



# Office of the Commissioner of Official Languages

## Performance Report

For the period ending  
March 31, 2000

Canada

## **Improved Reporting to Parliament Pilot Document**

The Estimates of the Government of Canada are structured in several parts. Beginning with an overview of total government spending in Part I, the documents become increasingly more specific. Part II outlines spending according to departments, agencies and programs and contains the proposed wording of the conditions governing spending which Parliament will be asked to approve.

The *Report on Plans and Priorities* provides additional detail on each department and its programs primarily in terms of more strategically oriented planning and results information with a focus on outcomes.

The *Departmental Performance Report* provides a focus on results-based accountability by reporting on accomplishments achieved against the performance expectations and results commitments as set out in the spring *Report on Plans and Priorities*.

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## Foreword

On April 24, 1997, the House of Commons passed a motion dividing on a pilot basis the *Part III of the Estimates* document for each department or agency into two separate documents: a *Report on Plans and Priorities* tabled in the spring and a *Departmental Performance Report* tabled in the fall.

This initiative is intended to fulfil the government's commitments to improve the expenditure management information provided to Parliament. This involves sharpening the focus on results, increasing the transparency of information and modernizing its preparation.

The Fall Performance Package is comprised of 83 Departmental Performance Reports and the President's annual report, *Managing for Results 2000*.

This *Departmental Performance Report*, covering the period ending March 31, 2000 provides a focus on results-based accountability by reporting on accomplishments achieved against the performance expectations and results commitments as set out in the department's *Report on Plans and Priorities* for 1999-00 tabled in Parliament in the spring of 1999.

Results-based management emphasizes specifying expected program results, developing meaningful indicators to demonstrate performance, perfecting the capacity to generate information and reporting on achievements in a balanced manner. Accounting and managing for results involve sustained work across government.

The government continues to refine its management systems and performance framework. The refinement comes from acquired experience as users make their information needs more precisely known. The performance reports and their use will continue to be monitored to make sure that they respond to Parliament's ongoing and evolving needs.

This report is accessible electronically from the Treasury Board Secretariat Internet site: <http://www.tbs-sct.gc.ca/rma/dpr/dpre.asp>

Comments or questions can be directed to the TBS Internet site or to:

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**Office of the  
Commissioner  
of Official Languages**

**Departmental Performance Report**

**For the  
period ending  
March 31, 2000**

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**The Right Honourable Jean Chrétien  
Prime Minister of Canada**



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## PREFACE

This document is the fourth performance report of the Office of the Commissioner of Official Languages (OCOL) under the new *Expenditure Management System* (EMS) introduced by Treasury Board Secretariat (TBS) early in 1995.

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1. This list excludes the financial tables presented in Section V (Financial Performance), which have their own numbering.

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## LIST OF ABBREVIATIONS AND ACRONYMS

AMMIS	Automated Material Management Information System
APFCB	Association des parents francophones de la Colombie-Britannique
ARC	Alliance des radios communautaires du Canada
CDFS	Common Departmental Financial System
CIMS	Complaints Investigation Management System
COA	Canadian Ombudsman Association
COL	Commissioner of Official Languages
CRTC	Canadian Radio-Television and Telecommunications Commission
EMS	Expenditure Management System
FIS	Financial Information Strategy
FTE	Full-time Equivalent
IB	Investigations Branch
IM	Information Management
IT	Information Technology
OCOL	Office of the Commissioner of Official Languages
OLA	Official Languages Act
PB	Policy Branch
POLAJ	National Program for the Integration of Both Official Languages in the Administration of Justice
RCMP	Royal Canadian Mounted Police
ROCB	Regional Operations and Communications Branch
TBS	Treasury Board Secretariat

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## EXECUTIVE SUMMARY

1 One of the main challenges of the Office of the Commissioner of Official Languages continued to be the full and complete implementation of the language rights of Canadians as defined by the *Official Languages Act (OLA)* and the *Charter*. OCOL is also concerned about the vitality of the official language minority communities and about promoting linguistic duality and illustrating its benefits for Canadians.

2 OCOL continued to take resolute action to better inform Canadians of their rights, to conduct studies on certain aspects of language policies, specifically respect for language rights in certain regional airports that Transport Canada has sold to private interests and the use of the official languages in the Canadian sport system. The Office of the Commissioner also published a study entitled *The Government of Canada and French on the Internet*. Inasmuch as English is dominant on the Internet, it is our duty to ensure that French assumes an equitable place in accordance with Canadian language policies. The study urges the government to take targeted actions without delay in order to increase the French-language content on the Internet.

3 OCOL continues to place great importance on the delivery of services of equal quality in the two languages. It has completed the follow-ups to its 1994 special study of federal offices designated to offer services in both languages. The Office of the Commissioner is now preparing a synthesis report that will describe the general trends for the country as a whole.

4 The Commissioner was involved in 18 legal remedies related to language rights. Specifically this year she intervened in two complaints pertaining to minority language education rights. The Commissioner also completed her study on the equitable use of English and French before federal law courts and administrative tribunals acting in a quasi-judicial capacity. It was released in May 1999.

5 OCOL continued to reach the Canadian public through speeches and intervened with governmental authorities in order to favour the implementation of services in both official languages. Late in the year, the Commissioner began a vast national consultation of citizens interested in official languages issues. This process will continue during the coming year. Various communication tools will also be distributed.

6 The Commissioner interceded in the transformation of air transport to ensure that Air Canada's obligations continued to be met and to clarify the obligations of affiliated regional air carriers. Nor did the Commissioner remain indifferent to municipal restructurings, particularly that of Ottawa, Sudbury and Montreal. She interceded with various orders of government to stress the importance of making Ottawa, the nation's capital, officially bilingual.

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7 With respect to internal management, efforts were concentrated on ensuring that 95% of the organization's systems, including the complaint handling system, have been made Y2K compliant. There was also the conversion of the financial system to the accrual accounting method (in accordance with the Financial Management System). Other accomplishments include the implementation of an electronic form management system, the acquisition of a material management information system in order to complete implementation of the Financial Information System (FIS) and the first presentation of long-service awards to OCOL employees. Over the course of the year, the Office of the Commissioner, with the cooperation of all its employees, undertook a review of its mission, its vision and its methods.

8 The Annual report tabled separately gives a more detailed description than the current report of the work of the Office of the Commissioner.

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# I COMMISSIONER'S MESSAGE

1.1 The *Official Languages Act* gives the Commissioner of Official Languages a clear mandate: to help Canadians obtain quality services from federal institutions, in accordance with the criteria of the *Act* and Regulations, promote recognition of the equal status of French and English in Canada, enforce the letter and the spirit of the *Act*, help promote the vitality of official language minority communities, inform the Canadian public of its rights and promote appreciation of the advantages of linguistic duality.

1.2 The year 1999-2000 was marked by the arrival of a new Commissioner in August 1999. In order to ensure that she and her partners shared the same point of view and objectives, the Commissioner undertook a round of national consultations with the leaders of the two official language communities and various orders of government in every province and territory.

1.3 In recent years we have witnessed major government transformations. These changes have greatly weakened the existing language rights and, within the federal government, have debilitated the official languages program. The Commissioner has been following several issues in connection with this very closely.

1.4 The Commissioner interceded in various issues of specific national scope and interest, such as the survival of Montfort Hospital in Ottawa as the only Francophone hospital in Ontario and the municipal mergers in Ontario and Quebec, to support the minority communities' efforts to preserve their rights during municipal restructuring.

1.5 There were also upheavals in the air transport industry in Canada last year, and the Commissioner seized the opportunity to ask for clarifications about the linguistic obligations of Air Canada and its regional air carriers. As a result of her intercession, changes made to the law should enhance the services available in both official languages.

1.6 The Commissioner continues to note numerous shortcomings in service to the public in both official languages in government points of service designated bilingual. The Commissioner has deplored the limited progress and formulated recommendations to the institutions concerned.

1.7 The Commissioner feels that there is a lack of commitment on the government's part to implementing the *Act*. Over the course of the past year she has therefore encouraged the government's central agencies to exercise greater leadership and to develop a coordinated and comprehensive strategy in order to contribute actively to the development of the minority communities. The Commissioner will continue to work, in various ways, to reinforce linguistic duality as a component of Canadian society.

