're 20 years behind as it is. I don't think it will be any better.

Mrs. Cheryl Gallant: You are saying that this bill, as it is, is undermining our efforts to help people who are suffering from these operational stress injuries?

Mr. Brian Sauv : Yes.

There is a bigger discussion there, and I've read some of the minutes. I think it's fantastic. Maybe I should have been a witness there a year ago, but who knows?

The biggest challenge that our members face today with respect to operational stress injuries—or occupational stress injuries, depending on which class you are from—is access to care. Keep in mind that we are a national police force, and the majority of our members do not serve in large centres. Ottawa, Toronto, Calgary, Vancouver—that's the minority of our members. The majority of them are in the Fort Chipewyans, the Pukatawagans, the Fort Smiths, the Lac La Biches, the Tsay Keh Denes, and finding a therapist, a psychologist, or a psychiatrist within a reasonable distance who can treat you for an OSI or a PTSD is extremely difficult.

Mr. Leland Keane: I can give you the example of a member I am dealing with right now. I spoke to him about the amount of harassment and intimidation he is facing with a mental illness by members of the RCMP, an inspector and sergeant. This is what goes on. I have tried to bring this forward and get some kind of justice or defence for him. They merely passed it off to these two supervisors, and there has been no investigation. There is a lot of bullying going on in that part of the world.

Mr. Rae Banwarie: Another part to be aware of is that for referrals, you have to go to health services. Before you could even get that type of assistance, you have to go to a health services doctor or a psychologist who is employed by the RCMP, and their client isn't the member; it's the employer. Maybe people on the committee are not aware of the privacy breach that happened. That's still pending before the courts. It involved psychological records that were used by management to try to destroy a psychologist's career. In that situation, the members weren't even aware that their medical records were being used. They were taken and they were used.

There are many issues. It's not just one piece.

• (1205)

The Chair: I'm afraid I have to stop us on this one. There are two things I wanted to say.

In our study on operational stress injuries, or PTSD as it's called, you'll be back. Hold those thoughts; we will need to hear more from you. I am looking at Ms. Damoff on that.

I also have a reminder: If you have anything else to supplement what you have already given us in writing, please send it to the clerk as soon as possible because we have to have it translated into both languages and we are under a very tight deadline, so we encourage you to work on that this afternoon.

Thank you very much.

We'll just take one minute as we say goodbye to these witnesses and welcome out next panel.

Thank you very much.

• (1205) _____ (Pause) _____

• (1210)

[*Translation*]

The Chair: Let us resume our meeting.

[*English*]

Thank you very much.

I believe you were here for the first half, so you know the routine. We are going to start with Mr. Hill from The Mounted Police Members' Legal Fund. You have 10 minutes to present to the members.

We'll continue after that with the RCMP Veterans' Association. You'll have 10 minutes as well to make your presentation. As I said to the others, if you have written documentation that you'd like to use to supplement it, we are certainly happy to receive that as well, because we know the time is short.

Mr. Hill, thank you.

Mr. Roy Hill (Assistant Secretary/Treasurer, The Mounted Police Members' Legal Fund): Good day, honourable members. Thank you for the opportunity to present. I'll try to do this as quickly as I can.

My name is Roy Hill, and I live in St. John's, Newfoundland. You probably gathered that from the accent already.

My service was in several provinces, including Newfoundland and Labrador. I've had over 40 years' experience as a member of the RCMP, and I'm retired.

I had the privilege of serving the RCMP members as their elected labour relations representative for over 13 years in Newfoundland and Labrador. Prior to that I had an additional 13 years as a supplementary representative. Having received several awards during my service, I am most proud of the order of merit of the police forces, MOM, honouring my leadership, exceptional service, and distinctive merit, and also recognizing my contribution to policing, community development, and my commitment to the country of Canada.

Why am I here today? I'm here to speak on behalf of RCMP members, and to ensure they are treated fairly and equitably on any matter that affects their welfare or dignity. Specifically I'm here to represent the 16,500 RCMP members who made a voluntary decision to join and pay dues to The Mounted Police Members' Legal Fund, which since 1998 has been an important component of the RCMP's labour relations system.

I want to describe the extremely concerning and deteriorating situation RCMP members currently face in respect of their basic working conditions. I want to describe the actions that RCMP management is currently taking that are having a significant and detrimental impact on RCMP members, and particularly on their current ability to access any form of collective representation

regarding workplace issues; and also the RCMP's serious concerns with the substance of Bill C-7. RCMP members are concerned with the significant restrictions that Bill C-7 will impose on negotiations between RCMP management and the bargaining agent for RCMP members, and the fact that Bill C-7 would place RCMP members under the jurisdiction of the various provincial workers' compensation authorities in respect of occupational health matters.

With the legal fund, and recognizing the need to have the ability to research and challenge issues on behalf of the RCMP members, in 1997 the corporation was struck, separate and apart from the RCMP. The legal fund is totally independent from the RCMP. It is a non-profit corporation that promotes the improvement of members' conditions of employment or work. If the legal fund were not currently in existence, and available to its members, then those members who are facing challenges and request legal assistance to meet those challenges would face financial ruin and possibly the destruction of their character and career.

