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**SECURITY INTELLIGENCE  
REVIEW COMMITTEE**

# **Closing The Gaps**

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**Official Languages  
and Staff Relations  
in the Canadian Security  
Intelligence Service**

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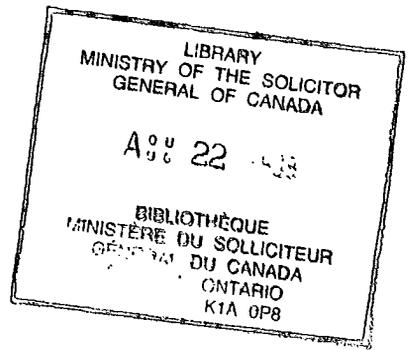
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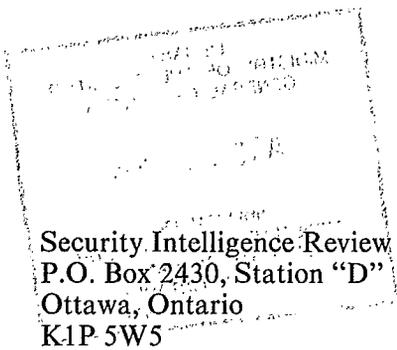
# SECURITY INTELLIGENCE REVIEW COMMITTEE

JL  
25  
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23

## Closing The Gaps :

**Official Languages  
and Staff Relations  
in the Canadian Security  
Intelligence Service**





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# Preface

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This is an abridgement of a special report that the Security Intelligence Review Committee submitted to the Solicitor General of Canada in March, 1987.

Abridgement was required for security and privacy reasons.

But we have been careful to keep the thrust and substance of our report intact. Our recommendations appear in full here, except that we have edited out the name of one sensitive unit.

At a few points we have added background for the benefit of general readers.

When we presented our report to the Solicitor General, we urged him to make such an abridgement public to help clear the air. We are encouraged that, in consultation with the Director of CSIS, he has decided to do so.

We hope this signals the Service's determination to lay the ghosts of past problems and get on with the tasks of giving both official languages their due and opening up channels of communications in staff relations.

Security Intelligence Review Committee

June 1987

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# Contents

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|   | <i>Page</i> |
|---|-------------|
| 1. Introduction .....                               | 1           |
| <br><b>Part I — Official Languages</b>              |             |
| 2. A Culture Gap .....                              | 7           |
| 3. An Official Languages Plan .....                 | 11          |
| 4. Unilingual Messages .....                        | 13          |
| 5. Unilingual Reference Documents .....             | 19          |
| 6. Language Profile of Positions .....              | 21          |
| 7. Language Training .....                          | 27          |
| 8. The Sir William Stephenson Academy .....         | 31          |
| 9. Continuous Work-related Training .....           | 33          |
| 10. Bilingualism Bonus .....                        | 37          |
| 11. Position of the Chief, Official Languages ..... | 39          |
| <br><b>Part II — Staff Relations</b>                |             |
| 12. Communications Gaps .....                       | 43          |
| 13. Grievances .....                                | 45          |
| 14. Performance Appraisals .....                    | 49          |
| 15. Conversion .....                                | 51          |
| 16. The Limits of Criticism .....                   | 55          |
| 17. Lateral Transfers .....                         | 57          |
| 18. Promotions .....                                | 59          |

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# 1. Introduction

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**Men will not receive the truth from their enemies, and it is seldom offered to them by their friends.**

Alexis de Tocqueville  
*Democracy in America*

We have made this a candid report. Taking our cue from Tocqueville, we believe that, as friends of effective security intelligence for Canada, we serve it best by stating our conclusions frankly.

Our topics are official languages practices and staff relations in the Canadian Security Intelligence Service. In a special study done in 1986 at the request of the Solicitor General of Canada, we focused on Quebec and the National Capital Region, including Headquarters and the Ottawa Region, where tension seemed to be highest. This is the foundation of the present report.

We do not pretend that our inquiry was exhaustive. But, by giving a hearing to every employee and former employee of CSIS in Quebec and the National Capital Region who wanted to tell us about a problem, then following through by interviewing managers and other employees and by examining pertinent files, we believe that we learned enough to sketch a lifelike portrait of the fundamental issues and to suggest practical ways of addressing them.

## **Gaps in Culture and Communications**

On the official languages side, we found a culture gap — not enough real commitment to the government's official languages policies and not enough real understanding of the Francophone culture that shapes the thinking of one in four Canadians. Despite good intentions at the top and legitimate pressures from staff, CSIS too often acted like an essentially Anglophone institution with French-language capability as a troublesome frill.

In staff relations, a communications gap separated management and staff. It could be blamed partly on transition, which forced management to make snap decisions founded more on intuition and experience than on well-understood policy or systems. But the problem went deeper, to habits of secrecy and nostalgia for an hierarchical command structure.

## **Continued Respect**

After stating the issues this bluntly, we wish to make it clear that we concluded our inquiry with continued respect for the Service as a national institution and for the men and women who work for it at all levels.

We discovered neither conspiracy nor conspirators. This is, of course, both good news and bad. Clearly, it would have been unfortunate had we found a small group acting in concerted defiance of the laws of the land and of management's directives. But at least we could have fingered the conspirators, wrenched their hands from the levers of authority and waited for time to restore normalcy.

In this vein, we can dispose immediately of three issues — Freemasonry, the so-called Haig-Brown Report, and “double-dipping”.

## **Freemasonry**

Early in our inquiry, we were given a clear impression that there is a network of Freemasons within CSIS, particularly in the upper echelons and in certain crucial sectors like Personnel Services.

There is no doubt in our minds that an “old boys’ net” of RCMP veterans exists within the Service. But we did not find it necessary to pursue Freemasonry as such very far. We believe that the steps we recommend will prevent discrimination against Francophones and other identifiable groups.

## **Haig-Brown Report**

Much has been made of the so-called Haig-Brown Report, a collection of memoranda by two Army officers, Capt. R.L. Haig-Brown and Maj. V.H. Prewer, seconded to the RCMP during the Second World War to advise on the organization of personnel selection. This report perpetuated some unacceptable ethnic stereotypes.

We were not entirely convinced by claims that the Haig-Brown Report never had any impact. But, in the final analysis, we agree that its interest is now historical. We unearthed no evidence at all that it guides personnel management in CSIS.

## **Double-Dipping**

The third issue that can be disposed of immediately is “double-dipping” — the claim that about 280 employees with 20 years or more of service with the RCMP as of July 16, 1984, when they joined CSIS, should get both a full pension from the RCMP and full salary from the Service.

Through legal action and media coverage, double-dipping has attracted attention out of proportion to its real importance. While many of those who would benefit enjoy dreaming of such a windfall, few have serious hopes.

We are not persuaded by arguments that management opposition to double-dipping is related to the fact that the leaders of the group pressing for it are Francophone. The reasons given by Mr. Justice Pierre Denault of the

Federal Court of Canada in his August 1, 1986, dismissal of the action for double-dipping seem sufficient to us. Double-dipping fails on notions of equal pay for equal work; there is no need to invoke discrimination as an explanation for management's opposition to it.

## **Profound Disappointment**

But there were many other issues that could not be disposed of this quickly. Indeed, we were profoundly disappointed with what we found. We would not have guessed that such tension between Anglophones and Francophones persisted nearly two decades after adoption of the *Official Languages Act* with all-party support in Parliament.

Nor was it clear that management had all the facts and understood all the implications of a situation that, in the final analysis, fundamentally challenged its policy-making authority.

We hope that our inquiry and a parallel study by the Commissioner of Official Languages will help clear the air and diminish tension. Information we received in the last month of 1986 gives us some room for optimism that our work has helped accelerate needed change.

