



Public Service Commission
of Canada

Commission de la fonction publique
du Canada

Public Service Commission Appointment Policy

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Canada^{ca}

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Public Service Commission Appointment Policy

Introduction

The *Public Service Employment Act* (PSEA) 2003 is an enabling statute, providing an opportunity for the Public Service appointment process to be more adaptable and efficient. In the future, managers will be expected to exercise sound judgment in making appointment-related decisions, and will be able to select the person who not only meets the job requirements, but also fits the current and future needs of the organization. The new PSEA will also provide greater scope for deputy heads to customize the appointment process to meet the needs of their organization and deliver high quality services to the public.

This broad policy framework has been developed by the Public Service Commission (PSC) with the expectation that deputy heads are undertaking human resources (HR) planning, including staffing strategies, within their organization, in accordance with Employer policy. HR planning, linked to organizational and business planning, is key to a manager's ability to make appointment decisions quickly and in accordance with the appointment values.

Values

Merit and non-partisanship must be applied in accordance with the PSC appointment values of fairness, transparency, and access. These values will guide managerial decision-making in the appointment process within a system where authorities can be sub-delegated to those closest to the decision point, within a framework of accountability to ensure that the integrity of the appointment system is preserved.

In the Canadian Public Service appointment system:

- fairness means that decisions are made objectively, free from political or personal favouritism; policies and practices reflect the just treatment of employees and applicants;
- access means having a reasonable opportunity to apply and be considered for Public Service employment; and
- transparency means that information about decisions, policies and practices is communicated in an open and timely manner.

These values are inherent in the PSEA, particularly in the Preamble. In addition, they are consistent with the *Values and Ethics Code for the Public Service*. The Code makes specific reference to the appointment system where, under People Values, it states that appointment decisions shall be based on merit, and that Public Service values should play a key role in recruitment, evaluation and promotion. The Code also lists conflict of

interest measures, including, “When participating in any decision making related to a staffing process, public servants shall ensure that they do not grant preferential treatment or assistance to family or friends.”¹

PSC Appointment Policy

The Commission’s appointment policy is intended to:

- support the achievement of a competent, non-partisan, representative and inclusive Public Service in which public servants are drawn from across the country, reflect the diversity and linguistic duality of the Canadian people, and are representative of the people they serve;
- foster confidence in appointment decisions and in the integrity of the appointment system;
- promote a culture of open communication where, through effective dialogue, issues and concerns can be dealt with respectfully throughout the appointment process; and
- foster a healthy workplace, where errors or oversights can be corrected in a timely manner and where the use of formal recourse may be reduced.

Application

Unless otherwise specified in individual policies, the PSC Appointment Policy applies to all appointments in the Public Service made in accordance with the PSEA. This includes appointments to executive and executive- equivalent positions.

Content

The PSC Appointment Policy has been developed in accordance with subsection 29(3) of the PSEA, which gives the PSC authority to establish policies on the manner of making and revoking appointments, and to take corrective action. It is composed of a number of policies on specific subjects that correspond to key decision points in appointment processes, and should be read in conjunction with the *Public Service Employment Regulations* (in development). There are also a number of Exclusion Approval Orders (in development) that exempt some appointments from the application of all or part of the PSEA and, therefore, from the application of some or all of these policies.

Each policy is presented in a standardized format, outlined below, with a brief explanation of each section.

¹ Canada. Office of the Ethics Commissioner. *Values and Ethics Code for the Public Service*. Ottawa, 2003

Policy Statement

The policy statement sets out the Commission's expectations or intentions regarding the policy subject.

Deputy heads are required to exercise delegated appointment authority in accordance with the policy statement of each policy subject.

Policy Objective

The policy objective sets out the goal the Commission expects to achieve with the specific policy subject. It will primarily be related to the appointment values, and to the values and principles set out in the legislation, particularly the Preamble. The objective provides guidance to deputy heads.

