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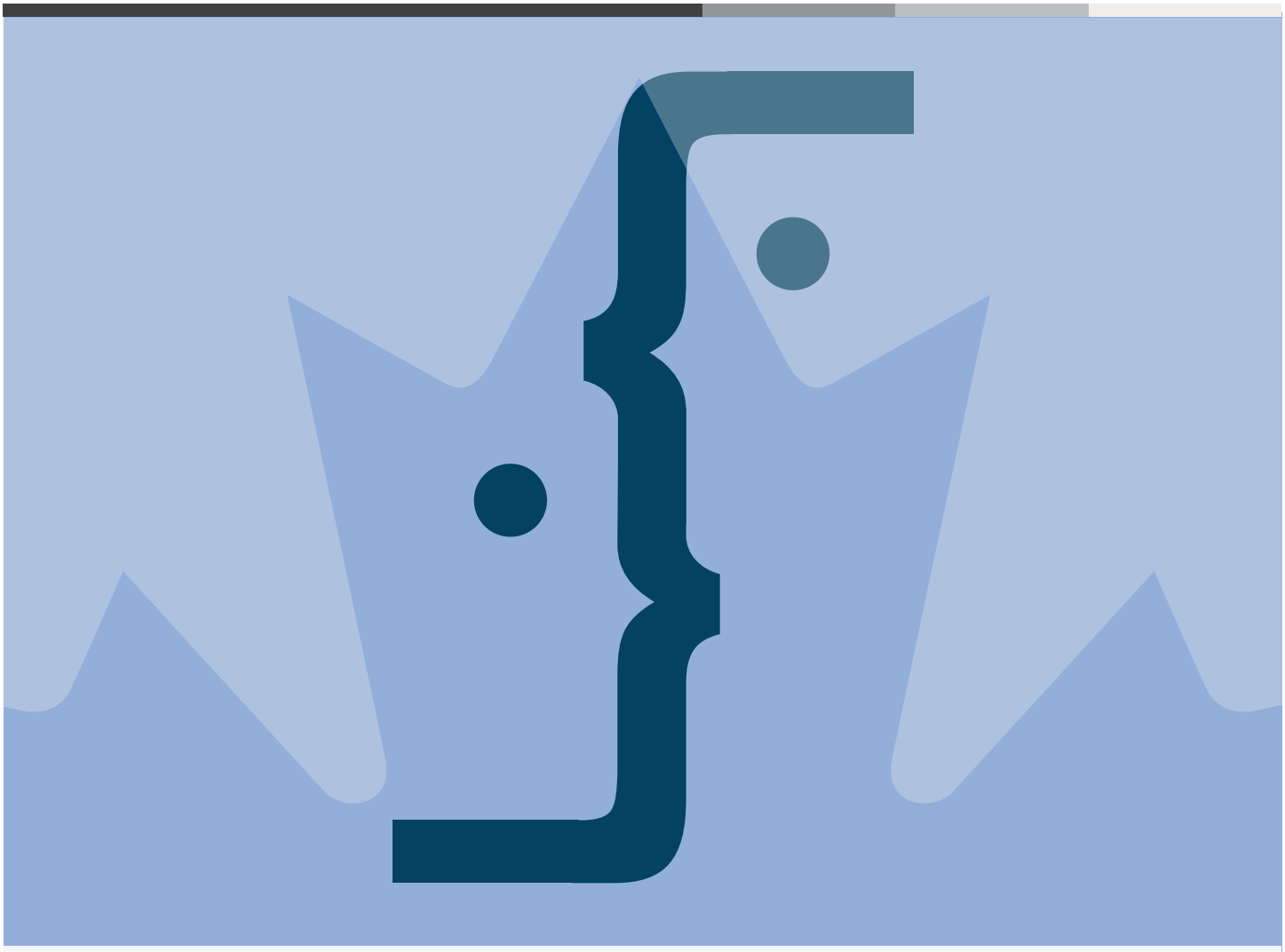

Reflection tool
for the implementation of section 41 of the *Official Languages Act*

Canada

Notice to readers

This tool is one of the administrative tools proposed to federal institutions by the Department of Canadian Heritage to promote and encourage concrete positive measures.

