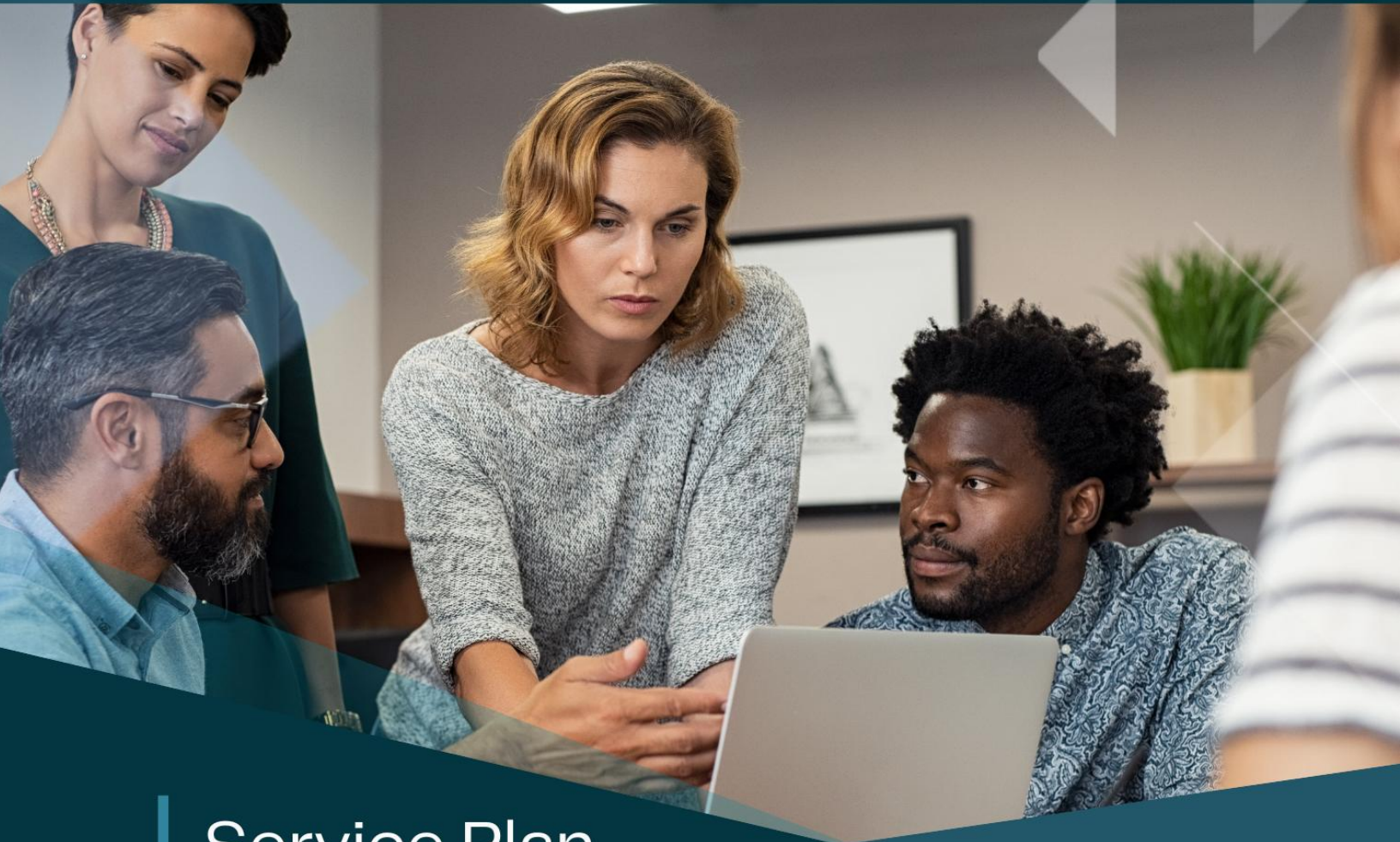




Office of the Merit Commissioner

Upholding Fair Hiring in the BC Public Service



Service Plan

Fiscal years 2026/27 – 2028/29

Submitted to
The Select Standing Committee on Finance and
Government Services
Legislative Assembly of British Columbia
October 2025

Table of Contents

OVERVIEW	2
RESPONSIBILITIES	3
CONTEXT	4
Oversight of Merit-based Hiring	4
BC Public Service Workforce	4
Appointment Activity	5
Indicators of Merit-based Hiring	6
OVERSIGHT OF JUST CAUSE DISMISSAL PROCESSES	8
Indicators of Proper Process Related to Just Cause Dismissals	8
PERFORMANCE MEASURES AND TARGETS	9
Merit Performance Audits	9
Staffing Reviews	10
Dismissal Process Reviews	10
PROGRESS ON KEY COMMITMENTS	12
Merit Performance Audits	12
Staffing Reviews	13
Dismissal Process Reviews	14
PRIORITIES FOR FISCAL 2026/27	15
Merit Performance Audits 2025/26	15
Dismissal Process Reviews	15
Staffing Reviews	15
Special Audits and Studies for Fiscal 2026/27 and Beyond	15
APPENDIX A	16
Office Structure	16
APPENDIX B	17
Organizations Subject to Oversight by the Merit Commissioner	17

OVERVIEW

This service plan highlights the work completed by the Office of the Merit Commissioner (the Office) over the past year and progress on key commitments. It also identifies opportunities for the coming years.