## **Methodology**

Before we conclude this general introduction, it might be useful to forestall questions about our methodology by describing it in some detail.

Interviewing was the heart of our approach. We engaged a special investigator, Pierre Gagnon, a Quebec City lawyer with a background in labour-management relations. From April to October, 1986, he conducted 141 interviews with 132 different persons. The average interview lasted an hour and 45 minutes.

We authorized him to promise confidentiality and anonymity to our sources, except to the extent that certain allegations had to be repeated to the persons concerned so they could reply.

At least one meeting was held with every CSIS employee and former employee who asked. We would like to record our thanks to both management and the Association of Employees of CSIS for letting all employees in Ottawa, Montreal and Quebec City know about our mandate, who our investigator was and how to reach him by telephone.

We also initiated meetings with certain employees. In these cases, great emphasis was placed on the free and voluntary nature of the sessions. Some meetings were arranged with employees selected at random, to sound the opinions of the "silent majority", others with people we had reason to think knew things we wanted to know.

Our inquiry included, of course, extensive meetings with managers, both in the Quebec and Ottawa Regions and at Headquarters. One purpose was to obtain explanations for situations described by employees and to gain access to documents. Far from contradicting everything the employees said, the management team helped us examine allegations in light of the history and the nature of the Service.

We also maintained contact with the Office of the Commissioner of Official Languages, which was conducting its own audit of CSIS compliance with the *Official Languages Act* and the official languages policies of the Government. Following an agreement to avoid unnecessary duplication, we left it to OCOL to make a systematic study of the Service's linguistic capacity.

### **Acknowledgement**

The Committee would like to express its deep appreciation of the energy and dedication that Mr. Gagnon brought to his task. His perceptiveness and unwavering objectivity made an invaluable contribution to the preparation of our report.

# **Part I**

## **Official Languages**



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## 2. A Culture Gap

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It is no easy matter to choose a tone for an overview of the official languages situation in CSIS. We saw hopeful signs including:

- (a) the obvious concern of the Director;
- (b) the appointment of a Chief, Official Languages in May, 1986, and his speedy preparation of several key policies including the “action plan for official languages”;
- (c) the end of a moratorium on the usual obligation on unilingual employees to learn the second language within two years of appointment to bilingual positions; and
- (d) decrees that all recruits admitted to the Sir William Stephenson Academy from the autumn of 1987 must be bilingual and that courses there will be given in both official languages.

This is an impressive list of improvements ... for the future. Its greatest flaw, perhaps, is the weakness of the Service's record on official languages to date.

### **The Anglophone Backdrop**

By heritage and inclination, CSIS has been fundamentally Anglophone. French is its second language, ill-mastered and used mainly so far in a vast (though still insufficient) exercise of translation. The language of its mind and heart has been English.

There are clear historic reasons for this. The Service has its roots in the RCMP. While the Force has made strong efforts over the last two decades to Canadianize its attitudes and image, this tendency was much less marked in the Security Service, out of which CSIS grew.

The inherited Anglophone orientation has been reinforced by Canada's membership in a select security club, one that embraces only Anglophone countries — the United States, the United Kingdom, Australia, and New Zealand — apart from bilingual Canada. While we understand that CSIS has developed harmonious relations with other foreign intelligence services, none have had the intimacy, spontaneity or the influence found within this club.

### **The Canadian Setting**

Official bilingualism is, however, a Canadian reality. It is evident that Francophones quite properly insist on respect for rights set out in the Constitution, in law and in policy.

CSIS has workaday reasons to meet the requirements of official bilingualism. It cannot shut its eyes and ears to French-language sources. Information communicated to the Service in French should be dealt with in that language, to avoid the risk of losing some of the sense in translation. This risk must be taken when little-known foreign languages are involved, but French is not a foreign language in Canada.

More important perhaps, employees generally work more efficiently in their own language and more easily reach their potential in service to CSIS and Canada.

Thus official bilingualism is also a key to the CSIS reality.

## **Precept and Practice**

The need for official bilingualism is not openly challenged in principle within CSIS, but corrosive debate continued about how it could and should be applied in practice.

Interviewing during our inquiry left us fully confident of the realism of most Francophone employees; they do not expect to communicate with the regional office in Vancouver, say, in French.

But more than one key Anglophone made it plain that their goal was to meet no more than the full formal requirements of bilingualism. That is, they preferred to use French only when absolutely required to by law or policy and even then with exceptions based on their personal definitions of "urgency".

In this view, Francophones have a right to use their mother tongue, but it is "unrealistic" to exercise this right when they are almost all bilingual and are dealing with something as important as national security. "Realistic" Francophone employees, it is said, recognize that every urgent or important message should be sent in English.

We do not accept this as "realism" in light of the Canadian and CSIS realities discussed above. One result if this became the norm would be that a message written in French would automatically be labelled unimportant — further weakening the position of French as a language of CSIS.

## **Grandfathering**

Another element in Anglophone attitudes is the position of unilingual employees who have always worked in English. It has come as a shock to find that unilingualism could limit their careers.

Some see themselves as victims of the Service's striving toward bilingualism and insist that the official languages program "grandfather" them by requiring bilingualism in promotion competitions only for newcomers to the Service.

“Any affirmative action in favour of Francophones will bring about a backlash of a magnitude much greater than anything coming out of Quebec”, one rising CSIS manager asserted at a meeting attended by our investigator and about 20 members of the CSIS staff.

“Damned if we do and damned if we don’t”, another CSIS manager sighed in an interview as he mused over the conflict between Francophone and Anglophone claims.

## **Insecurities and Hopes**

This conflict comes against the background of great hopes that the creation of CSIS raised in the Quebec Region. After the McDonald and Keable inquiries, CSIS represented a chance to make a new start. It was also an opportunity to put RCMP practices behind and get official bilingualism onto a solid footing from the start.

Then came a two-year moratorium under which unilingual persons could be appointed by CSIS to bilingual positions without the usual requirement to learn the second language within two years. CSIS management also quickly decided that until further notice, instruction at the Sir William Stephenson Academy for new intelligence officers would be given only in English.

CSIS appeared in the eyes of Francophone employees to be turning back the clock. Not surprisingly, some got the impression that their language rights would remain hostage to the Anglophone majority unless they formed a cabal so effective that the Service could not ignore them.

There may have been no avoiding some of the hasty decisions that CSIS managers admit marked the hectic early phases of transition. That is now history. In fact, we reached the conclusion that some of the apprehensions of French-speaking employees were unfounded or not proven.

What seems more to the point is that the grave discontent that resulted among Francophone employees was apparently not foreseen and steps were not taken — at least to explain that the situation was temporary, forced on the Service by circumstances.

## **The Francophone Milieu**

This reflected the culture gap we spoke of in the general introduction. It can be measured in the following story.

The English version of a psychological test administered in “conversion”, when surveillants competed for jobs as intelligence officers, included this question: “Do you prefer Washington or Lincoln as President?” The question seems an odd one to ask a Canadian and, indeed, this was recognized to a degree. In the made-in-France, French-language version the following question was substituted: “Do you prefer Pasteur or Lyautey?” Every schoolchild, Anglophone or Francophone, knows about Pasteur, of

course. But Lyautey? It seems he was a French colonial administrator and minister of war for a few months in 1916-17. How his could be considered a household name anywhere in Canada is not easy to see.\*

In isolation, this story would be funny. Unfortunately, it betrays serious ignorance of the Francophone milieu.

## **Fears Understandable**

Management did not seem to realize how deeply feeling about official languages runs among Francophone employees or how sincerely held are fears that CSIS would forever treat Francophones as second-class employees. It was unable, therefore, to identify and eliminate the causes of friction in advance.

The most dangerous result for the future — one that must now be guarded against — is that key managers, baffled by the anger in French Canada and obsessed with the notion that a few “troublemakers” or “whiners” are to blame, fail to take seriously the right that Francophone employees have to work in their own language.