Policy Requirements

The policy requirements are binding and, along with the policy statement, form the basis for the development of accountability indicators and measures to evaluate how deputy heads are exercising their delegated authorities.

Deputy heads exercising delegated appointment authority will be accountable for meeting the specific requirements of each policy.

Policy Development

Deputy heads should consider whether they need to develop policies or guides for any part of the appointment process. In the case of area of selection and corrective action and revocation, the Commission requires that deputy heads establish an organizational policy. Deputy heads are strongly encouraged to include union representatives and unrepresented employees in the development of their organizational policy.

Other Requirements

The Public Service appointment system is governed by legislation and policy that must be respected by deputy heads when making appointment decisions. Each policy sets out those requirements that are relevant to the specific policy.

In addition to the PSEA, Public Service appointments are guided by, among others:

- the *Canadian Human Rights Act*, which sets out the kinds of discrimination that are considered unlawful and permits programs to redress disadvantages;

- the *Employment Equity Act*, which establishes key principles for representativeness and the obligations of the Treasury Board, the Public Service Commission (the Commission), and departments and agencies;
- the *Official Languages Act*, which establishes key principles concerning representativeness, language requirements of positions, the requirements for service in both official languages and the linguistic rights of individuals;
- the *Charter of Rights and Freedoms*, which contains key guarantees such as equality under the law and mobility rights; and
- the *Values and Ethics Code for the Public Service*.

Delegation

The PSEA gives the PSC the authority to make appointments to and from within the Public Service; the PSC, in turn, can delegate the authority to deputy heads. The Appointment Delegation and Accountability Instrument (ADAI) outlines the specific authorities formally delegated by the Commission to deputy heads, as well as the conditions of the delegation. The ADAI also stipulates how deputy heads will be held accountable for the exercise of their delegated authorities to the Commission which, in turn, is accountable to Parliament. Where the Commission determines that the conditions of delegation have not been respected, it has the authority to take remedial measures which could include additional conditions or limitations, or partial or complete withdrawal of delegated authorities.

Monitoring and Reporting

Active monitoring of appointment systems allows deputy heads to systematically identify, manage and mitigate appointment risks, and to determine whether their organization meets the Commission's policy requirements and the expectations set out in the Staffing Management Accountability Framework (SMAF). The SMAF is one of a number of mechanisms, including audit, supporting the Accountability Policy developed by the Commission to hold deputy heads accountable for the exercise of their delegated authorities. In accordance with Commission policy and the SMAF, deputy heads must report on their performance in exercising their delegated authority.

Audit

The PSEA gives the Commission the authority to conduct audits on any matter within its jurisdiction and on the exercise of the authority of deputy heads to set essential and asset qualifications, operational requirements and organizational needs; the PSC may also make recommendations to deputy heads. Deputy heads will work with the Commission and ensure that their staff understand the Commission's right of timely access to information and to staff.

Information Requirements

Maintaining accurate information about the organization's appointment system as a whole and about individual appointment actions is required in order to meet the monitoring and audit expectations of the PSC. This information allows deputy heads to provide a fair and reliable representation of their activities in accordance with the PSEA and Commission policy, delegation and accountability requirements.

Employment Equity in the Appointment Process

Policy Statement

Employment equity objectives are integrated into the design of appointment processes.

Policy Objective

To ensure that the Public Service reflects and respects our diverse society.

Policy Requirements

In addition to being accountable for respecting the policy statement, deputy heads must:

- accommodate the needs of persons through all stages of the appointment process to address, up to the point of undue hardship, disadvantages arising from prohibited grounds of discrimination;
- use assessment tools and processes that are barrier- and bias-free; and
- be able to demonstrate that a decision to limit the area of selection to members of one or more of the designated groups is consistent with the organization's employment equity plan or human resources plan.

