



Chapter 14: Executive Group

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14.1 SOURCES OF INFORMATION

14.1.1 Legislation

- [Public Service Employment Act](#): Subsection 2(4), 35(2) e
- [Public Service Employment Regulations, 2000](#): Sections 5, 6(2), 7, 41 to 46
- [Public Service Official Languages Exclusion Approval Order](#)
- [Public Service Official Languages Appointment Regulations](#)

14.1.2 Other References

Competencies

- [Leadership Competencies for Assistant Deputy Ministers and Senior Executives](#)
- [Profile of Public Service Leadership Competencies](#)

Official Languages

- [Official Languages Policy Framework](#)
- [Policy on Language of Work](#)
- [Policy on Official Languages for Human Resources Management](#)
- [Directive on the Linguistic Identification of Positions or Functions](#)
- [Directive on the Staffing of Bilingual Positions](#)
- [Directive on Language Training and Learning Retention](#)

Deployment, Transition and Pay

- [Policy on Deployment of Executives](#)
- [Executive Employment Transition Policy](#)
- [Salary Administration Policy for Executive Group](#)
- [Policy on Acting Pay for Executives](#)

14.2 POLICY STATEMENT

Executives are a corporate resource within the Public Service due to the nature and responsibilities of the executive group. The recruitment and selection of executives should result in appointments that provide a leadership cadre that is competent, non-partisan and representative.

14.3 DELEGATED AUTHORITIES

[Table 2](#) of the [Staffing Delegation and Accountability Agreement \(SDAA\)](#) highlights authorities delegated by the Commission to deputy heads to make the following appointments to and within the EX group:

- appointments of pre-qualified [Career Assignment Program \(CAP\)](#) participants to the EX-01 group and level;
- appointments of EX-04 and 05 in overfill situations (i.e. where the employee is being appointed at his or her personal level to a position classified at a lower level);
- appointments from the assistant deputy minister (ADM) pre-qualified pool; and
- acting appointments.

In addition, Deputy Heads with a signed [Staffing Delegation and Accountability Agreement \(SDAA\)](#) have been delegated authority to proceed with the following:

- appointments resulting from the reclassification of positions within the EX group up to the EX-03 level i.e. from EX-01 to EX-02 and from EX-02 to EX-03 level;
- recruitment and appointment of former Public Service executives to EX 1, 2 or 3 positions for specified periods, including emergency situations, and casual employment;
- appointments of executives referred by the PSC at EX-01, EX-02 and EX-03 levels from pre-qualified pools established by the Commission;
- departments that have an approved Strategic Executive Staffing (SES) plan, may have additional delegated authorities for executive appointments.

Terms and conditions related to exercising these authorities including the submission of a completed [Departmental Attestation Form](#) to Executive Resourcing Directorate are also specify in [Table 2](#).

14.4 VALUES-BASED APPROACH

Hiring managers must ensure that individuals are recruited, appointed and promoted in a fair, equitable and transparent manner. Managers are responsible, in partnership with the PSC Executive Resourcing Consultants, for ensuring that these individuals have the attributes and leadership competencies required to lead a competent, non-partisan and representative workforce.

14.5 ROLES AND RESPONSIBILITIES

14.5.1 Public Service Commission

The Public Service Commission makes all appointments to the executive levels (EX-01 to EX-05) unless it has delegated its authorities. The Commission reviews and approves EX resourcing strategies and recommendations for appointments.

The Vice President, Policy Branch, is authorized by the Commission to approve certain EX appointments.

All deliberations and recommendations remain confidential until the Commission or the Vice-President has approved the EX appointment.

14.5.2 Role of PSC Executive Resourcing Directorate

The Executive Resourcing Directorate (ERD) conducts staffing processes (levels EX-1 to EX-3) on behalf of the Commission, and provides leadership, services and advice in the development and delivery of EX selection activities.

The Director General and the Directors of ERD meet regularly with the Commission to review the recommended resourcing strategies and resulting appointments.

ERD provides the following services:

- the resourcing of positions, which includes:
 - advising on resourcing strategies and all phases of the resourcing process;
 - screening of candidates;
 - advising on the internal or external sources of candidates;
 - referring candidates for deployments, assignments, etc.;
 - assessing executive competencies;
 - advising on the development of job specific assessment tools;
 - proposing or identifying members for selection boards;
 - managing the resourcing process (including screening, selection, interviews, reference checks and recommendation);
 - recommending to the Commission candidates for EX appointments;
 - defending appeals for initial appointment to the EX group; and,
 - participating in the contracting of executive search firms and working with the firm during the selection process.
- Supporting functional communities, which includes:
 - supporting departments in standardizing competencies and job profiles, which is a deputy head authority;
 - tracking community members;
 - advising hiring managers on internal and external talent pools;
 - advising members of the communities regarding career opportunities;
 - supporting corporate leadership for functional communities.