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\* We might suggest, in passing, that Canadian subjects would be more appropriate in both English and French versions of any such tests used by the Service.

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### 3. An Official Languages Plan

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In later chapters, we will examine a number of specific situations and make correspondingly specific recommendations. But a general framework is needed for bilingualism in the Service, so we first recommend

**(1) that a Special Official Languages Plan be implemented for a period of 24 months.**

A formal plan would establish an objective base on which management and employees could assess progress, free of unrealistic expectations or unnecessary fears. Perhaps more important, it would help establish a stronger institutional basis for bilingualism in the Service. Other recommendations in this report would be integrated in the Special Plan.

#### **Adequate Priority**

To assure adequate priority for implementation of the Special Plan, we recommend

**(2) that, during this period, a new, temporary position be created, namely that of Deputy Director, Special Projects, primarily to oversee the implementation of (a) the Special Plan, including our recommendations on official languages as approved by the Solicitor General of Canada, and (b) our recommendations on staff relations as approved by the Solicitor General of Canada.**

Ordinarily we would shy away from adding another layer to the bureaucracy. But, in this case, we see a clear need for extra effort in the short term, both on official languages and in staff relations.

It would not be reasonable to place this burden on either the Chief, Official Languages (whose mandate does not extend to staff relations in any case) or the Deputy Director, Administration. They both have their hands full with their regular duties.

We would also stress that our recommendation envisages Deputy Director, Special Projects as a temporary position. When the plan ends and the job is done, it would vanish and the incumbent would leave. We see the incumbent as a senior official, already in government, seconded to CSIS solely for this task.

This Deputy Director could not, of course, do it all alone. A small staff should be attached to the position. In addition, we recommend

**(3) that, during this period, the Deputy Director, Special Projects be assisted by a consultative committee made up of persons from outside the Service.**

Such a committee could include experts from Treasury Board, the Department of the Secretary of State, even private consultants with experience in the promotion of French as a language of work.

### **Progress Report**

No plan is any better than its results; evaluation is an indispensable step. So we recommend

**(4) that, 18 months after the Special Plan begins, progress be assessed by the Deputy Director, Special Projects, in cooperation with the consultative committee, and that a written report be made, through the Director of CSIS, to the Solicitor General of Canada for action as required.**

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## 4. Unilingual Messages

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“Anger” is not too strong a word to describe feelings in the Quebec Region and the Quebec City District over the large number of messages received from “Ottawa” in English only.

It cannot be dismissed as the work of a few malcontents. While many of our sources dissociated themselves from the style in which formal complaints have been made, Francophone employees in general feel put down because their employer does not communicate with them in their own language.

### Good Intentions But ...

Evidence of good intentions is easily found. On May 13, 1985, the Director sent a strongly worded telex reminding Headquarters staff of their obligation to write to the Quebec Region in French or in both official languages.

More recently, in an August 7, 1986, memorandum to Deputy Directors, the Director identified official bilingualism as one of four priorities for the coming year. We understand that each deputy director is to be evaluated on the achievements of his division with respect to all four priorities. We hope this will be more effective than the 1985 telex.

For actual results in the short term were disappointing. At least as late as October, 1986, Quebec was still getting messages in English only. “French version to follow” was sometimes added — but not always. Even when a French version did follow, it was commonly after a lapse measured in weeks.

One manager in Quebec told us that instead of fanning resentment by distributing unilingual English documents, he outlined them orally at staff meetings.

### New Initiatives

In support of the Director’s initiatives, we now recommend

**(5) that during the period of the Special Plan, all documents (written, audio or audio-visual) issued by Headquarters be in bilingual form. However, the Director could approve a complete list of categories of documents which, by way of exception, could leave Headquarters in one official language only.**

It would then ordinarily be unacceptable to send documents in one language, even with the promise of a version in the other official language to

follow. But the Director could make exceptions to cover truly urgent cases and communications dealing with local, specific or purely personal concerns.

So official languages requirements are fully understood at every level of the Service, we recommend

**(6) that the Office of the Commissioner of Official Languages and the Chief, Official Languages develop jointly, for distribution by July 1, 1987, a practical guide stating and illustrating the rules governing the language(s) to be used in written and oral communications within the Service and between the Service and outside interlocutors.**

We might note in passing that we have often been told that CSIS employees have not given members of the public the choice of official language as required by government-wide policy. So we take this occasion to recommend

**(7) that, in the Ottawa and Quebec Regions, each interview with a person who is not an employee of the Service begin with a check of which language he or she prefers.**

## **Bilingualism Requirements**

The messages situation is complicated by the fact that English-only communications come not only from Headquarters but from Ottawa Region.

We understand from the Office of the Commissioner of Official Languages that Headquarters (simply because it is national Headquarters) has a clear obligation under official languages policy to communicate in French with the Quebec City District, which is formally designated a unilingual French office, and in either French or both official languages simultaneously with the Quebec Region in Montreal, which is officially a bilingual office where French is the primary working language.

But Ottawa Region, because it is a bilingual office itself and is not a Headquarters unit, may communicate in either or both English and French with all other federal offices — even unilingual French offices. We will return to this question later.

## **Travel Notices**

In reviewing 12 of the complaints submitted to us and to the Commissioner of Official Languages about unilingual English messages, we found that one Headquarters unit accounted for the overwhelming majority.

While we did not check the contents, most of the messages this unit generates are travel notices — usually just five or six lines of standardized wording, alerting region and district offices that certain potential targets will be in their territories.

Under government-wide official languages policy, they should be sent to Montreal either in French or in both English and French because they originate at Headquarters.

“Urgency” is often cited as an unavoidable reason for lapses from official languages requirements, and we acknowledge that these notices often have to circulate very quickly; the travel concerned is sometimes just hours away, so lengthy translation delays could interfere with operational efficiency.

But we do not see the need for translation at all. Given the telegraphic style employed, anyone with a lexicon of a few hundred words could originate travel notices in either official language. In fact, it appears that CSIS now has a computer program with a bilingual format for messages, which means the writer simply fills in the blanks with names and numbers.

## **Ottawa Region**

A second major source of unilingual English messages was an Ottawa Region unit that, for security reasons, we do not name in this abridgement. It accounted for more than 40 per cent of the messages cited in a thirteenth complaint that we examined separately from the 12 cited earlier.

According to the letter of the rules on official languages, these messages could be sent to Montreal in English only. The reason is that they came from the Ottawa Region, not Headquarters.

But this unit fulfils a national function related to the fact that Ottawa is the national capital. The intelligence it gathers is sent throughout Canada, and it seems logical to us that such work done for all regions should be communicated in both official languages.

The spirit of bilingualism surely calls for more than the legalistic minimum, in this case.

## **“Urgency”**

We were confronted, as usual, with the “urgency” issue, but concluded again that there is often less to it than meets the eye. When a report must be translated from a foreign language into English anyway, why is there not simultaneous translation into French?

Our scepticism about “urgency” as a refuge is also fed by the fact that material in French was apparently translated into English, but not the other way around. If waiting for translation into English was not an intolerable

obstacle to operational efficiency, why would waiting for translation into French?

It exceeds our mandate to suggest changes in the Government's overall official language policies. But we do recommend

**(8) that the Service, as a matter of policy, make [the Ottawa Region Unit mentioned above] subject to the Headquarters official languages régime for purposes of communications with bilingual and French-language offices.**

### **Borrowed Text**

The third major source of unilingual English messages cited in the thirteenth complaint was a Headquarters unit. These messages did contravene government official language policy.

A number of excuses could be advanced for transmitting these messages in only one language. In several cases, a considerable portion of the text was reproduced from material sent in English by foreign intelligence services or other federal government agencies. The Service did not feel obligated to translate English texts — either domestic or foreign — that it did not originate.

