



Chapter 10 - Assignments and Secondments

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10.1 SOURCES OF INFORMATION

10.1.1 Legislation

[Public Service Employment Act \(PSEA\)](#), section [#21](#)
[Public Service Employment Regulations \(PSER\)](#), section [7](#)

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10.2 VALUES-BASED APPROACH

Assignments and secondments are administrative actions which provide a fast and easy way to meet short term operational needs. They can also provide opportunities for employees to gain experience that will assist with their career development and individual aspirations. Consideration should be given to the impact of assignment and secondment decisions on employees in the organization. Selection for assignments and secondments should be made in a fair, reasonable and transparent manner taking into account the needs of both the organization as well as the staff.

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10.3 WHAT IS AN ASSIGNMENT AND A SECONDMENT?

An assignment is a temporary move of an employee, within a department, to temporarily perform the functions of a position that already exists or to take on a special project. A secondment is also a temporary move but it happens interdepartmentally.

Assignments/secondments are frequently used to develop employees' skills, to retrain surplus employees or to meet temporary operational requirements. These types of movements are documented through agreements between all parties concerned.

Assignments and secondments are not appointments made by or under the authority of the Public Service Commission and are not subject to the same procedural requirements that apply to appointments.

10.4 ASSIGNMENTS/SECONDMENTS VS. OTHER STAFFING ACTIONS

Assignments/secondments are different from transfers or deployments in that the person being assigned remains an incumbent of their substantive position. The person does not acquire incumbency of the position to which they are assigned or seconded. The employee returns to their substantive position at the end of the assignment or secondment. This should be stated clearly in the letter of agreement.

If the assignment/secondment is for a position with a higher level of pay, it would be considered a temporary promotion and therefore should be treated as an [acting appointment](#). In such instances, the acting appointment may be subject to merit and right of appeal, depending on the duration of the acting. ([See Chapter 7, Appointments From Within The Public Service](#))

10.5 DISTINGUISHING BETWEEN AN ASSIGNMENT/SECONDMENT AND AN APPOINTMENT

Assignments/secondments have been the subject of a number of Federal Court cases over the last few years. In rendering decisions, the Courts have developed criteria they use in assessing whether a move is truly an assignment or secondment or if in fact it is an appointment. Departments should consider these criteria before doing assignments/secondments. An assignment/secondment arrangement should:

- be covered by a written assignment or secondment agreement;
- be for a specified period;
- ensure that the employee will return to their substantive position at the end of the agreement;
- ensure the person remains an employee and on the payroll of the home department;
- ensure the employee continues to be paid at the his/her substantive group and level; and
- ensure the employee's career development prospects are protected by the home department.

Other criteria the courts have considered include the duration of the assignment/secondment. The Supreme Court of Canada ruled in [[Gisèle Doré v. Her Majesty the Queen in Right of Canada](#)] that while managers must have some flexibility to assign a person in the Public Service to new functions for a temporary period where the right of appeal would not apply, this flexibility ceases when the assignment becomes one of such significant and indefinite duration that the assignee acquires a distinct advantage in any future selection process.

10.6 ASSIGNMENT/SECONDMENT AGREEMENTS

Information that should be included in an assignment/secondment agreement:

- Tombstone data
- start and end dates
- information about payment responsibilities for training, membership fees, etc.
- performance evaluation responsibilities
- process for approval/tracking of periods of leave
- process and notice periods for changes to the agreement
- financial codes
- contact names
- approval signatures

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http://www.psc-cfp.gc.ca/staf_dot/pol-guid/chap_10/index_e.htm

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