

## **Federal Lawyers Appear before House of Commons Standing Committee on Finance, Citing Injustice on the Part of the Federal Government**

**Ottawa** – Federal Budget legislation currently before the House Finance Committee will unfairly impact federal lawyers and public prosecutors to the detriment of Canadians, says Patrick Jetté, President of the Association of Justice Counsel (AJC). “Bill C-10 will deny federal lawyers the right to collective bargaining and will have a devastating impact on the ability of the federal government to retain and recruit lawyers,” says Jetté.

Appearing this evening before the House of Commons Standing Committee on Finance, the AJC President will make clear that the federal government is singling out its own lawyers for harsh and punitive treatment, as a time when the federal government is unable to fill legal vacancies in such critical areas as public prosecution.

“Federal lawyers have not had a wage increase since April 1, 2005,” said Jetté. “In fact, we are still trying to negotiate a salary agreement for 2006-07. Bill C-10 pre-empts the collective bargaining process by imposing retroactively a cap of 2.5% on possible salary increases for this period, and singles out lawyers in the process. No other federal civil servants are being treated this way.”

The salaries of lawyers and public prosecutors working for the Government of Canada lag far behind those of their provincial counterparts in Ontario, British Columbia, Alberta, Saskatchewan, Manitoba and Nova Scotia. The wage disparity is even more pronounced when measured against private sector lawyers, many of whom appear opposite federal lawyers in court on a daily basis.

“The treatment of federal lawyers by its own government is completely unacceptable and is having a deeply negative impact on morale,” noted Jetté. “Our lawyers had looked to settling a fair and equitable agreement for 2006-07 which would address much of the disparity that exists with our provincial and private sector counterparts. For some unknown reason, the federal government has decided that its lawyers are second class civil servants and has singled us out for this sort of treatment.”

The Association of Justice Counsel represents more than 2,500 lawyers employed by the Government of Canada in the Department of Justice, Public Prosecution Service of Canada and Federal Agencies. The recent move by the federal government to impose a retroactive cap on the period 2006-07 was not contained in the Economic and Fiscal Update released in late November and the Budget tabled in January 2009, leading federal lawyers to believe that they are being singled out.

“The Department of Justice itself recognizes that it cannot attract experienced lawyers to replace the large number who are nearing retirement or choosing to pursue other career options,” noted Jetté. “The problem is particularly acute among federal prosecutors and commercial lawyers. Salary levels are so low that the government cannot compete against the private sector and six provincial governments in these critical areas, among others.”

Jetté will also make clear that the punitive measures contained in the federal legislation may be unconstitutional. “The courts have emphasized that the Charter guarantee of freedom of association applies to government both in its capacity as legislator and in its capacity as employer,” said Jetté. “Bill C-10 in our view constitutes an unjustified interference in the constitutional right of our members to bargain collectively.”

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