



Office of the
Merit Commissioner
Upholding Fair Hiring in the BC Public Service

2025 ANNUAL REPORT 2026







Office of the Merit Commissioner

Upholding Fair Hiring in the BC Public Service

The Honourable Raj Chouhan
Speaker of the Legislative Assembly
Province of British Columbia
Parliament Buildings, Room 207
Victoria, British Columbia V8V 1X4

Dear Mr. Speaker:

It is my honour to present the *2025/26 Annual Report of the Merit Commissioner*. This report is submitted pursuant to section 5.2 of the *Public Service Act*, Chapter 385 of the Revised Statutes of British Columbia. As an Officer of the Legislative Assembly, I would be pleased to appear and report further on these matters at the request of the Members of the Legislative Assembly.

Respectfully submitted,

Tracy Campbell
Acting Merit Commissioner
Province of British Columbia
May 2026

The Office of the Merit Commissioner would like to acknowledge that we are living and working with gratitude and respect on the traditional territories of the Indigenous peoples of British Columbia.



National Library of Canada Cataloguing in Publication Data British Columbia.
Office of the Merit Commissioner.
Annual report – 2001–2002 – Annual.

ISSN 1703-2865 = Annual report - British Columbia.
Office of the Merit Commissioner

1. British Columbia. Office of the Merit Commissioner – Periodicals.
2. Civil service – Recruiting – British Columbia – Periodicals.
3. Civil service reform – British Columbia – Periodicals.
4. Patronage, Political – British Columbia – Periodicals.
5. Civil service – British Columbia. I. Title. II. Title: Office of the Merit Commissioner Annual Report. III. Title: Merit Commissioner, Annual Report.

JL108B74 352.6'3235'0971105 C2002-960115-0

Contents

- Message from the Acting Merit Commissioner..... 6**
- Our Vision..... 8**
- Our Mission 8**
- Our Principles..... 8**
- Our Values 8**
- Who We Are..... 9**
- About Our Work 10**
 - What We Do..... 11
 - Appointments on Merit 11
 - The Merit Principle 11
 - Factors of Merit..... 11
- Performance Audits – Annually Surveying the Hiring Landscape in BC’s Public Service 12**
 - Audits Today 12
 - Appointments on Merit 13
 - The Audit Process for Each Audited Competition..... 14
 - Recruitment and Selection Process Findings 15
 - 2024/25 Merit Performance Audit Findings 16
 - Of Note..... 17
 - Qualifications of Individuals Appointed..... 18
 - Documentation..... 18
 - 2024/25 Audit Recommendations 19
 - 2025/26 Merit Performance Audit..... 19
- Staffing Reviews: Answering the Call for Fairness Investigations 20**
- Dismissal Process Reviews 24**
- At a Glance 26**
- Budget..... 27**
- Appendix A: Organizations Subject to Oversight by the Merit Commissioner 28**
- Appendix B: 2025/25 Merit Performance Audit Timeline..... 29**



Message from the Acting Merit Commissioner

I am pleased to present the Office of the Merit Commissioner's 2025/26 Annual Report.


Following the conclusion of the previous Merit Commissioner's three-year term, I was appointed as Acting Merit Commissioner on March 13th, 2026. In this role, I have overseen completion of this report and am working to support a smooth transition of responsibilities to the Public Service Agency, ensuring continuity of service for BC Public Service employees. I am grateful to the dedicated and professional team whose expertise and commitment continue to uphold fair and merit-based hiring across the public service.

The Office's work is guided by three core responsibilities under the *Public Service Act*:

1. Conducting random audits of public service appointments to assess whether hiring decisions are merit-based and candidates are qualified;
2. Reviewing staffing decisions for eligible employees; and
3. Assessing the application of government practices, policies, and standards to just cause dismissals.

In 2025/26, the Office's primary focus remained the auditing of public service appointments. The 2024/25 audit results show that hiring practices across the 69 public service organizations subject to review continued to reflect a strong commitment to merit, including an 8% increase in "merit" findings. This demonstrates ongoing attention to fairness and consistency in hiring decisions across the public service.

These results were published in the [2024/25 Merit Performance Audit Report](#) in December 2025. The report examined overall findings and identified common errors at each stage of the hiring process. It also included anonymized case studies to highlight both effective practices and areas for improvement. Following its release, the Office recognized examples of strong hiring practices through letters of acknowledgement to hiring managers and organizational heads. Additional analysis was provided through the special study, [Short-Listing: Setting the Stage for Fair Hiring](#), released in July 2025.



The Office’s work is grounded in maintaining public confidence in a fair, transparent, and merit-based public service, and the Office is committed to upholding that trust.

During the year, the Office received 15 requests for staffing reviews. Nine requests met eligibility criteria and proceeded to formal investigation, each resulting in a final report with recommendations to the relevant organizational head. The Office also introduced process improvements to enhance the timeliness of reviews and make outcomes more accessible and easier to understand for employees.

The Office continued its review of dismissal processes and found that due process requirements were consistently met.

In addition to its statutory responsibilities, the Office advanced several important priorities. In support of its obligation under the *Accessibility Act*, all public-facing documents were reviewed for accessibility, and the website was updated to meet WCAG Level A standards. Work is ongoing to further improve the clarity and accessibility of the Office’s materials so they can be more easily understood by a broad audience.

The Office also continued to strengthen awareness of its mandate through engagement with organizational heads. In addition, following the Ombudsperson’s *Hire Power* report, the Office received an update from the Public Service Agency on progress made in addressing the recommendations.

The Office’s work is grounded in maintaining public confidence in a fair, transparent, and merit-based public service, and the Office is committed to upholding that trust.



Tracy Campbell
Acting Merit Commissioner

Our Vision

A provincial public service founded in merit-based hiring and fair process in just cause dismissals.

Our Mission

To strengthen and support fairness and transparency in organizations that operate under the *Public Service Act* by:

Monitoring the application of the merit principle in hiring appointments.

Reviewing the application of best practices, policies, and standards in just cause dismissals.