We note, however, that all intelligence received in French was systematically and promptly translated into English. One message included material that was originally in German, and the effort was made to translate it into English, but not into French.

As applied by this unit, translation was a one-way street that permitted Anglophone employees to receive all messages in their own language while Francophone employees did not.

### **“Authenticity”**

Retaining “authenticity” could also be cited as a reason for not translating material originating outside the Service. But this falls apart under examination. Carried to its logical conclusion, it would stand in the way of translation into English, even from foreign languages. It would mean not translating statements by human sources in languages unknown to intelligence officers who needed to understand what was said. These are obvious absurdities.

Two of the messages we examined were addressed specifically to an Anglophone intelligence officer. Should Headquarters communicate with a Quebec Region employee for operational purposes (and not in connection

with the employee's personal file) in the first official language of the employee?

We think that the spirit of official bilingualism calls for messages in both languages simultaneously or in French in such cases. Messages related to operations are potentially of interest to other employees in the Region. The first official language of the officer concerned should not be a problem. Any employee in the Quebec Region can be expected to be at home in French — as this particular officer is.

Again, the issue of “urgency” arose. With one possible exception, it did not appear to us that the messages cited in the thirteenth complaint were too urgent to await translation within a reasonable time — five days, say.

### **Translation Facilities**

The reality, as it appeared to us, was that the Service simply did not have facilities to handle translation from English to French quickly enough. Therefore, we recommend

**(9) that the Service give priority to expanding its facilities for translation of materials into French quickly enough that the requirements of operational efficiency and of official languages policy do not conflict.**



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## 5. Unilingual Reference Documents

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During our inquiry, in July, 1986, CSIS published a Directive Writers' Guide in English only.

While there may be exceptional occasions when it is truly impossible to provide employees with operational messages in the appropriate official language, reference documents must be made available in both languages simultaneously, without fail.

Employees whose working language is French are entitled to the same assistance in carrying out their duties as those whose working language is English. That is surely clear from the Constitution's pledge of "equality of status" for English and French and "equal rights and privileges as to their use in all institutions of the Parliament and government of Canada" (section 16 of the *Canadian Charter of Rights and Freedoms*). We recommend

**(10) that the Service publish in 1987 a French equivalent of the Directive Writers' Guide.**

We did not have an opportunity to determine whether other basic documentation was also currently available in only one language. So we recommend

**(11) that the Service publish by December 31, 1987, a French version of any guides or manuals that have been issued in English only.**



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## 6. Language Profile of Positions

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Near-monolithic English unilingualism at Headquarters underlay the inability of the Service to meet the requirements of official languages policy.

We heard allegations, mainly from Francophones but also from a few Anglophones, that Headquarters has failed since July 16, 1984, to identify a sufficient number of bilingual positions in Ottawa.

In addition, under the moratorium described in Chapter 2, some positions were designated bilingual but staffed with incumbents who did not have a truly functional knowledge of French.

### Complaints

Many complaints have been filed with us and with the Commissioner of Official Languages, protesting the designation of certain key positions at Headquarters as level BBB bilingual non-imperative (BNI). BBB is the intermediate level of second-language proficiency set by the Public Service Commission. Francophones see the BBB-BNI designation of a position as meaning “a minimal knowledge of French would be appreciated but is not a selection criterion”. The lack of bilingual imperative positions perpetuates the status of French as a language of translation.

BBB-BNI designations also, incidentally, undervalue the bilingualism that Francophones have worked to attain. If positions were designated as bilingual imperative in accordance with actual needs, many would have gone to Francophone employees, who are generally more bilingual than their Anglophone colleagues, helping to restore some degree of linguistic balance at Headquarters.

The moratorium on language training benefited unilingual Anglophones in practical terms. This advantage was perhaps temporary, but it came at a crucial and decisive moment when career paths to the top were being established.

### Anglophone Needs

While Anglophone employees in Ottawa, at both the Region and Headquarters, have varied attitudes, most clearly oppose any tightening of language criteria. We discussed the threat of “backlash”, in Chapter 2. Many unilingual Anglophones believe themselves unable to learn French. Thus they view the designation of positions as bilingual imperative as, at the very least, a roadblock in their career paths.

Given the distance that the Service has to make up, our emphasis in this report is on meeting the requirements of official bilingualism.

But the concerns of Anglophone employees must be seriously taken into account. Some of our recommendations have particular relevance for them — notably those in the next chapter on second-language training, which will open bilingual jobs to more Anglophones, and on the Service's intentions with respect to unilingual employees now in bilingual positions.

We hope it is also clear that there should always be room for satisfying and useful careers at the regional level in only one language, even if many jobs, especially at Headquarters and especially at the top, require bilingualism. Other federal agencies have implemented official bilingualism without condemning unilingual employees to stagnation in meaningless work. There is no reason why the Service cannot do the same.

## **Two Periods**

As a mitigating circumstance, CSIS argues that during its first two years, the demands of transition forced it to neglect official languages needs. It says that things are getting back on track now.

To fully understand the situation, it helps to distinguish the "moratorium" period and the "post-moratorium" period.

CSIS documents dated September and October, 1984, describe the decision by the Executive Committee in September, 1984, to apply the moratorium. It is sometimes claimed that the moratorium lasted just one year, but the facts seem to indicate that it continued as much as two years. In any case, language training began in September, 1986.

The Service maintains that, without this temporary, exceptional measure, it would have been impossible to staff key positions with people who had the necessary operational abilities; early language training on a full-time basis would have defeated the purpose by removing these qualified people from their desks at a critical time.

## **Impact on Communications**

We heard reports that the moratorium was perceived as excusing employees from communicating in French with their Francophone subordinates, with the Quebec Region in general and with Francophone members of the public. We do not have documentary evidence of this, but a circumstantial case is suggested by the fact that French was commonly not used when it ought to have been.

Management also seems to have been miserly with information to employees about the moratorium. Undoubtedly it did not want to fan the flames and perhaps it also hoped to keep some leeway for adjustment to changes in the situation.

But secrecy also sowed the seeds of turmoil by allowing Francophone employees to imagine what they would. Given the culture gap we have identified, there is no need to suppose malice or bad intentions on the part of management. But the astonishment and resentment among Francophone employees are equally understandable.

### **Post-Moratorium Period**

Now we have entered the post-moratorium period when, management says, the situation has been corrected to a large extent. However, we still saw surprising delays.

On May 19, 1986, the CSIS Executive Committee approved the concept of an Action Plan on Official Languages. A guide for preparing such a plan was given on June 5, 1986, to all directors general.

Among other things, it required completion of a form entitled "Report on language requirements of positions and linguistic capabilities of incumbents" for evaluation by the Chief, Official Languages. It also required each unit to set objectives and timetables for compliance with official languages policy in three areas — language of service to the public, language of work, and full participation of the two official language groups.

### **Gaps in Response**

A progress report dated September 2, 1986, shows that not all units complied with the August 31, 1986, deadline for submission of their reports.

Also, since some incumbents may claim to be more bilingual than they are, returns must be checked against official documents — time-consuming work for which the Chief, Official Languages had not yet, incidentally, been assigned appropriate staff.

In light of this, the Chief asked for lists of employees:

- (a) occupying positions described as bilingual imperative and bilingual non-imperative;
- (b) receiving a bilingualism bonus;
- (c) who have taken language tests (with results); and
- (d) who have followed a language training program.

There appeared to be delays in providing these basic documents to him. Certainly he did not have them to show us when we asked. So the Chief was unable to implement certain Senior Management decisions.