In May 2025, the Speaker was presented with the *2024/25 Annual Report of the Merit Commissioner*. That report included summaries of the results of the 2023/24 Merit Performance Audit of 272 appointments to and from within the BC Public Service; consideration of 18 requests for staffing reviews in 2024/25; and the results of 21 dismissal process reviews in 2023/24 (not including COVID-19 vaccination-related dismissals).

Priorities will remain the core lines of business: auditing appointments, conducting staffing reviews, and reviewing eligible dismissal processes. To encourage system improvement and uphold fair hiring, the Office will provide relevant and timely feedback on hiring processes to deputy ministers, organization heads, the BC Public Service Agency, managers, and employees. Findings related to dismissal processes will be reported annually to the Legislative Assembly and details shared with the BC Public Service Agency.

RESPONSIBILITIES

All appointments to and from within the BC Public Service must be made on the principle of merit. Merit means that appointments are made based on an assessment of relevant factors and the candidate's ability to do the job and are not influenced by patronage. The Merit Commissioner's role is to provide independent oversight of the application of the merit principle under the *Public Service Act* (the Act). This oversight role applies to appointments made in accordance with section 8 of the Act. A qualified, impartial and professional public service impacts all British Columbians and the services upon which they rely.

The Merit Commissioner also provides independent oversight of the processes related to just cause dismissals from the BC Public Service. The application of the principles of natural justice and procedural fairness to all just cause dismissal decisions is important not only to the individuals affected by the decision, but also to the larger interest in the proper and fair administration of public services. The Merit Commissioner's role in reviewing just cause dismissal processes is defined in section 5.11 of the Act.

The Merit Commissioner has four specific responsibilities under the Act:

- To monitor the application of merit by conducting random audits of appointments and reporting the audit results to the deputy ministers or heads of the organizations in which the appointments were made;
- To provide a review of the application of merit as the final step in a staffing review process for positions in bargaining units;
- To monitor the application of government practices, policies and standards to just cause dismissals by conducting reviews of eligible dismissal processes; and
- To report annually to the Legislative Assembly on the application of the merit principle and the conduct of dismissal processes.

The Merit Commissioner may also undertake special audits, studies of systemic issues, or studies of emerging areas related to merit-based hiring.

The Office of the Merit Commissioner (the Office) provides credible and relevant information about hiring upon which employers may act to produce positive hiring practice changes. This supports the long-term goal of building public confidence and a strong consensus that the employees of the BC Public Service are qualified and hired fairly founded on the principle of merit. The Office provides information related to the conduct of just cause dismissals to assure the Legislative Assembly, and ultimately the citizens of British Columbia, that all appropriate and necessary steps have been followed prior to the dismissal of a public servant. The results of these post-dismissal reviews will also enable the employer to improve practices where necessary.

An overview of the Office's structure is provided in [Appendix A](#).