Other Requirements

Deputy heads must respect:

- the *Employment Equity Act*, which requires, among other things, that organizations institute positive policies and practices and make accommodations to ensure that designated group members achieve equitable representation within the Public Service; and
- the *Canadian Human Rights Act*, which prohibits discriminatory practices on the basis of race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability or conviction for an offence for which a pardon has been granted; and
- the Treasury Board/Public Service Commission Policy on the Duty to Accommodate Persons with Disabilities in the Federal Public Service, which requires, for example, the provision of accessible formats and accommodation, upon request, for persons with disabilities; and
- the *Charter of Rights and Freedoms*, which provides all individuals with equal protection and equal benefit of the law without discrimination and does not preclude any program or activity that has as its objective the improvement of conditions for disadvantaged individuals or groups.

Official Languages in the Appointment Process

Policy Statement

Persons are entitled to participate in the appointment process in the official language(s) of their choice.

Persons appointed must meet the official language proficiency requirements for the work to be performed, except where excluded by the Public Service Official Languages Exclusion Approval Order (PSOLEAO).

Policy Objective

To ensure that the linguistic rights of persons participating in an appointment process are respected.

Policy Requirements

In addition to being accountable for respecting the Policy Statement, deputy heads must:

- communicate information concerning appointment processes in both official languages, except where:
 - the notice is to be made only in a region that is unilingual for language-of-work purposes and the work to be performed only requires the knowledge and use of the language of that region; and
 - the Internet at <http://jobs.gc.ca> or the extranet site for employees of the Government of Canada at <http://publiservice.gc.ca> is not used to advertise the employment opportunity;
- clearly make it known that the information is available in the other official language on request, when information concerning appointment processes is communicated in only one official language;
- ensure that each person conducting the assessment of persons participating in an appointment process is sufficiently proficient in either or both official language(s) to enable effective communication with the persons to be assessed in the official language of their choice and to enable their qualifications to be properly assessed;
- ensure that proficiency in the second official language, other than specialized or expert proficiency in one or both official language(s), is assessed by means of the Second Language Evaluation, or other assessment method approved by the Commission; and
- monitor the use of the PSOLEAO and ensure compliance with its provisions.

Other Requirements

Deputy heads must respect:

- the *Official Languages Act*, which requires federal institutions to ensure that employment opportunities are open to both English-speaking and French-speaking Canadians, taking due account of the institution's obligations under Part IV, Communications With and Services to the Public, and Part V, Language of Work, of the said Act;
- the *Public Service Employment Act*, which
 - requires that official language proficiency in either or both official languages be established as an essential qualification for the work to be performed; this should be interpreted as meaning that official language proficiency cannot be established as an asset qualification, as an operational requirement or as an organizational need;
 - requires that an examination or interview for the purpose of assessing qualifications, other than language proficiency, must be conducted in the person's official language of choice. The assessment of language proficiency in English or French or both, or in a language other than English or French, must be conducted in the language or languages required for the work to be performed;
- the *Public Service Official Languages Appointment Regulations*, which stipulate that deputy heads must:
 - appoint or deploy a person on an indeterminate basis to a similar position as the bilingual position for which he or she meets all of the merit criteria, within a two-month period, when the person who, after undertaking to become bilingual, does not meet the official language proficiency requirements of the position within the time period outlined in the PSOLEAO; and
- the Treasury Board Directive on the Staffing of Bilingual Positions, which stipulates that bilingual positions are staffed imperatively; in exceptional cases, as specified in the directive, non-imperative appointments may be considered.

Choice of Appointment Process

Policy Statement

The choice of advertised or non-advertised, and internal or external, appointment processes is consistent with the organization's human resources plan and the appointment values.

Priority entitlements are applied before another appointment process is decided upon.

Policy Objective

To ensure that the appointment process is chosen in a manner that:

- respects the appointment values and helps organizations meet their business and human resources needs; and
- fulfills organizational and corporate responsibilities associated with the priority entitlements of individuals.