Dyane Adam  
Commissioner of Official Languages

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## II OVERVIEW OF THE OFFICE OF THE COMMISSIONER

2.1 The Office of the Commissioner investigated 1 470 admissible complaints (Table 6) in 1999-2000. It conducted special studies on specific themes, including respect for language rights in certain regional airports that Transport Canada had sold to private interests and the delivery of services in both official languages at pre-board security screening points at airports. It continued its study on the reorganization of the RCMP; it completed its follow-ups to the study of offices designated to respond to the public in French and English. It also conducted research in areas related to linguistic duality and conducted a study on French and the role that the Government of Canada could play in securing an equitable place for French on the Internet. A series of recommendations were formulated and the government authorities have undertaken to develop a coordinated action plan with the necessary resources and follow-ups. The Government's approach and commitment in this area should produce striking results. The Commissioner was a party to various remedies under Part X (Court Remedy) of the *OLA* and in several related cases connected with language rights.

2.2 The Office of the Commissioner intervened in a number of cases to promote the implementation of services in both official languages and the vitality of the minority language communities, notably in the field of education with the implementation of section 23 of the *Charter*, which deals with the right to instruction in the language of the linguistic minority. During the French-Language Early Childhood Summit (États généraux sur la petite enfance) in Ontario, the Commissioner recalled the importance of the first years of life in an individual's development. Conditions conducive to development are naturally related to the household but also depend in large part on education and the community.

2.3 A number of other major issues also attracted our attention during the year: the changes in the air transport industry and municipal restructuring. Significant gains were made in the first instance by maintaining Air Canada's obligations and especially by clarifying the obligations of affiliated air carriers. In the second case, we can only deplore the fact that the new City of Ottawa will not be officially bilingual.

2.4 OCOL also maintained a partnership to promote linguistic duality with Language Training Canada.

2.5 Ninety-five percent of the organization's systems are Y2K compliant. The financial system was converted to software that can support accrual accounting in connection with the Financial Information System. OCOL also implemented an electronic form management program and gave out the first long-service awards to its employees. Corporate Services were particularly active in connection with the new Universal Classification Standard.

**TABLE 1**  
**KEY RESULTS COMMITMENTS**  
**OFFICE OF THE COMMISSIONER OF OFFICIAL LANGUAGES (OCOL)**

To provide Canadians with:	To be demonstrated by:	Achievement reported in:
Respect for their language rights as set out in the <i>Act</i> and the <i>Regulations on Service to the Public</i> .	<ul style="list-style-type: none"> <li>• Number and type of complaints received and handled pursuant to the provisions of the <i>Act</i>.</li> <li>• Number and type of investigations conducted pursuant to the provisions of the <i>Act</i>.</li> <li>• Clients' level of satisfaction with the handling of complaints and associated results as indicated by periodic surveys.</li> </ul>	All achievements are reported in Part III of the Performance Report.
Recognition of the equal status of both official languages via the promotion by federal institutions of English and French	<ul style="list-style-type: none"> <li>• Degree of implementation , by institutions subject to the <i>Act</i>, of recommendations made (as shown by investigations and follow-ups).</li> </ul>	
Official language minority communities characterized by development and vitality	<ul style="list-style-type: none"> <li>• Number and type of interventions with decision-makers, the communities affected and the public.</li> <li>• Public attitudes to language rights.</li> <li>• Degree of implementation of the findings and recommendations of the Annual Report and other reports or studies (special studies, reports to the Governor in Council).</li> </ul>	
Knowledge of their language rights and of the role of the Commissioner of Official Languages.	<ul style="list-style-type: none"> <li>• Statistical data on the public service workforce by federal institution, by region and by employment category.</li> <li>• Statistical data on the percentage of bilingual service and active offer in designated offices, by region.</li> </ul>	

## PERFORMANCE EXPECTATIONS

2.6 The summary of performance expectations is presented in the table below.

**TABLE 2**  
**SURVEY OF OFFICE OF THE COMMISSIONER'S PARTNERS**

BUSINESS LINE	EXPECTED RESULTS
<b>COMPLAINTS AND INVESTIGATIONS</b>	<ul style="list-style-type: none"> <li>• Investigation of admissible complaints and pursuit of court remedies</li> <li>• Conduct of special studies (e.g. Language rights in airports sold to private interest and pre-board security screening points at airports)</li> <li>• Analysis of departmental plans and follow-up on initiatives with respect to Part VII</li> <li>• Monitoring the availability of bilingual services in offices designated to that end and audit of service points across the country</li> <li>• Continuation of study on the reorganization of the RCMP</li> <li>• Follow-up of the study, <i>The Equitable Use of English and French Before the Courts in Canada</i> (November 1995)</li> <li>• On-going improvement to the administrative framework for the processing of complaints</li> <li>• Increased use of informatics tools</li> </ul>
<b>INFORMATION, RESEARCH AND ANALYSIS</b>	<ul style="list-style-type: none"> <li>• Follow-up of the February 1996 report: <i>A Blueprint for Action: Implementation of Part VII of the Official Languages Act, 1988</i> (February 1996)</li> <li>• Study entitled, <i>The Government of Canada and French on the Internet</i></li> <li>• Support for the dissemination of information to various target publics and information on the <i>OLA</i> and the role of the Commissioner of Official Languages</li> <li>• Establishment of partnerships</li> <li>• Support for official language minority communities</li> <li>• Publication of the annual report</li> <li>• First phase of national consultation of minority and majority communities.</li> </ul>
<b>CORPORATE SERVICES</b>	<ul style="list-style-type: none"> <li>• Completion of the Financial Information Strategy</li> <li>• Deployment of a Y2K-compliant material management information system and acquisition of a record management system</li> <li>• Installation of the new Commissioner</li> </ul>

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## PERFORMANCE ACCOMPLISHMENTS

### ACCOMPLISHMENTS OF THE COMMISSIONER'S OFFICE

**TABLE 3**  
**FINANCIAL INFORMATION**

<b>OFFICE OF THE COMMISSIONER</b>	
Planned spending	\$10,802,000
<i>Total authorizations</i>	<i>\$ 11,789,667</i>
<b>Actual expenditures in 1999-2000</b>	<b>\$11,459,180</b>

### ACCOMPLISHMENTS BY BUSINESS LINE

#### COMPLAINTS AND INVESTIGATIONS

**TABLE 4**  
**FINANCIAL INFORMATION**

<b>COMPLAINTS AND INVESTIGATIONS</b>	
Planned spending	\$5,324,000
<i>Total authorizations</i>	<i>\$4,944,487</i>
<b>Actual expenditures in 1999-2000</b>	<b>\$4,869,240</b>

#### *INVESTIGATIONS*

2.7 The majority of OCOL's ombudsman duties are carried out by the Investigations Branch (IB) in cooperation with the Regional Operations and Communications Branch (ROCB).

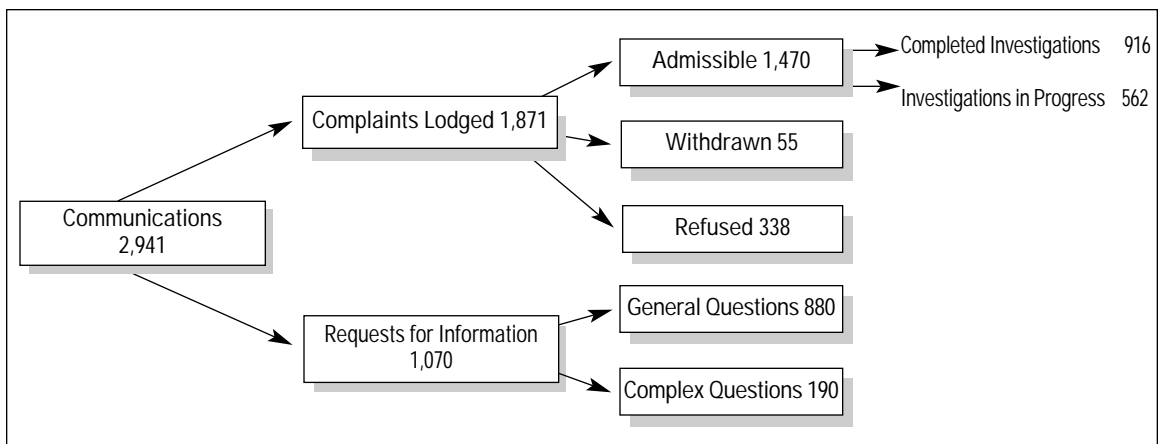
**TABLE 5  
CHANGE IN NUMBER OF COMPLAINTS**

	TOTAL	Notices <sup>1</sup>	Service to the public	Language of work	Promotion <sup>2</sup>	Language requirements	Others <sup>3</sup>
1999-2000 <sup>4</sup>	1,872	34	1,493	184	19	84	58
1998	1,629	73	1,323	141	11	55	26
1997	1,762	31	1,399	224	37	46	25
1996	1,717	38	1,257	202	139	49	32
1995	1,552	16	1,192	238	47	30	29

- 1 The notices and announcements are described in section 11 of the *Act*.
- 2 These complaints are concerned with the development of official language minority communities.
- 3 These complaints are concerned with equitable participation, administration of justice, the proceedings of Parliament, the obligations of Treasury Board and precedence.
- 4 The number of complaints covers a period of 15 months due to the change explained below.