CONTEXT

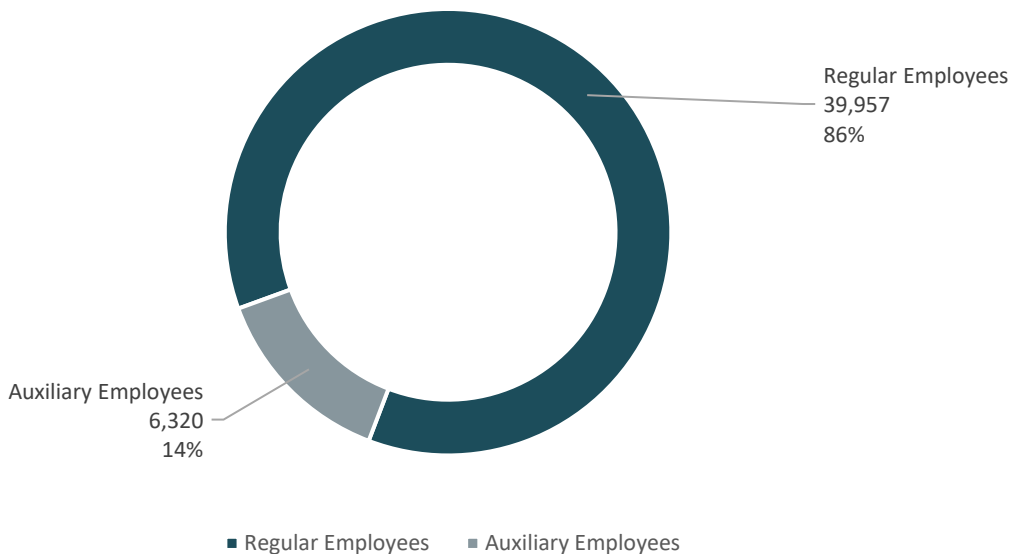
Oversight of Merit-based Hiring

BC Public Service Workforce

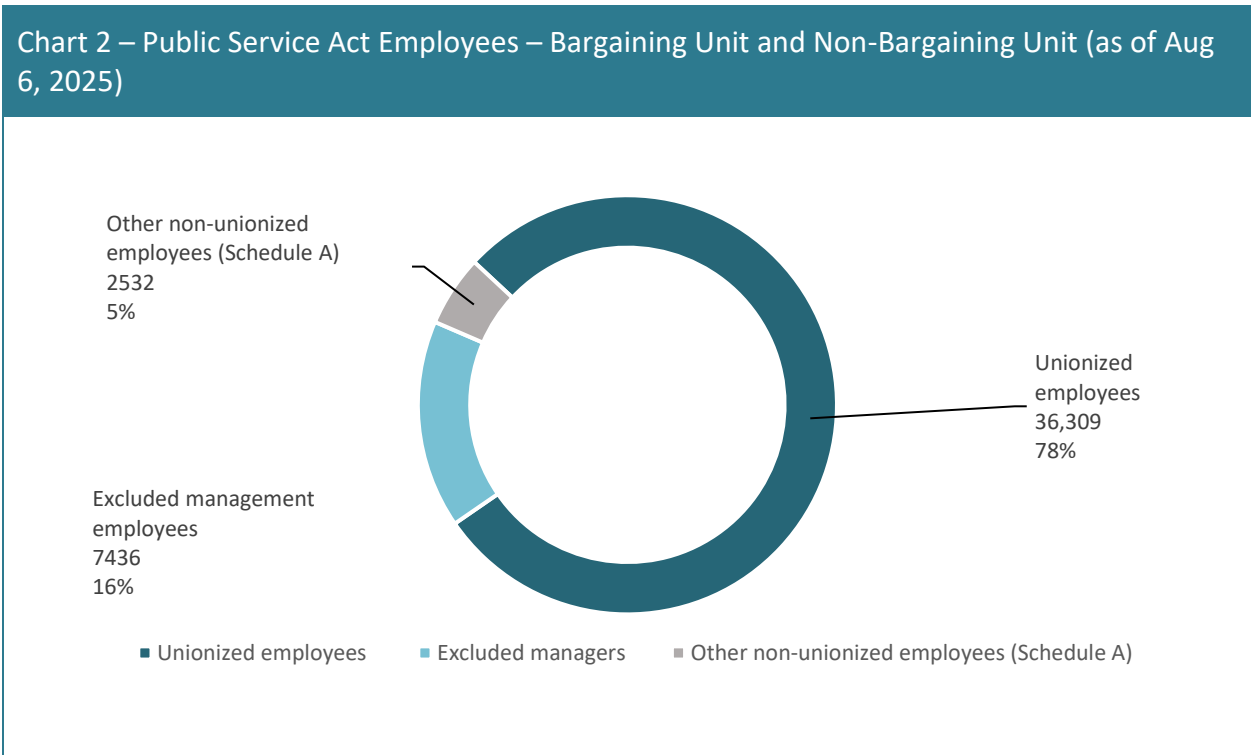
As of August 6, 2025, there were 46,277 employees in the BC Public Service hired under the *Public Service Act*, which is a decrease of 1,099 employees since Aug 6, 2024. These employees work in ministries and other organizations across the public service¹. A complete list of organizations subject to hiring oversight by the Merit Commissioner, in whole or in part, appears in [Appendix B](#).

Many employees are appointed under the Act on a regular (permanent or temporary) or auxiliary (temporary) basis. They may be unionized, excluded management employees, or other non-unionized employees (“schedule A” employees). The distribution of the population by these categories is shown below in Charts 1 and 2.