First, the commissioner has unilaterally cut off the process of automatic payroll deductions for membership dues that fund the work of the legal fund on behalf of the members. This notification came approximately three hours before RCMP management sent out a bulletin to all RCMP members advising them of this significant change. This was done without any discussion or consultation.

Second, the commissioner has announced a plan to replace the current SRR system with a much diminished member workplace service adviser. Under this program, RCMP members will not have any access to a form of collective representation in respect of workplace matters or other issues that may affect their dignity or welfare. Furthermore it will do so until a bargaining agent is certified under the legislative framework.

Why is this serious? It's serious because RCMP members say this is serious business. In the short term, the end of voluntary pay deductions threatens the very existence of this legal fund, and it's been on the go since 1998. RCMP management know that the legal fund depends exclusively on this payroll deduction to fund its work on behalf of RCMP members, and that arbitrarily stopping the deductions will have a dramatic adverse effect on the legal fund and its ability to assist members on their issues. In fact the end of payroll deductions could result in the end of the legal fund. By the way, the staff relations representative you heard from here today, as of February 5, 2016, and until May 16, 2016—that's their elimination date, I call it—cannot advocate on behalf of any member on any issue, and they can not communicate with the media, the Minister of Public Safety, Parliament, the Senate, or the general public concerning any matter related to the RCMP, unless they get express permission from the commissioner.

To summarize, rather than improving RCMP members' ability to exercise their freedom of association, RCMP management's current course of action is to totally eliminating collective representation in the RCMP.

• (1215)

On this basis, the legal fund requests that this committee consider and ensure that the long-standing and voluntary system of automatic payroll deductions for legal fund members' dues be continued. In other words, Commissioner, get it back on track.

This goes to the heart of the matter. We would submit that RCMP's management and this government know how vulnerable the RCMP members are at this time. I've received written correspondence from our serving members of the RCMP saying, would you please pass on to this committee how vulnerable we are right now.

I just related to you some of the actions of RCMP management in stifling any form of representation of members.

Bill C-7 is intended to improve the working conditions of RCMP members as per the ruling of the Supreme Court of Canada. Instead, we have RCMP members across Canada enraged over the contents of this bill. Why are they angry?

One, they're angry because the legislation imposes restrictions on what would be the subject of negotiations in a new labour relations scheme and, two, it would place RCMP members under the jurisdiction of the provincial workers' compensation boards.

Some of the issues that cannot be negotiated in Bill C-7 include staffing levels and postings. Are they large and serious issues? You bet they are. Who is in complete control of these issues? Management. Was there any input from the members of the RCMP in respect of the development of Bill C-7? No.

The only messages that the government hears are those of the commissioner and his senior management team, and I'd describe them as having powerful and unbridled positions. It is not from the grassroots, the women and men who are boots on the ground, 24/7, across Canada, who are serving in locations that no other agency would dare set up an office in unless an RCMP member is present. That's the reality.

Understaffing of detachments and offices is the norm, including the smaller detachments. Officer safety...and burnout are ever taking place, yet RCMP members continue to put themselves in harm's way to protect citizens.

The staffing levels are very much relevant and important, but they can't be negotiated. This makes no sense. RCMP members have to agree to serve anywhere in Canada if they want to enlist in Canada's national police force. This means that throughout one's career you could serve in several provinces and in various locations, but the details of this cannot be negotiated.

In other words, some of the most important working terms and conditions that apply to RCMP members cannot be negotiated under Bill C-7. This is simply unfair and we would submit is at odds with the Supreme Court of Canada's decision.

Health care coverage has been one of the pillars over the decades that attracted people to join the RCMP. It doesn't take long after your enlistment to appreciate that no matter the posting, the health services would be made available with none of the wrangling associated with dealing with provincial compensation boards. The radio talk shows, certainly in my neck of the woods, are flooded every week with calls from irate citizens who are frustrated with provincial compensation boards, the bureaucracy, and the constant struggle to be heard and dealt with fairly, including on their financial losses.

I would be doing a disservice if I didn't bring to your attention, with regard to service in the RCMP and the postings, those who are

also a part of the package, as I refer to it. It's just not RCMP members being impacted; we're talking about spouses, partners, families, who are very much an integral part of these postings and where they serve. I know this because I've been there and I know what it is today.

In Newfoundland and Labrador you go across the Trans-Canada and I could tell you the places before you even visit where you've got no cellphone coverage and no radio coverage still in 2016, yet people are putting themselves in harm's way.

The children of these members are impacted largely, big-time. Personally, my three children were in three different schools in one school year. They were. To this day my three adult daughters often negatively refer to this very traumatic experience, which to them is unforgivable. Was it all that long ago? No. Is it still going on today? Yes.

I've read some emails from spouses of members and some of them have written to their members of Parliament. I commend them for doing that. One spouse went on to say the RCMP is a national police force and is unique from all others, and I think that's right on the mark. They deserve to have the benefits under the federal medicare coverage because they are told they will serve anywhere in Canada.