2.8 As can be seen in Table 5, the number of complaints in 1999-2000 is higher than in recent years. This can be explained by the fact that the Commissioner decided to present her performance reports based on the fiscal year instead of the calendar year, as in previous years. As a result, this year, the report on complaints covers a period of fifteen months. However, the average number of complaints per month has remained relatively stable. The nature of the complaints (service to the public, language of work) is much the same. We might think that over time the number of complaints would start to drop. However, the repetitive nature of some of the complaints, such as failure to use the minority press (400 complaints in 1999-2000) and poor planning in the distribution of a brochure on the Y2K bug, which produced over a hundred complaints, contributed in large measure to keeping the number of complaints at the same level. The investigations sector has begun to use new intervention strategies in keeping with the government's alternate dispute resolution program in order to obtain more effective results. More will be done in this area in the coming year.

**TABLE 6  
NUMBER OF COMPLAINTS AND INFORMATION REQUESTS**





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2.9 As can be seen in Table 6, the IB and Regional Operations handled almost 1 070 requests for information on specific aspects of the administration of the Official Languages Program. This made it possible to inform citizens, federal institutions and members of Parliament of their language rights and obligations under the *Act*. In some case, it also made federal institutions aware of their obligations and prevented situations that would have constituted violations of the *Act*. Citizens were thus able to exercise their language rights in a more informed manner and insist they be respected.

2.10 In order to make the investigation process as efficient as possible, while making rational use of the limited resources, the Commissioner favours an investigation process without excessive formality in many cases. This approach, which is based largely on persuasion, produces excellent results, since the vast majority of investigation files are resolved without the Commissioner's having to make recommendations. Consultations undertaken with a number of federal institutions have shown that they appreciate this approach to complaints that are easily resolved. The approach, which simplifies relations with clients and institutions, is also in harmony with the government's new dispute resolution initiative.

2.11 In 1999-2000, 55 of the 916 investigations conducted (Table 6) could not be finalized for various reasons, most often because the complainant decided to withdraw the complaint or could not provide the information we needed to continue the investigation.

2.12 At the end of the year, in 861 of the 916 investigations completed (Table 6), we determined that the complaint was well-founded in 786 cases (86%); in 75 cases, the allegations were deemed unfounded. Among the investigations undertaken in 1999-2000, 562 (38%) were still ongoing at the end of the year, including 89 cases that have been suspended pending a decision by the courts.

2.13 The Commissioner made 602 recommendations to heads of departments and agencies in order to encourage them to take corrective measures: 549 recommendations arose from follow-ups to our 1994 investigation of services in both official languages provided in offices designated bilingual and 53 arose from special studies and investigations of complaints.

2.14 In general, almost 90% of the Commissioner's recommendations have been implemented or are being implemented by the federal institutions in question. For example, the federal institutions have implemented the recommendations or made specific undertakings in connection with the recommendations made in the follow-ups to our 1994 study of the offices designated bilingual.

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## COURT REMEDY

2.15 During the course of the year under review Legal Services provided the Commissioner and her office with legal opinions and other advice of general nature regarding the investigation of complaints, requests for information from the legal community, and the public and possible interventions of the Commissioner in various instances relating to the linguistic rights of Canadians.

2.16 In the fiscal year 1999-2000, Legal Services continued to represent the Commissioner in the context of various court cases and to follow closely the procedures in courts at both the federal and provincial levels which could impact on the language rights of Canadians . At the end of March 2000, the Commissioner was directly involved in 18 court cases, one of which was a new proceeding.

- In May 1999, the Supreme Court of Canada handed down its decision in *Beaulac v. the Queen* and interpreted the scope of the accused's right to a trial in his or her language under section 530 of the *Criminal Code*. The Supreme Court of Canada, which accepted many of the arguments advanced by the Commissioner, indicated that language rights must in all cases be interpreted in terms of their objective in a way compatible with enhancing the development and vitality of Canada's official language communities. This decision should allow the Commissioner to give new impetus to the language rights guaranteed by the *Official Languages Act*.
- Also in May 1999, the Commissioner made written representations with respect to a hearing before the Copyright Board concerning the ability of Board members to hear proceedings in both official languages. In his decision Mr. Justice Gomery concluded that it was necessary to appoint bilingual members who understand English and French without the assistance of an interpreter to preside over the Board's hearings.
- In June 1999, the Commissioner withdrew the court remedy filed in 1991 against Via Rail as a result of changes to its operations instituted by VIA and the effect of measures taken that helped correct the shortcomings with respect to the *Official Languages Act*.
- Early in 2000 the Supreme Court of Canada handed down its decision in *Arsenault-Cameron v. Prince Edward Island* in which the Commissioner was granted intervenor status in order to bring forward her interpretation of section 23 of the *Canadian Charter of Rights and Freedoms* in relation to the right to education in the language of the linguistic minority. The Supreme Court of Canada gave a purposive interpretation of section 23 based on its true purpose of redressing past injustices and providing the official language minority with equal access to high-quality education. The Court also clarified the conditions giving rise to the right to instruction in the minority language and the right to management and control of educational facilities. The impact of this judgment is very important as it will open the way to a new generation of section 23 court proceedings that will deal with questions involving the implementation of minority language educational rights.

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- In February 2000, the Commissioner requested and received permission to intervene in the case of *Jean Giroux-Gagné, et al. v. the province of New Brunswick*. The applicants were asking the Court to declare the *Education Act* of New Brunswick null and void because it violated section 23 of the *Charter* regarding the right to instruction in the minority language. This case may be heard later this year.
  - The hearing of the remedy proceedings filed by the Commissioner against the Department of Justice concerning the *Contraventions Act* commenced in January 2000, but was suspended by the Federal Court in order to give the Attorney General of Ontario the opportunity to intervene. The hearing will continue in October 2000.
  - The Commissioner persisted in her efforts to improve services to the travelling public by continuing the proceedings under way in four court remedy actions against Air Canada. With the tabling of Bill C-26 in the House of Commons in February 2000, the deadlines in these procedures were extended until late June 2000.

#### *PARTICIPATION OF COMMISSIONER'S OFFICE*

2.17 The Commissioner continued to participate actively in the work of the subcommittee of the National Program for the Integration of Both Official Languages in the Administration of Justice (POLAJ) and in the work and activities of the Fédération des associations de juristes de Common Law Inc., and English- and French-language lawyers' associations. Legal Services represented the Commissioner and contributed to the workshops at the the Court Challenges Program's first national conference on language rights which was held in Ottawa in November 1999.

2.18 The Commissioner also continued to follow closely the implementation of the recommendations contained in the Chartier report (*Above all, common sense - Avant toute chose, le bon sens*) with respect to French-language services in the Manitoba justice system.

2.19 The Commissioner played an active role in the activities of the Canadian Ombudsman Association (COA) and the Association des ombudsmans et médiateurs de la francophonie. She continued to collaborate on the development of joint training projects in order to propagate relevant information on language rights and the bilingual image internationally. The Commissioner represents the America-Caribbean region in the Association des ombudsmans et médiateurs de la francophonie. OCOL delegated a representative to a training seminar on mediation organized by that organization. OCOL takes advantage of this type of event to publicize its expertise on investigations and to use mediation-related methods to enhance its investigation methodology. A representative of OCOL also made a presentation on conflict resolution during an international conference entitled, *The Second Ombudsman Leadership Forum Conference* held in the United States.

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## STUDIES

2.20 In January 1999, the Commissioner sent the various administrative tribunals and other stakeholders the draft of his study on the equitable use of French and English before federal courts and administrative tribunals exercising quasi-judicial powers. The Commissioner completed this study by incorporating the comments received and launched it in May 1999.

2.21 The study was concerned exclusively with federal tribunals and the great variety of legal regulations that apply to them, including the provisions of the *Canadian Charter of Rights and Freedoms* and those of the *Official Languages Act*, which sets out in Part III (Administration of Justice) a series of language rights and institutional obligations regarding the equitable use of the two official languages. The overall effect of these legislative and constitutional provisions is to ensure equitable use of French and English in federal judicial proceedings across the country.