Chart 1 – Employees Appointed Under the *Public Service Act* – By Status (as of Aug 6, 2025)



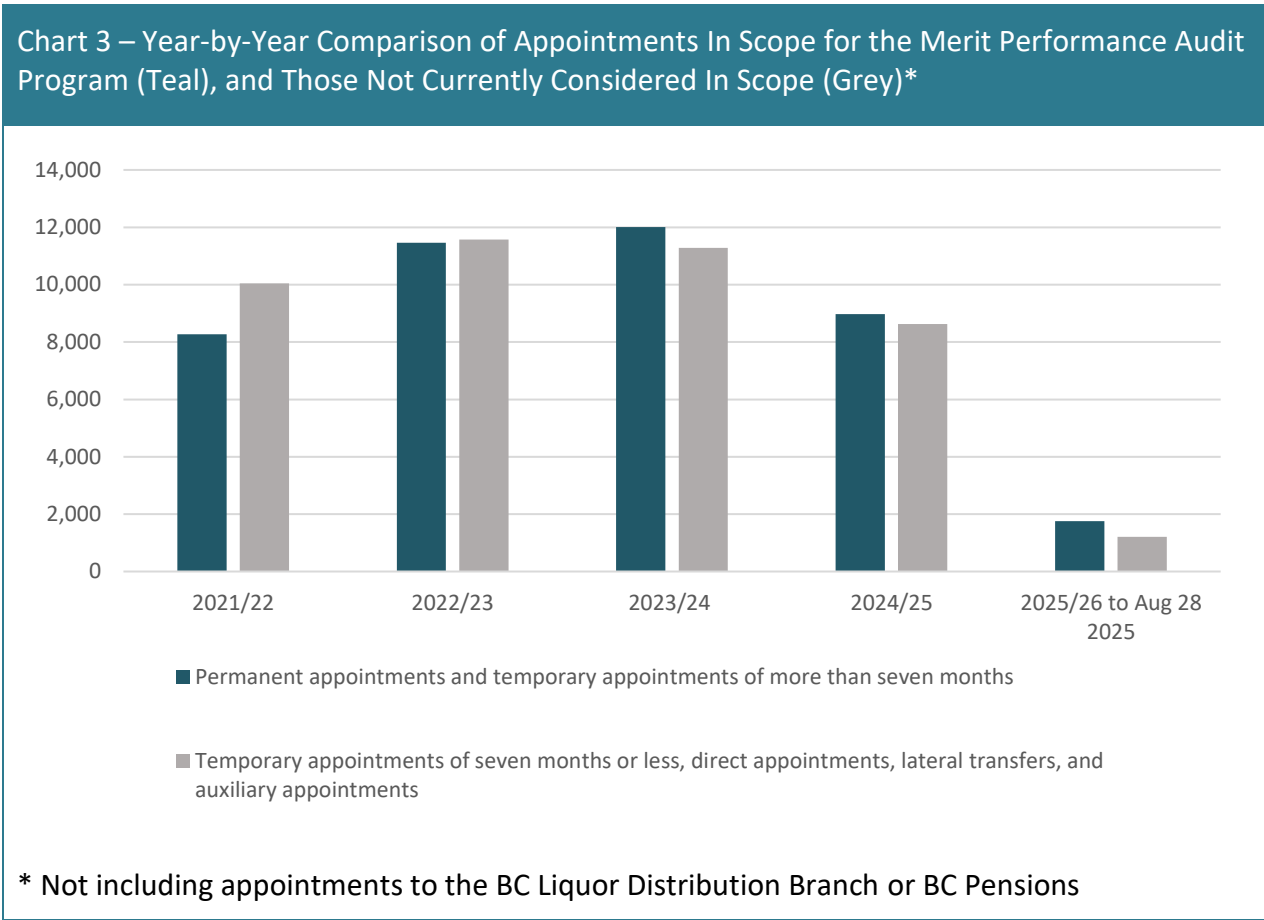
¹ This statistic does not reflect those not hired under the Act. For example, most teachers and nurses in BC will not be reflected in this population.



Appointment Activity

The Office audits appointments to and from within the BC Public Service that are made under section 8 of the Act. Chart 3 shows the total numbers of these appointments, by appointment type, for the last five years.

The merit performance audit program randomly audits appointments that are subject to both sections 8 (1) (a) and (b) of the *Public Service Act*. This includes all permanent appointments (unless they are exceptions to section 8, as outlined in section 10 of the Act) and temporary appointments over 7 months.



Indicators of Merit-based Hiring

A merit-based hiring process requires the commitment of all public servants. The framework shown in Chart 4 provides an overview of indicators of merit-based hiring and the Office’s related responsibilities.

