



# Annual Report 2002-2003

## The texture of Canada

A fabric is woven of many threads. Those of us who speak **English** and those of us who speak **French**, ourselves made up of many different elements, have joined together to weave a social fabric called **Canada**.



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# THE TEXTURE OF CANADA

A fabric is woven of many threads. Those of us who speak English and those of us who speak French—ourselves made up of many different elements—have joined together to weave a social fabric called Canada. The golden fabric at the centre of the pin symbolizes the meeting place of our two linguistic communities and the richness of the dialogue between them.



*Wearers of the emblem of the Office of the Commissioner of Official Languages are signifying their commitment to fostering harmonious human relations between the English-speaking and French-speaking components of Canada's social fabric.*



# THE SPEAKER OF THE SENATE OTTAWA

Mr. Speaker,

Pursuant to Section 66 of the *Official Languages Act*, I hereby submit to Parliament, through your good offices, the thirty-second Annual Report of the Commissioner of Official Languages covering the period between April 1<sup>st</sup> 2002, and March 31<sup>st</sup> 2003.

Yours respectfully,

A handwritten signature in blue ink, appearing to read 'Dyane Adam', written in a cursive style.

Dyane Adam  
Commissioner of Official Languages

October 2003



THE SPEAKER OF THE  
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Summary





Since the beginning of her mandate, the Commissioner of Official Languages has repeatedly drawn attention to the erosion of public commitment to official languages. Inaction, indifference and lack of leadership were placing historical gains at risk. After several years with few significant accomplishments, the federal government is beginning to turn things around. In the *2002-2003 Annual Report*, the Commissioner points to concrete action, notable progress and the beginning of a change in culture.

One of the most welcome initiatives, and the high point of the year, is without a doubt the *Action Plan for Official Languages*. The investment of funds and the establishment of clear objectives make this plan one of the greatest expressions of leadership on official languages in the past decade. This plan will create new synergy throughout the federal government and Canadian society. Full implementation of this plan, like the implementation of the *Official Languages Act*, nevertheless requires a sustained effort by the federal administration. With a roadmap in hand, administrators will now have to take up the challenge of transforming the objectives into tangible results.



The experience of recent years nevertheless points to the reluctance of some institutions subject to the Act to meet their linguistic obligations. This year was no exception. In spite of all the good will and success stories, it is unfortunate that certain federal institutions prefer to wait for the imposition of strict disciplinary measures. Instead of taking decisive action of their own accord to promote the equality of both official languages, some public servants or leaders remain uncooperative. Some do not recognize obvious shortcomings and others leave their plans on the shelf or do not meet deadlines. Such procrastination is the reason why the Commissioner needs to spend considerable effort year after year to keep official languages on the list of government priorities. There will always be room for improvement in the complex workings of government. Without political and administrative leadership to support them, all plans and strategies to revitalize the Official Languages Program will, sooner or later, run out of steam.

Our official languages represent a fundamental value for Canadian society. Citizens in both majority and minority communities are called on to participate actively in linguistic duality. The action plan and other recent initiatives provide new opportunities to get involved and take more responsibility. While this is a collective undertaking, each and every one of us must contribute to it in our own way. Personal effort often has a broader ripple effect throughout society, and so we encourage those who, through their exemplary actions, work toward strengthening both of our official languages.





chapterone



## Duality and diversity

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Understanding the Past and Building the Future:  
A Photo Album of Our Languages and Cultures