2.22 The study looks at some twenty federal tribunals and tries to provide a general portrait of the practical realities of using two official languages within these tribunals and the problems that can persist. It presents a series of recommendations to the federal Department of Justice, the Privy Council Office and federal tribunals in order to improve the implementation of the rights and responsibilities set out in the *Official Languages Act*. These recommendations are concerned primarily with improving the active offer of services in both official languages, determining the language of procedures and witnesses, the language of decisions, the rules of conduct and the language capacity of federal tribunals.

2.23 In 1999-2000, the IB, in cooperation with the regional offices, completed the follow-up to its 1994 special study of federal offices designated to respond to the public in French and English. The special study revealed that the situation left a great deal to be desired. Outside Quebec, the delivery of services in French was satisfactory only 72% of the time. In Quebec, services in English were satisfactory 92% of the time. In order to better target the necessary actions, separate reports were prepared on each province and the situation in each office for the follow-up. Last year, the Commissioner presented the situation observed in five regions. This year, we are presenting the results for the last four regions: Northwest Territories, British Columbia, Quebec and Ontario. We are also preparing a synthesis report, which will establish the general trends across the country and suggest ways of ensuring that designated bilingual offices function in a truly bilingual manner.

2.24 In 1999, the Investigations Branch undertook the follow-up to the special study published in December 1996 on the use of the Internet by 20 federal institutions. The purpose of the follow-up was to determine how the federal institutions covered by the initial study and seven other institutions had applied the Commissioner's recommendations concerning service to the public and the language of work in the designated regions. Happily, the report revealed that the technical problems revealed during the study had in large part been resolved.

2.25 The Royal Canadian Mounted Police (RCMP) continued the major reorganization begun in 1994. This restructuring entailed, among other things, mergers or reductions of

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detachments and the regrouping of divisions. Major repercussions can be expected on the language rights of the public and members of the RCMP in most regions of the country. In 1999-2000, we continued our review of the impact of the RCMP's reorganization by conducting a study of the language requirement designations in New Brunswick. Based on a consultant's report, the RCMP decided to lower the language requirement for oral interaction for a number of constables' positions from level C to level B, in order to ensure greater opportunities for advancement for constables who did not have level C. We concluded that this was contrary to section 91 of the *Act*, which states that the language requirements of a position must be determined in an objective manner based on the real needs of service to the public and the language of work alone. After myriad discussions with the RCMP, it agreed to revise its policy to make it consistent with the *Act*. It also agreed to consult the official language community regarding its language needs. The Commissioner will conduct a follow-up to ensure that the RCMP respects its commitments.

Another study on the RCMP concerned the reorganization of its services in the Red River corridor in Manitoba. The report confirmed that the major changes in the organization would have a negative impact on the delivery of French-language services and the development of the French-speaking community. A working group consisting of representatives of the community, the RCMP and the provincial government was formed to find a solution to the problem and the Commissioner will be following developments closely.

2.26 Following complaints concerning a failure to respect the language rights of clients at certain regional airports that Transport Canada had sold to private interests, the Office of the Commissioner conducted a study on the matter. The investigation revealed that there were language provisions in the operating agreements with the new owners, but that Transport Canada had no monitoring measure in place to ensure that they were respected. Moreover, no language obligation was called for at the end of the ten years covered by the agreements. Inasmuch as several of the regional airports concerned have a significant minority (Sudbury, Timmins, Sept-Îles, Yarmouth, Charlo, for example), the Commissioner recommended that Transport Canada establish audit mechanisms and help the owners to implement them. The Commissioner will be following this case closely, and making sure in particular that services in the two languages are sufficiently well-established to continue once the legal obligation ends with the expiry of the agreements.

2.27 Repeated complaints about the lack of service in both languages at the pre-board security screening in airports led the Commissioner to conduct a survey on this situation. In order to follow up on the Commissioner's recommendations on improving the guidelines for air carriers and control mechanisms, Transport Canada reviewed its regulations to impose monetary fines on airlines when they fail to respect passengers' language rights during security screenings. It also clarified its guidelines and reviewed its security measures.

2.28 In response to complaints from MPs, the Commissioner undertook a major study on the use of the official languages in the Canadian sport system in order to determine whether the coaching community subsidized by public funds ensures fair representation of the two

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language groups and whether the athletes can develop in the official language of their choice. The study, which included an analysis of a vast amount of documentation, some hundred interviews with government officials, representatives of sport associations and a survey among a sampling of Francophone and Anglophone athletes, was well along in March 2000. It has been published in June 2000 and the results will appear in the 2000-2001 performance report.

*OTHER*

2.29 The planned study on the official languages system within the government could not be undertaken in 1999-2000 due to a lack of resources and personnel. However, the Office of the Commissioner will take part in a project in 2000-2001 in partnership with Treasury Board Secretariat to give effect to the priority that the Committee of Deputy Ministers of Official Languages has given this question.

**INFORMATION, RESEARCH AND ANALYSIS**

**TABLE 7**  
**FINANCIAL INFORMATION**

<b>INFORMATION, RESEARCH AND ANALYSIS</b>	
Planned spending	\$2,446,000
<i>Total authorizations</i>	<i>\$1,676,517</i>
<b>Actual expenditures in 1999-2000</b>	<b>\$1,632,676</b>

*INTERVENTIONS*

2.30 The Office of the Commissioner intervened on numerous occasions with federal, provincial and municipal government authorities in order to promote the implementation of services in both official languages and thus promote the vitality of the communities. For example, the constant interventions in the field of education lead to an improvement in the implementation of section 23 of the *Charter* in several provinces and territories; there was in particular the Supreme Court decision concerning the request by the parents of Summerside.

2.31 The Commissioner's many interventions include a number of exchanges with the President of the Canadian Radio-Television and Telecommunications Commission (CRTC) on the availability of services in the language of the linguistic minority. The Commissioner stressed the importance for the official language communities of having access to a range of channels in their language and of informing Canadians of the communities' realities.

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2.32 Efforts were made to ensure the communities were aware of our various activities designed to improve government services in the language of the citizen's choice and our various interventions in order to make the equality of the two official languages a practical reality. This partnership also allowed us to better understand the concerns and needs of the minority communities.

2.33 Municipal restructuring was a hot issue this year. The Commissioner interceded with various government units, particularly in Quebec and Ontario, to encourage the authorities of these provinces to recognize language rights in the new municipal structures.

2.34 We also experienced major transformations in air transport. Very early on, the Commissioner interceded to ensure that the Air Canada's linguistic obligations were maintained and to encourage government authorities to clarify and specify the linguistic obligations of regional carriers. The bill (C-26) tabled in February 2000 took account of all the Commissioner's concerns.

2.35 In connection with government transformations, the Commissioner encouraged the government to follow up on the recommendations formulated by the task force chaired by Yvon Fontaine in a report entitled *No Turning Back: Official Languages in the Face of Government Transformations*. A government policy that would respect the five principles set out by the Office of the Commissioner in a previous study is still not in sight.

#### *PARTNERSHIPS*

2.36 A partnership with Language Training Canada continued in an effort to recognize the efforts made by federal employees to obtain the "B" or "C" level in their second language. As part of this activity designed to encourage public servants to attain excellence in order to offer a better language service within the federal Public Service, the Commissioner in 1999-2000 sent out personalized letters and certificates of appreciation to 361 public servants.

#### *PARTICIPATION OF COMMISSIONER'S OFFICE*

2.37 The Office of the Commissioner participated in a number of national events (symposiums, congresses, annual assemblies bearing on official languages) that gave it a better appreciation of Canadians' concerns with respect to official languages and allowed it to inform the participants of their language rights and the Commissioner's role. These included OCOL's participation in the assemblies of the Association canadienne de l'éducation de langue française (ACELF), a number of annual meetings of provincial and territorial associations, the French-Language Early Childhood Summit (États généraux sur la petite enfance), the Forum des femmes francophones du 3<sup>e</sup> millénaire, the National Human Resources Development Committee for the English Linguistic Minority Community, etc.

2.38 At the end of the year, the Commissioner launched a national consultation among citizens interested in official-language issues. This consultation continues during 2000-2001.

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The purpose of the consultation is to determine the public's perception of official languages and to help define the Commissioner's priorities in the first year of her mandate.

2.39 Commissioners Goldbloom and Adam appeared on two occasions before the Standing Joint Committee on Official Languages. During productive discussions with the members of the Committee, the Commissioner described the challenges envisaged and the priorities for the first year of her mandate, and the members of the committee shared their concerns with the Commissioner. The government initiatives concerning air transport led the Commissioner to appear before the House of Commons Standing Committee on Transport and the Senate Standing Committee on Transport and Communications.