- Consultation to Executives, which includes:
 - advising on job search tools and strategies.
- Management of the pre-qualification process for CAP participants once they have successfully completed their Personalized Learning Plan at the CA-02 level, which includes:
 - the assessment process is based on the leadership competencies for the Director level (EX-01) and includes the Simulations for Selection of Executives (SELEX), reference checks and a formal interview;
 - a CAP participant who is successful in the pre-qualification will be deployed out of their CA position, and consequently off the CAP program, into a departmental position which is equivalent to their CA-02 (EX-minus 1) level;
 - as EX-01 vacancies arise, a Deputy Head can then appoint successful participants without competition at the EX-01 level.

14.5.3 Departments

Hiring Managers

Hiring managers must ensure that the values of fairness, equity, transparency, representativeness, non-partisanship and competence are respected in their decision making.

They are responsible for:

- considering statutory and regulatory priorities;
- establishing the statement of qualifications based on [Executive Leadership Competencies](#);
- screening candidates;
- preparing assessment tools;
- proposing selection board members including, at least
 - one member from outside their department/agency;
 - one person of each gender;
 - one member from an employment equity (EE) group when candidates being interviewed have self-identified as a member of an EE group;

Note: when only one candidate is being put forward, the Commission will select the board member from outside the department/agency.

- participating in the interviews;
- participating in the assessment and ranking of candidates;
- participating in reference checks;
- contributing to post-board feedback and the appeal process, where applicable.

Departmental EX Services Units

Departmental Executive Services Units are strategic partners with the hiring manager and the PSC executive resourcing consultant and are responsible for:

- providing advice and support to departmental executives in resourcing EX positions;

- providing career guidance to executives and employees interested in becoming executives;
- submitting all relevant documentation related to EX selection processes to ERD in both official languages, i.e. statement of qualifications / selection profile and work description; and
- submitting to ERD the departmental attestation form in cases of delegated resourcing activities.

14.5.4 The Leadership Network of the Public Service Human Resources Management Agency

The [Leadership Network \(TLN\)](#) is responsible for developing broader leadership capabilities through its government-wide leadership development programs, and through its collective management of ADMs. As part of a work sharing arrangement with the PSC, TLN manages the EX-04 and EX-05 level selection processes. TLN submits to the President of the PSC;

- recommendations which have been reviewed by the Committee of Senior Officials for appointment at the EX-05 level; as well as
- recommendations resulting from individual ADM competitions at the EX-04 level.

The Commission is responsible for reviewing and approving these recommendations.

TLN is responsible for managing:

- the [Accelerated Executive Development Program \(AEXDP\)](#) in collaboration with the [Canada School of Public Service](#). The objective of the AEXDP is to identify a representative group of executives at the EX-1 to EX-3 level who demonstrate strong leadership potential to become ADMs and to invest in their development and progression. The AEXDP targets high potential executives who are at a point in their career where advancement to more senior levels of management would be in both their own and the Public Service's best interest. Selection for the AEXDP involves a rigorous process. The AEXDP provides participants with an innovative combination of learning and development tools to enhance their leadership competencies and expand their experience in core government functions.
- the [Career Assignment Program \(CAP\)](#) in collaboration with the Canada School of Public Service. The objective of this program is to identify a representative group who have demonstrated executive potential and accelerate their development and advancement by gaining experience in the leadership competencies.
- the [Interchange Canada Program \(ICP\)](#). ICP is a developmental program that promotes and facilitates the exchange of employees through temporary assignments between Public Service departments and agencies and all other sectors, both within Canada and internationally.

14.6 STRATEGIC EXECUTIVE STAFFING (SES)

Departments, in partnership with PSC, were encouraged to develop a strategic executive staffing plan (SES) to cover a period of 12 - 18 months as a component of their HR planning. This plan, once approved by the Commission, eliminated the need to prepare a resourcing strategy for individual cases, thereby reducing the time to staff an EX position. Departments that have a

Commission approved SES have obtained additional delegated staffing authorities according to their organizational needs. With the adoption of the *Public Service Modernization Act*, the PSC is presently preparing for the implementation of the PSEA (2003).