For example, Service policies stipulate that language training be given full priority for employees occupying positions for which they do not meet the

language requirements. But, as we have seen, the Chief was not able to identify who belonged to this category of employees. He could not find out, therefore, whether they had been notified of the conditional nature of their appointment so he could:

- (a) inform them if necessary that they had two years to achieve the language profile required by the position, and then
- (b) put them on the priority list for the language school.

In other words, the moratorium officially ended, but its problems continued. We recommend

**(12) that the Service draw up by March 31, 1987, lists of those employees (a) occupying positions described as bilingual imperative and bilingual non-imperative, (b) receiving a bilingualism bonus, (c) who have taken language tests, with the results of those tests, and (d) who have followed a language training program.\***

## **Competitions**

Job competition notices were distributed as recently as September and October, 1986, without reference to the Chief, Official Languages for approval of the language requirements. None of the jobs were designated bilingual imperative. We recommend

**(13) that no vacant position be staffed or made the object of a selection competition until the Chief, Official Languages has established the language profile of that position.**

We also recommend

**(14) that before the end of the Special Plan, a bilingual imperative designation be given to all vacant positions at Headquarters (a) at the IO-5 level or higher (or the equivalent) or (b) identified by the Chief, Official Languages as being in daily contact with the Quebec Region, and**

**(15) that EX and higher positions be designated bilingual imperative to the extent**

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\* Because of unavoidable delays in our submission of the special report, these dates were unrealistic. We would now suggest a deadline of June 30, 1987.

**provided for by Treasury Board rules on the following schedule: (a) EX-1 positions by January 1, 1989, (b) EX-2 positions by January 1, 1990, and (c) EX-3 and higher positions by January 1, 1991.**

Let us point out that recommendations 13 and 14 refer to positions that are or become vacant, and recommendation 15 calls for a bilingual imperative designation only in those geographical and functional areas where Treasury Board rules already require it in other federal agencies. Some positions would remain bilingual non-imperative or even unilingual.

In order not to tie the hands of the Service too tightly, we also recommend

**(16) that, during the Special Plan, the Director have the authority to designate particular positions among those contemplated in recommendations 14 and 15 as bilingual non-imperative.**

We note that the BBB level of language skill is not very great and that facility in the second language can fade if it does not get regular exercise. Therefore, we recommend

**(17) that there be a mandatory review of employees' language qualifications every five years.**

## **Recruitment**

In the long term, the way to overcome problems in meeting the language profiles of key positions is to ensure that bilingualism is widespread in the staff at all levels. We reiterate here a recommendation we made in an earlier report —

**(18) that continued emphasis be placed on bilingualism as a recruitment criterion.**

As an important means of doing this, we further reiterate a past recommendation

**(19) that the Service carry out open, active recruitment of candidates, preferably bilingual, on English and French university campuses.**

In seeking bilingual employees, the Service must also keep in mind the need to recruit more women and more Canadians of neither English nor French extraction, to end clear imbalances in the present makeup of its staff.

Both women and Canadians of neither English nor French extraction can, of course, be bilingual. Canadians of neither English nor French extraction are also, perhaps, more likely than other recruits to enhance the Service's capacities in non-official languages.

We note that full participation of members of the two official-language groups (regardless of ethnic origin) is among the goals of CSIS official languages policy. With this in mind, we consolidate with this report two other recommendations we have made before —

**(20) that the recruiting pool be widened and that CSIS structure its hiring and staffing processes to ensure adequate Francophone recruitment, and**

**(21) that more Francophones be hired at senior levels, especially in the operational stream.**

Increased recruitment of bilingual Francophones must not, however, become a way of making bilingualism more widespread while dodging the employment of bilingual Anglophones and the provision of effective second-language training.

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## 7. Language Training

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There was good news about second-language training: on September 15, 1986, the moratorium officially ended.

Six types of training were envisaged — full-time courses offered by the Public Service Commission; basic courses (full or part time, cyclical, evening, etc.); development courses; specialized courses; immersion, and in-house courses. This suggests a welcome degree of flexibility that may help keep operational demands from blocking training needed by key personnel.

### Priorities

The policy also set a clear order of priority for training, in descending order, as follows:

- 01 unilingual employee appointed to a bilingual position (conditional appointment);
- 02 unilingual incumbent of a bilingual position in order to comply with the requirements of his/her position;
- 03 bilingual incumbent of a bilingual position who must upgrade his/her language skills;
- 04 unilingual incumbent of a unilingual position who wants to go on language training.

In September, eight employees in group 01 enrolled full time in Public Service Commission courses at the Carson Road school. Some 50 employees enrolled in Public Service Commission evening courses. And fee reimbursement was approved for five employees attending outside evening courses.

All these employees are Anglophones learning French, and most work at Headquarters. The rest work for the Ottawa and the Toronto Regions.

A number of Francophones could also surely benefit greatly from language courses, since fluency in English will be a prerequisite for admission to the top echelons in the Service.

### Effectiveness of Second-Language Training

A fundamental problem lies in the fact that many employees, both Anglophone and Francophone, do not believe in the effectiveness of language training.

It was English-speaking employees who were most forceful in telling us that it is pointless to pay someone to spend six months at Carson Road when that person lacks strong motivation and will return to a unilingual English environment (especially in the Ottawa Region) where the second-language skills will soon fade. For their part, Francophones do not consider an employee with only BBB in French really bilingual.

We are impressed with arguments that immersion is the most effective technique of second-language training. We recommend

**(22) that the Service seek out ways to permit immersion in the second language.**

### **The Extent of Second-Language Training**

The effectiveness of second-language training also has an institutional dimension. This has to do with the number of managers and employees who become not just bilingual but sufficiently bilingual.

In and of itself, a few additional Anglophone employees at the BBB level in French will not change much. The Service will not be functionally bilingual until employees can address their superiors in their own language knowing that they will be understood and that fruitful dialogue is possible.

While statistics on the gap between bilingual staff and bilingual needs are hard to come by, it seems reasonable to fear that at the current rate of full-time second-language training, it will take some considerable time just to deal with employees in priority groups 01 and 02. Therefore, we recommend

**(23) that, by the end of the Special Plan, the Service have in place a schedule for the language training of all unilingual employees occupying positions designated bilingual (imperative or non-imperative).**

### **Unilingual Incumbents**

The issue of unilingual employees in bilingual positions has yet to be faced squarely. What will become of those who

- (a) are not admitted to language training courses because a pretest rates them as "untrainable";
- (b) refuse or fail to enrol in courses;
- (c) fail courses; or
- (d) pass but subsequently lose their ability to function in the second language?

We admit that the problem is a thorny one; it will be difficult, if not impossible, to please everyone. But it must eventually be faced, so we recommend

**(24) that the Service officially decide by July 1, 1987, how it will deal with unilingual employees in bilingual positions who (a) are not eligible for second-language courses, (b) refuse or fail to enrol in such courses, (c) fail such courses or (d) eventually lose their ability to function in the second language.**



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## 8. The Sir William Stephenson Academy

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We have said elsewhere that we are impressed by the speed with which CSIS established a training program for recruits. But in the context of official languages policy, the achievement was not without serious flaws.

To recapitulate, as part of the moratorium on official languages policy during transition, the Service decided that training at its Sir William Stephenson Academy would initially be offered in English only.

There was also a noticeable linguistic imbalance in the first class — one lone Francophone. In the rush of transition, the precaution was not taken of checking the mother tongue or languages spoken by the 3,400 candidates before the “survivors” of the initial screening appeared before the national selection board.

Recalling the problems, one highly-placed source acknowledged to us, “We goofed.” He told us that he was quite angry at the time that he was not informed two or three months earlier of the underrepresentation of Francophones — and women too — in the first class.

The first faculty, as well, was composed almost entirely of unilingual Anglophones.