2.40 At the administrative level, the Commissioner met with the Committee of Deputy Ministers of Official Languages, the Network of Departmental Official Languages Champions, le Network of Crown Corporation Champions and numerous deputy ministers and senior officials on an individual basis.

2.41 The Commissioner was a member of the Canadian delegation to the 8<sup>th</sup> Francophone Summit, which was held in Moncton in September 1999.

## STUDIES

2.42 As in the past, the Commissioner also conducted a systematic analysis of studies and documents from all sources dealing with official languages in order to better understand the principal trends and difficulties. These analyses allowed the Commissioner to target her interventions with public and private institutions so as to better understand the stakes involved. Examples are the Commissioner's ongoing intercessions with federal, provincial and municipal authorities regarding the transformation of air transport on the one hand and municipal restructuring on the other.

2.43 Modern communications must deal with the Internet. English is unquestionably the most common language on the Internet. Concerned about the preponderance of English as it relates to the question of linguistic duality, the Commissioner published a study entitled, *The Government of Canada and French on the Internet*. The study proposed a series of initiatives to the government to ensure that French occupies an equitable place. The government responded promptly and favourably to the study's recommendations.

2.44 We also completed the research and analyses for another study to be published in 2000-2001. The study is entitled, *Cooperation Between the Government and the Communities: New Models for Service Delivery* and in it we describe various types of cooperation currently in effect between the State and the communities in order to offer the communities government services. Based on our findings, we set out certain principles that must guide these agreements in order to fully respect the spirit of the *Official Languages Act* and to contribute to the implementation of Part VII of the *Act*.



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## COMMUNICATION

2.45 The Commissioner continued to reach a wide audience by giving speeches to various associations, community and other groups, federal public servants and the public in general. The Canadian public was thus better informed about the role of the Commissioner and the objectives and methods of the official languages program.

2.46 Media appearances, be it the written or electronic, Anglophone or Francophone, and national or regional media, allow the Commissioner to comment on the country's language situation, to inform the Canadian public of its language rights and to promote the advantages of linguistic duality. During 1999-2000, the Commissioner gave 185 interviews to media across the country.

2.47 The various communication tools that the Commissioner made use of to disseminate information on the official languages program and to inform the public of her role, continued to be popular with OCOL's clientele, despite a drop in the number of publications distributed. This drop can be explained by the fact that a number of OCOL publications and documents are available on the Internet. Appendix A presents a table (nature, audience and volume) of the brochures, folders, posters, bulletins and publications that were distributed during the year covered by this report.

2.48 The Internet site received 488 551 visits in 1999-2000, four times more than the year before. The Office of the Commissioner has updated the content of the site to reflect the arrival of the new Commissioner. The Office of the Commissioner also plans to modify the site's structure and visual presentation to make it more user-friendly and diversify the content.

## CORPORATE SERVICES

**TABLE 8**  
**FINANCIAL INFORMATION**

<b>CORPORATE SERVICES</b>	
Planned spending	\$3,032,000
<i>Total authorities</i>	<i>\$5,168,663</i>
<b>Actual expenditures in 1999-2000</b>	<b>\$4,957,264</b>

## HUMAN RESOURCES

### *Employment Equity*

2.49 The Employment Equity Committee chaired by the Director General, Policies and Communications branch was active this past year. This advisory committee serves as the official forum for employees to discuss issues related to employment equity and to make

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sure that these subjects receive due attention. The minutes from each meeting are distributed to all employees through electronic mail.

2.50 A review of our employment systems was conducted by a third party and the following gaps were observed (all statements are based on a comparison of OCOL's workforce compared to the external workforce availability):

Women at OCOL are unrepresented in the executive category; representation of Aboriginal Peoples is good overall; a shortfall exists, in the representation of both Persons with Disabilities and Members of Visible Minorities.

A three year employment equity plan will be developed in consultation and collaboration with stakeholders. The plan will address (amongst other things) the shortcomings as identified in the employment systems review recently conducted.

2.51 The on-going audit conducted by the Canadian Human Rights Commission remained a focus throughout the year. More specific results in this regard will be included in next year's report.

#### *Classification*

2.52 OCOL progressed in its work in the Universal Classification Standard project. OCOL completed the evaluation of 79 work descriptions which represented a total of approximately 149 positions. All evaluation results were reported to Treasury Board, by the 31.03.00 as required.

#### *Training and Development*

2.53 Training expenses amounted to \$23,900 in 1999-2000. Employees used a total of 170.5 training days, which represents 1.375 days per employee. The focus areas of the training were in retirement planning and in computer skills.

#### *Official Languages*

2.54 The distribution of Anglophones and Francophones is approximately the same as it was last year. Anglophones represented 29% of the total employee population whereas Francophone employees represented 71% of OCOL's overall employee population. The linguistic requirements of all our positions are bilingual imperative except one. Generally, our bilingual positions are at the C level and all OCOL employees meet the language requirements of their positions.

#### *Pride and Recognition*

2.55 For National Public Service Week, OCOL presented its long service awards. These awards give official recognition to employees with fifteen and twenty-five years of service in the federal government.

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2.56 OCOL actively encouraged all employees at headquarters to take part in National Public Service Week activities held in June 1999.

## ***FINANCE***

### *Financial Information Strategy (FIS)*

2.57 The FIS (a government-wide initiative to improve the decision-making process and organizational performance by the strategic use of financial information) obliges departments and agencies to modernize their financial management systems and the accounting and presentation of their financial information. The Office of the Commissioner conformed to the standards of the FIS as of April 1, 1999. OCOL's efforts were geared primarily to:

- the conversion of the financial system to make it conform to the new shared treasury and accrual accounting systems;
- the development of a new chart of accounts that meets the accrual accounting standards and the new accountability requirements.

2.58 In 2000-2001, OCOL will implement the other components of the FIS, by developing new financial policies to meet the requirements of integral accrual accounting, developing a new financial reporting system and training personnel.

## ***INFORMATION MANAGEMENT***

### *Information Management*

2.59 OCOL continued to improve the strategic approach to information technology (IT) and information management (IM). The sector consolidated some services delivered and ensured a more flexible execution of programs and services.

### *Information Technologies*

2.60 The Office of the Commissioner continued the implementation of its five-year informatics equipment replacement plan by replacing 40% of its computer stock as well as 90% of its network printers.

The Office of the Commissioner completed its transition to the year 2000 without problem.

The Compliant Investigation and Management System (CIMS), which is a major application and a mission critical system of OCOL, was successfully converted to conform with the Y2K requirements. We made the system more efficient by integrating different automated exportation and information tools between Lotus Notes and WordPerfect for the generation of letters, documents and reports.

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Replacement options are being looked at in order to update the office automation products and replace their Management systems that were developed internally. OCOL is presently preparing a business case in order to secure funding to modernizing and re-engineering its business processes.

OCOL has updated its Internet circuits in order to provide better access to all its employees.

Electronic forms were implemented and are helping employees perform their work more efficiently.

### ***ADMINISTRATIVE SERVICES***

#### *New Commissioner of Official Languages*

2.61 The new Commissioner of Official Languages took office in August 1999.

#### *Evaluation of Threat and Risks*

2.62 Several measures flowing from the evaluation of the threat and risks were implemented to increase the protection of property and information. These include the addition of an alarm system and protection measures for the file room and a separate access control system for the facilities that allow independent programming of different sectors.

#### *Shared Services*

2.63 As a result of the announcement of the restructuring of the Office of the Commissioner and the in-depth review of the activities of the Corporate Services Branch, all the initiatives related to shared services remained stagnant. They will be revived as new needs are identified.

#### *Electronic Forms*

2.64 All Office of the Commissioner employees now use electronic versions of the common forms. It is no longer permitted to purchase the paper versions.

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## III CONSOLIDATED REPORTING

### FOLLOW-UP TO YEAR 2000

3.1 OCOL is 95% Y2K compliant. The remaining 5% is due to the records management system which is planned to be replaced during the next fiscal year (2000-2001). OCOL does not have any government-wide mission critical systems.

3.2 To ensure Year 2000 compliancy for the CIMS (Complaints Information Management System) which is OCOL's core business application, all system components and underlying products used to produce reports, views and database links were programmed to fully support the four digits required for the year 2000. OCOL was provided with a written disclaimer certifying the application as being Year 2000 compliant.