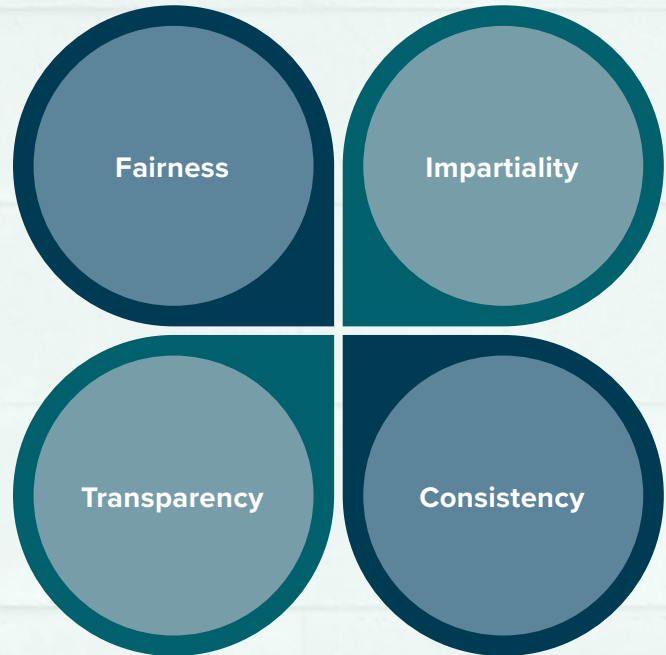
Providing guidance information and insights into relevant subject matter pertaining to our mandate.

Our Values

The employees at the Office of the Merit Commissioner bring integrity to the workplace through eight professional values:

Our Principles

The work at the Office of the Merit Commissioner is guided by the principles of:



We uphold standards of integrity and professionalism in our performance, as we do for those over whom we provide oversight.



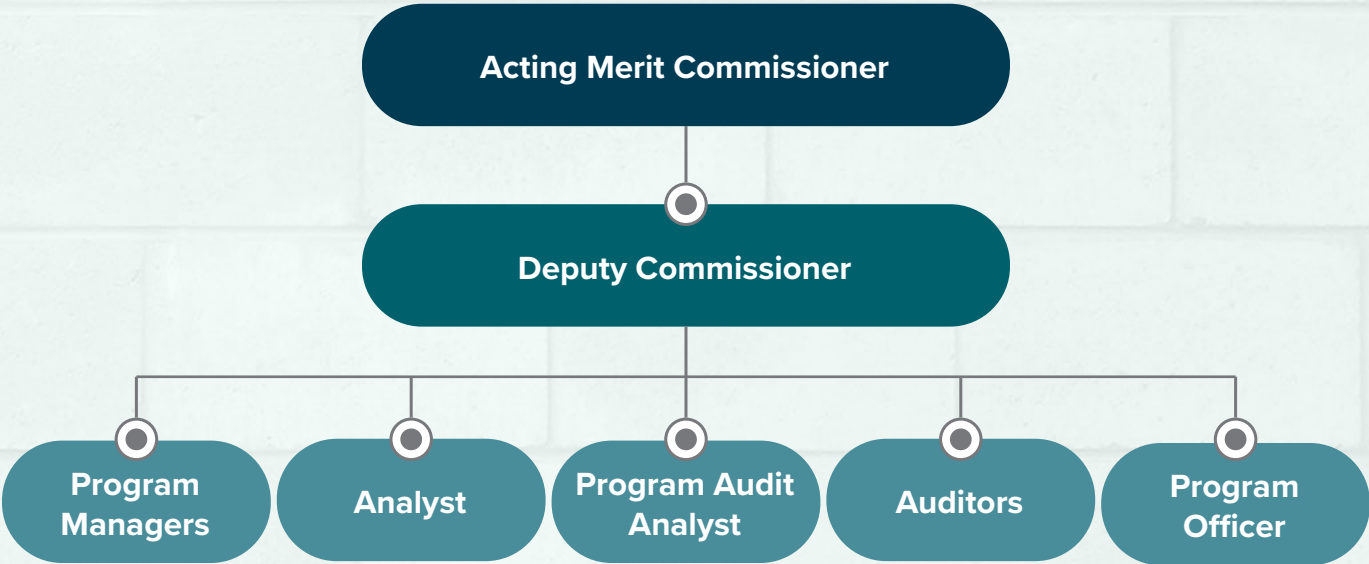


Who We Are

The Merit Commissioner is an independent officer of the Legislature, appointed by the Legislative Assembly on a part-time basis for a three-year term. As set out in the *Public Service Act* (the Act), the Merit Commissioner is responsible for:

- Monitoring the application of the merit principle in the recruitment and selection of employees in provincial government organizations where employees are appointed under the Act.
- Reviewing the application of government practices, policies, and standards to just cause dismissals as per the Act.

The Commissioner is supported by a small team of dedicated staff and contracted resources, known collectively as the Office of the Merit Commissioner (the Office). The Office’s work is guided by the principles of fairness, impartiality, consistency, and transparency. We uphold the same standards of integrity in performance and accountability that we apply to others, and all who contact the Office are treated with respect.



About Our Work

A number of individuals and organizations are directly involved in hiring and just cause dismissal processes. Their roles in fair hiring and dismissal processes for organizations under the *Public Service Act* are outlined below.





What We Do

The Office has three central responsibilities:

- 1 Conducting merit performance audits
- 2 Reviewing specific staffing decisions upon request by eligible individuals
- 3 Reviewing processes that have resulted in just cause dismissals

The Office also conducts relevant special audits and studies.

Appointments on Merit

Section 8(1) of the Act requires that, other than in some defined exceptions, appointments to and from within the public service must:

- (a) be based on the principle of merit, and
- (b) be the result of a process designed to appraise the knowledge, skills and abilities of eligible applicants.

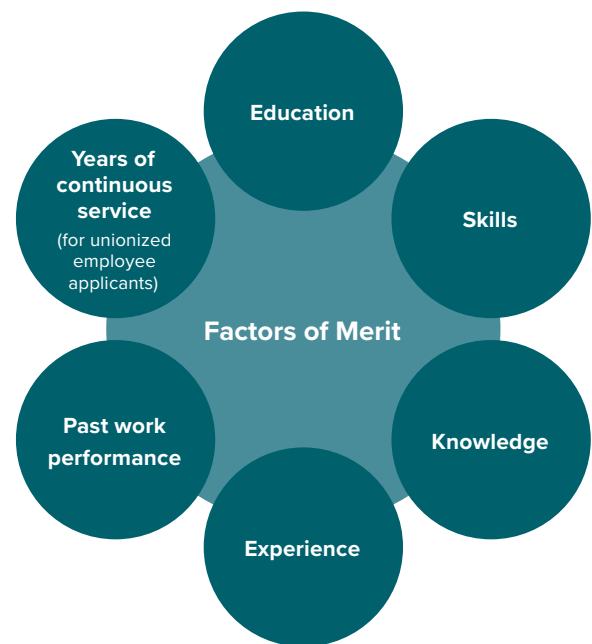
The Merit Principle

The Act states that all appointments to and from within the BC Public Service must be based on the principle of merit. The merit principle means that candidate selection is based on:

- possessing the established qualifications for a role;
- an assessment that includes the six factors of merit listed in the Act; and
- non-partisanship and impartiality

Factors of Merit

Section 8(2) of the Act lists the matters to be considered in determining merit. These must include:



Our audits follow established practices to determine whether hiring processes have been designed and conducted in a way that results in merit-based appointments.