Chart 4 – Indicators of Merit-based Hiring		
Indicator		Office of the Merit Commissioner Related Responsibilities
Hiring Practices	Hiring practices are transparent, fair, and consistently applied; decisions are reasonable	- Conduct merit performance audits, special audits and studies, and report results - Carry out individual staffing review investigations as appropriate

		• Increase awareness of merit-based hiring practices by reporting out to organizations and to the public • Provide comment and/or recommendations on hiring practices to organizations
Workplace Culture	Organization heads are seen and believed to be committed to merit-based hiring Managers and supervisors uphold merit in hiring Use of the staffing review process Employee responses to staffing related questions on work environment surveys	• Report audit findings to organizations • Monitor organizational responses to audit and review findings • Perform individual audits and report findings • Conduct individual staffing review investigations and report findings • Provide clear and easily accessible information for employees • Monitor and report review process usage • Analyze related responses • Carry out special studies
Regulatory Framework	BC Public Service hiring complies with hiring policy, legislation and relevant collective agreement provisions Organization heads and hiring managers are aware of hiring policy, legislation and relevant collective agreement provisions	• Report annually on the status of BC Public Service hiring to the Legislative Assembly and the BC Public Service Agency • Publicly report on merit performance audit, special audits and studies, and staffing review findings and recommendations

OVERSIGHT OF JUST CAUSE DISMISSAL PROCESSES

In April 2018, responsibilities were given to the Merit Commissioner relating to the review of BC Public Service just cause dismissal processes. Reviews are based on an established protocol which considers best practice, relevant legislation, and policy guidelines. The [2024/25 Annual Report of the Merit Commissioner](#) includes summaries of the analysis of all eligible dismissal processes received, except for those related to COVID-19 vaccination compliance.

The *Public Service Act* requires that a review of the process resulting in a dismissal for just cause occur only after all avenues to challenge that decision have been exhausted, and a set time period has elapsed. Given these parameters, the workload associated with actual process reviews varies. The number of dismissals that may occur cannot be predicted, just as it cannot be predicted what, if any, avenue of redress may be pursued and when such action might be completed.

Indicators of Proper Process Related to Just Cause Dismissals

Chart 5 – Indicators of Proper Process related to Just Cause Dismissals		
Indicator		Office of the Merit Commissioner Related Responsibilities
Dismissal Processes	Dismissal processes adhere to government practices, policies and standards, and follow established protocols	• Conduct reviews of eligible dismissal files to assess compliance • Identify any gaps in compliance and any systemic issues • Report annually to the Legislative Assembly on overall results of these reviews and make broad recommendations as appropriate
Workplace Culture	Organization heads and the BC Public Service Agency apply good practice in the conduct of just cause dismissals	• Make broad recommendations to the BC Public Service Agency where it is identified that improvements to practice could be made
Regulatory Framework	Dismissal policies are consistent with government processes and standards	• Report annually on the results of monitoring the application of government practices, policies and standards respecting eligible dismissals to the Legislative Assembly

PERFORMANCE MEASURES AND TARGETS

The Office establishes and publishes performance measures and targets in a number of areas, holds itself accountable for respecting and achieving these targets, and examines practices and procedures regularly with a view to continuous improvement.

Merit Performance Audit

Detailed audit results are reported to deputy ministers, heads of organizations, and the head of the PSA. Summary results are contained in the Merit Commissioner’s annual report to the Legislative Assembly which is publicly available on the Office’s website. Analyses and a final report are also made available on the Office’s website.

The goal of the annual merit performance audit program methodology is to have a robust sample size that allows the audit results to be confidently generalized to the population of all appointments made within the same time period. This methodology was designed with Statistics Canada to ensure proper representation and proportionality is achieved.

Performance Measures	Target and Results					
	2023/24		2024/25		2025/26	2026/27
	Target	Results	Target	Results	Target	Target
Report audit results to organization heads and the BC Public Service Agency within six months of audit period	September 2024	October 2024	September 2025	September 2025	September 2026	September 2027
Publish annual audit findings within four months of reporting individual results	November 2024	December 2024	December 2025	Expected December 2025	December 2026	December 2027

Generalizable audit results	Simple random sampling	Simple random sampling	Stratified random sampling	Stratified random sampling	Stratified random sampling	Stratified random sampling
Confidence level	95%	95%	95%	95%	95%	95%
Margin of error	6%	6%	6%	6%	6%	6%

Staffing Reviews

When a public service employee requests a review of a staffing decision under the *Public Service Act*, it is important to both them and the employer that a thorough review takes place with a timely decision rendered.

Performance Measures	Target and Results					
	2023/24		2024/25		2025/26	2026/27
	Target	Results	Target	Results	Target	Target
Complete reviews within an average of 30 days	30 days	30 days	30 days	28 days	30 days	30 days

Dismissal Process Reviews

The results of the dismissal process reviews are reported annually. This year, the Office continued to review all eligible dismissals. However, for dismissals arising from BC Public Service COVID-19 vaccination policy requirements, a sample of the total is being assessed over a three-year period. This addresses the volume related to vaccine mandate dismissals.