We recommend

**(25) that the Service officially designate the Sir William Stephenson Academy as a bilingual unit.**

As it is related to recruitment, we also reiterate here a recommendation we have made before —

**(26) that CSIS hire with the briefest of delays a French-language polygrapher.**



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## 9. Continuous Work-related Training

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We heard a range of complaints about professional development programs. Francophone employees told us that not enough courses were given in French or in bilingual format — that is, with simultaneous interpretation. They also said that they were constantly urged to attend unilingual English sessions rather than wait for the less frequent French or bilingual sessions.

### Availability

A draft, approved July 17, 1986, of what was to become Chapter 10 of the Personnel Administration Manual, showed the greater availability of courses in English, as follows:

|  |     |
|--|-----|
| Courses given in English only  | 12  |
| Courses given in English and in French                                 | 20  |
| Courses given in English and either in French or in a bilingual format | 2   |
| Courses given in English and in bilingual format but not in French     | 1   |
|  | ——— |
| TOTAL  | 35  |

No courses were given in French alone. More than a third — 12 out of 35 — were not available in French or in a bilingual format. All were available in English.

### Frequency

Courses in French are also offered less frequently than equivalent courses in English are. The reasons, we were told, are that

- (a) there are fewer Francophone than Anglophone employees, so demand can be accommodated with less frequency;
- (b) some Francophones prefer courses in English; and
- (c) a number of guest speakers are intelligence officers or human sources connected to the American and British services, typically unilingual and very averse to the presence of “outsiders” like interpreters.

In any event, we were told, tutoring in French is offered outside work hours to Francophones who apply for it.

## **Preference**

We have to admit that we are suspicious of the alleged preference among Francophones for English-language study. A number of Francophones do enrol in English courses, even when the French equivalent is available, but several reasons unrelated to preference can be postulated, as follows:

- (a) the time of year when the course is given in English may be more suitable;
- (b) English-language courses provide greater opportunity for contact with Canadian, British or American experts, whereas the French-language courses feature less notable speakers (often employees of CSIS itself);
- (c) employees may prefer to exchange views with their English Canadian counterparts rather than with Francophone colleagues they come into contact with every day;
- (d) the atmosphere of the Service is such that there may be advantages for Francophone employees in displaying their ability to communicate effectively in English; and
- (e) local or national training authorities let Francophone employees take the course in the language of their choice, but remind them that the course may not be given in French "if the number of persons enrolled does not warrant it".

This last reason involves a self-fulfilling prophecy: the more Francophones follow courses in English for fear that similar sessions will not be offered in French within a reasonable time, the less demand there will be for French sessions and the less frequent they will become.

We certainly do not suggest that such Machiavellian thinking lay behind what was, no doubt, intended to be sound advice.

But this does highlight once again the dangers of a tepid approach to official bilingualism. We believe that the Service will have to make an effort to offer more and more courses in French, even if the numbers do not initially warrant them, so as to break the vicious circle.

Official languages would be a consideration in implementation of two recommendations we have made before and reiterate here —

**(27) that CSIS recognize the potential of development options as a supplement to**

**formal training and that CSIS further encourage discussion of these options as part of the annual review of employee performance, and**

**(28) that training and development needs be identified on an annual basis, that supervisors be encouraged to place more emphasis on these needs and that these plans be reviewed on a regular basis to ensure that implementation is occurring.**

By development options, we mean such things as temporary assignment to special projects or other jobs where there is something useful to be learned.



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## 10. Bilingualism Bonus

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An intelligence officer has gone to court to win the bilingualism bonus of \$800 a year ordinarily paid to public servants who use both official languages in their work. The bonus is paid to bilingual clerical employees of CSIS, but not to intelligence officers.

In general, this officer's Francophone colleagues wish him luck, and they wouldn't turn down \$800 a year. But they give him little active support. Some even consider the bonus to be like Esau's mess of pottage: it causes Francophones to relinquish the right to speak their mother tongue within the Service in return for \$800 a year. They feel that bilingualism should be normal and natural for CSIS employees.

### Anglophone Support

On the other hand, there is appreciable support for the bonus among Anglophones who see it as a motivator for learning a second language and keeping their facility in it.

In principle we agree that bilingualism should be a normal requirement for many employees, Anglophone as well as Francophone, and call for no special financial reward.

But as long as the bonus is part of the government's official languages program, denying it to some employees may seem to reflect a lack of commitment to bilingualism. The bonus gives the Service a chance to show its commitment in clear and concrete terms — to put its money where its mouth is, in the vernacular. Therefore, we recommend

**(29) that the Service pay bilingual employees a bilingualism bonus to the full extent allowed by Treasury Board rules.**

It must be clearly understood, however, that the bonus cannot replace the right that Francophone (and Anglophone) employees have in certain circumstances to communicate in their own language.



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## 11. Position of the Chief, Official Languages

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The appointment of a Chief, Official Languages in May, 1986, was an important step. What remained to be seen was whether it led as far as it could and should. The recent decision to have the Chief report directly to the Deputy Director, Administration was a hopeful token of the importance the Service intended to attach to official languages.

### Authority of the Chief

However, the authority of the Chief will depend mainly on what activities he is involved in. To be effective, he must have real authority in a number of areas where use of the official languages is of primary importance. We recommend

**(30) that the Service devise new lines of authority so that the Chief, Official Languages has jurisdiction over the systematic, effective and simultaneous use of both official languages in (a) English-French-English translation, (b) training and development, (c) Open Information, (d) administrative manuals and directives, (e) audio-visual materials, (f) recruitment on university campuses, (g) the Sir William Stephenson Academy and (h) computer programming.**

Naturally, we do not suggest that the administrative units responsible for these activities come under the direct authority of the Chief. But mechanisms must be developed to give him a real and immediate impact on the use of both official languages.

### Official Languages Staff

The Chief had a staff of only one clerk to help him, and this was not enough. Two members of the Office of the Commissioner of Official Languages confirmed to us that federal agencies of comparable size have, on average, a team of five or six full-time officers responsible for official languages. Therefore, we recommend

**(31) that the office of the Chief, Official Languages be staffed with sufficient employees.**

Extra person-years may be called for on a temporary basis during the period of the Special Plan that we have recommended.



## **Part II**

# **Staff Relations**



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## 12. Communications Gaps

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Certain real problems existed in staff relations at CSIS, and they were amplified by uncertainty, both in management and among many employees, completing a vicious circle in which each suspected the worst of the other.

It would be wrong to ignore some genuine and unavoidable problems CSIS had to face. Because it had to take place quickly with strictly limited resources, transition fostered management by crisis. That is, many decisions rested more on intuition and experience than on planning and policy. It is hardly surprising that such decisions often seemed arbitrary and lent credibility to whispering about discrimination or favouritism.

The problems of transition are already slipping into history, but there are other communications barriers that could continue far into the future.

One is the very nature of the Service. Like any security and intelligence agency, it must tightly limit the information allowed to circulate freely. This is axiomatic. But there is an ever-present danger that the need-to-know principle will shroud routine management information as well as security secrets, casting shadows where suspicion and resentment breed among employees who simply do not see how decisions are reached and easily imagine the worst.

### Nostalgia

Nostalgia for the RCMP — at junior as well as senior levels — also complicated staff relations and contributed to the communications problem. Many CSIS employees still habitually acted as though they remained in a police force, where orders are given to be obeyed, not discussed.

Many younger employees, on the other hand, believe that their own attitudes and expectations have as much inherent worth as the views of their superiors. Such feelings must be constrained by the need-to-know principle. But egalitarianism and the expectation that personal needs will be respected on the job are more or less universal in Canada today. No amount of nostalgia can spare CSIS from making some accommodation to the social setting from which its employees will increasingly come.