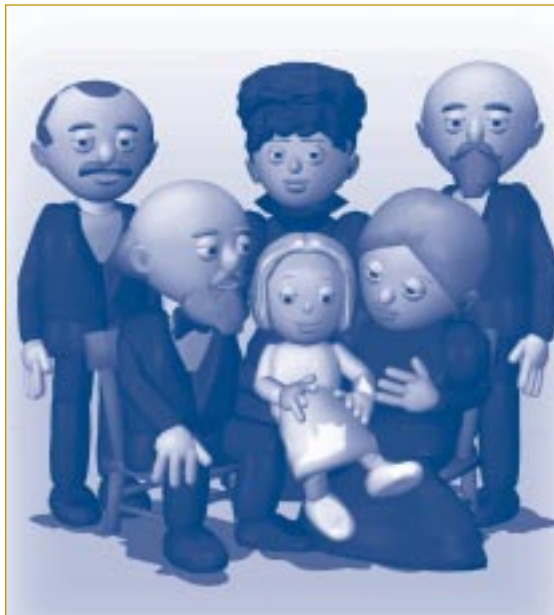


## DUALITY AND DIVERSITY

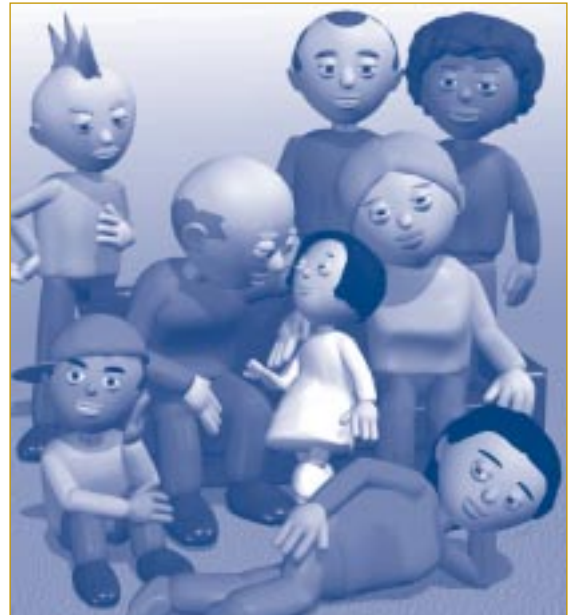
### Understanding the Past and Building the Future: A Photo Album of Our Languages and Cultures

The first census of the new millennium provides us with an opportunity to pause and reflect upon the development and future of Canadian society. Over the last century, population censuses have depicted the composition of Canadian society at specific times in our country's history. Just as in a series of family photographs, they have presented us with both traditional and new faces. Some of the pictures maintained a familiar look; others, however, began to have a new and unaccustomed feel. Our society was coming of age. It diversified while remaining solidly attached to its two official languages. Looking back at these changes as we enter a new century allows us to take stock. With our photo album before us, let us consider the future of Canadian society with regard to both duality and diversity.

### A century of censuses: From black-and-white to colour photographs



1901 Census



2001 Census

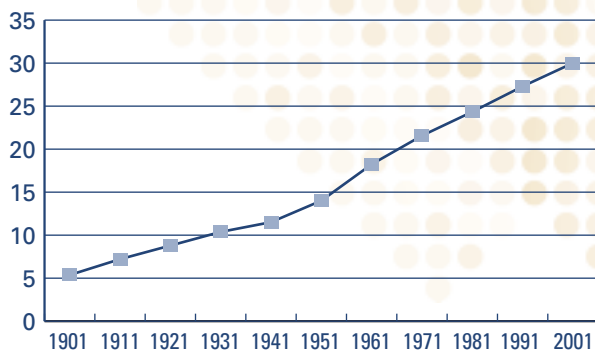
## 1901

What might our family photograph have looked like in 1901? It would probably have been in black and white. Many of the shades within Canadian society were only beginning to emerge. The most obvious feature of Canada's society at the beginning of the last century was the ethnic origin of its inhabitants.

- Nearly 88% of the 5.37 million Canadians were of British or French origin.
- The mother tongue of the vast majority of Canadians at that time was either English or French.
- Nearly 128,000 people, or 2% of the population, stated that they were Aboriginal.<sup>1</sup>

## Toward the 1960s

**Table 1**  
**Canadian Population**  
**From 1901 to 2001 (in millions)**



During the first half of the century, another trend became superimposed on Canada's duality: ethnic diversity. The settlement of the Canadian West and the aftermath of two world wars resulted in increased immigration to Canada (see Table 1). Consequently, the Canadian population grew and became more ethnically and culturally diversified. Between 1901 and 1961, the percentage of Canadians who were not of British or French origin grew steadily and eventually reached one quarter of Canada's total population—a trend which continued right up until the end of the century.<sup>2</sup>

With the make-up of our society becoming more complex, the census had to try to capture the diversity of languages and cultures in Canada. Hence, concepts such as *language spoken at home*, *knowledge of official languages* and *language used at work* were introduced. The censuses taken in the latter half of the century were an ever more accurate reflection of Canada's population. These newer family photographs, now taken in colour, reveal profound transformations within the population.