They deserve to be treated fairly at the bargaining table. They deserve to be taken care of when injured in the line of duty, protecting, me, my family, and you and your family, as well as the security of the nation.

● (1220)

Remember, a police officer is a peacetime soldier always at war. The members of the RCMP deserve your support and have earned what benefits that have been promised to them.

Mr. Chair, I hope I'm within time.

The Chair: You're just ending.

Thank you very much, Mr. Hill.

We continue with Mr. Gaillard.

Mr. Mark Gaillard (Executive Officer and Secretary, Royal Canadian Mounted Police Veterans' Association): Mr. Chair, honourable members, ladies and gentlemen, good afternoon.

I am Mark Gaillard. I am the executive officer and the national secretary, and the only full-time employee of the Royal Canadian Mounted Police Veterans' Association.

It is an honour for me to appear before you on behalf of the board of directors and the many thousands of former members and employees of the force, as well as their families, as this association has been doing since 1886. Now retired, I served for a total of 40 years as a regular member of the Royal Canadian Mounted Police, a foreign service officer in the public service, and as a commissioned officer in the Canadian Armed Forces, regular force and reserve. I am also academically trained as a legislative drafter, having graduated with a master of laws degree in legislative drafting through a joint program of the University of Ottawa Faculty of Law and the Department of Justice. So, I love to talk about legislation.

The position of the RCMP Veterans' Association is unequivocal: the complete removal of clauses 40 and 42 of Bill C-7. The purpose of Bill C-7 is to set up the legislative framework to provide for a collective bargaining regime for members of the RCMP and reservists as directed by the decision of the Supreme Court of Canada. Clauses 40 and 42 of Bill C-7 have nothing to do with this purpose. Although not formally defined as such in legislation, former members of the RCMP are veterans. The service and duties performed by members of the RCMP are not like those performed by other federal public sector employees. In terms of the risk to life and to health, both physical and mental, experienced in protecting Canadians 24/7 in every province and territory and abroad, members of the RCMP are in this respect more like members of the regular force of the Canadian Armed Forces than employees of the federal government. It is for this very reason that both members of the RCMP and the regular force of the Canadian Armed Forces have been excluded from the Government Employees Compensation Act, the GECA. By amending that act, clause 40 of Bill C-7 ends that exclusion of RCMP members from GECA.

Clause 42 of Bill C-7, on the other hand, repeals a subsection of the Royal Canadian Mounted Police Superannuation Act. The RCMP Superannuation Act was first enacted in 1959. The specific subsection Bill C-7 repeals was put in the RCMP Superannuation Act in 1998, in Bill C-12. Because we are the veterans of the RCMP who contributed to the RCMP pension plan over the course of our careers and receive retirement benefits for ourselves and survivor benefits for our spouses and dependants, it is easy to understand why we are very interested in any proposed changes to the RCMP Superannuation Act. RCMP veterans and serving members of the force who contribute to the pension plan today have not been notified, consulted, or advised about the proposed change to the RCMP Superannuation Act contained in Bill C-7. We have had no opportunity whatsoever to analyze, discuss, and provide our considered views on how this proposed change to the Royal Canadian Mounted Police Superannuation Act will impact former and retired members of the force, the veterans, today and in the future. These changes are being made and are being rushed into law without even the pretext of consultation with stakeholders.

This, I submit, is egregious. It flies in the face of the Prime Minister's mandate letter to the Minister of Public Safety and Emergency Preparedness. As part of a different style of leadership, that mandate letter directed the minister to engage in constructive dialogue with stakeholders, including the not-for-profit and charitable sectors. The RCMP Veterans' Association is a not-for-profit corporation, first registered as such in 1924.

Ladies and gentlemen, we are deeply disappointed that we must report to you that no such constructive dialogue has taken place regarding clauses 40 and 42 of Bill C-7. The Royal Canadian Mounted Police Veterans' Association hopes that this committee will see fit to remove these clauses from Bill C-7.

Thank you.

The Chair: Mr. Lewis.

• (1225)

Mr. Ron Lewis (Association Chief Advocate, Royal Canadian Mounted Police Veterans' Association): Ladies and gentlemen,

I'm Ron Lewis. I'm the chief advocate for the RCMP Veterans' Association. I appreciate this opportunity to appear before you today to speak on behalf of approximately 17,000 veterans and for future veterans of the RCMP who as a result of a medical discharge will become a veteran the next day. This is all in regard to Bill C-7.

I served over 35 years with the RCMP. During the last 10 years of my service, I was an elected, full-time staff relations representative, the same as Peter and Brian, who appeared just before us. Part of my responsibilities during that time was on a medical review committee for members on sick leave due to illness and injury as a result of their service. Prior to that time, I was a staff member of the Canadian Police College, responsible for delivering labour relations training to all police services of Canada except the RCMP, because we were exempted.