14.7 EMPLOYMENT EQUITY PROGRAMS FOR THE EXECUTIVE GROUP

There is under-representation in the Public Service of certain groups that are present in Canadian society at large such as members of visible minority groups, Aboriginal peoples, persons with disabilities and women. Positive efforts need to be made to hire competent individuals from these groups to ensure that the Public Service becomes representative. Employment equity is an integrated and fundamental component of good human resources management. Employment practices must be barrier-free and provide the Public Service with a competent and non-partisan executive cadre that is representative of the Canadian public that it serves. A number of programs have been implemented to assist departments in achieving a representative leadership component.

14.7.1 Employment Equity Program For Executives

A public service-wide [Employment Equity \(EE\) Program for Executives](#), approved by the Public Service Commission in November 2003, provides support to departments in their efforts to increase designated group representation by facilitating the appointment of members of visible minority groups, Aboriginal peoples, persons with disabilities and women to EX 1 to EX 3 positions in all departments. This Program will be in effect until June 30, 2005. The Program does not apply to National Defence because it has a pre-existing Employment Equity Program which covers all four employment equity groups.

The Program, administered by PSC Executive Resourcing Directorate, provides the authority (under PSEA 5.1) to target, upon request from a specific department, staffing and recruitment efforts for one or more of the four designated groups and to make indeterminate or term appointments (under the provisions of Section 4(1) of PSER) by open, closed or without competition selection processes using individual or relative merit.

A department requesting use of the Program to increase the representation of women will be required to provide a brief rationale, signed by the Deputy Head, which should include as a minimum:

- the demographic information which clearly demonstrates that the department's or agency's (or Public Service-wide) representation of women executives is below the labour market availability rate; and
- a description of how the position(s) being filled fits into the department's overall plan to achieve a more representative workforce.

Appointments made under the authority of the EE Program are excluded from the right of appeal.

14.8 ESTABLISHING QUALIFICATIONS

14.8.1 Competencies

The hiring manager must determine, in a fair and transparent manner, the qualifications needed for the job. In addition to specific job requirements, the hiring manager must ensure that individuals being appointed to positions in the EX group demonstrate their qualifications against the five key Leadership Competency areas:

Intellectual Competencies:	Cognitive Capacity; Creativity
Future Building Competency:	Visioning
Management Competencies:	Action Management; Organizational Awareness; Teamwork; Partnering
Relationship Competencies:	Interpersonal Relations; Communication
Personal Competencies:	Stamina/Stress Resistance; Ethics and Values; Personality; Behavioural Flexibility; Self-Confidence

These competencies can be assessed through assessment methods such as the [Simulations for Selection of Executives \(SELEX\)](#) structured reference checks, interviews and other assessment tools.

14.8.2 Official Language Qualifications

Deputy Heads are responsible for determining the language requirements of their executive positions in accordance with Treasury Board's [Directive on the Linguistic Identification of Positions or Functions](#). It is government policy that positions or functions of executives at the assistant deputy minister level or equivalent (EX-04 and EX-05) are designated as bilingual throughout Canada. Members of the EX group working in the National Capital Region and in regions designated as bilingual for language of work must be able to carry out their duties in both official languages. The minimum second-language proficiency requirements for these positions or functions are CBC/CBC. Additionally, all EX-04 and 05 positions must be bilingual with CBC/CBC language requirements regardless of the location.

Since April 1, 2004, the Treasury Board Policy on Official Languages for Human Resources Management states that positions at the EX-01 to 03 levels be filled by a candidate who meets the language requirements of that position. To this end, imperative staffing is required as follows:

- all positions or functions at the assistant deputy minister level, and other assistant deputy head titles anywhere in Canada;
- for all positions or functions at EX-02 to EX-05 levels in regions designated as bilingual for language-of-work purposes;
- for all positions or functions at levels EX-02 to EX-05 in unilingual regions, that include supervision of employees who:
 - are located in a bilingual region; or
 - occupy bilingual positions or positions with varying language requirements.

Implementation of imperative staffing will follow the timetable below:

- for EX-03 level, April 1, 2005
- for EX-02 level, April 1, 2007

As an exception, non-imperative staffing may be used to fill positions that are not covered by the obligation to use imperative staffing. However, this obligation does not apply to positions open to the public.