1 Statistics Canada, 2003, *Aboriginal peoples of Canada: A demographic profile*, Ottawa, Minister of Industry, Catalogue no. 96F0030XIF2001007.  
See <http://www12.statcan.ca/english/census01/Products/Analytic/companion/abor/charts/abancestry.cfm>.

2 Since 1996, citizens have been able to state that their ethnic origin is Canadian. The 2001 census revealed that Canadians are from more than 200 ethnic origins. Statistics Canada, 2003, *Canada's Ethnocultural Portrait: The Changing Mosaic*, 2001 Census, Ottawa, Minister of Industry, Catalogue No. 96F0030XIF2001008, p. 13.

## The new millennium: The 2001 census

The results of the 2001 census clearly show that linguistic duality is a fundamental characteristic of our population. Even though the proportion of English and French mother-tongue speakers in the entire population is falling, the absolute number of individuals having English or French as a mother tongue<sup>3</sup> continues to increase. Individual bilingualism is on the rise. The population count of official language communities is stabilizing in most regions and new data on the languages spoken at home and at work reveal that, in the country as a whole, French is used by considerably more people than many would have anticipated.

The 2001 census also indicates that Canada is becoming more cosmopolitan and multilingual. A closer coexistence of different languages and a greater number of ties between communities are now distinct features of Canadian diversity. This new reality can only cause us to broaden our vision of linguistic duality by making it more inclusive. Duality and diversity are far from being contradictory. In fact, it is the very dualist tradition at the root of our society which has made us particularly open to diversity. In turn, it is now Canada's diversity that can and should contribute to our linguistic duality.

## A linguistic portrait of Canada

In 2001, Canada counted approximately 17.5 million people whose mother tongue was English, 6.8 million people whose mother tongue was French and over 5.3 million Allophones<sup>4</sup> (see Table 2). The number of Allophones is growing much faster than either Anglophones or Francophones.<sup>5</sup> Among Allophones, Chinese is the most widely spoken language, with over 872,000 people, or 2.9% of the Canadian population.

**Table 2**

### Mother Tongue of Canadians in 2001



However, English and French remain by far the most commonly spoken languages in Canada. Nine out of ten people use English or French predominantly at home and 98% of Canadians know at least one of our official languages. An increasing number of individuals—17.7%—speak both languages (see Table 3). English-French bilingualism is most common in Quebec with a rate of 40.8%; elsewhere in Canada it stands at 10.3%. Bilingualism has increased in all provinces, with the exception of Manitoba and Saskatchewan, but it is disquieting to note that

<sup>3</sup> Mother tongue is defined as the first language learned and still understood.

<sup>4</sup> An Allophone is a person whose mother tongue is a language other than French or English.

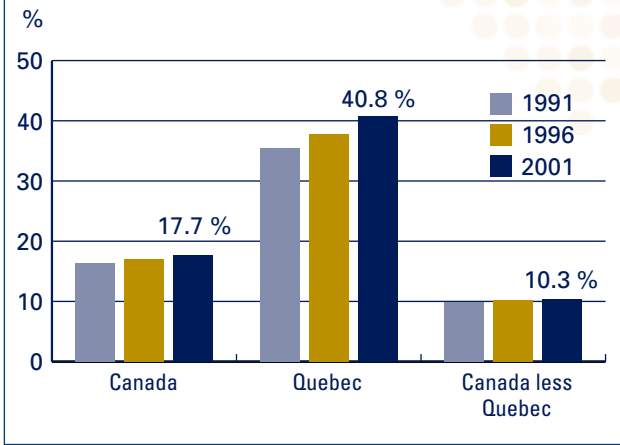
<sup>5</sup> This growth rate reached 12.5% between 1996 and 2001.

bilingualism is stagnating among young Anglophones outside Quebec between the ages of 15 and 19 years: 14.7% of them are bilingual, which represents a drop of 1.5% since 1996.

For Quebec, the census confirms an overall 30-year decline in the English mother-tongue population. This trend, which had slowed between 1986 and 1996, was found to have accelerated again in 2001, primarily because of the exodus of Anglophones to other provinces.<sup>6</sup> In Montreal, immigration, which is having a profound impact on the Anglophone community there, partially compensated for the decline in the number of Anglophones.