Performance Audits – Annually Surveying the Hiring Landscape in BC's Public Service

The merit principle was introduced into hiring for BC's public service in 1908. Public servants were to be hired not due to their political connections, but rather for their qualifications. Merit-based hiring meant that employees were qualified for the work and that appointments were not the result of patronage.

Since then, the guidance around how to ensure merit-based hiring has evolved, but the principle of merit-based hiring has remained. Hiring for public service jobs is to follow sound processes and principles.

Applicants to public service jobs are to be assessed fairly and objectively, through reasonable and transparent processes. It remains as important today as in the past that people hired under the *Public Service Act* are qualified to do the work. Given the diversity and importance of public service workers – from firefighters to engineers, social workers, policy analysts, liquor store managers, and financial experts – merit-based hiring continues to be foundationally important to the government services upon which British Columbians rely and expect.

Through the years, the Office of the Merit Commissioner has played an important role in auditing hiring competitions and conducting staffing reviews to ensure the merit principle is applied in practice in all organizations that hire under the Act.

Audits Today

The Office monitors the application of the merit principle in organizations whose roles are hired under the Act. It does so by conducting random audits of appointments on a quarterly basis and reporting out on the results. The focus of the merit performance audit program is on permanent appointments and temporary appointments greater than seven months made in any organization that is subject to section 8 of the Act. Appendix A includes the list of organizations the Merit Commissioner monitors for the application of the merit principle to appointments. Annually, the Office randomly selects a statistically representative number of appointments for audit.

Appointments on Merit

In accordance with section 5.1(1)(a) of the Act, the purpose of a merit performance audit is to determine whether:

- (a) that the recruitment and selection processes were properly applied to result in appointments based on merit; and
- (b) that the individual, when appointed, possessed the required qualifications for the position to which they were appointed.

We conduct audits in accordance with generally-accepted professional audit standards and methodology. Periodically, we ask independent experts to review our approach to ensure our sampling methodology and practice support our objectives. We also conduct quality assurance reviews of the audits to ensure our results and findings are both consistent and comparable from year to year.

Semi-annually, we provide deputy ministers and organization heads with detailed individual audit reports for appointments within their organizations so they may share findings with the responsible hiring managers and take any necessary action to improve hiring practices. These individual audit reports are also provided to the deputy minister of the BC Public Service Agency (Agency Head) who is responsible for staffing policy, support, and training in the BC Public Service.

The Office also prepares a consolidated report of all audit findings, which sets out the risks to merit-based hiring identified through the audit process and makes recommendations to improve hiring practices. The Merit Commissioner's recommendations are directed to deputy ministers and organization heads (and the staff to whom they have delegated staffing authority). The Office submits this report to the Legislative Assembly. It is also shared with the public via our website.



We conduct audits in accordance with generally-accepted professional audit standards and methodology.

The Audit Process for Each Audited Competition



We examine:

- The overall recruitment process used to recruit and select applicants
- The five common stages of a hiring process:
 1. Short-listing
 2. Interviewing and testing
 3. Past work performance
 4. Years of continuous service (for unionized employees)
 5. Selection
- The individual appointee's application and their performance in the competition.

We consider:

- If the process complied with the *Public Service Act* and, where applicable, relevant provisions of collective agreements
- If the panel's approach was consistent with fair hiring principles:
 - Open and transparent processes
 - Objective and relevant job assessments
 - Reasonable decisions
 - Equitable treatment of applicants
- The qualifications of the individual appointed:
 - Their education, knowledge, skills, and experience according to the job requirements
 - Their marks according to the established assessment standards
 - Their overall ranking in the context of the competition results

We make:

- Two audit **findings**:
 - Whether the recruitment and selection process was based on merit
 - Whether the individual appointed was qualified
- One **determination**:
 - Whether there was sufficient and appropriate documentation on file to support the hiring decision



Below are the definitions for each of the findings and the determination we make for each audited appointment.

Recruitment and Selection Process Findings

Merit: The recruitment and selection process was properly designed and applied to result in an appointment based on merit.

Merit not applied: The recruitment and selection process contained one or more errors in design or application: the impact on the outcome was known to be negative and, as a result, the appointment was not based on merit.

A finding of **merit not applied** is also made if there is insufficient evidence to demonstrate that the design or application of a process was based on merit.

Merit with exception: The recruitment and selection process contained one or more errors in design or application: there was no identifiable negative impact on the outcome.

Individual Appointment Findings

Qualified: The individual, when appointed, possessed the qualifications specified as required for the position.

Not qualified: The individual, when appointed, did not possess the qualifications specified as required for the position.

Qualifications not demonstrated: There was insufficient evidence provided to demonstrate that the individual, when appointed, possessed the qualifications specified as required for the position.

Documentation Determination

Good: The hiring process was comprehensively documented with minimal or no follow-up required.

Sufficient: The hiring process was partially documented. Some key documents were missing or incomplete and/or some aspects of the process required more than simple clarification. There was sufficient information to complete the audit.

Insufficient: The hiring process was insufficiently documented. Key aspects of the process were not documented and a detailed explanation was required.



The detailed audit program can be viewed at www.meritcomm.bc.ca.



2024/25 Merit Performance Audit Findings

A total of 8,865 permanent appointments and temporary appointments greater than seven months were made to and within the BC Public Service between April 1, 2024 and March 31, 2025. To generalize the results of the audit process to all these appointments, a random sample, based on a predetermined sample size, was chosen from this population each quarter. This resulted in a sample of 284 appointments selected for audit. Of these, eight were determined to be outside the scope of the Office’s mandate. These were removed from consideration. The audit of the hiring processes was completed for the remaining 276 appointments.