I'm also the co-chair of the RCMP Veterans Women's Council, dealing with their harassment situation that's ongoing. Operationally, I've worked in every province and territory in Canada except for Nunavut and overseas. I'm the author of *This Is Not the RCMP I Joined: the RCMP Pension and Insurance Scandal*.

Clauses 40 and 42 of Bill C-7 are not related to the Supreme Court's decision and direction. I can only speculate why these extraneous provisions have been included. However, I can clearly state that if these clauses are not removed, there will be a dramatic and detrimental effect upon occupational, health care, and disability benefits for RCMP members, reservists, and veterans. It is ironic that prior to the legislative process to provide a collective bargaining framework for RCMP members and reservists, as directed by the Supreme Court of Canada, the federal government, through the RCMP commissioner, disbanded the elected staff relations representative members, leaving the serving members and reservists without a voice to speak to this enabling legislation.

I have to applaud Brian and Peter. Peter may lose his job tomorrow as a result of what he did on the direction of the commissioner. Brian took a leave of absence without pay. He's taking no pay because he thinks this is very important.

Consultation was undertaken directly with the RCMP members prior to crafting Bill C-7. However, changing occupational, health care, and disability benefits were not included in that process. There was no consultation whatsoever on that process. The inclusion of clauses 40 and 42 appears to be a pre-emptive strike on the new collective bargaining process for RCMP members and reservists to limit and alter existing benefits. This has all the appearances of an unfair labour practice. What kind of message does this send to the employees for future negotiations?

Clause 40 of Bill C-7 is clear. RCMP members and reservists will fall under the provisions of the government employees care act, usually referred to as GECA. The occupational, health care, and disability benefits will be transferred to provincial workmen's compensation boards. The benefits vary greatly from province to province. I can address this matter in more detail through your questions. There is a document available, at 340 pages, that just describes the differences between each province.

Clause 42 of Bill C-7 repeals subsection 34(1) of the RCMP Superannuation Act, our pension plan. This would dilute or negate disability benefits and services under the Pension Act that had been available to members and veterans since at least 1948.

Clauses 40 and 42 should be removed from Bill C-7. It's premature, it's unstudied, and it should be allowed to go before a collective bargaining process to get the best deal for the members and reservists of the RCMP.

I'd be honoured to answer questions, particularly related to the adverse effects these health care and disability provisions will have on future RCMP veterans.

Thank you.

•(1230)

The Chair: Thank you very much, Mr. Lewis.

[Translation]

We will continue with Mr. Di Iorio.

Mr. Nicola Di Iorio (Saint-Léonard—Saint-Michel, Lib.): Thank you, Mr. Chair.

Many thanks to the witnesses for being here today. Your comments are welcome and very much appreciated. You have our full attention.

Since our time is very limited, I have a few questions for which I would like written answers.

First, though, I would like to point out a few things to help you understand the problem we are facing in analyzing your demands and complaints.

The government had requested a six-month extension. The associations stated before the Supreme Court that they might agree, but they stipulated conditions that the government was not willing to fulfill. May I remind you that this is a new government, so we have only four months now, and time is running out quickly. That is my first point.

Secondly, please remember that I understand the issues you are raising. I would also note that some of these issues are features of a unionized workplace. What we are trying to do here is draft the bill, and we need your help with that.

My third point is that you represent veterans. My understanding is that veterans' rights are set in stone, so this bill will not in any way remove any rights that veterans have.

Is that correct?

[English]

Mr. Ron Lewis: Not exactly, because a serving member of the RCMP right now, if injured on duty or through illness, will be getting certain benefits. Under the Pension Act, we already have benefits that follow us through our service; they follow us right to retirement. An injury that happened in your service may not show up until 20 years later through cumulative processes. Today's members are tomorrow's veterans. If you take away our provisions under the Pension Act and they come under provincial health care, then we're going to have different benefits in retirement.

[Translation]

Mr. Nicola Di Iorio: I see.

Once again, though, you answered my question in reference to the future. What I am saying is that the rights of current RCMP retirees are set in stone.

In reviewing the bill, I did not find anything that would take away from an RCMP veteran a right that had already been clearly established. Please correct me if I am wrong.

[English]

Mr. Ron Lewis: In my opening statement I said two things. Number one, I'm speaking on behalf of the 17,000 veterans and future veterans. Because of the restructuring—

[Translation]

Mr. Nicola Di Iorio: Excuse me, our time is limited. If you would like to add that point, you can send it to me in writing.

I would like to turn to another aspect. Section 40 applies to correctional officers of Canada, Canada Post employees, and border services officers, for example, who work in border towns, that is, towns lying at the border between provinces. Although they work in one province, they are sometimes transferred to another one.

Why is it that the issue you raise has not arisen in their case?

Since our time is limited, I would ask you to answer in writing; we do need your answer on this point.

•(1235)

[English]

Mr. Ron Lewis: Yes, we'll submit something.

[Translation]

Mr. Nicola Di Iorio: I would invite you to talk about another very important point for us. In fact, it is at the root of all of your comments, those of your colleagues before you, and those of the panel of witnesses we heard from earlier today. I am referring to the unique character of the Royal Canadian Mounted Police.