**Table 3**

**English-French Bilingualism, 1991 to 2001**



The French mother-tongue population remained relatively stable both in Quebec,<sup>7</sup> where French is the mother tongue of four out of five people, and elsewhere in the country, where Francophones constitute 4.4% of the population<sup>8</sup>. The absolute number of Francophones living in provinces with an Anglophone majority increased.<sup>9</sup> The French mother-tongue population increased in British Columbia, Alberta, Ontario, Nova Scotia and Prince Edward Island. These gains are primarily attributable to the migration of Francophones from Quebec. However, the number of mother-tongue Francophones fell in Manitoba and Saskatchewan.

6 The number of persons whose mother tongue is English declined by nearly 30,500 to reach 591,400, compared with a decrease of 4,300 from 1991 to 1996. Approximately 8.3% of the Quebec population gave English as their mother tongue in 2001.

7 The Francophone population of Quebec increased by about 60,600 between 1996 and 2001, which represents less than half the increase recorded between 1991 and 1996.

8 Francophones in a minority context represented 4.5% of the population in Anglophone-majority provinces and territories in 1996.

9 In 2001, more than 980,000 Francophones in Canada lived outside Quebec, an increase of 10,000 individuals since 1996.

## Official languages spoken at home and at work— Coexistence across contexts

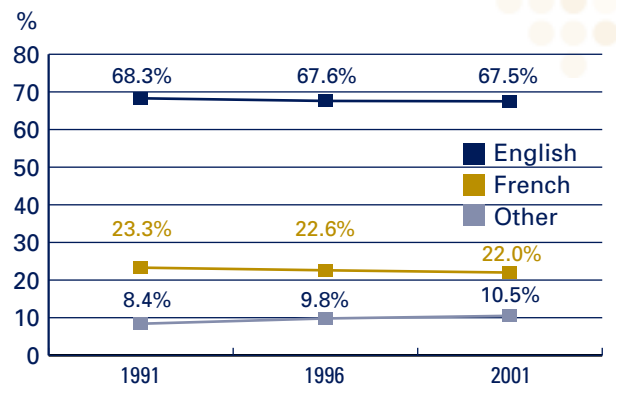
The last census provides more complete sociolinguistic information than previous censuses because it affords a more detailed picture of the complexity and contexts associated with the use of language. Following requests from a number of stakeholders, including the Office of the Commissioner of Official Languages, Statistics Canada added new questions to the census in order to identify all the languages that Canadians use at home and at work.<sup>10</sup>

The results highlight certain aspects of language use and confirm what we had already anticipated. Two thirds of Canadians speak English most frequently at home, while nearly one quarter of the population speaks French most often. One in ten individuals speaks a language other than English or French. In Quebec, 83.1% speak French at home. This is a slight increase since 1996.<sup>11</sup> Outside that province, French is the language spoken most often at home by 61.6% of the French mother-tongue population.

The data also lead us to make new distinctions and review certain traditional concepts. They reveal, for example, that 40% of Francophones who primarily use English at home still continue to use French regularly. Hidden beneath what might have appeared to be a linguistic transfer we do, in fact, find a type of additive bilingualism in many cases. The census also shows that nearly 82,000 people in Toronto speak French at home, which is almost 44% more than the number of people whose sole mother tongue is French. Hence, for every two mother-tongue Francophones in Toronto, there is one more person who understands and actually uses French, even though French is not that person's first language. Canada's official language groups are not just made up of people who speak the official language as their mother tongue. A number of people do use several languages but still contribute to the French fact.

**Table 4**

**Language Used Most Frequently at Home from 1991 to 2001 (as a Percentage of the Total Population of Canada)**

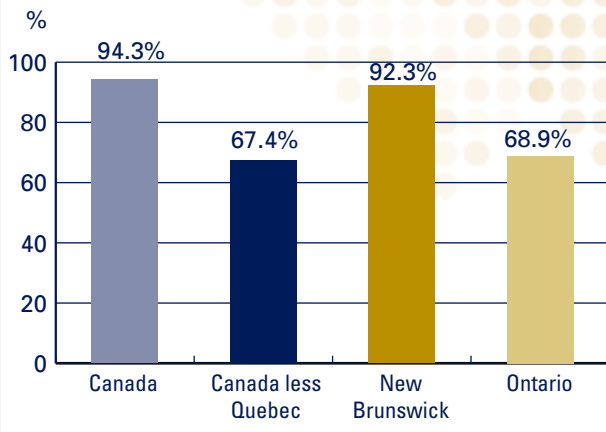


<sup>10</sup> Previous censuses had only included questions about mother tongue and the language spoken most frequently at home.