A major source of discontent, beyond the Service's control, is the fact that its employees cannot compete with employees of other federal agencies for positions in the Public Service of Canada. We reiterate here a recommendation we have already made elsewhere —

**(32) that CSIS explore ways, including legal avenues, for its public servants to be permitted entry into Public Service jobs.**

## **Open Management**

We were encouraged to learn that a formal Personnel Administration Manual was close to completion. By clarifying the rules, it can make an immense contribution to good management and good communications.

The better the Personnel Administration Manual is known, the better management decisions will be understood and the easier it will be for employees to accept them as reasonable and fair. Therefore, we recommend

**(33) that a copy of the Personnel Administration Manual be available for consultation in every unit of the Service and that management advise all employees of their right to consult and study this manual.**

For these purposes, a "unit" would be every group of employees headed by someone at the IO-4, PE-4 or equivalent level.

## **Following Through**

We believe that special effort is needed in the short term to overcome problems in staff relations, just as it is to relaunch the drive for official bilingualism.

The Director seems to agree: "To promote better personnel management and staff relations" is one of four goals he set for the coming year in an August 7, 1986, memorandum. Deputy Directors were to be evaluated in terms of these four goals.

Recommendation 2 in this report suggests that the implementation of our recommendations on staff relations as well as on official languages be overseen by a new Deputy Director, Special Projects (page 11).

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## 13. Grievances

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The handling of grievances was an important source of tension and frustration for a number of reasons.

The first was related to communications. As discussed in the last chapter, CSIS employees found it difficult to understand many management decisions. Second, some employees perceived management as having an uncertain grasp, and they tried to exploit the situation. Their motto was “The squeaky wheel gets the grease”.

### Delays

A third major problem was that the grievance procedure seems unduly long and impersonal — at the third level, above all, when the file goes to Headquarters.

At this stage, the complainant felt obliged to submit a long written argument and to attach all pertinent documents, because there was no opportunity to make an oral presentation to the Director or any of the people who would handle the file at Headquarters.

Then there was a wait of several weeks — sometimes several months — before a letter came from the Director, with a first sentence that usually expressed regret for the delay.

We do not believe that the answer lies in relieving the Director of his legal duty to review grievances personally at the third stage. It is normal in armed forces and the police for the highest officers to devote considerable time to just this sort of work. Because internal discipline and morale are at least as important in security intelligence as they are in the military and police, the Director should continue to examine grievances personally at the third stage. We recommend instead

**(34) that the staff relations unit be enlarged so that grievances can be processed more quickly.**

It goes without saying that this unit should get the human and other resources to provide equal service in both official languages.

### Reasons for Decision

Another problem was that the Director’s reply did not always give reasons for his decision. From what we could learn, reasons are now usually given, but there are exceptions. Therefore, we recommend

**(35) that the Director's reply to a grievance always provide reasons for the decision.**

Cursory Yes or No responses can be a fertile field for speculation that the Director was not fully informed.

## **Adjudication**

A fundamental weakness of the grievance system is that there is no third-party adjudication for most employees. Support staff represented by the Union of Employees of the Solicitor General can go to the Public Service Staff Relations Board (PSSRB) for final adjudication. But grievances by other employees can go no further than the third stage, in which the Director is both party to the case and judge.

We understand that the Service is seeking amendment of the *Public Service Staff Relations Act* (PSSRA) so that non-clerical employees can go to the PSSRB, thereby giving full effect to subsection 8(3) of the *Canadian Security Intelligence Service Act*, which provides that

When a grievance is referred to adjudication, the adjudication shall not be heard or determined by any person, other than a full-time member of the Public Service Staff Relations Board ...

It was not, however, clear to us that the amendment proposed by CSIS would be adequate. Subsection 91(1) of the *PSSRA* permits recourse to adjudication regarding only:

- (a) the interpretation or application in respect of the (employee) of a provision of a collective agreement or an arbitral award, or
- (b) disciplinary action resulting in discharge, suspension or financial penalty.

## **Few Covered**

For the great majority of employees, paragraph (a) would have no effect, as they have neither a collective agreement nor an applicable arbitral award. If this paragraph applied, the proposed amendment would allow few grievances to go to adjudication — only those that raised disciplinary matters so grave they could lead to discharge, suspension or a financial penalty. Therefore, we recommend

**(36) that the *Public Service Staff Relations Act* be amended in such a way that any grievance by an employee of the Service may be adjudicated by a single member of the Public Service Staff Relations Board having the necessary security clearance.**

For this purpose, we further recommend

**(37) that this *Act* be amended in such a way that the term “collective agreement” include the CSIS Personnel Administration Manual.**

We specify “a single” member of the Board for the obvious reason — to restrict access to security-sensitive information. There are provisions in the law to ensure that information affecting national security would not become public if adjudication gave rise to further legal proceedings before the courts.

### **Role of the Employee Association**

There is an Association of Employees of CSIS, but it is not a union, appeared not to want to be a union, and did not always accept such union tasks as assisting its members in the grievance procedure.

Many non-unionized employees, therefore, found themselves facing the imposing machinery of management on their own.

We believe it would be useful if the Association accepted a role in arbitration. We make no formal recommendation, of course, as it is a matter for the membership to decide. But the Government can open the door, and we recommend

**(38) that arrangements be made for paycheque deductions to provide the Association of CSIS Employees with funds earmarked specifically for paying the costs of adjudication proceedings. This would take effect upon application by the Association, acting on a majority vote of its members, and the amount of the checkoff would also be determined by a majority vote of Association members.**

We do not intend, however, that the Association gain the power to block a grievance by one of its members. Therefore, we recommend

**(39) that non-unionized CSIS employees be permitted to submit, on their own behalf, grievances for adjudication if the Association fails to do so.**

Adjudicators should have discretion to order the Association to compensate a member for costs incurred in such independent adjudications.



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## 14. Performance Appraisals

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We heard vociferous complaints that negative comments in annual appraisal reports resulted from personal animosity on the part of supervisors.

But our investigation turned up no hard evidence of false appraisals. The cases submitted to us appeared to be classic examples of situations in which employees do not like their supervisors and presume that poor evaluations reflect animosity.

We noted that the new Personnel Administration Manual makes elaborate provisions for evaluations, including review committees with the express role of ensuring that evaluations are complete, accurate, fair, uniform as to methodology and adequately documented. No one told us specifically that these committees acted improperly or inappropriately.

We reserve comment on the appraisal system set out in the Manual as we were not able to study it fully in the time available.



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## 15. Conversion

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Among the most explosive issues that commanded our attention was the conversion procedure for surveillants wishing to become intelligence officers. Surveillants are the people who “tail” targets of investigation.

There were problems across Canada, but the situation was most acute in Montreal where it was compounded by linguistic issues and boiled over into the political arena and into legal action before the Canadian Human Rights Commission. This report focuses on the situation in Montreal.

### Promises

It is clear that certain promises were made to surveillants already on the RCMP staff when CSIS was created in 1984. Those we interviewed believe they were promised that the distinction between intelligence officers (“regular members”, as they had been in the RCMP Security Service) and surveillants (“special constables”) would disappear. That there would be, in future, only one category of employee. That career paths would be opened up. Indeed, some believe that they were promised absolute priority for posts as intelligence officers before any outsider would be considered.

It would be hard to exaggerate the importance of such promises. The career path in surveillance leads only to more surveillance, regardless of diligence and talent. Intelligence officers, on the other hand, can rise to the top of the Service. Hopes of becoming intelligence officers clearly encouraged surveillants to accept transfer to CSIS rather than remain special constables with the RCMP.

Instead, the gates were opened wide for new recruits, including “direct entries” (that is, seasoned investigators hired with minimal formalities from the RCMP, the Department of National Defence and elsewhere), before screening of surveillants for conversion was completed.