When non-imperative staffing is proposed, managers must provide a justification in writing and indicate that the bilingual functions of a position will be met while the incumbent is taking language training. For executive positions, the use of non-imperative staffing must be approved by the deputy head.

An employee appointed non-imperatively to an executive position must undertake language training immediately and complete it before assuming the duties of the position.

On an exceptional basis, (i.e. an important and immediate operational need to deal with a crisis endangering public health or safety or due to the unavailability of language training) an executive appointed or deployed non-imperatively could begin training later if the deputy head approves it in writing. However, the language training must still be completed within the time limits prescribed by the *Public Service Official Languages Exclusion Approval Order* and in accordance with the *Directive on Language Training and Learning Retention*. Members of the Executive Group must meet the language requirements of a position within the maximum number of hours of language training for the applicable language proficiency level :

- 1,710 hours for level B
- 2,270 hours for level C

14.9 APPOINTING A PRIORITY

Individuals entitled to a statutory or regulatory priority for appointment must be considered before any other person and appointed, if qualified. Information on executives with a priority entitlement is maintained by the PSC's Executive Resourcing Directorate. The Executive Resourcing Consultant is responsible for referring these individuals to the hiring manager. A priority clearance number is not a requirement in EX selection processes.

14.9.1 Ministers' Staffs Priority

As detailed in the [Guide to the Ministers' Staff Priority](#), the PSC Delegation Directorate determines whether applicants meet the criteria for the priority as per the specifications of the Public Service Employment Act.

Should a Ministers' staff priority be interested in executive level positions and appear to possess the competencies required for such positions, the PSC Delegation Directorate will forward to Executive Resourcing Directorate documents concerning the person.

In order to ensure that merit is applied consistently for EX level positions in the Public Service and to avoid any real or perceived political influence or conflict of interest, the ERD will fully assess the priority person to ensure that this person has sufficient managerial experience to be considered for the Executive Group. If so, the following selection and assessment tools will be used:

- the Simulations for Selection of Executives (SELEX);
- an interview with a selection board constituted by the PSC;

- a structured reference check;
- an official languages proficiency test for candidates interested in positions in bilingual regions or in unilingual regions, that include the supervision of employees who: are located in a bilingual region; or occupy bilingual positions or positions with varying language requirements.

Should the person possess the required competencies, their name will be added to Executive Resourcing Directorate list of priorities and the person will be referred to EX vacancies for which they meet the screening requirements.

Persons entitled to a priority may apply directly to any job of interest they see being staffed and for which they meet the qualifications. If they do apply, they must inform the hiring manager that they have a priority entitlement.

When a Ministers' Staff Priority is appointed at the EX level, the hiring Deputy Head must sign an "Attestation Form - Appointment of Individual with Ministers' Staff Priority Status" confirming that the appointment:

- does not result in a conflict of interest; and
- is impartial and is not influenced by any political or bureaucratic patronage.

14.10 AREA OF SELECTION

EX level competitions are generally national in scope and normally include departments and agencies on [Lists "A" and "B"](#). This enables interested executives from across the country to apply for vacancies and provides for mobility within the group. Competitions may be limited to members of the EX group. For more information of the area selection, consult [Chapter 4](#) of the Staffing Manual.

14.11 SELECTION OPTIONS AND TENURE

Unless the department has delegated authority or has an approved strategic executive staffing (SES) plan, Executive Resourcing Directorate is consulted to determine what would be the best strategy to staff specific EX positions. There are many selection options available to a manager seeking qualified individuals from within or from outside the Public Service. Consult [Chapter - 6.6](#) for options on recruiting externally. When seeking candidates from within the Public Service, selection options such as competitions and appointments from eligibility lists are described in [Chapter 7.4](#)

The Executive Resourcing Consultant may suggest a variety of options including suitable individuals from the priority list, an eligibility list, an AEXDP or CAP participant or someone interested in a deployment or an assignment. In some cases a department may already have a strategy in mind and should include this information with the rest of the staffing documentation. If the request is for the appointment of a specific individual, a written justification is required.

Executives can be recruited for an indeterminate or a specified period or on a casual basis.

