

June 21, 2021



*Pacific Society for the Advancement  
of Employment Equity*

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To:

**Office of the Merit Commissioner**

Ms. Catherine Arber, Director, Audit and Review

Suite 502 - 947 Fort Street

PO Box 9037 Stn Prov Govt

Victoria, BC V8W 9A3

Dear Ms. Catherine Arber,

The *Pacific Society for the Advancement of Employment Equity* (PSAEE) is a civil rights organization actively working to facilitate the development of a representative public service. Towards this end the role of your office has come to be of an interest to the PSAEE and in reaching your office today I hope to have an open discussion with you on the function your annual investigations into public service appointments has served towards encouraging both a (1) diverse and (2) merit-based public service; one without the other is something other than a merit-based configuration.

Since 2012 up to the present day, the Office of the Merit Commissioner has annually published a *Merit Performance Audit Report*. The overwhelming majority of the appointments have been assessed by your office to be 'merit-based' in these reports. Such findings however stand in contradiction to the realities which citizens of colour face; they generate a dissonance rather than agreement at both a personal and communal level.

The public service workforce which is produced through the hiring-process configurations at present can neither be described as functionally representative nor racially diverse in a way that may be considered socially significant. It is a matter to appreciate that the definitions and the criteria adopted in the hiring process unambiguously serve to privilege candidacies along racial lines year after year; certainly, examining a history of appointments will confirm these patterns. From this, the question of what your office can do to retire old definitions, processes, and systems of privilege becomes a central one.

**If there are appointments which are individually deemed to be merit based, but which cumulatively result in an unrepresentative workforce year after year, there is something wrong in the analysis of what constitutes a merit-based appointment.** The question of what constitutes 'merit-based appointments' must begin to factor in considerations of race, gender, and ethnicity in the context of

EFFECT OF THE FUNCTIONING OF THE OFFICE OF THE MERIT COMMISSIONER: DISCUSSIONS

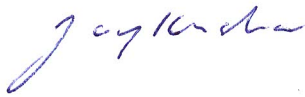


historical disadvantage. As you may understand it is not in the interest of citizens of color to accept definitions of merit and systems of assessment which tend not to recognize their qualifications and abilities. What we see at present is well-qualified visible minority citizens with hard credentials from Canadian universities not being recognized. The matter being discussed here is systemic in its scope, and at a fundamental level it concerns identity and equal citizenship.

Your office has an important social capability to bring needed change. However, the criteria by which your office at present arrives at a determination of merit-based appointments is *incomplete*, and requires revision – if you would please consider it. I would request your consideration in appreciating what effects your office is producing through its reports.

Thanking you,

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jay Krishan', written in a cursive style.

Jay Krishan  
Director, PSAEE