



FOR IMMEDIATE RELEASE

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Retract Grain Commission Gag Order

Ottawa – Agriculture Minister Gerry Ritz should retract a gag order which threatens Canadian Grain Commission employees who speak out against his government’s legislative proposal to gut the Commission, according to the Agriculture Union – PSAC which represents the employees.

On December 21st, the Canadian Grain Commission issued a memo to employees forbidding them to publicly criticize Bill C-39, the government’s proposal to cripple the Commission.

“We hope the Minister will disassociate himself from the Commission’s intimidation and assure employees they are free to express their opinion,” said Bob Kingston, National Vice-President of the Agriculture Union – PSAC.

The memo from Diane Shapiro, Director of Human Resources threatens Canadian Grain Commission employees with possible disciplinary action if they criticize the government.

“With the government’s recent track record of firing and silencing its critics, we are concerned that our members will feel threatened in the extreme by this gag order. **We urge the Minister to direct the Commission to retract this effort to silence Commission employees,” Kingston said.**

The full text of the Canadian Grain Commission’s gag order follows:

Question:

As a CGC employee what can I tell my MP about my response to C-39?

Answer:

You are free to convey your views to your Member of Parliament, so long as you do not publicly criticize the Government of Canada or otherwise bring into question your ability to perform your employment duties and carry out government policy and programs in an impartial manner.

Question:

As a CGC employee can I become involved in public campaigns to amend C-39, such as letters to the editor or other letter writing campaigns?

Answer:

The Supreme Court of Canada has acknowledged that while public servants have constitutionally protected right to freedom of expression, this freedom has limits. The Supreme Court and other courts have identified that a public servant has a legal duty of loyalty to the employer, and must not engage in public criticism of the employer where that criticism could create an impression that the employee may not be able to perform their duties, and carry out government policy and programs, in an impartial manner.

For example, if you identify yourself as a CGC employee in a letter to the editor that criticizes government policy relating to the CGC, you could create a perception that your views of government policy are not impartial and that you may not be able to follow or apply government policy in an impartial manner.

We would like to remind you that inappropriate behaviour by employees on web sites, blogs, and public fora (newspapers and meetings etc.) could result in administrative and/or disciplinary action.

The Values and Ethics Code for the Public Service <http://www.psagency-agencefp.gc.ca/veo-bve/vec-cve/vec-cve_e.asp> sets out the standard of behaviour expected of CGC employees. We count on each of you to refer to these codes to assist you in making ethical decisions. We encourage you to consult your manager should you need further clarification and guidance.

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