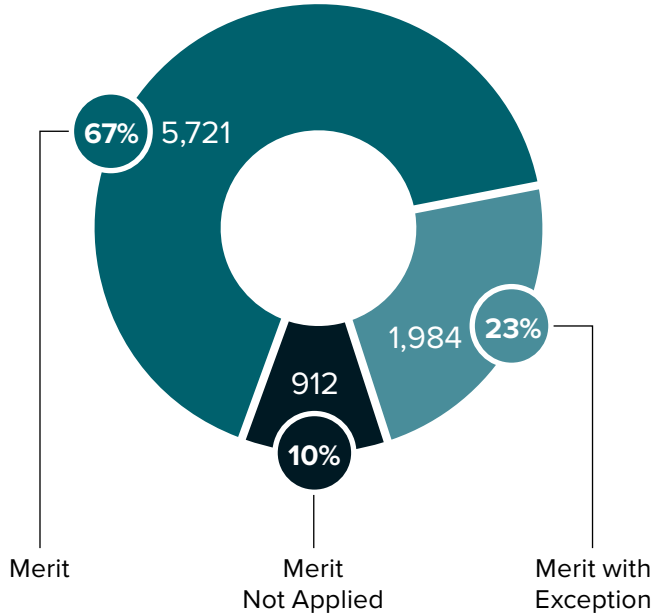
For each of the 276 appointments, we made findings on the qualifications of the individual appointed and the fairness of the recruitment and selection process. With respect to the process, where we made a preliminary finding of “merit not applied,” the deputy minister or organization head responsible for the appointment was provided with the opportunity to review the draft report and provide additional or clarifying information.

All deputy ministers and organization heads received a final report for each appointment audited within their organization. They were encouraged to share the results with the hiring managers responsible for the appointment.

At the conclusion of the audit cycle, we completed a comprehensive analysis and made recommendations. These overall findings were reported to the Legislative Assembly in December 2025 in the *2024/25 Merit Performance Audit Report* and were subsequently published on the Office’s website.

“Merit,” “Merit Not Applied,” and “Merit with Exception” Findings

2024/25 Overall Recruitment and Selection Process Findings with Extrapolations to the Overall Population



As reported in the *2024/25 Merit Performance Audit Report*, overall, hiring competitions in the 69 organizations subject to the requirements for merit-based hiring outlined in section 8 of the *Public Service Act* continued to demonstrate a commitment to fair hiring. Findings from the 2024/25 merit performance audit showed areas of strength as well as areas of concern.

Findings included an 8% increase in “merit” findings and an 8% decrease in “merit with exception” findings, both positive trends. The “merit not applied” finding remained at 10%. This finding showed no change since the prior audit year.

Of the 276 appointments audited in the 2024/25 audit year:

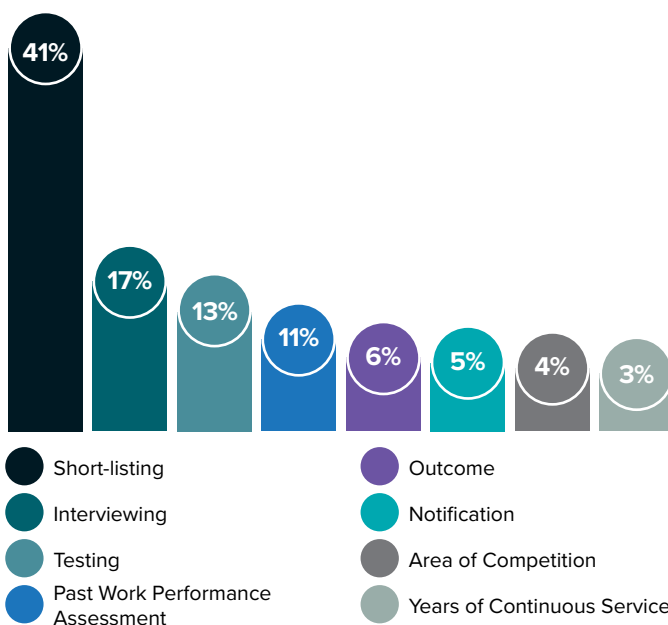
- 184 appointments (67%) were the result of a merit-based recruitment and selection process (“merit” finding). When extrapolated to the larger population, this represents 5,721 appointments.
- In 27 appointments (10%), the audit found errors with known negative impacts on the competition outcome, resulting in “merit not applied” findings. When extrapolated to the larger population, this represents 912 appointments.
- 65 appointments (23%) were deemed “merit with exception”; this means that while there were design or application errors in the hiring process, those errors had mitigated or unknown impacts on the competition outcome. When extrapolated to the larger population, this represents 1,984 appointments.

Types and Rates of Errors

The errors in each audit were identified and reported out by the category or stage of the process in which they occurred. Some appointments had only one error, whereas others had multiple errors in one or more categories.

Illustrated below are the number of appointments with errors in each of the competition stages as a percentage of all appointments audited.

Percentage of Audited Appointments with Errors per Category



Overall, comparing these findings to 2023/24, the short-listing stage of the hiring process continues to be the stage where most errors occur. Forty-one percent of errors related to short-listing, and short-listing continues to be an area requiring improvement. Errors in short-listing can result in unqualified candidates advancing and qualified candidates being eliminated. The most common short-listing errors occurred when hiring managers lowered the qualifications for the position from what had been advertised (“lessened qualifications”), accepted qualifications as “equivalent” to the posted requirements that would not reasonably be considered “equivalent,” and failed to apply criteria consistently to all applicants.

Of Note

In July 2025, the Office published a special study titled *Short-listing: Setting the Stage for Fair Hiring*. The study focused on the challenges that can arise during short-listing. It made three recommendations:

1. Educate hiring managers about how to conduct short-listing fairly, consistently, and in accordance with the mandatory posted education and experience job requirements.
2. Review all job requirements criteria (qualifications) used for short-listing and assessment prior to posting a competition to ensure relevancy and accuracy for the role being filled.
3. Define “equivalent qualifications” in competitions where they may be accepted (education and/or experience) in the job posting.

These recommendations made in the summer of 2025 were based on analysis of audits from the 2019/20 to 2023/24 audit cycles. Appointments taking place in the months after July 2025 would be captured in the 2025/26 merit performance audit, which is currently underway.

Expressions of interest (EOIs) are typically competitions restricted to internal (employee) candidates. The rate of errors in EOIs continued to be noted as an area of concern in the *2024/25 Merit Performance Audit Report*. The audited EOIs showed a slight improvement over the year previous, but, overall, EOIs reported higher rates of “merit not applied” and lower rates of “merit” findings.

Qualifications of Individuals Appointed

In the 2024/25 merit performance audit, 93% of appointees were found to be qualified, compared with 96% in the year prior.

The three individuals deemed to be “not qualified” for their role at the time of their appointment lacked the required experience specified as mandatory in the job posting.

The number of audited appointments where the appointment received a finding of “qualifications not demonstrated” increased significantly, from six the prior audit year to 16 in 2024/25.