This tool suggests an approach and presents good practices that go beyond what is prescribed by section 41 of the *Official Languages Act*.

For any questions regarding the legal scope and interpretation of Part VII of the *Official Languages Act*, federal institutions may contact the Department of Justice.

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Introduction

This tool proposes a series of questions to help federal institutions think about what they can do to:

- support the development of official language minority communities (OLMCs or communities)
- and promote English and French in Canadian society

The questions fall under six categories:

1. Significance of your institution's mandate and activities with regard to the communities' key priorities and the promotion of English and French in Canadian society
2. Interaction with the public and public visibility
3. Transfer payments
4. Regional presence and reach
5. Capacity to inspire pride in Canadians and to promote Canada's symbols and image
6. Capacity to influence the federal administration

By answering these questions, federal institutions should be able to identify ways to optimize their contribution to the implementation of section 41 of the *Official Languages Act*.

Background

Section 41 of the *Official Languages Act*, found in Part VII, sets out the federal government's commitment to:

- support the development of official language minority communities—in other words, Anglophones in Quebec and Francophones in the other provinces and territories
- promote English and French in Canadian society

In this regard, all federal institutions must take positive measures to implement this commitment. Each one should therefore consider how this commitment can be put into practice by:

- raising awareness among its personnel of the obligations with respect to supporting the development of official language minority communities and the promotion of English and French in Canadian society
- reviewing all its activities and determining if they have an impact on these communities
- identifying required improvements, if applicable
- determining ways to implement these improvements

1. Significance of your institution's mandate and activities with regard to the communities' key priorities and the promotion of English and French in Canadian society

Note: For an overview of the priorities of the official language minority communities, visit the websites of the Quebec Community Groups Network and the Fédération des communautés francophones et acadienne du Canada (available in French only).

1.1 **Based on your institution's mandate, can your institution take action in an area that addresses priorities of official language minority communities?**

If so:

- Are your institution's programs and/or services likely to have an impact on the development and vitality of these communities?

1.2 **Based on your institution's mandate, can your institution contribute to the promotion of official languages in Canadian society?**

If so:

- Are your institution's programs and/or services likely to have an impact on the recognition and use of English and French in Canadian society?
  - Can they serve to promote both official languages equally?
  - Do they contribute in particular to the recognition of the French language in Canada and abroad?

2. Interaction with the public and public visibility

2.1 Does your institution interact with:

A	**the general public?**	If so:
		• Does your institution conduct business with members of official language minority communities?
		  ▪ Is your institution aware of the particular needs of these clients?
		  ▪ What measures are taken to meet their needs?

B	**private sector firms, cooperatives, not-for-profit organizations and other non-governmental organizations?**	If so:
		• Do these clients include organizations that represent official language minority communities?
		  ▪ Does your institution know the specific needs of these organizations?
		  ▪ What measures are taken to meet their needs?
		• Do these clients reach both Anglophones and Francophones (in majority and minority settings)?
		  ▪ Does your institution encourage these clients to reach both Anglophones and Francophones, or to collaborate with partners (whether or not from official language minority communities) to do so?

C	**other federal institutions or other levels of government (provinces, territories, municipalities)?**	If so: • How does your institution ensure that these partnerships with other government institutions respect obligations related to supporting the development of official language minority communities and promoting English and French in Canadian society?
D	**foreign governments or international organizations (such as the United Nations and the Organisation internationale de la Francophonie)?**	If so: • How does your institution ensure that it promotes Canada's bilingual identity abroad and both of Canada's official language groups?
E	**other types of clients (such as colleges and universities)?**	If so: • How does your institution ensure that its relations with these clients respect obligations related to supporting the development of official language minority communities and the promotion of English and French in Canadian society?