Policy Requirements

In addition to being accountable for respecting the policy statement, deputy heads must:

- respect any requirements and procedures implemented to administer priority entitlements (e.g., mandatory use of an inventory);
- establish a monitoring and review mechanism for the following appointment processes:
 - acting appointments over 12 months;
 - the appointment of casual workers to term or indeterminate status through non-advertised processes; and
 - appointments to the EX group through non-advertised processes;
- establish and communicate criteria for the use of non-advertised processes; and
- ensure that a written rationale demonstrates how a non-advertised process meets the established criteria and the appointment values.

Other Requirements

Deputy heads must respect:

- the *Public Service Employment Act*, which states that priority rights may not apply if the decision to make a priority appointment would result in another person having a priority entitlement; and
- the *Employment Equity Act*, in terms of achieving and maintaining a representative organization.

Area of Selection

Policy Statement

An area of selection provides reasonable access to internal and external appointments and a reasonable area of recourse for internal non-advertised appointments.

A national area of selection is established, at a minimum, for all advertised external appointment processes for:

- executives and executive equivalent positions; and
- positions at one and two levels below the executive level.

Policy Objective

To ensure that an area of selection:

- respects the appointment values while providing flexibility, efficiency and cost-effectiveness;
- provides for a reasonable pool of potential candidates;
- when established for an external appointment process, enhances access to persons who reflect a myriad of backgrounds, skills and professions needed to serve Canadians in their official language of choice; and
- when established for an internal non-advertised appointment process, provides meaningful access to recourse.

Application

This policy applies to all advertised internal and external appointment processes and to all non-advertised internal appointment processes in accordance with the PSEA.

Policy Requirements

In addition to being accountable for respecting the policy statement, deputy heads must:

- establish and communicate an organizational policy that complies with the PSC's policy on area of selection. This policy must, at a minimum, contain provisions to ensure that:
 - where an area of selection is limited to one or more designated groups, it is supported by the organization's employment equity plan or human resources plan; and
 - employees of Veterans Affairs and the Veterans Review and Appeal Board and of the National Energy Board (NEB)(employed in NEB prior to July 1, 1996) who relocated to Charlottetown and Calgary respectively from the

National Capital Region (NCR) are included in interdepartmental processes open to the NCR.

Other Requirements

Deputy heads must respect:

- the *Employment Equity Act*, in terms of achieving and maintaining a representative organization; and
- the *Canadian Charter of Rights and Freedoms*, the Agreement on Internal Trade and the Social Union Framework Agreement, in terms of the mobility provisions.

Advertising in Appointment Process

Policy Statement

Advertising for appointment process must provide persons in the area of selection with a reasonable opportunity to apply.

Policy Objective

To ensure that:

- persons in the area of selection have reasonable access and an opportunity to apply for employment opportunities; and
- information is provided to allow persons in the area of selection to make an informed decision.

Policy Requirements

In addition to being accountable for respecting the policy statement, deputy heads must:

- provide information in a manner that effectively brings the appointment process to the attention of persons in the area of selection;
- at a minimum, advertise external recruitment employment opportunities on the Internet at <http://jobs.gc.ca>, as well as on Infotel or on an alternative telephone service provider;
- at a minimum, advertise interdepartmental employment opportunities on Publiservice, the extranet site for employees of the Government of Canada, at <http://publiservice.gc.ca>;
- for advertisements, provide:
 - sufficient information regarding the criteria to be used in the screening of persons in the area of selection; and
 - any other information necessary for persons in the area of selection to apply.
- provide, upon request, further information including:
 - the essential qualifications, including official language proficiency, that must be met;
 - the asset qualifications, operational requirements and organizational needs that may be used when making an appointment; and
 - the name of the person or organization to whom questions about the appointment process may be directed.