14.11.1 Recruitment

Appointments may be made through external [recruitment](#) when it is not in the best interests of the Public Service to appoint from within. The best interests of the Public Service involve striving for a balance between ensuring that talent within the Public Service is nurtured and retained and taking the necessary measures to recruit talent from outside, to ensure the readiness of the Public Service to meet present and future needs. Consideration should also be given to the achievement of corporate Public Service objectives such as increasing representation of designated employment equity groups, renewal, new and evolving program initiatives, the need for an exchange of competencies with other sectors, as well as whether the nature of the work or difficulty finding qualified candidates makes it necessary to consider broader, natural labour affiliations. [Chapter 6](#) of the Staffing Manual provides more information when it would be in the best interest of the Public Service to consider candidates from outside the Public Service.

In order to ensure that merit is applied consistently for appointments to EX level positions, the following selection and assessment tools will be used for all appointments without competition from outside the Public Service:

- the Simulations for selection of Executives (SELEX) administered by the Personnel Psychology Centre of the PSC;
- an interview with a selection board constituted by the PSC;
- structured reference checks.

14.11.2 Appointments from within the Public Service - Characteristics specific to the EX Group

The information which follows outlines points to consider when using the following processes in staffing EX group positions.

a) Deployment: Deputy Heads have the authority to make all deployments in the EX group within and into their organizations taking into consideration the general deployment directives. Deployments in the Executive group are not subject to the deployment complaint process. Deployments can be made for various reasons, i.e.:

- meet operational needs;
- fulfil the career development and individual needs of executives;
- develop the skills and abilities required by the organization in the longer term;
- provide opportunities to obtain a diversity of experience and prepare for the future;
- foster the achievement of employment equity goals.

Individuals outside the EX group cannot be deployed into positions in the EX group as such a move would have to be made through an appointment. In addition, persons employed in [List B](#) organizations cannot be deployed to a List A organization.

b) Individual merit appointment: (PSEA subsection 10(2)) Individual merit is based on the competence of a person as measured by a standard of competence rather than in relation to the competence of other people. The following individual merit circumstances apply to the EX group:

- appointment of an employee to his or her reclassified position;
- appointment of a person who is a member of a designated employment equity group in accordance with an approved employment equity program;

- in an emergency situation, when a person is to be appointed for a specified period, if a casual appointment cannot be made;
- appointment of an employee who has been found qualified by the Commission at the EX-1 level within the Career Assignment Program;
- promotion of an employee in the EX group to the full level of the position which the employee had been underfilling (e.g. EX-01 in an EX-02 position);
- when a person is to be appointed to one of a class of similar positions in the same occupational group and level from a pre-qualified pool established by the Commission;
- promotion of an employee in the EX group within the Accelerated Executive Development Program; and
- promotion of an employee to a position at the ADM level from the ADM pre-qualified pool.

c) Acting Appointment: [Chapter 7.4.4](#) of the Staffing Manual mentions acting appointments as one of several staffing options available to managers when staffing on a temporary basis.

All acting appointments in the EX group for periods of 6 months or more must respect the merit principle as well as the staffing values of transparency, equity and fairness.

Managers should make every effort to initiate staffing processes before positions become vacant or to staff vacant positions as soon as possible to avoid long term acting situations. In order to identify a person for an anticipated acting period greater than six months, the Commission requires the use of:

- relative merit; or
- an advertised selection process; or
- rotational assignments.

In accordance with Public Service Human Resources Management Agency (PSHRMAC) Policy on Acting Pay for Executives, Deputy Heads must seek prior written approval of the Vice-President of The Leadership Network, PSHRMAC if the acting pay situation for an EX is to exceed a 12 (twelve) month duration.

Exclusion period

The following two tables highlight the exclusion period from merit and right of appeal as well as language requirements when an executive or an employee from another occupational group is asked to perform the duties of a higher level position.

	Excluded from	
	merit	right of appeal
NON-EX acting in an EX position	4 months	4 months
EX acting in another EX position	6 months	No right of appeal

	Excluded from meeting language requirements of a bilingual position		
	position	incumbent on	incumbent on certain

	vacant	language training	types of leave
NON-EX acting in an EX position	one period of 6 months	duration of the language training	duration of the leave
EX acting in another EX position	one period of 6 months	duration of the language training	duration of the leave

14.12 APPEALS

The right of appeal does not apply to the appointment of:

- an EX to another EX position, including acting appointments;
- an individual to an EX position as a result of being selected through an EE program;
- an individual being appointed from the ADM PQP; or
- an individual being appointed to a position in the EX group from a pre-qualified pool.

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http://devmain.psc-cfp.gc.ca/staf_dot/pol-guid/chap_14/index_e.htm

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