2.2 What primary means does your institution use to inform the public about its activities?

A	**Does your institution use a website or social media?**	If so: • Does your institution use these means to disseminate content that may be of particular interest to official language minority communities regarding, for instance, your institution's policies, programs and activities, public consultations and hearings, resource persons available to help them, and your institution's commitment to official languages (action plans, reports, etc.)? • Do Anglophones and Francophones have equal opportunities to receive information from your institution and interact with it through social media? • Do the platforms your institution uses contribute to the promotion of English and French as official languages with equal status in Canada?
B	**Does it make media purchases (television, radio, publications)?**	If so: • Do the purchases include space in French-language newspapers or other publications outside of Quebec? • Do they include purchases in English-language publications in Quebec, particularly in community weeklies? • Do the purchases include air time on radio or television stations in French outside of Quebec and in English in Quebec?
C	**Does it send mailouts?**	If so: • Do the distribution lists include recipients from official language minority communities or serving these communities (such as English-language schools in Quebec and French-language schools elsewhere in the country)?
D	**Does it hold public hearings or consultations?**	If so: • Does your institution take appropriate measures to ensure that members of official language minority communities participate?

3. Transfer payments

Definition: Here, the term "transfer payments" is to be understood within the meaning set out in the Treasury Board of Canada Secretariat's Policy on Transfer Payments. These payments include: grants, contributions, other monetary transfers, transfers of goods, services and assets to third parties, including Crown corporations.

3.1 Does your institution provide grants, contributions, loans or sponsorships to non-governmental organizations?

If so, do the recipients include:

- official language majority organizations?
  - If so, how are they encouraged to work with the official language minority and promote the use of English and French (such as through language clauses in contribution agreements)?
- minority community organizations that can provide the delivery of certain services and programs?
- institutions or organizations that provide services in both official languages?
- organizations that work in English and French or that bring together Anglophones and Francophones?
- organizations that promote the learning of English or French as second languages?
- organizations likely to contribute to Canada's bilingual image, at home and abroad?
  - If so, how does your institution encourage them to reflect Canada's bilingual identity in their activities?

3.2 Does your institution award bursaries or prizes?

If so:

- How does it ensure that individuals in official language minority communities have equal opportunities to obtain them, if appropriate?

3.3 Does your institution transfer funds to other levels of government?

Note: For an overview of the priorities of the official language minority communities, visit the websites of the Quebec Community Groups Network and the Fédération des communautés francophones et acadienne du Canada (available in French only).

If so:

- Are the investments made in areas that address priorities of official language minority communities?
  - How does your institution ensure that the intergovernmental agreement takes into account the reality of these communities and Canada's bilingual identity?
  - Is there a way to determine the impact of the investments on these communities and Canada's bilingual identity?
- Are the investments made in initiatives that can contribute to the promotion of English and French in Canadian society?

4. Regional presence and reach

Note: For an overview of the priorities of the official language minority communities, visit the websites of the Quebec Community Groups Network and the Fédération des communautés francophones et acadienne du Canada (available in French only).

4.1	**Does your institution have offices, points of service or other locations outside the National Capital Region?**	If so: • Are your institution's staff who work outside the National Capital Region aware of the federal commitment to supporting the development of official language minority communities and promoting English and French in Canadian society? • How does your institution ensure that these communities are taken into account in the regions? Does it know their priorities and interests? • If your institution has a presence abroad, how does it ensure that it promotes Canada's bilingual identity?
4.2	**Do officials from your institution organize or participate in activities held in places where your institution has no office, point of service or other location?**	If so, do these activities create opportunities: • to promote English and French as official languages with equal status? • to interact with official language minority communities? • to encourage cooperation between Anglophones and Francophones?
4.3	**Does your institution cooperate with partners that are located or that work in the regions (for instance, to extend or facilitate access to your institution's resources, etc.)?**	If so: • How are these partners encouraged to take into consideration the reality of official language minority communities?
4.4	**Does your institution have a national mandate or a national scope?**	If so: • How does your institution reach official language minority communities across the country (for instance, through educational programs offered in these communities' schools)?