Performance Measures	Target and Results					
	2023/24		2024/25		2025/26	2026/27
	Target	Results	Target	Results	Target	Target
Conduct reviews of selected eligible dismissal processes	100%	100%	100%	100%	100%	100%
Report activities annually to Legislative Assembly	May 2024	May 2024	May 2025	May 2025	May 2026	May 2027

PROGRESS ON KEY COMMITMENTS

Merit Performance Audit

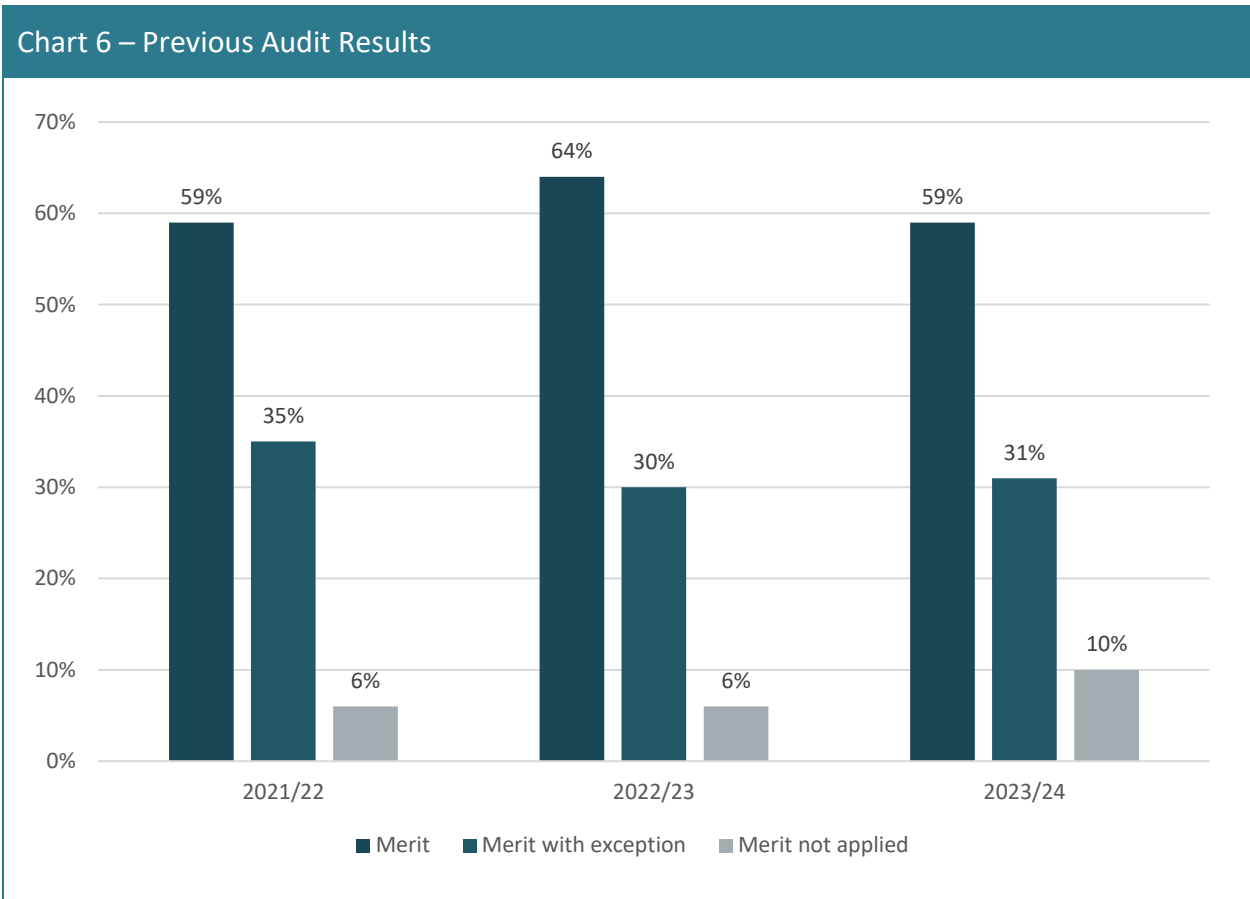
For 2024/25, 276 appointments were audited. Findings from these audits, when released, will be generalizable to all appointments of the same type across the BC Public Service for the fiscal year. The appointments were selected randomly from organizations across the public service and from all employee groups and levels.

Beginning in the 2024/25 audit year, the Office adopted a new method of random sampling, moving to an enhanced stratified sampling approach. This was implemented in collaboration with Statistics Canada. The stratified sample breaks the Office's larger sample into two strata – large, regularly sampled organizations, and small organizations which are less likely to be sampled. By selecting from within this group, the Office is assured a statistically relevant sampling of these organizations and is guaranteed to select an appropriate number of audits from these organizations every quarter. Once an organization is sampled, it is weighted so it is less likely to be chosen again in that audit cycle.

Organization heads received detailed reports in September 2025 and the Agency Head received the overall results of the audit in October 2025. The merit performance audit report, which serves as an overall analysis of audit results and recommendations to address identified areas of concern, will be provided to the Legislative Assembly and released publicly in the winter of 2025/26.