### MATERIAL MANAGEMENT AND PURCHASING

3.3 OCOL purchased the Automated Material Management Information System (AMMIS) which supports the government's best practices for procurement and contracting and which is FIS compliant. The automated system is a Crown-owned, Windows-based, year 2000 approved material management system. The automated system will provide purchasing officers with modern tools in five key areas: procurement of goods and services; contracting; budget tracking; stock / receiving of goods, and inventory and assets management. Training and setting up of financial coding tables and lookups for the application will be done during the course of next fiscal year. AMMIS is being upgraded by allowing real-time interfacing with the CDFS (Common Departmental Financial System) and by extending the fixed asset record keeping functionality to support FIS requirements for amortization accounting entry generation.

### STATUTORY ANNUAL REPORT

3.4 The *Act* requires the Commissioner to table an annual report in Parliament. This report is available from the Office of the Commissioner, or over the Internet at <http://ocol-clo.gc.ca>.

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## IV FINANCIAL PERFORMANCE

### OVERVIEW OF FINANCIAL PERFORMANCE

4.1 Financial table 1 indicates the share of total resources allocated to OCOL for the fiscal year ending March 31, 2000. Of the \$10 802 000 in the Main Estimates (Planned spending), almost \$987 700 was added via the Supplementary Estimates. These additional funds consisted primarily of funds carried over from 1998-1999 and compensation related to the signature of collective agreements. With these additional funds, OCOL's authorized budget was \$11 789 700 (Total authorities). The actual spending were \$11 459 200. OCOL ended fiscal year 1999-2000 with a budget surplus of \$330 500, which will be carried over to 2000-2001.

4.2 The funds allocated to the Office of the Commissioner in the Main Estimates (Planned spending) have remained relatively stable since 1997-1998 as a result of the \$544 000 allocated by Treasury Board for the increase in prices and the workload.

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## FINANCIAL TABLES

- 1 Financial Requirements by Authority
- 2 Departmental Planned Versus Actual Spending by Business Line
- 3 Historical Comparison of Departmental Planned Versus Actual Spending by Business Line

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## Financial Table 1

### Financial Requirements by Authority (\$ millions)

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Vote	1999-2000		
	Planned Spending	Total Authorities	Actual
<b>Office of the Commissioner of Official Languages</b>			
25 Program Expenditures	9,474.0	9,474.0	9,924.1
25b Program Expenditures	0.0	445.6	0.0
25c Transfer from Credit 5 of the TB	0.0	335.0	0.0
(S) Crown Assets Surplus	0.0	4.1	4.1
(S) Contribution to Employee Benefit Plan	1,328.0	1,531.0	1,531.0
<b>Total for the Commissioner's Office</b>	<b>10,802.0</b>	<b>11,789.7</b>	<b>11,459.2</b>

Total authorities correspond to the Main Estimates plus all supplementary estimates and other authorities.



## Financial Table 2

### Departmental Planned versus Actual Spending (\$ millions)

Business lines	FTEs	Operating	Capital	Grants and Contributions	Total Gross Expenditures	Less: Respendable Revenues	Total Net Expenditures
<b>Complaints and Investigations</b>							
(Planned spending)	71.0	5,324.0	–	–	5,324.0	–	5,324.0
<i>(Total authorities)</i>	<i>71.0</i>	<i>4,944.5</i>	–	–	<i>4,944.5</i>	–	<i>4,944.5</i>
<b>(Actuals)</b>	<b>70.0</b>	<b>4,869.2</b>	–	–	<b>4,869.2</b>	–	<b>4,869.2</b>
<b>Information, Research and Analysis</b>							
(Planned spending)	29.0	2,446.0	–	–	2,446.0	–	2,446.0
<i>(Total authorities)</i>	<i>29.0</i>	<i>1,676.5</i>	–	–	<i>1,676.5</i>	–	<i>1,676.5</i>
<b>(Actuals)</b>	<b>20.2</b>	<b>1,632.7</b>	–	–	<b>1,632.7</b>	–	<b>1,632.7</b>
<b>Corporate Services</b>							
(Planned spending)	24.0	3,032.0	–	–	3,032.0	–	3,032.0
<i>(Total authorities)</i>	<i>24.0</i>	<i>5,070.7</i>	<i>98.0</i>	–	<i>5,168.7</i>	–	<i>5,168.7</i>
<b>(Actuals)</b>	<b>31.7</b>	<b>4,859.7</b>	<b>97.6</b>	–	<b>4,957.3</b>	–	<b>4,957.3</b>
<b>Total</b>							
(Planned spending)	124.0	10,802.0	0.0	0.0	10,802.0	0.0	10,802.0
<i>(Total authorities)</i>	<i>124.0</i>	<i>11,691.7</i>	<i>98.0</i>	<i>0.0</i>	<i>11,789.7</i>	<i>0.0</i>	<i>11,789.7</i>
<b>(Actuals)</b>	<b>121.9</b>	<b>11,361.6</b>	<b>97.6</b>	<b>0.0</b>	<b>11,459.2</b>	<b>0.0</b>	<b>11,459.2</b>
<b>Other Revenues and Expenditures</b>							
<b>Non-Respendable Revenues</b>							
(Planned spending)							–
<i>(Total authorities)</i>							–
<b>(Actuals)</b>							<b>4.1<sup>1</sup></b>
<b>Costs of services provided by other departments</b>							
(Planned spending)							909.0
<i>(Total authorities)</i>							<i>909.0</i>
<b>(Actuals)</b>							<b>1,435.8</b>
<b>Net Cost of the Program</b>							
(Planned spending)							11,711.0
<i>(Total authorities)</i>							<i>12,698.7</i>
<b>(Actuals)</b>							<b>12,899.1</b>

Note: Due to rounding, figures may not add to totals shown.

Numbers in normal font correspond to planned spending (Part III of 1999-2000 Main Estimates)

Numbers in italics correspond Total Authorities for 1999-2000 (main and supplementary estimates and other authorities).

Bolded numbers correspond actual expenditures/revenues in 1999-2000.

1 This amount represents the Crown Assets Surplus and it is not significant enough to be included in the Non-Respendable Revenues table.

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### Financial Table 3

#### Historical Comparison of Departmental Planned versus Actual Spending (\$ millions)

Business Lines	Actual 1997-98	Actual 1998-99	1999-2000		
			Planned Spending	Total Authorities	Actual
Complaints and Investigations	5,925.6	6,081.3	5,324.0	4,944.5	4,869.2
Information, Research and Analysis	2,728.1	2,091.0	2,446.0	1,676.5	1,632.7
Corporate Services	1,811.1	2,778.4	3,032.0	5,168.7	4,957.3
<b>Total Spending</b>	<b>10,464.8</b>	<b>10,950.7</b>	<b>10,802.0</b>	<b>11,789.7</b>	<b>11,459.2</b>

Total authorities correspond to the Main Estimates plus all supplementary estimates and other authorities.

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## V OVERVIEW OF THE OFFICE OF THE COMMISSIONER

5.1 The Office of the Commissioner, which serves the public from its offices in Ottawa and its five (5) regional offices, supports the Commissioner of Official Languages (COL) in fulfilling her mandate to protect the language rights of individuals and groups in Canada and to monitor the linguistic performance of federal institutions and other agencies (hereinafter referred to as federal institutions) subject to the *Act*.

### MANDATE AND VISION

The *mandate* of the Commissioner consists in taking all necessary measures to ensure recognition of the status of each of the official languages and compliance with the letter and the spirit of the *Official Languages Act (OLA)* in the administration of the affairs of federal institutions, including any of their activities relating to the advancement of English and French in Canadian society.

The *vision* of the Office of the Commissioner of Official Languages rests on three essential principles on which all its activities are based:

- Linguistic duality as a fundamental value of the country
- The public comes first
- Compliance with the *Official Languages Act* and its spirit

### OPERATING ENVIRONMENT

5.2 The Commissioner is appointed by commission under the Great Seal, after approval of the appointment by resolution of the Senate and House of Commons, for a seven-year term. Like the Auditor General and the Chief Electoral Officer—who, by virtue of their mandates, must be at arm’s length from the government—the Commissioner reports directly to Parliament.

5.3 The Commissioner has only the power of recommendation (although she can apply to the courts in support of a complainant who asks her to do so). As an ombudsman, her most powerful tool is that of persuasion. This does not mean however that the Commissioner simply reacts to complaints received. She intends to work in a proactive manner with the

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majority and minority institutions and communities to find more lasting solutions and the most effective and rapid solutions to the shortcomings uncovered. She also intercedes on a regular basis with the key actors in the federal government to ensure that the official languages are better integrated into the organizational culture.