We are not challenging this but we would like you to expand on it, and to provide facts upon which we can base our work.

If I may, I'd like to raise another point.

The Chair: Yes, you have three more minutes.

Mr. Nicola Di Iorio: That's fine.

The list of exclusions includes one called “appointment” in English and *nomination* in French.

I would like your opinion on the practical difficulties that would be posed by maintaining this exclusion.

[English]

Mr. Ron Lewis: When we came here today, we were just going to speak on behalf of the veterans and on what the future looks like for them if Bill C-7 was approved. On the exclusion of appointments, I don't know if it's proper for us, it's probably a question better suited for—

Mr. Nicola Di Iorio: Fair enough, sir, fair enough.

One thing I'd like you to help us with is the fact that it's a national bargaining unit. You're all seasoned and experienced, you've had a full career, and the legislation provides for a national bargaining unit. Could you share with us your reaction and your reflections on that portion of the act?

Mr. Roy Hill: I didn't understand the question, I'm sorry.

Mr. Nicola Di Iorio: Do you want it in French or in English?

Mr. Roy Hill: Oh, English. Either one, I have difficulty.

Mr. Nicola Di Iorio: The act provides for a national bargaining unit, and I would like to have your views on that. You've had a full career with the RCMP, and you probably moved from one position to another, one function to another, and one area to another. What are your views on having a national bargaining unit?

Mr. Roy Hill: With regard to the health care?

Mr. Nicola Di Iorio: No, a national bargaining unit as collective bargaining, what you were asking for at the Supreme Court.

Mr. Roy Hill: I didn't go to the Supreme Court, but I respect the decision that was made. I'll speak as an elected staff relations representative. With some tweaking I could see a bunch of things that could have been done under the existing one. With regard to independence and the right to do certain things, I have no problem with that.

As for a national bargaining unit, I have no problems with that either. That's exactly what's on the table now, and that's exactly what's taking place. What I'm deeply concerned over is the vacuum right now where there's nothing. For whatever period of time it takes to strike up a bargaining agent, the RCMP members, as they've expressed it to me and in my observation, are vulnerable because they have no voice.

If it takes a year, or two years, no matter what the issue is on any given day, there's nobody who can speak. I would submit, as my position, to ensure that we didn't have the wherewithal to do something on behalf of those people—16,500 people whom I represent, that voluntarily are a part of this legal fund since 1988—then we'll cut out the dues. Now you've neutered the legal fund from doing things on behalf of the 16,500. For those people, who represents them on any issue?

The advisers the commissioner can put in place are only that. “Here's a 1-800 number you can call if you want to talk to somebody about something.” With regard to collective representation, there is none. I'm deeply concerned about that, and I joined the force pre-1974. We're going back pre-1974.

The Chair: I'm afraid I have to cut you off. Thank you for that.

Mr. O'Toole.

Hon. Erin O'Toole: Thank you, Mr. Chair.

[*Technical difficulty—Editor*] because I grew a close affinity for Newfoundland, Labrador, and Newfoundlanders in particular, so it was good to hear your lilt, Mr. Hill.

It's good to see you as well, Mark. Thank you for your advocacy and particularly that legislative passion you have, which was helpful in the veterans' context.

From the big picture, I think we have to remember that the Supreme Court decision said two key things.

They said the old labour relations, staff relations, were insufficient. They also said there needs to be employee choice, and we're fighting for that. There needs to be independence, and I think we've heard that. What they also said is the old Wagner model does not need to apply to every context. There's not a one-size-fits-all collective bargaining construct, and the unique nature of the RCMP is a great example of that.

Mark, if I could, in the veterans' groups submission you focused on clauses 40 and 42, which is our area of focus. You didn't mention some of the areas excluded. Are you okay with the exclusions, or are clauses 40 and 42 more of your priority? What are your thoughts on the fact that not all elements of the unique nature of RCMP services will be subject to collective bargaining?

• (1240)

Mr. Mark Gaillard: In the context of the RCMP Veterans' Association, I think we've been very careful to stay in our lanes. The part of the thinking that will go towards the set-up of a collective bargaining agent that will satisfy the members and satisfy the Supreme Court of Canada is really not an issue that is of direct concern to veterans of the RCMP. Had it not been for clauses 40 and 42 we probably would not be sitting here today. We did not come forward with a brief, nor do we have someone from our membership to talk about how the collective bargaining regime should be set up, administered, and created through legislation. I would defer directly to the associations that are dealing with this issue to express the views that they see as being necessary. We'll be the veterans and we'll nod sagely and support them any way we can.

Hon. Erin O'Toole: That's fine. You have a bright future in politics.

I will then focus on the area that has been the focus of my inquiries. I believe you were in attendance when the ministers appeared earlier this week, Minister Goodale and Minister Brison. I asked them specific questions on clauses 40 and 42. Did their answers give the clarity your members need with respect to those clauses?