In one case, the reason that qualifications were not demonstrated was that the individual was appointed from an eligibility list into a different position than the one for which they had competed, and no evidence could be provided that the appointee possessed the qualifications for the different position.

In another case, the hiring manager’s error occurred at the end of the competition, where no evidence existed that they considered the appointee’s past work performance as required under the Act.

In two other appointments from another competition, significant issues with the overall hiring process meant that the audit could not determine whether any of the appointees’ qualifications had been properly assessed.

In a fifth case, the appointee did not provide sufficient evidence of a job skill as required in the job posting, and the hiring manager confirmed they had overlooked this factor in error.

In all the other 11 cases, individuals were appointed when their application packages did not provide sufficient evidence that they met either mandatory experience or mandatory education requirements.

There was no evidence that any of the 276 appointments audited were the result of patronage.

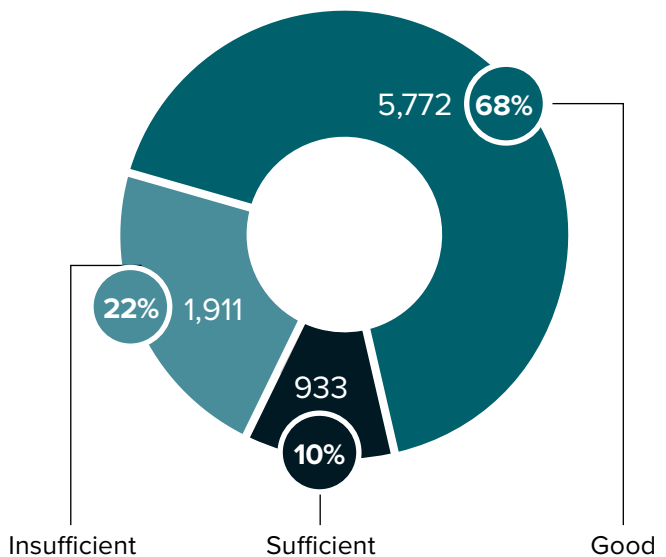


Documentation

As illustrated below, the audit determined that overall, the quality of competition documentation was:

- Consistent overall with the prior year’s findings;
- Slightly improved in competitions with “good” findings (66% to 68%);
- Slightly improved in competitions with “insufficient” findings (with a decrease from 12% to 10%); and
- The same in competitions with “sufficient” findings (22%).

2024/25 Overall Documentation Determinations with Extrapolations to the Overall Population





Recommendations

2024/25 Audit Recommendations

Based on the audit findings, in the *2024/25 Merit Performance Audit Report* the Merit Commissioner made three recommendations for improving merit-based hiring to deputy ministers, organization heads, and their delegated hiring managers.

2025/26 Merit Performance Audit

- The 2025/26 audit of appointments made from April 1, 2025 to March 31, 2026 is currently underway.
- Random samples of appointments have been drawn for the first three quarters of the audit year.
- Audits of 135 appointments were completed for the first two quarters, and the respective reports were provided to deputy ministers and organization heads in April 2026.
- Audits of 70 appointments are underway for the third quarter.

1

In advance of posting an opportunity, document and determine if any “equivalent qualifications” will be accepted in lieu of the mandatory education and/or experience.

To improve fairness and transparency, include this information in the job posting and apply these equivalent qualifications, if relevant, consistently and reasonably at the short-listing stage.

2

When assessing knowledge, skills, and abilities, improve the objectivity and relevance of assessments by using more substantive marking criteria (behavioural interpretive guides, specific necessary elements, key points).

3

Provide training and/or templates for past work performance assessments (past work performance is one of the factors of merit).

Highlight best practices such as obtaining supervisory references (public service policy) and ensuring that any internal/employee candidates being considered for placement on an eligibility list have all past work performance checks completed prior to such placement.



Staffing Reviews: Answering the Call for Fairness Investigations

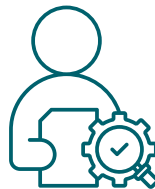
The *Public Service Act* provides employee applicants who are unsuccessful in an eligible competition with the right to request a review of the appointment decision. Eligible competitions include those for permanent positions and temporary assignments greater than seven months.

There is a three-step staffing review process, which an employee may initiate when notified of a competition outcome.



Step 1

Feedback
from the hiring
manager



Step 2

Internal inquiry
by the deputy minister
or organization head



Step 3

Independent review
by the Merit
Commissioner

Under the Act, a review by the Merit Commissioner is available only to employees who are applicants for positions within a collective agreement bargaining unit.

If an employee proceeds to the third step, the Merit Commissioner may conduct an independent review of the grounds for concern in the hiring process. For each review, the Office does the following:

We examine:

- The aspects of the hiring process that are related to the employee's grounds for concern.
- The relevant evidence contained within the competition file.
- Information obtained through discussions with the employee requesting the review, the panel chairperson, and, where necessary, other relevant individuals such as hiring panel members.

We consider:

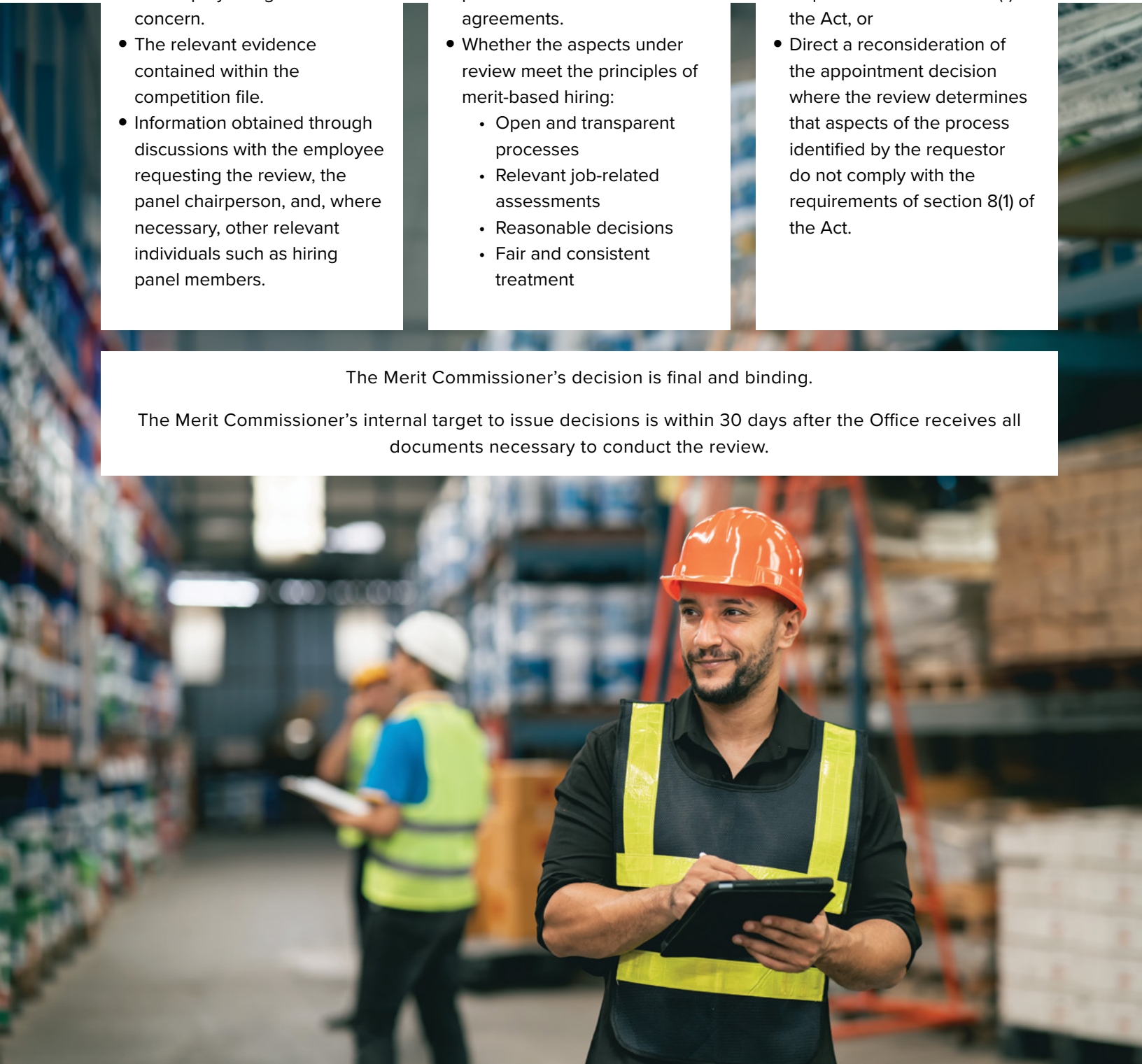
- The application of relevant legislation, policy, and provisions of collective agreements.
- Whether the aspects under review meet the principles of merit-based hiring:
 - Open and transparent processes
 - Relevant job-related assessments
 - Reasonable decisions
 - Fair and consistent treatment

The Merit Commissioner decides whether to:

- Dismiss the review where the aspects comply with the requirements of section 8(1) of the Act, or
- Direct a reconsideration of the appointment decision where the review determines that aspects of the process identified by the requestor do not comply with the requirements of section 8(1) of the Act.

The Merit Commissioner's decision is final and binding.

The Merit Commissioner's internal target to issue decisions is within 30 days after the Office receives all documents necessary to conduct the review.





Results: 2024/25 Staffing Review Report

In June 2025, we published *Report on Staffing Reviews 2024/25* on our website. This report outlined the steps in the staffing review process and provided a brief overview of the staffing review activity that occurred at Step 2 (internal inquiry) and a more detailed examination of the staffing review activity that occurred at Step 3 (review).

In 2024/25, 18 requests were submitted to the Merit Commissioner. Of those, 12 were eligible for review and six were determined to be ineligible.

Most of the 12 eligible requestors had concerns about the past work performance, and interviewing and testing stages of the hiring process. Common concerns raised by requestors involved the fairness and objectivity of past work performance evaluations and the integrity of interviewing and testing procedures. Less frequent grounds raised related to short-listing and administrative matters.

Several concerns brought forward were outside the scope of the Merit Commissioner's statutory responsibilities. These included concerns relating to:

1. process inconsistencies,
2. unraised new grounds,
3. position reclassification,
4. labour relations conflicts, and,
5. age discrimination.

Of the 12 staffing reviews conducted, after a thorough review, the Merit Commissioner's decision was to dismiss the request for review in 11 instances and to direct one reconsideration of the appointment decision. The flaws identified in the reconsideration review cited unfairness in the past work performance assessment process.

Whenever a review results in a reconsideration, it highlights the fundamental importance of constructing well-designed assessment processes and providing fair and consistent treatment to candidates.

On average, it took 28 days for the Merit Commissioner to complete each of the 12 reviews once the competition file was received.

The number of reviews requested was less than 1% of the eligible appointments made within the BC Public Service over the same fiscal year. Although low, this rate is consistent with previous years. With a small number of reviews, it is not possible to identify any systemic problems; however, the information in the report will provide insight into areas of concern for employees and provide hiring managers with potential opportunities to improve their hiring practices.

2025/26 Staffing Reviews

In 2025/26, the Merit Commissioner received 15 requests for review of appointments. The requests were for competitions within 11 different ministries or organizations. Six requests were ineligible:

1. One requestor was in an excluded competition.
2. Two requestors' competitions were cancelled.
3. One requestor was in a temporary appointment under seven months.
4. One requestor had not initiated Step 2.
5. Another requestor had concerns related to things that occurred long after the competition itself was concluded.

As a result, the Merit Commissioner undertook nine reviews.

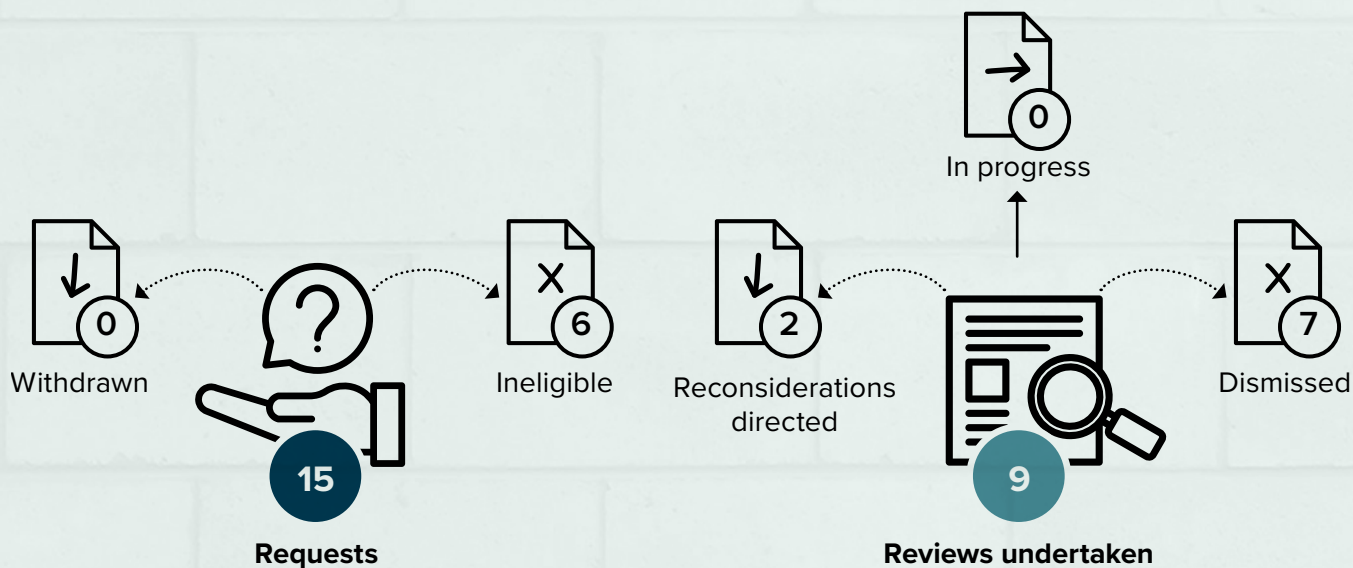
Grounds for review in this fiscal year included:

- There were concerns that merit was not fairly assessed in the competition.
- The short-listing process was flawed.
- The written test was not open and transparent, objective, or appropriately marked.
- Interview questions were distributed earlier to some candidates than others.
- Past work performance was not objectively or fairly assessed.
- The notification process of the competition outcome was improper.

By the end of the fiscal year 2025/26, the Merit Commissioner had issued decisions for nine staffing reviews.

- In seven cases, after a thorough review, the Merit Commissioner’s decision was to dismiss the request for review.
- In two cases, the deputy minister or organization head responsible for the competition was directed to reconsider on the basis that an aspect of the selection process related to the employee’s grounds did not comply with section 8(1) of the Act.

Detailed reports with reasons were provided to each employee who submitted the request and the responsible deputy minister or organizational head.





Dismissal Process Reviews

Under the *Public Service Act*, the Merit Commissioner is responsible for “monitoring the application of government practices, policies and standards to eligible [just cause] dismissals.” Via the annual report, the Merit Commissioner may report findings and recommendations relating to non-compliance with government practices, policies, and standards.

Reviews by the Merit Commissioner examine whether the principles of natural justice and procedural fairness were applied when employees were dismissed for just cause. They determine whether each dismissal process followed necessary practices, policies, and standards. Reviews by the Merit Commissioner do not determine whether the action met the legal standard for a just cause dismissal.

These reviews provide:

- Independent assurance that dismissal processes adhere to all necessary practices, policies, and standards.
- Oversight of government processes and actions.
- Increased accountability.

The current BC Public Service human resources policy “Termination for Just Cause” embodies the practices and standards for just cause dismissals in the BC Public Service. This policy includes two administrative due process checklists for union and non-union employees, as well as procedural steps for review and approval. The policy also includes an investigation best-practice protocols checklist. As this is the standard to which the BC Public Service holds itself accountable, it also forms the basis of the Merit Commissioner’s review of dismissal processes. To conduct a full review, the Office considers all dismissal process documentation and relevant information.

Eligible or Not Eligible?

Reviewable files become *eligible* for review after all avenues of redress or recourse have expired or been completed. This allows employees’ rights to grievances and other proceedings to proceed without any potential interference from Merit Commissioner review. If a former employee files a grievance, takes the employer to court, and/or files a human rights complaint, the dismissal file becomes eligible for review six months after the latest of those is complete.

In the BC Public Service, as a result of policy decisions surrounding the vaccination status of public service employees, 318 just cause dismissals occurred. In the spirit of the Act and to maintain the integrity of the intended legislated process, the Merit Commissioner committed in the 2023/24 annual report to not report publicly on the results of the analysis of the COVID-vaccination-related dismissal processes until all potential litigation had been concluded as per s.5.12(3) of the Act. At the time of writing this report, redress proceedings were still underway for some dismissals, and so analysis of the findings will not be reported in this year's annual report. However, feedback from the Merit Commissioner's review of the COVID-vaccination-related dismissal process files was shared with the Public Service Agency.

Results of 2025/26 Dismissal Process Reviews

In 2025/26, the Merit Commissioner continued to review all eligible dismissals. This past year, the Merit Commissioner reviewed 36 eligible dismissal files (not including dismissals for non-compliance with vaccination policies).

Overall, the files reviewed this year demonstrate that thorough analyses were undertaken by the responsible parties before recommendations to terminate the employees were made to the deputy minister or equivalent. In addition, due process was being followed, with process steps being completed, interviews being fairly conducted, and employees having full and fair opportunities to respond to issues.



Process Problems

This year's review surfaced issues in two dismissal processes.

- First, in one file, the review noted that a medical issue relating to the respondent had been raised in the course of the investigation. However, there was no evidence in the file that any consideration had been given to whether the medical issue was a mitigating factor in the misconduct.
- Review of a second file raised concerns about the choice of "co-investigator" in the investigation of employee wrongdoing. A co-investigator should be a neutral party. In this case, the person chosen as co-investigator had been involved in the matter prior to the investigation. The nature of this prior involvement was such that they were not suited to fulfill the role of neutral co-investigator.

Improvements Over Time

File reviews by the Merit Commissioner have found opportunities for improvement. These have not compromised the fairness of the dismissal process and are not an indication of a lack of due process; rather, they are spaces for organizations to improve over time.

- In prior reports, this Office has provided feedback that documentation and transparency around timelines could be improved. Last year's report noted some improvement in the documentation of procedural delays, and that trend has continued. However, in this year's review, there was one dismissal process with an extensive delay that was unexplained.
- Documentation (for example, of analysis prior to suspending employees during investigation) continues to play an integral part of the dismissal process, and we continue to see positive trends and encourage the PSA to continue improvements in documentation.
- The review noted greater transparency regarding the materials provided to legal counsel. It appears to be part of regular practice to advise legal counsel on the full suite of materials available to them for review when preparing their legal advice.