5.4 OCOL's role essentially has four components:

- To investigate any complaint made to the Commissioner to the effect that the status of an official language was not or is not being recognised, any provision of an *Act* of Parliament or regulation relating to the status or use of an official language was not or is not being complied with, or the spirit and the letter of the *Official Languages Act* was not or is not being complied with in the administration of the affairs of any federal institution, and to make recommendations as necessary to ensure compliance with the *Act*.
- To conduct studies on any issues of major importance involving the implementation of the *Official Languages Act*.
- To report to Parliament and inform the Canadian public about the scope and implementation of the *Official Languages Act* and the rights and obligations arising from it.
- To help the official language minority communities to develop, enhance their vitality and obtain their rights under the Constitution and *Act*.

5.5 While all federal institutions are subject to the *Act*, some of them play a particular role in this regard, as shown in the following table.

**TABLE 9**  
**SURVEY OF THE OFFICE OF THE COMMISSIONER'S PARTNERS**

<b>PARTNER</b>	<b>RESPONSIBILITY</b>	<b>INTERVENTION</b>
Privy Council Office	Federal Language Policy	<ul style="list-style-type: none"> <li>• Defines the major orientations</li> </ul>
Treasury Board	Government Principles and Programs	<ul style="list-style-type: none"> <li>• Develops and co-ordinates</li> <li>• Monitors, audits and evaluates implementation and effectiveness</li> </ul>
Public Service Commission	Language Skills	<ul style="list-style-type: none"> <li>• Provides language training to public servants</li> <li>• Determines the level of language knowledge of candidates for bilingual positions</li> <li>• Specifies the principles for the imperative or non-imperative designation of positions</li> </ul>
Canadian Heritage	Part VII	<ul style="list-style-type: none"> <li>• Co-ordinates the implementation within the federal administration, of the federal government's commitment to enhance the vitality of the English and French linguistic minority communities in Canada and support and assist their development and to foster the full recognition and use of both English and French in Canadian society</li> </ul>
Department of Justice	Law, Legislation and Juridical Policy POLAJ (National Program for the Integration of Both Official Languages in the Administration of Justice)	<ul style="list-style-type: none"> <li>• Provides advice to the government</li> <li>• Promotes and improves the availability of justice in both official languages to ensure that Canadians can exercise their rights in the language of their choice</li> </ul>
Public Works and Government Services Canada	Translation Bureau	<ul style="list-style-type: none"> <li>• Manages translation and interpretation activities</li> </ul>
Federal Court	Court Remedies	<ul style="list-style-type: none"> <li>• Hears actions brought by persons who have previously made a complaint to the Commissioner</li> </ul>
Standing Joint Committee on Official Languages	<i>Act</i> , Regulations and Directives	<ul style="list-style-type: none"> <li>• Monitors the implementation of the <i>Act</i> as well as the reports of the Commissioner, of the President of the Treasury Board and of Canadian Heritage</li> </ul>

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## OBJECTIVE

To ensure recognition of the status of each of the official languages and compliance with the letter and the spirit and intent of the *Official Languages Act* in this regard.

## STRATEGIC PRIORITIES

5.6 The activities of the OCOL are governed by the following strategic priorities:

- Where required by the *Official Languages Act*, that the public receives services of good quality in the official language of its choice.
- That the federal commitment to enhance the vitality of the official language minority communities and promote the advancement of English and French in Canadian society be realised.

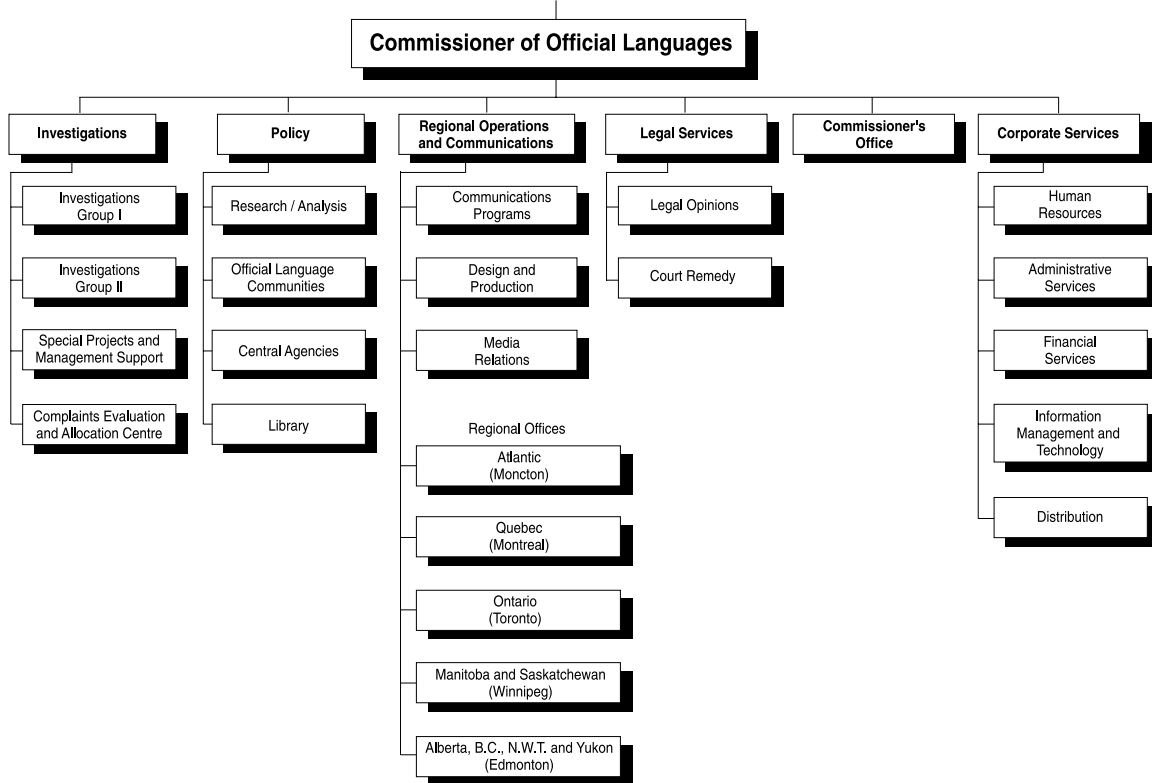
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# CHALLENGES

## ORGANIZATION OF THE OFFICE OF THE COMMISSIONER



### Parliament



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## DESCRIPTION OF SECTORS OF ACTIVITIES

5.7 In order to give a single comprehensive portrait of the situation, the clients, users and stakeholders of OCOL's services are described in a single table below.

**TABLE 10**  
**OCOL CLIENTS, USERS AND STAKEHOLDERS**

Clients, users and stakeholders	Complaints and Investigations	information, Research and Analysis	Corporate Services
Canadian public	x	x	x
Commissioner of Official Languages	X	X	X
OCOL managers and employees	X	X	X
Members of Parliament	X	X	X
Canadian courts	X		X
OCOL partners	X	X	X
Public servants	X	X	X
Central agencies	X	X	X

## Complaints and Investigations

### ***OBJECTIVE***

To carry out investigations and special studies and make recommendations on corrective actions to ensure full compliance with the *Official Languages Act*.

### ***INVESTIGATIONS AND RESOLUTION OF COMPLAINTS***

5.8 The Commissioner of Official Languages, as linguistic ombudsman, attempts, through persuasion and discussion, to resolve complaints received from members of the public to the satisfaction of the parties concerned within a reasonable period of time, as prescribed by the *Act*. To fulfill her role properly, the Commissioner must be accessible. Therefore, in addition to Headquarters, she has five regional offices across Canada. The Commissioner relies on the support of the Investigations Branch, the Regional Operations and Communications Branch and the Legal Services Directorate to resolve the problems referred to her.

5.9 The Commissioner also undertakes special studies on her own initiative to examine systemic problems. This approach allows her to be proactive and to envisage permanent solutions to the problems raised.



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### *INVOLVEMENT IN COURT CASES*

5.10 Full implementation of language rights sometimes requires that the linguistic ombudsman, after exhausting all the recourse available to her, take measures of an exceptional nature. Accordingly, to resolve problems of a systemic nature or prevent injustices, the Commissioner appears in court. She may take legal action with the consent of members of the public who have filed a complaint or intervene in cases involving the *Official Languages Act*. The *Act* also provides that the Commissioner may apply for intervener status in any legal case concerning the status or use of English or French.

### *REPORTS TO PARLIAMENT*

5.11 The Commissioner submits an annual report to the members of Parliament. If necessary, the Commissioner may also table special reports to Parliament and reports to the Governor in Council.