Mr. Mark Gaillard: I think what I drew from their appearance and from some of the answers that came from the table go to what we have been saying. We're not necessarily against reforms or improvements or enhancements to disability pension, benefits, etc. We don't have a real position on that because we have not been consulted. We hadn't even been notified or advised that this was coming. We are caught on the hotfoot in being able to on the fly try to analyze, consider, look at various models to compare to analyses, etc. We've had no occasion or opportunity to do that. This would happen ordinarily had it not been for the fact that Bill C-7 must be approved and in place in order to meet the deadline of May 17, 2016, as directed by the Supreme Court of Canada—

Hon. Erin O'Toole: Do you think these have been a tack-on with the timeline we're forced with?

Mr. Mark Gaillard: I can only speculate, but that is the effect.

Hon. Erin O'Toole: Okay.

You touched on my next question. You gave a nice historical overview. You both did a very good job giving an overview of the superannuation act and the uncertainty with respect to a potential set-off for something in the future. In my remarks in my time as Minister of Veterans Affairs I talked about the challenge when the previous Liberal government brought in the new Veterans Charter. There wasn't sufficient discussion and understanding of what the change meant from the Pension Act to the new Veterans Charter. With the change in clause 42, do you see that as a risk here, that it's not fully understood by the people it most impacts?

Mr. Mark Gaillard: Very much so. I think this is what is causing the anxiety that's being expressed by our membership, both memberships of our association as well as former members of the RCMP. It's the lack of understanding and the uncertainty about what this means. With the time that we have to look at this on the fly, we cannot give them good answers, we cannot give them any comfort in being able to advise them in a considered, reasonable way how this is going to affect them directly.

•(1245)

Hon. Erin O'Toole: I also mentioned in my questions how it reminded me of what led to the Manugue case, where acts of several previous Parliaments were not well understood and the implementation of a new insurance program or a new benefit leading to a set-off, led to actual action against the federal government. Do you think that with rushing this there are those risks as well?

Mr. Mark Gaillard: Absolutely, sir, yes.

Hon. Erin O'Toole: Okay.

There's one thing in my remaining time, and speak to it if you wish. Veterans Affairs administered services and benefits, as you know, for the folks injured in the line of duty, to the RCMP veterans. But, increasingly they saw the benefit of the new Veterans Charter, once it was better understood in terms of accessing health care faster, particularly mental health supports before the old Pension Act adjudication and considerations were done. In discussions I was having there was a feeling that the RCMP would like to move to that model as well in the new Veterans Charter. Would you care to comment on that in terms of your members?

Mr. Mark Gaillard: It's uncertain. We are not, of course, the RCMP; we're simply the veterans' association. We are keenly

interested in anything to do with treatment of veterans generally as, certainly, you are, sir. Also, we heard about the work this committee is doing with respect to studying PTSD and OSI in first responders. We certainly are interested in that. We've been talking with various universities through CIMVHR about how we can support their activities to expand this area of research.

I heard a researcher say, and I think it was quoted by one of the previous panellists, that in terms of PTSD and OSI, in the first responder community they are about 15 years behind the Canadian military. There's a lot of research catch-up that has to be done. That's where we want to focus the efforts of our members.

The Chair: Thank you very much.

Mr. Blaikie.

Mr. Daniel Blaikie: Thank you all for coming here today.

I want to follow up a little bit with Mr. Hill on one of the points that he raised. I'm an electrician, not a lawyer, but my understanding is that part of the Supreme Court decision was that the SRR system was unconstitutional because there was no way for employees to organize; there was no choice that they had. That's still the case with the new system up to the May 17 deadline. There was no need to get rid of the SRR system or to go after the legal fund in the interim, and even after that deadline there's still going to be a time before successful certification.

It doesn't seem to me that the Supreme Court ruling actually rules out having the old SRR system, once there's a choice, and then, if members chose another system because they had certified, it would supersede the SRR system. It seems to me that the RCMP management decision to deep-six those tools for members was premature.

I think it's wrong, in the context of a bill, to tell your members that you can't speak to parliamentarians. I think it's wrong for employers to intimidate their employees during certification processes.

I'm just wondering whether you can speak to the vulnerability felt by RCMP members from not having a decent representation structure and not having access. One of the differences, for RCMP members, if I understand correctly, is that they don't get the same presumption of innocence when certain kinds of charges are brought against them. This means they can be suspended without pay; it means it's very hard for them to fight legal battles in the event that they are charged with something, and that's part of the role of your fund, if I understand it correctly.

Can you just speak to that feeling of vulnerability and what it could mean in the context both of this bill and then of a certification drive?

Mr. Roy Hill: Yes, I will.

I think the situation right now is very grave, and it's getting worse because we have social media, in which not everything is accurate, but there's enough interest. For example, there's the one Facebook site with about 3,000 members on it and spouses saying, if my spouse can't speak, then I need to speak, because it impacts me, our children, whatever. What you have is a large vacuum.

I agree 100% with your comment: there was absolutely nothing in the Supreme Court of Canada decision stating that the existing system couldn't stay in place until such time as a bargaining agent is in place. It's just common sense to me that you would have to have some system in place, to have some collective representation of the members' concerns and advocate on their behalf; in other words, business as normal until such time as a bargaining agent is in place, and then you're set down. But that's not there.