Other Requirements

Deputy heads must respect:

- the Treasury Board/Public Service Commission Policy on the Duty to Accommodate Persons with Disabilities in the Federal Public Service, which requires, for example, the provision of accessible formats, upon request, for communicating with persons with disabilities;
- the Communications Policy of the Government of Canada on requirements regarding advertising in federal institutions;
- the PSC Policy on Official Languages in the Appointment Process with respect to the communication of information concerning appointment processes; and
- other policies, federal guidelines and standards, such as:
 - the Treasury Board Official Languages Policy on Communication with the Public;
 - the Common Look and Feel Policy for the Internet;
 - the Contracting Policy on advertising activities and contracts;
 - the Management of Government Information Policy, on effective information management in creating, using and preserving information; and
 - the Policy on the Use of Electronic Networks, on the appropriate use of electronic networks by federal institutions.

Assessment

Policy Statement

The assessment is free of bias, systemic barriers, political influence and personal favouritism.

The assessment processes and methods effectively assess the essential qualifications and other merit criteria identified and are administered fairly.

The identification of persons who meet the operational requirements and organizational needs is carried out objectively.

Policy Objective

To ensure that the assessment processes and methods:

- result in the identification of the person(s) who meet the qualifications and other merit criteria used in making the appointment decision; and
- provide a sound basis for making appointments according to merit.

Policy Requirements

In addition to being accountable for respecting the policy statement, deputy heads must:

- inform the persons to be assessed, at an appropriate time, of the assessment methods to be used, their right to accommodation and how to exercise that right; and
- ensure that those responsible for assessment:
 - have the necessary competencies to ensure a fair and complete assessment of the person's qualifications;
 - have the language proficiency required to permit effective communication with the person being assessed in the official language or languages chosen by that person in order to assess his or her qualifications fairly;
 - are not in conflict of interest and are able to carry out their roles, responsibilities and duties in a fair and just manner;
 - obtain the PSC's approval before using tests of personality, intelligence, aptitude, or tests of like nature;
 - adhere to the guidelines set forth in the document entitled "*Testing in the Public Service of Canada*", published by the PSC, when developing and using standardized tests;
 - use assessment tools that are free from systemic barriers to employment;

- use the PSC's Second Language Evaluation test or another instrument approved by the PSC to assess official language skills on a "meets/does-not-meet" basis. For appointments of students or casual employees, those responsible for the assessment are permitted to conduct the assessment if they have the language skills required to do so;
- conduct their own assessment of expert or specialized official language proficiency qualifications;
- when assessing the qualifications of persons for entry into the EX group:
 - in the case of an internal advertised process, use a structured interview and reference checks; and
 - in the case of an external process or a non-advertised internal process, use a PSC-approved test, a structured interview and reference checks.

Other Requirements

Deputy heads must respect:

- the *Public Service Employment Act*, section 37, which states that examinations or interviews, when conducted for the purpose of assessing the essential qualifications or qualifications considered an asset, other than language proficiency, shall be conducted in English or French or both, at the option of the person being assessed;
- the *Employment Equity Act*, which specifically sets out the obligation to eliminate any systemic barriers to employment;
- the Treasury Board/Public Service Commission Policy on the Duty to Accommodate Persons with Disabilities in the Federal Public Service, which makes it mandatory to provide accommodations; and
- the *Canadian Charter of Rights and Freedoms* and the *Canadian Human Rights Act*, which prohibit certain grounds of discrimination.

Informal Discussion

Policy Statement

During an internal appointment process, persons eliminated from consideration are provided with an opportunity to discuss the decision to eliminate them, as soon as possible after the decision is made.

Policy Objective

To ensure transparency and communication throughout the appointment process, which helps foster a healthy workplace.

To complete the appointment process in an effective and timely fashion and correct any errors or oversights, thus allowing for appointments to be made without undue delay.

Application

This policy applies to all internal advertised and non-advertised appointment processes.