CSIS management gives a much narrower reading to its promises. It believes that it fulfilled them by letting surveillants apply for intelligence officer rank without holding university degrees (which few surveillants have) or completing the Academy course. But it put them through a screening process like that applied to newcomers to the Service, and there was clearly no absolute priority for the surveillants.

### Mobility Clause

Candidates for conversion reacted angrily to the sudden appearance of a form that contained this mobility clause:

I understand that as an employee of the Service I may at any time be required to relocate anywhere in Canada dependent on the needs of the Service.

Personnel Services told candidates when this form was distributed that they would likely be moved to Headquarters if they became intelligence officers.

For a number of reasons, this was seen by Montreal candidates as pressure to withdraw from the competition. Any change in the rules after the game has started is always suspicious. In addition, they knew that no such undertaking was demanded of intelligence officers who entered CSIS directly from the Security Service of the RCMP, and they saw that none of the first class to graduate from the Academy had been posted to Headquarters.

Finally, it is conventional wisdom in CSIS and elsewhere that few Francophone Quebecers are at all keen to leave the Francophone environment of Quebec — above all to enter “the lion’s den” at Headquarters where they think they would be relegated to such drudgery as translation.

Not surprisingly, then, the Montreal surveillants saw the mobility requirement as a dirty trick aimed at them.

They might have felt differently had they known that it was imposed on every intelligence officer (except those with vested rights because they were already intelligence officers when CSIS came into being on July 16, 1984) and that a decision in principle was taken by management in the spring of 1985 to put some priority on making Headquarters the first posting for new intelligence agents. In fact, all graduates of the second class at the Academy were posted to Headquarters. The Montreal surveillants seemed to know none of this.

## **Second Competition**

Then a second conversion competition was announced before the first had been completed in Montreal. The first competition had, indeed, been completed elsewhere, so management thought that a second was quite in order. But somehow the Montreal candidates did not know this either. Their suspicions already aroused by the mobility clause, they were understandably quick to assume that there was another dirty trick in the works.

## **Psychological Tests**

The psychological testing program associated with conversion raises linguistic questions, as discussed in Chapter 2. But we return to it here because it is so tightly bound up with a staff relations issue.

Initially the tests were offered in English only, and those who wanted to take them in French were told they would have to wait. This, on the face of it, was unequal service hardly calculated to reassure the Francophone Montreal surveillants that they were being treated fairly. Especially when the wait turned out to be six months long.

## **Communications Gaps**

The common thread that runs through these problems is a failure to keep the surveillants informed and to head off insecurity or worse among Quebec-based employees.

Surveillants may have let their hopes rule their understanding when promises of new opportunities in CSIS were made. Indeed, a moment's thought reveals that the broadest interpretations of these promises do not square with the very *raison-d'être* of the Academy — that is, to bring in new blood.

Nonetheless, the fury of the surveillants is understandable. They were ill-informed of the various conditions for conversion (the mobility clause) and of the state of play once the process had started (the second competition).

It was also a stunning lapse to offer psychological testing in English only at first, then impose a six-month wait on those who wanted to take the tests in their own mother tongue and working language. The mystery is that management apparently did not anticipate the reaction.

And the saddest thing about the whole story is that some managers were still mystified and had become, in their own minds, “victims” of the outcry in Montreal. It is not an attitude that bodes well if it persists.

Looking to a happier future, we recommend

**(40) that the Service, after reviewing the career paths available to its employees, especially to those outside the IO group, issue a policy statement that (a) describes these paths and (b) states the mechanisms and conditions for converting from one occupational group to another.**



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## 16. The Limits of Criticism

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Our examination of the first two conversion competitions highlighted the absence of ground rules for appropriate responses when management and employees disagree. Disgruntled employees who felt that they were not being heard by management took their case to politicians and the courts.

Because of security considerations, we do not think employees should “go public” with criticism. But this makes it doubly important that reasonable and measured criticism be permitted within the four walls of the Service. We, therefore, recommend

**(41) that the Service issue a policy statement to all employees (a) recognizing the right to express criticism within the Service but (b) banning both insubordination and all actions or words that are insulting to an identifiable individual or group. Such a statement should give examples that illustrate the difference between legitimate criticism, on the one hand, and insubordination and insults, on the other.**



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## 17. Lateral Transfers

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The prospect of sudden and ill-explained lateral transfers worries employees who are happy in a particular field where they have been able to develop some expertise.

The Director must be able to order lateral transfers so that operational and administrative priorities can be quickly adjusted and certain employees do not ossify in unchallenging posts.

### **The Human Factor**

But this right should be exercised with prudence and special attention to the human factor. Harmonious staff relations are only possible if employees believe that their own interests are being given due consideration. At the very least, employees must be given every opportunity to understand why something that displeases them cannot be avoided. We, therefore, recommend

**(42) that the Service issue a policy statement to its employees explaining why it is necessary and useful to make lateral transfers from time to time and specifying the conditions under which such transfers will be made.**

We further suggest that, as a matter of good personnel management practice, the Service give people slated for a lateral transfer a chance to be heard before a final decision is taken.

### **Effect on Specialization**

Prudence in transfers could be of as much benefit to the Service itself as to employees.

Frequent lateral transfers could deter employees from developing specialist expertise that takes years to acquire. Some employees might prefer to remain generalists, in order to get good annual evaluations regardless of their duties. It might be more difficult for the Service to persuade them to take courses in specialized areas. And this would, ironically, weaken the Service's ability to respond quickly when specialized knowledge and skills are needed.

What is needed, obviously, is an appropriate "mix" of employees, some specialists and some generalists, and this must be taken into account in transfers.



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## 18. Promotions

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The problem with the competitive system of promotion is simply stated: The employees had no confidence in it.

A few still hankered for the promotion system of the RCMP, where seniority seems to have more influence than it does in the public service system. In the public service model, seniority is irrelevant.

For our part, we believe that the public service model should be retained as inseparable from the “civilianization” goal that prompted Parliament to establish the Service, separate from the RCMP, in the first place.

Other employees, more numerous, support promotion by competition in principle, but think it is being corrupted by favouritism or discrimination.

### More Grievances

According to CSIS personnel managers, promotion competitions generated more grievances than any other issue in staff relations. It is inevitable in any undertaking that a disappointed candidate would rather blame a bad system or a bad application of the system than acknowledge the superiority of the successful candidate.

But it is also necessary to realize that everyone in security and intelligence is very sensitive — and rightly so, as far as their work goes — to the notion that “knowledge is power”. In such a context, a pretentious boast by a manager to the effect that he “is watching over the career of young so-and-so” can quickly take on immense proportions.

Francophones in particular rarely see themselves as members of the “old boys’ net” and believe, as a result, that they are excluded systematically from the best promotions.

### Show Initiative

We believe that here again the Service could take the initiative to counter damaging allegations, widely believed among employees, that promotion by competition is bent and biased. We recommend

**(43) that the Service establish a policy under which each selection board would be composed of three persons — (a) the supervisor to whom the position reports, (b) a supervisor of equal rank from another branch of the Service and (c) an officer, with appropriate security clearance, of the Public**

**Service Commission — and that arrangements be made so employees have easy access to a statement of this policy.**

PSC officers would act as independent guarantors, as they do in competitions throughout the Public Service of Canada, that the rules are being followed.

In line with our general theme of open administration, we further recommend

**(44) that when a selection board is appointed, the names of its members be made public within the Service before interviews are conducted with candidates for the position concerned.**

We also reiterate here some relevant recommendations we have made on a previous occasion:

**(45) that CSIS clearly specify final selection criteria on posted tabloids;**

**(46) that CSIS continue to investigate means to improve the competition system, such as the use of written examinations testing communications skills;**

**(47) that CSIS monitor the effects that the competition system is having on specialization and job continuity; and**

**(48) that CSIS introduce a career counselling service, staffed by professionals, for its employees.**