I speak passionately on it both because I recognize it and as one of the architects with respect to The Mounted Police Members' Legal Fund. The nail in the coffin was for the commissioner to say and give it in a decree on February 18: you're done as of the end of March.

We wrote to him on February 18, never to get a response from him. We got a response from one of his assistant commissioners on March 31 saying no, we're not even going to talk to you.

Members are without representation, and the ability to do things on a member's behalf has just been wiped out. As we stand here today, unless there's some new revelation in the last hour since I came in here, there's nothing to assist and represent the RCMP members, and God only knows when that will take place whereby some agency is finally set up.

It's sad, and it's pre-1974—and I was around before there was anything of any type, and I know what the conditions were like then. I feel terrible that stuff like this is happening. It's shameful, really, but you're not hearing from the grassroots. You're hearing from people like me and the previous witnesses, saying to you on behalf of those grassroots people: "Committee members, please pay attention to us, because right now we're vulnerable; we're in the crosshairs of the commissioner and his senior administration", who at this point in time, in my humble opinion, can do just about anything, and who's going to challenge it?

• (1250)

Mr. Daniel Blaikie: On the question of changes to the RCMP Superannuation Act, I think there are a couple of things happening.

It's true of the worker's compensation changes as well, where on the eve of having an appropriate body to represent members and to negotiate those issues, we're cementing something in legislation that would pre-empt those conversations. I wonder if you could speak to the confidence you have of some future organization bargaining about those changes as opposed to having them made in legislation for veterans.

I presume the alternative would be that some future organization for RCMP members would be talking about changes to the pension plan at the bargaining table. I wonder if you can speak to how your members feel about that.

Mr. Mark Gaillard: The RCMP Superannuation Act is more than just the pension plan. It is also, under part two, the methodology by which the RCMP provides, through the Pension Act, compensation for the permanently disabled due to a workplace injury. It's not just about the pensioners. Some of the serving members' concerns are encoded in the RCMP Superannuation Act. There is an exclusion about anything that is in the RCMP Superannuation Act being non-negotiable in terms of collective bargaining. That's a specific section of Bill C-7, in part 2.1 of the new act, which will set the boundaries for collective bargaining. If you set something into the RCMP Superannuation Act, such as the disability pension system provided to members of the force, then you immunize that from collective bargaining.

A neat way to make things non-negotiable is to make them in legislation. That would be my comment.

The Chair: I'm afraid I need to cut you off.

Mr. Spengemann.

Mr. Sven Spengemann (Mississauga—Lakeshore, Lib.): Thank you, gentlemen, for attending, and more importantly for your service to the nation. Through you, our thanks also to the people you represent: the many thousands of Canadians who have served in the force. We're proud of what the force is doing. We recognize its unique character. I think it goes without saying that all of us collectively here in Parliament, in government, and Canadians across the country owe you a sacred obligation to keep you as healthy as possible, as safe as possible, and to take care of you when you return from service and go toward retirement.

I want to ask you in the brief time that I have about how you keep in touch with your membership. Is there anything you can tell the committee about surveys you're doing and how you're polling views among your members? It might also be helpful to see if there are any disparities in views on some of the issues that were before the committee in this session and potentially also in the previous session.

•(1255)

Mr. Mark Gaillard: Due to the rapidity with which this process has evolved, there has not been a systematic way of, through routine methodology, informing all of our members and surveying them about their results.

The RCMP conducted, through the SRR program last year, a survey on optional life insurance benefits for dependants. Through the good offices of the SRR program, they included veterans of the RCMP as part of the survey audience. That was a way we were able to gauge the opinions of our former members of the RCMP, whether they were members of our association, on an issue that affected them directly.

Other than that, we have our own internal methodology of reaching out to our members through email, through bulletins, through our website, or through our social media platforms. We've been using that to elicit spontaneous commentary from our memberships, but it's very much on them to respond to some of the issues that are at play today.

Mr. Ron Lewis: Being on both sides—I was an elected representative for the last 10 years of my service, and now I'm with the veterans association as chief advocate—we always spoke to each other. When I was a rep, we spoke to the veterans. When I was a veteran, we spoke to the reps, because a lot of the benefits our serving members have continue on right after they retire. Health care benefits, insurance benefits, and long-term disability, all these things follow right through. It doesn't stop the day you retire, it just continues.

As a result, we have a lot of back and forth with Roy and all the other people with the legal fund. We're all connected, because we're all trying to help out the greater good for the organization and their families. Their families are dependent upon the benefits that we get.

Mr. Sven Spengemann: I wonder if I could invite you to speculate, as past long-term serving members of the force, and to engage with a view on the exclusions, even though it is not the issue of veterans.

I have served alongside former and serving RCMP officers in the Middle East. If I put to you the proposition that—given that the RCMP is a paramilitary organization in many of its operational aspects and that you act like a military force in many respects—deployment should not be part of an exclusion, but is a management prerogative and not something that is subject to bargaining, speculatively, how do you feel your membership would react to that proposition?