35

Our office met with over 35 employees this year to discuss and clarify merit-based hiring



14

The Merit Commissioner met with 14 organization heads



276

Our office audited 276 randomly selected hiring appointments



153

Total number of errors in this audit cycle



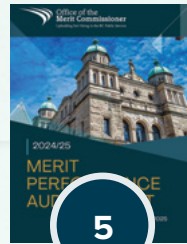
15

Staffing reviews requested



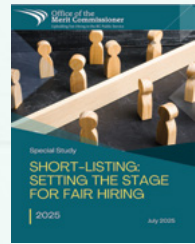
9

Eligible reviews completed



5

Information reports completed for public review, available on our website



Special study on short-listing, also available on our website



8,865

In-scope appointments made within the BC Public Service



93%

93% of candidates appointed clearly demonstrated the appropriate qualifications for the role to which they were appointed



The Office's website was brought into **WCAG level A** compliance



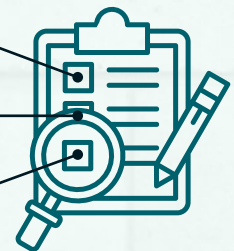
Implemented key items in the Office's accessibility plan

2024/25 Overall Recruitment and Selection Process Findings

Merit **67%**

Merit not applied **10%**

Merit with exception **23%**





Budget

The Office’s budget and expenditures for the 2025/26 fiscal year are shown below by expenditure type. In November 2025, the Merit Commissioner met with the Select Standing Committee on Finance and Government Services to review results of the Office’s work over the previous year, to establish priorities for the year ahead, and to review budget requirements for the next fiscal year.

The Office was allocated a budget of **\$1,745,750 for fiscal 2025/26**. Details of this budget allocation are shown below.

Budget and Expenditures

	Approved budget 2025/26	Projected expenditures 2025/26 as of April 10	Approved budget 2026/27
Salaries & benefits	966,000	915,424	983,000
Travel expenses	17,000	8,691	10,000
Operating expenses	576,750	528,754	544,000
Professional services	186,000	182,081	214,000
Total	1,745,750	1,634,950	1,751,000

APPENDIX A:

Organizations Subject to Oversight by the Merit Commissioner¹

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
Labour
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 Columbia²

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

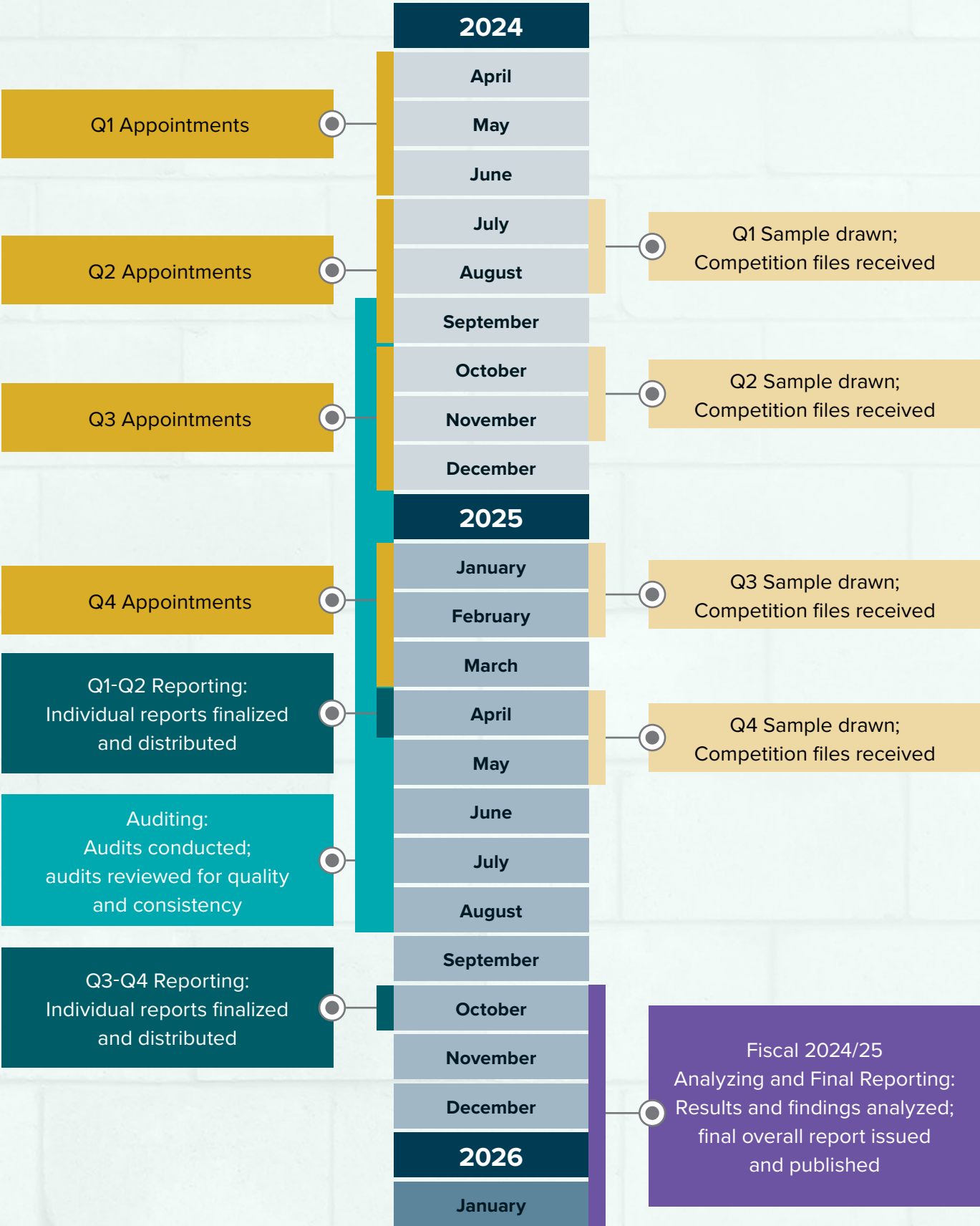
Other Public Sector Organizations


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
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
Independent Investigations Office
Industry Training Appeal Board
Islands Trust
Mental Health Review Board
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

1. Organization names are current as of March 31, 2026.

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

APPENDIX B: Merit Performance Audit Timeline





British Columbians deserve fair hiring practices for public service jobs. The Merit Commissioner made three recommendations in the *2024/25 Merit Performance Audit Report* to guide feedback and training for delegated hiring managers to strengthen merit-based hiring. Investments now in feedback and training for hiring managers can improve the fairness, transparency, consistency, and integrity of merit-based hiring in the BC Public Service.





Office of the
Merit Commissioner

Upholding Fair Hiring in the BC Public Service

Suite 502 – 947 Fort Street
PO Box 9037 Stn Prov Govt
Victoria, BC V8W 9A3

Phone: 250-953-4208
Fax: 250-953-4160

www.meritcomm.bc.ca