Policy Requirements

In addition to being accountable for respecting the policy statement, deputy heads must ensure that:

- persons are made aware, in a timely manner, of the decision to eliminate them from consideration;
- persons eliminated from consideration who request an informal discussion have access to sufficient information concerning themselves to understand and discuss the decision;
- errors or oversights can be corrected where appropriate; and
- persons are aware that participating in an informal discussion in no way affects the right to file a complaint with the Public Service Staffing Tribunal.

Other Requirements

Deputy heads must respect:

- the PSC policy on official languages in the appointment process, with respect to the communication of information concerning appointment processes; and
- the Treasury Board/Public Service Commission Policy on the Duty to Accommodate Persons with Disabilities in the Federal Public Service, which requires, for example, the provision of accessible formats and accommodation, upon request, for persons with disabilities.

Selection and Appointment

Policy Statement

Appointments are based on merit and are free from political influence and personal favouritism.

Policy Objective

To ensure that selection for appointment is fair and transparent.

Policy Requirements

In addition to being accountable for respecting the policy statement, deputy heads must ensure that:

- persons proposed for appointment or appointed:
 - meet all the essential qualifications, except official language proficiency when excluded in accordance with the Public Service Official Languages Exclusion Approval Order (PSOLEAO);
 - are within the area of selection, where required;
 - meet any asset qualifications, operational requirements and organizational needs that were used to make the appointment decision; and
 - applied within the period for receiving applications, if such a period exists;
- the reasons for the appointment decision have been documented;
- the offer of appointment is extended by someone delegated to do so on behalf of the organization;
- offers of appointment are in writing and clearly set out all the conditions of the appointment; and
- appointments take effect only after all conditions of the appointment are satisfied.

Other Requirements

Deputy heads must respect:

- the *Public Service Employment Act*, which stipulates that:
 - a person with a priority entitlement who meets the essential qualifications of a position must be appointed in priority to all other persons;
 - in advertised external appointment processes, veterans, survivors of veterans, and Canadian citizens who meet the essential qualifications are appointed ahead of other candidates and in this order;
 - a person being appointed from outside that part of the Public Service to which

- the Commission has exclusive authority to make appointments takes the oath or solemn affirmation as set out in section 54 of the PSEA before the appointment takes effect; where the oath or solemn affirmation is required, the effective date of the appointment is the later of the date that is agreed to in writing by the deputy head and that person, and the date on which that person takes and subscribes the oath or solemn affirmation;
- when a person is being appointed from within that part of the Public Service to which the Commission has exclusive authority to make appointments, the effective date of the appointment is the date agreed to in writing by the person to be appointed and the deputy head, regardless of the date of their agreement; and
 - a period of employment is indeterminate, unless a term of employment has been specified by the deputy head (e.g., term, casual or student employment or an acting appointment);
- the PSOLEAO and the *Public Service Official Languages Appointment Regulations* (PSOLAR), which require persons proposed for appointment or appointed to a bilingual position on a non-imperative basis to meet the requirements of the PSOLEAO and the PSOLAR in order to be excluded from meeting the official language proficiency qualifications at the time of appointment;
 - the PSC policy on official languages in the appointment process, which requires all communications to persons, including offers of appointment and the administration of the oath or solemn affirmation, be in the official language of choice of the person; and
 - the Treasury Board/Public Service Commission Policy on the Duty to Accommodate Persons with Disabilities in the Federal Public Service, which requires the provision of accessible formats, upon request, for communicating with persons with disabilities when making an offer of appointment or administering the oath or solemn affirmation.

Notification

Policy Statement

Notification of the names of persons being considered for appointment, and of the names of persons being proposed for appointment, or being appointed, is communicated in writing to the persons entitled to be notified.

Policy Objective

To ensure transparency by providing the persons entitled to be notified with information about the appointment decision.

Application

This policy applies to all internal advertised and non-advertised appointment processes.