Mr. Ron Lewis: Well, I've never been shy, so I'll jump in on it.

The management of the RCMP has the right to say, “We have an operation, and we have to get there. You, you, and you have to go.” However, I think it's very important how you go. Do you go prepared? Do you have the proper equipment? Do you have the proper training? Do you have the proper support when you come home? As we know, Afghanistan was tough. We had people in Afghanistan. We've had people in almost every war zone in the world, in all of these far-off countries, and we are over there aiding the police at the same time.

There has been a lot of OSI, occupational injuries, that we have to deal with. It's in the news. We know. We should have a say in some of these issues: not who is going and when we are going, but how we go. That is so important. What happens to us after we get back? There are a lot of people who come back and are not the same. We all know that.

Mr. Sven Spengemann: I want to assure the panel that through my colleague, Pam Damoff, this committee is very much seized with the issue of PTSD and OSI. It's something that is on a parallel track and on our radar.

Mr. Mark Gaillard: Do you mind if I just follow up a bit? This just struck me, as Ron was speaking.

In terms of deployment, the RCMP is deployed 24-7. I always say that we are deployed 24-7: always deployed, never in garrison. There is no preparatory stage or training, then a deployment, and then you come back and everything is fine. You'll be looked after, and everything is safe again.

RCMP members are deployed every day of their career into their area of operations. Yes, there are distinctive ideas when they deploy overseas in special duty areas, and that was why Bill C-12, in 1998, was amended to consider the workplace-related injuries sustained by members who were deployed internationally in special duty areas. That is why that section was put in, in the first place.

The idea that there is a pre-deployment stage, a deployment, and then a post-deployment drill they go through—that does not happen in the RCMP. You are always deployed. You deploy to your area of operations, and you go with your family. They are deployed, too. We are domestically deployed. That's what's happening, and that is part of that unique nature of the RCMP as an organization.

•(1300)

Mr. Roy Hill: May I make just one quick comment, sir?

With regard to spouses and partners who are moved as part of the package, the large impact on some of these people is that they don't have a job when they get to that destination or that posting. They spend their whole life moving and moving and moving, only at the end of their life not having any pension to draw from, or whatever.

I guess the premise that you are property of the RCMP now and therefore not much different from a police car—you go where you are pushed or driven—has become the centre of a lot of members' attention.

However, if you are a commander in charge of a unit or in charge of a detachment, there are things that have to be done, and they have to be done now. It is up to me to ensure that they are properly equipped with the best that I can give them, and not put in harm's way.

However, that's a far cry from saying, with regard to transfers, “That's non-negotiable. We are not talking to you about that, and that cannot be part of any type of agreement.” Transfers and deployment are different.

The Chair: Thank you, Mr. Hill.

We are running a little over time, but Mr. O'Toole has a quick question he'd like to get in.

Hon. Erin O'Toole: Thank you again, gentlemen.

My quick question is for Mr. Lewis.

In your last 10 years, you were elected as staff rep under the old system, which of course the Supreme Court of Canada said wasn't sufficiently independent. How were you elected, and what are your thoughts on the vote members should take for certification?

Mr. Ron Lewis: It's kind of ironic. I joined in 1969, so I went for five years without any representation at all. We had more power as elected representatives because we could negotiate everything, and with a good commissioner—it always depends on a good commissioner—we got a lot of good deals.

If Bill C-7 goes through, and they deal only with pay and benefits, we all know that our pay, and public service unions—

Hon. Erin O'Toole: Were you elected in a secret ballot vote by your colleagues?

Mr. Ron Lewis: Yes, absolutely—a regular vote.

I represented all of Canada, because I was at headquarters. When I say “all of Canada”, I mean parts of all of Canada, because we had 3,000 members at headquarters, but 400 or 500 were spread across the country and overseas.

Hon. Erin O'Toole: Do you think members should have that same secret ballot vote for certifying what will ultimately be their bargaining agent?

Mr. Ron Lewis: I'm not overly concerned about the secret vote. We're not a manufacturing company with 100 employees in small-town Canada, where somebody can come in and steal the collective bargaining away from the present operation. We're spread across Canada. We're not shrinking violets. Nobody is going to intimidate us when it comes to this. I don't think anybody could come in and steal the bargaining agent process. I'm not concerned. I've talked to Brian and Peter, and they're not overly concerned about that.

But we're going to have less. I say “we” because it's hard to break the habit after 35 years. The RCMP members now, if it goes as it is, will have less representation because of all the exclusions. They're going to have only pay and benefits. As you know, from 1992 to 1998 we had a pay freeze. We've had rollbacks. It went to the Supreme Court. They rolled back our wages.

The Chair: I'm afraid I do need to cut you off.

Thank you very much.

The best part about this job is that when members come, they're never shrinking violets. We appreciate the honesty and forthrightness of the current members and the retired members. Thank you very much.

We adjourn the meeting, and we'll see you again on Tuesday.

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