



Public Service Alliance of Canada
Alliance de la Fonction publique du Canada

File No. 2026-8-4

November 9, 2009

Bill Jones
Assistant Secretary
Pensions and Benefits Sector
Treasury Board Secretariat
222 Nepean Street, 5th Floor
Ottawa, ON K1A 0R5

Dear Mr. Jones:

Pursuant to the mandate prescribed to the Public Service Pension Advisory Committee (PSPAC) under Subsection 41.(2)(a) of the *Public Service Superannuation Act (PSSA)*, the Public Service Alliance of Canada (PSAC) would appreciate having the PSPAC consider a proposal for an amendment to the *PSSA* to provide Border Services Officers employed with the Canada Border Services Agency (CBSA) the opportunity to retire after completion of 25 years of pensionable service with no actuarial reduction to their *PSSA* benefit entitlement.

Approximately, 8,500 Border Services Officers employed with CBSA are members of the Customs and Immigration Union, a Component of the PSAC. The responsibilities and duties of Border Services Officers have transformed significantly over many years. In 2000, with the implementation of "Officer Powers", Border Services Officers were provided with the authority to enforce provisions of the Criminal Code of Canada. This expanded scope of responsibility was accompanied with new requirements for Use of Force Training (currently referred to as Control and Defensive Tactics), more stringent occupational fitness standards and a requirement for "Skills Maintenance" every three years.

In 2003, the CBSA was created as a stand-alone entity mirroring the enhanced focus on border security and law enforcement in the United States and several Commonwealth countries. This transition provided CBSA with a more defined law enforcement mandate and placed the operations of CBSA within Public Safety and Emergency Preparedness Canada, along with the Royal Canadian Mounted Police and the Correctional Service of Canada.

In 2007, CBSA commenced implementation of the "Arming Initiative" which, in conjunction with the "Doubling-Up Initiative", acknowledged the dangers inherent in the performance of Border Services Officer duties. These initiatives were also undertaken in recognition of the law enforcement functions of the Border Services Officer. Firearm certification and annual recertification are now occupational requirements of the position of a Border Services Officer.

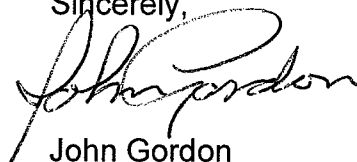
As a consequence of the foregoing developments, the PSAC is proposing that an agenda item be tabled at the next meeting of PSPAC, for consideration of a revision of the provisions of the *PSSA* for the purposes of providing Border Services Officers with the option to retire after completion of 25 years of pensionable service with no actuarial reduction to their *PSSA* benefit entitlement. As you are aware, both the *PSSA* and the *Royal Canadian Mounted Police Superannuation Act* provide this early retirement option to operational employees of Correctional Service of Canada and the Royal Canadian Mounted Police which, as mentioned earlier, are housed within the Public Safety and Emergency Preparedness Canada. Similar early retirement programs are also available at virtually all other provincial and municipal enforcement agencies throughout Canada.

The exposure of Border Services Officers to potential dangers in the performance of their daily required duties is consistent with what is expected in the field of law enforcement. Border Services Officers are also faced with the physically taxing challenges of Control and Defensive Tactics Skills Maintenance every three years and annual firearm recertification. It is for these reasons that the PSAC is proposing early retirement options for Border Services Officers that already exist for comparable occupational groups employed with other federal agencies and in other jurisdictions.

From the perspective of the PSAC, the availability of this early retirement option could potentially reduce the costs of accommodations to CBSA due to the aging of this occupational group and the reduction of the number of times Border Services Officers over the age of 50 would be required to do Control and Defensive Tactics Skills Maintenance and firearm recertification.

I thank you, in advance, for your earliest attention to this request. Should you have any related questions or concerns, please do not hesitate to contact my office.

Sincerely,



John Gordon
National President and PSAC Representative
to the Public Service Pension Advisory
Committee

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