5. Capacity to instill pride in Canadians and to promote Canada's symbols and image

5.1	**Does your institution have opportunities to promote Canada's heritage at home and abroad?**	If so: • How does it ensure that the promoted heritage appropriately reflects the contribution of Anglophones and Francophones to the development of Canadian society?
5.2	**Does your institution have opportunities to promote Canada's symbols or support initiatives that are national in scope and have symbolic value for Canadians?**	If so: • How does it ensure that these symbols or initiatives contribute to the sense of belonging of both official language communities?
5.3	**Does your institution contribute to Canada's bilingual identity at home and abroad?**	If so: • How can your institution's practices and communications contribute to the recognition of Canada's bilingual identity?
5.4	**Does your institution organize or participate in activities that allow Canadians to interact with one another?**	If so: • Do these activities create opportunities to encourage cooperation between Anglophones and Francophones? • Are Canadians encouraged to participate in the official language of their choice?
5.5	**Does your institution organize or participate in activities that allow Canadians to develop a sense of belonging to their country?**	If so: • Do these activities include Anglophones and Francophones?

6. Capacity to influence the federal administration

6.1	**Does your institution provide guidelines to other federal institutions (policies instruments, directives, etc.)?**	If so: • How do these guidelines take into account the reality of official language minority communities and Canada's bilingual identity? • How can these guidelines help federal institutions support the development of these communities and/or promote official languages?
6.2	**Does your institution develop work tools for other federal institutions?**	If so: • How do these tools take into account the reality of official language minority communities and Canada's bilingual identity? • How can these tools help federal institutions support the development of these communities and/or promote official languages?
6.3	**Does your institution have influence over government decision making processes?**	If so: • How does your institution ensure that these decision making processes include an analysis of impacts on the development of official language minority communities and the promotion of English and French in Canadian society?

More information

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Related resources

- Part VII: Advancement of English and French – *Official Languages Act* (Justice Canada)
- Guide on Part VII of the *Official Languages Act*: Support to communities and promotion of English and French (Canadian Heritage)
- Reflection tool for the implementation of section 41 of the *Official Languages Act* – Short version (Canadian Heritage)
- Key questions to facilitate decision-making that may impact on the implementation of section 41 of the *Official Languages Act* (Canadian Heritage)
- Canadian Heritage's annual reports on official languages (available on the page Publications – Official language communities and linguistic duality in the Canada.ca website)

URL addresses of hyperlinks

(in alphabetical order)

Title of hyperlink	URL address
Fédération des communautés francophones et acadienne du Canada	http://www.fcfa.ca (available in French only)
Guide on Part VII of the *Official Languages Act*: Support to communities and promotion of English and French	https://www.canada.ca/en/canadian-heritage/services/official-languages-bilingualism/publications/guide.html
Key questions to facilitate decision-making that may impact on the implementation of section 41 of the *Official Languages Act*	https://www.canada.ca/en/canadian-heritage/services/official-languages-bilingualism/publications/key-questions.html
Part VII: Advancement of English and French – *Official Languages Act*	https://laws-lois.justice.gc.ca/eng/acts/o-3.01/page-4.html#h-384407
Publications – Official language communities and linguistic duality	https://www.canada.ca/en/canadian-heritage/services/official-languages-bilingualism/publications.html
Quebec Community Groups Network	http://www.qcgn.ca
Reflection tool for the implementation of section 41 of the *Official Languages Act* – Short version	https://www.canada.ca/en/canadian-heritage/services/official-languages-bilingualism/publications/reflection-tool-short-version.html
Treasury Board of Canada Secretariat's Policy on Transfer Payments	http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=13525

Note: At the time of the last update of this publication, all hyperlinks were functional.