An Evaluation of the Ethic of Neutrality in the Ontario Public Service
A Thesis on The Conflict of Interest Process and Its Impact on Public Servants

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Abstract

The work of Ontario Public Servants is determined in part by the government of the day as they set their priorities, regardless of whether or not the public servants are in agreement with them. This commitment to serve the government, regardless of individual affiliation or support, is built on the ethic of neutrality – a value that can shape even the personal lives of public servants. This study sheds light on how workplace ethical values impact the personal political participation decisions of public servants. What measures does the employer take, if any, to reduce any ambiguity or burden posed by the ethic of neutrality?

An exploratory approach was undertaken to examine the research question. Literature analysis was done on the Public Service of Ontario Act, 2006, The Canadian Charter of Rights and Freedoms, and verdicts from cases related to the ethic of neutrality heard before the highest court in Canada, the Supreme Court. Furthermore, qualitative data was collected through two interviews – the first with a senior leader in the Office of the Conflict of Interest Commissioner for the Ontario Public Service, and the second with a current or former Deputy Minister with the Ontario Public Service.
The value added of this research is the examination of the measures, if any, that the employer takes to reduce any ambiguity or burden posed by the ethic of neutrality. This is important as it provides a window into the employer’s motivation to help strengthen the health of the democracy, and thereby the public service, and the employer’s motivation to support public servants through the conflict of interest process.

Ethic of neutrality in the public service is protected by law. The legal nature of it creates a sense of primacy. Personal political activities become very restricted under the legislation. In balancing individual rights and freedoms and neutrality in the public service, the courts have prioritized the latter. Research shows that very few measures are taken to reduce ambiguity and burden because of the importance given to, and the legal nature of, the ethic of neutrality in the public service.