## **Information, research and analysis**

### ***OBJECTIVE***

To define the strategic orientations for the Office of the Commissioner of Official Languages by conducting research and analysis of language policies. To ensure liaison with the various governmental organizations and associations working in the linguistic area and to inform parliamentarians and the public at large about the *Act* and the role of the Commissioner.

5.12 The policy arm of the Office of the Commissioner conducts research and comprehensive and detailed analyses and develops strategic approaches to support the Commissioner in fulfilling her mandate and inform her of regional and national realities.

5.13 It maintains relationships and, in some cases, establishes partnerships with central agencies, members of Parliament and their committees, elected provincial officials and heads of government and various national and regional organisations and associations.

5.14 It maintains relationships with all associations actively involved in the area of linguistic duality, particularly those representing the minority communities and associations active in the various fields of education, with a view to better understanding their needs and relaying those needs to the appropriate federal authorities.

5.15 In her role as ombudsman, the Commissioner of Official Languages informs the public about her role and their language rights. She also responds to various questions raised on linguistic issues.

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5.16 The Commissioner of Official Languages has a statutory obligation to report annually to Parliament and the public on her activities. The report, which is tabled with the Speaker of the Senate and the Speaker of the House of Commons, reviews the implementation of the provisions of the *Official Languages Act*, provides a detailed account of the Commissioner's activities and accomplishments in the past year and paints a portrait of the country's linguistic situation. The Commissioner's annual report is therefore a valuable source of information for members of Parliament and Canadians on Canada's linguistic situation.

## Corporate Services

***OBJECTIVE***

To provide leadership to the Office of the Commissioner and support it in program delivery to enable the organization to fulfill its mandate completely and meet its responsibilities.

5.17 Corporate Services provide both Headquarters and the regional offices with strategic advice, services and products associated with financial management and planning, human resources management, information management and administrative technologies and services. The Commissioner's Office is included in this activity.

## VI OTHER INFORMATION

### 1 Contacts For Further Information and Web Site

<b>HEADQUARTERS</b>			
344 Slater Street Ottawa, Ontario K1A 0T8		<b>Internet Site:</b>	http://www.ocol-clo.gc.ca
<b>General Information</b>	(613) 996-6368	<b>Email:</b>	message@ocol-clo.gc.ca
Toll free number	1 877 996-6368	<b>Complaints</b>	(613) 992-LANG
Fax	(613) 993-5082		(613) 992-5264

<b>COMPLAINTS &amp; INVESTIGATIONS</b>		<b>INFORMATION RESEARCH &amp; ANALYSIS</b>	<b>CORPORATE SERVICES</b>
Michel Robichaud Director General <b>Investigations</b> Tel: (613) 995-9070 Fax: (613) 943-0451 Email: michel.robichaud@ocol-clo.gc.ca	Johane Tremblay Director <b>Legal Services</b> Tel.: (613) 995-9069 Fax: (613) 996-9671 Email: johane.tremblay@ocol-clo.gc.ca	G�rard Finn Director General <b>Policies and Communications</b> Tel.: (613) 995-1065 Fax: (613) 995-1161 Email: gerard.finn@ocol-clo.gc.ca	Ronald Fauvel Director General <b>Corporate Services</b> Tel.: (613) 947-5598 Fax: (613) 947-4751 Email: ronald.fauvel@ocol-clo.gc.ca

<b>COMMISSIONER'S REPRESENTATIVES IN THE REGIONS</b>		
<b>ATLANTIC</b>	<b>QUEBEC</b>	<b>ONTARIO</b>
Jeanne Renault Heritage Court Room 410 95 Foundry Street MONCTON, New Brunswick E1C 5H7 Tel.: (506) 851-7047 1-800-561-7109 Fax: (506) 851-7046 Email: jeanne.renault@ocol-clo.gc.ca	Eva Ludvig 2021 Union Avenue Room 805 MONTREAL, Quebec H3A 2S9 Tel.: (514) 283-4996 1-800-363-0628 Fax: (514) 283-6677 Email: eva.ludvig@ocol-clo.gc.ca	Karsten Kaemling 438 University Avenue Room 1410 P.O. Box 109 TORONTO, Ontario M5G 2K8 Tel.: (416) 973-1903 1-800-387-0635 Fax: (416) 973-1906 Email: karsten.kaemling@ocol-clo.gc.ca
<b>MANITOBA &amp; SASKATCHEWAN</b>		<b>ALBERTA, BRITISH COLUMBIA, NORTHWEST TERRITORIES &amp; YUKON</b>
G�rard Gagnon Centre-Ville Building Room 200 131 Provencher Boulevard WINNIPEG, Manitoba R2H 0G2 Tel.: (204) 983-2111 1-800-665-8731 Fax: (204) 983-7801 Email: gerard.gagnon@ocol-clo.gc.ca		Deni Lorieau 10055 106th Street Room 620 EDMONTON, Alberta T5J 2Y2 Tel.: (780) 495-3111 1-800-661-3642 Fax: (780) 495-4094 Email: deni.lorieau@ocol-clo.gc.ca

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**2      Legislation and Associated Regulations Administered  
by the Office of the Commissioner of Official Languages**

The Commissioner has sole responsibility to Parliament for the following *Act* and Associated Regulations

<i>Official Languages Act</i>	R.S.C. (1985), c.31 (4th Supp.)
<i>Official Languages (Communications with and Services to the Public) Regulations</i>	SOR/92-48

# APPENDIX A

## PUBLICATIONS DISTRIBUTED IN 1999-2000

available on Internet : <http://ocol-clo.gc.ca>

TITLE	DESCRIPTION	AUDIENCE	VOLUME
<b>INFORMATION MATERIALS</b>			
<i>Adventures in Time</i>	Fun story and activities for 10 to 11 year olds	Youth	5,454
<i>Annual Report 1998</i>		General Public	9,467
<i>Bookmarks</i>		General Public	3,179
<i>A Chronicle of the Office of the Commissioner of Official Languages, 1970-1991</i>	Role and development from the beginning to 1991	General Public	49
<i>English and French in the Workplace - What Federal Employees Need to Know</i>	Bilingual booklet answering questions arising in the federal workplace as a result of Canada's two language policy	Public servants	371
<i>Infoaction</i>	Information Bulletin about the Commissioner's activities	General Public	
<i>Volume 5, No 1</i>	July 1999		5,765
<i>Volume 5, No 2</i>	December 1999		5,241
<i>Language Rights in 1998</i>			1,097
<i>[Map of the] Official Languages in Canada, 1996 Census</i>		General Public	1,096
<i>The Official Languages Act, 1988</i>	Complete text of the Act	General Public	1,373
<i>Official Languages Act, 1988: Synopsis</i>		General Public	33
<i>Our Information Products</i>	List of our information products	General Public	1,686
<i>Our Two Official Languages Over Time</i>	Historical overview - 1867 to 1994	General Public	439
<i>Talking to Each Other</i>	Explorations in Canada's Official Languages: A Resource Kit for High School Teachers	Teachers	994
<i>What About Your Language Rights?</i>	Information on the <i>Official Languages Act</i> , the roles and mandate of the Commissioner and describes the process for complaint investigation	General Public	920
<b>STUDIES</b>			
<i>Follow-ups on Special Studies of federal offices designated to respond to the public in both English and French</i>		General Public	250
<i>The Equitable Use of English and French before the Courts in Canada</i>		General Public	64
<i>The Government of Canada and French on the Internet</i>		General Public	2,763
<i>Impact of Government Transformations on the Official Languages Program in Canada</i>	Annex to the 1997 Annual Report	General Public	25
<i>Motivations for School Choices by Eligible Parents Outside Quebec</i>		General Public	524
<i>School Governance: The Implementation of Section 23 of the Charter</i>		General Public	99
<i>Use of the Internet by Federal Institutions : Follow-up Study</i>		General Public	2,724

<b>POSTERS</b>			
<i>Feathered Friends</i>	The English and French names of a variety of North American birds	Youth	3,342
<i>Magic Mural</i>	Two bird-children on a street, standing in front of a magic mural	Youth	884
<i>Owls Hoot</i>	Shows birds and animals and describes in English and French the sound each makes	Youth	4,014
<i>Perspective</i>	The earth as seen from the moon	General Public	3,922
<i>Tradition</i> Ethel Seath Marc-Aurèle de Foy Suzor Côte	The White Barn, Eastern Townships Retour des champs	General Public	1,035
<i>Vision</i> A.J. Casson Lauren S. Harris	Église anglicane à Magnetawan Maligne Lake, Jasper Park	General Public	1,027
<i>Perspective</i> Alex Colville Clarence Gagnon	To Prince Edward Island De l'église à La maison	General Public	1,034