Policy Requirements

In addition to being accountable for respecting the policy statement, deputy heads must:

- establish a waiting period² of at least five calendar days;
- ensure that persons to be notified are informed of the duration of the waiting period;
- ensure that the notification of appointment or proposal for appointment informs persons of:
 - the right to and the grounds upon which to make a complaint to the Public Service Staffing Tribunal (PSST); and
 - the manner and the time period within which a complaint may be made, as set out by the PSST.

Other Requirements

Deputy heads must respect:

- the *Public Service Employment Act*, section 48, which:
 - requires that the name of the person being considered for each appointment be provided to:

² The waiting period begins on the date the persons to be notified are informed of the names of the persons being considered for appointment. During this period, no appointments can be made or proposed.

- all persons in the area of selection who participated in the process in an internal advertised appointment process; or
 - all persons in the area of selection in an internal non-advertised appointment process;
 - requires that the assessment of candidates be completed before any notification of consideration for each appointment is given;
 - stipulates that no appointments can be made or proposed during the waiting period; and
 - stipulates that, after the waiting period, all persons to be notified must be informed of the name of any person appointed or proposed for appointment.
-
- the PSC policy on official languages in the appointment process, with respect to the communication of information concerning appointment processes; and
 - the Treasury Board/Public Service Commission Policy on the Duty to Accommodate Persons with Disabilities in the Federal Public Service, which requires, for example, the provision of accessible formats, upon request, for communicating with persons with disabilities.

Corrective Action and Revocation

Policy Statement

If a deputy head decides that corrective action or a revocation of an appointment is warranted, the deputy head provides any person(s) affected by the action a meaningful opportunity to present relevant facts and to have their position fully and fairly considered.

Policy Objective

To ensure fairness and transparency in making a decision to take corrective action or revoke an appointment.

Application

This policy applies to all appointments made or proposed as a result of delegated internal advertised and non-advertised appointment processes. It does not apply to external appointment processes or to any appointment processes where the appointment may have been subject to political influence or where fraud may have occurred.

Policy Requirements

In addition to being accountable for respecting the policy statement, deputy heads must:

- establish and communicate an organizational policy on corrective action and revocation. This policy must, at a minimum, contain provisions to ensure that:
 - before deciding to take corrective action or revoke an appointment,
 - persons whose appointments or proposed appointments are affected by the decision have been given an opportunity to be heard; and
 - the deputy head is satisfied that there has been an error, omission or improper conduct which affected the selection of the person appointed or proposed for appointment;
 - in circumstances involving revocation, the person is informed in writing of:
 - the effective date of the revocation and the reasons for the decision;
 - whether or not the deputy head will appoint him or her to another position for which he or she is deemed to meet the essential qualifications; and
 - his or her right to file a complaint, and the time period within which to make a complaint to the Public Service Staffing Tribunal on the ground that the revocation was unreasonable;

- suspend an internal investigation and refer the matter to the PSC if there is reason to believe that the appointment may have been subject to political influence or where fraud may have occurred; and
- establish a monitoring and review mechanism for corrective action and revocations.

Other Requirements

Deputy heads must respect:

- The *Public Service Employment Act*, which:
 - authorizes the Public Service Commission
 - to investigate external appointment processes;
 - to investigate any appointment processes where it believes that the appointment was not free from political influence or where fraud may have occurred; and
 - to take corrective action or revoke the appointment, where appropriate; and
 - states that the deputy head's power to revoke appointments cannot be sub-delegated (subsection 24(2));
- the principles of natural justice and procedural fairness in the process followed for corrective action and revocation, in particular the right to be heard and the right to have a fair and impartial decision-maker;
- the *Official Languages Act*, in terms of employees' rights to use the official language of their choice; and
- the Treasury Board/Public Service Commission Policy on the Duty to Accommodate Persons with Disabilities in the Federal Public Service, which requires, for example, the provision of accessible formats, upon request, for communicating with persons with disabilities.