The Commissioner met with many newly-appointed and returning organization heads to share information about the audit process and discuss the organization's understanding of the Office's work, the Merit Commissioner's mandate, and their responsibilities under the Act with regard to merit-based hiring.

Chart 6 reflects the merit performance audit results for the past three reported audit cycles. It is notable that since 2022/23 there has been an increase in "Merit Not Applied" findings, and a decrease in "Merit" findings. The Office will continue to observe and report on findings in an annual merit performance report, past years are available on our [website](#).



Staffing Reviews

During the 2024/25 fiscal year, the Merit Commissioner received 18 staffing review requests. Six were ineligible and 12 were investigated. Of the 12 investigations completed, one resulted in the Merit Commissioner directing a reconsideration of the appointment by the deputy minister or organizational head. In the other 11 reviews, the requests for review were dismissed and the appointment decisions were upheld.

The most frequent grounds for review involved the interviewing and testing and past work performance stages of the hiring process. Related to interviewing and testing, a number of candidates requested reviews on the grounds that the marking criteria were not fair, were not reasonable, or lacked transparency. Grounds related to past work performance assessment included incomplete references, not using or not following the BCPSA’s *Reference Check Guidelines*, and bias. In the reconsideration decision, the candidate cited unfairness in the past work performance assessment.

The average time taken to complete the reviews and respond to the requests was 28 days following receipt of the required documentation. Individual decisions were rendered between 17 and 35 days from receipt of the appointment documentation.

For the current fiscal year, as of September 29, 2025, the Office had received 7 requests for review.

The [Report on Staffing Review 2024/25](#) was published in June 2025 and is available on the [Merit Commissioner's website](#).

Dismissal Process Reviews

A report to the Legislative Assembly on the dismissal files reviewed was included in the [2024/25 Annual Report of the Merit Commissioner](#) released in May 2025. In 2024/25, the Merit Commissioner continued to review all eligible dismissals, with exception of those relating to COVID-19 vaccination status, which were randomly sampled. The Merit Commissioner reviewed 21 dismissal files that were unrelated to COVID-19 vaccination status.

Overall, in the dismissals that were reviewed it was found that thorough analyses were undertaken before recommendations to terminate the employees were made, and that documentation of consultation, review, and recommendations had improved. The Office continues to commend the timeliness and organization of the files supplied by the BCPSA.

Special Audits and Studies for Fiscal 2024/25

In 2025, the Office published [Short-listing: Setting the Stage for Fair Hiring](#), available on our website. This report further delves into shortlisting. Based on years of audited data, shortlisting is an area which has historically been identified in the Merit Commissioner's recommendations as an aspect of hiring that faces challenges to a merit-based process.

PRIORITIES FOR FISCAL 2026/27

The following sections detail the 2026/27 priorities for the Office of the Merit Commissioner.

Merit Performance Audit 2025/26

An audit of appointments made in 2025/26 audit has begun and a random sample of appointments made across the province is being audited. Audit samples are drawn from appointments made in all organizations who hire under the *Public Service Act* (Act) and across all occupational groups, including bargaining unit and excluded management positions. The sample size is fixed to a robust value to not only ensure results are valid and generalizable, but also to enable efficient management of the audit activity and associated costs. The 2025/26 audit will be composed of a fixed sample size of 284 (70 appointments per quarter). The results from this audit will be reported in the fall of 2026.

Dismissal Process Reviews

The 2025/26 annual report will include the findings and any recommendations for reviewed files for COVID-19 dismissals, provided that potential litigation has been concluded as per s.5.12(3) of the Act. The Office's past practice has been to review all eligible dismissal processes. However, given the large number of dismissals related to the COVID-19 vaccination policy, the Office implemented a sampling approach for the dismissals related to COVID-19. This approach allows for commenting on the overall processes within the group of dismissals, and for noting any irregularities observed from file to file. The annual report will also include results from the reviews of all eligible non-COVID-19-related just cause dismissals.

Staffing Reviews

The Office gives priority to conducting staffing reviews when they are requested.

As the appointments of the successful candidates to the positions in question are normally not confirmed until the Merit Commissioner's decision has been received, the Office makes every effort to complete reviews and issue reports within a 30-day timeframe.

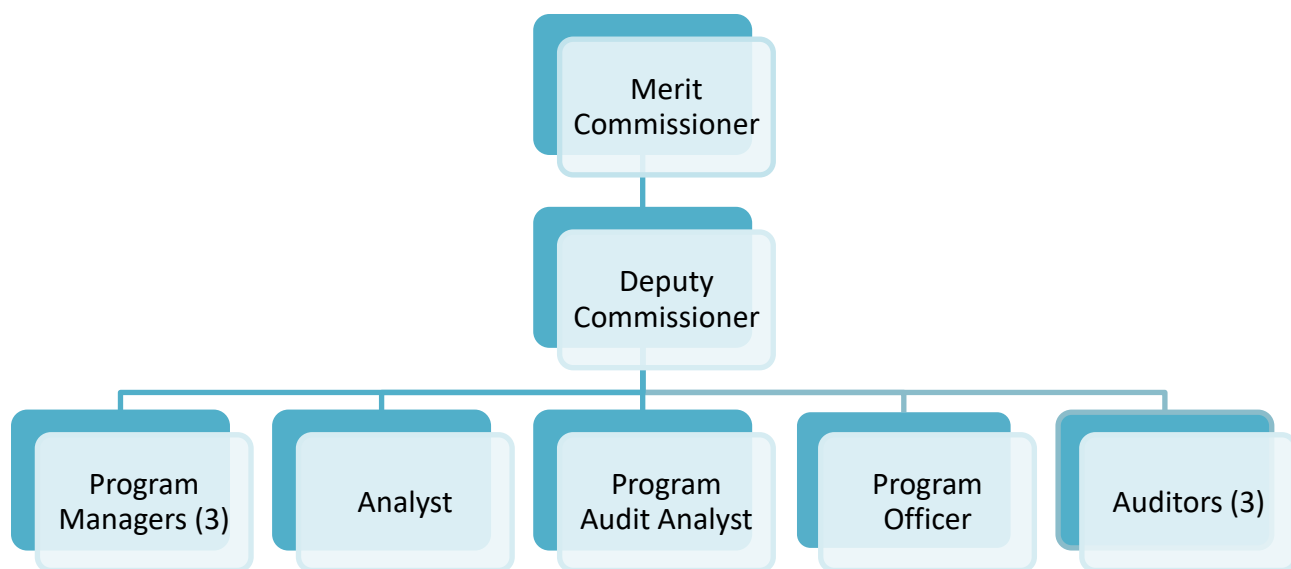
Only unsuccessful employee applicants for positions within bargaining units are eligible to request a review by the Merit Commissioner. Despite requests being made to the Office, the Merit Commissioner is legislatively unable to support excluded employees who request a review.

Special Audits and Studies for Fiscal 2026/27 and Beyond

The Office will continue to focus its resources on its mandated responsibilities of conducting merit performance audits, staffing reviews, and reviews of dismissal processes. The results of these core activities will guide the Office in determining where special audits or studies may be appropriate to address potential areas of risk to merit-based hiring or dismissal processes.

APPENDIX A

Office Structure



APPENDIX B

Organizations Subject to Oversight by the Merit Commissioner²

(As of September 10, 2025)

Ministries*

Agriculture and Food
Attorney General
Children and Family Development
Citizens' Services
Education and Child Care
Emergency Management and Climate
Readiness
Energy and Climate Solutions
Environment and Parks
Finance
Forests
Health
Housing and Municipal Affairs
Indigenous Relations and Reconciliation
Infrastructure
Jobs and Economic Growth
Mining and Critical Minerals
Post-Secondary Education and Future Skills
Public Safety and Solicitor General
Social Development and Poverty Reduction
Tourism, Arts, Culture and Sport
Transportation and Transit
Water, Land and Resource Stewardship

Statutory Offices

Auditor General
Elections BC
Human Rights Commissioner
Information and Privacy Commissioner
Ombudsperson
Police Complaint Commissioner

Representative for Children and Youth

Courts of British Columbia

BC Court of Appeal
Provincial Court of BC
Supreme Court of BC

Other Public Sector Organizations

Agricultural Land Commission
BC Athletic Commissioner
BC Container Trucking Commissioner
BC Farm Industry Review Board
BC Human Rights Tribunal
BC Pension Corporation
BC Public Service Agency
BC Review Board
Building Code Appeal Board
Civil Resolution Tribunal
Commission of Public Inquiry
Commissioner for Teacher Regulation
Community Care and Assisted Living Appeal
Board
Creston Valley Wildlife Management Authority
Destination BC
Employment and Assistance Appeal Tribunal
Energy Resource Appeal Tribunal
Environmental Appeal Board
Financial Services Tribunal
Forest Appeals Commission
Forest Practices Board
Health Professions Review Board
Hospital Appeal Board

² Only roles that are hired under the *Public Service Act* are subject to Merit Commissioner oversight.

Independent Investigations Office
Industry Training Appeal Board
Islands Trust
Mental Health Review Board
Motor Vehicle Sales Authority of BC
Office of the Premier
Passenger Transportation Board
Property Assessment Appeal Board
Public Guardian and Trustee

Public Sector Employers' Council Secretariat
Royal BC Museum
Safety Standards Appeal Board
Seniors Advocate
Surface Rights Board
Workers' Compensation Appeal Tribunal

****Ministry names are current as of publication.***