<sup>11</sup> Statistics Canada, 2002, *Profile of languages in Canada: English, French and many others*, Ottawa, Minister of Industry, Catalogue no. 96F0030XIF2001005, p. 31.

New data from Statistics Canada also indicate that 67.4% of Francophones in a minority environment speak French at work (see Table 5).<sup>12</sup> This proportion is highest in New Brunswick (92.3%), followed by Ontario (68.9%). Interestingly, 29% of Francophones who never speak French at home do, in fact, speak it at work. In other words, Francophone communities do not just assert themselves and live in French in the contexts of family and school; the use of their language in their places of work is also very important.

**Table 5**  
**Proportion of Francophones Who Used French at Work in 2001**



The data on language of work among Anglophones indicate that, outside Quebec, English is clearly favoured. Even though fully 10% of Anglophone workers state that they are bilingual, only 2% of them use French at work.

The statistics on language of work in Quebec have given rise to conflicting interpretations. According to the census data, a smaller proportion of immigrants who arrived in Quebec since 1996 now use French as their primary language of work when compared with those who arrived in the province between 1976 and 1980. Some feel that this indicates an erosion of French, especially since 30% of

Francophones also use English at work.<sup>13</sup> Others focus on the fact that, in time, immigrants adopt French as their principal language of work. Finally, 99% of Francophone workers in the province speak French at work, as do three quarters of Allophones and two thirds of Anglophones in Quebec.

<sup>12</sup> French is used primarily by 40% of Francophones and regularly by 27%. Statistics Canada, 2003, *Use of English and French at Work*, Ottawa, Minister of Industry, Catalogue no. 96F0030XIE2001011.

<sup>13</sup> Nearly 8% stated that they used English most often, and 22% indicated that they used English regularly. See <http://www12.statcan.ca/english/census01/products/analytic/companion/low/provs.cfm>.



## Multiple languages and identities within the same individual—A growing trend

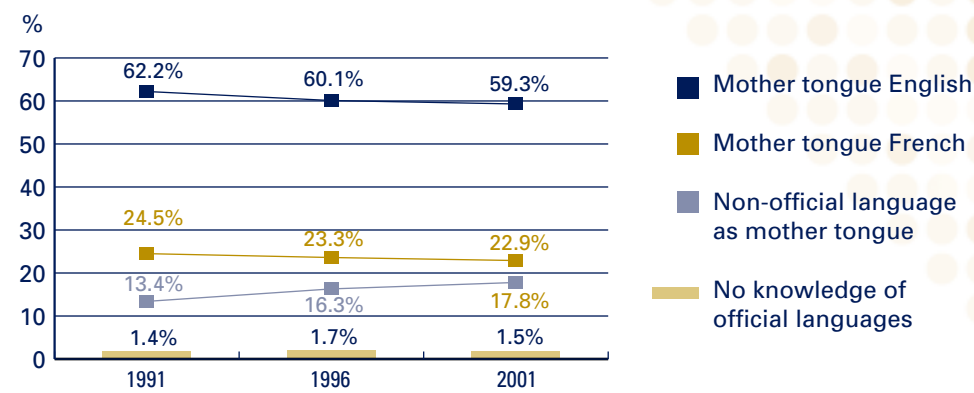
Despite a variety of interpretations of the data from the last census, one trend is clear: an increasing number of citizens speak multiple languages and use them in a diversity of contexts. Those who belong to an official language minority community, for example, may use languages other than their mother tongue at home, at work or elsewhere but this is not tantamount to their abandoning their mother tongue.

The 2001 census clearly shows that a growing proportion of Canadians have a mother tongue other than English or French. As a consequence, we might ask how they participate in Canada’s linguistic duality. The vast majority of Canadians—over 98%—can express themselves in one of the official languages (see Table 6). This is a very encouraging indicator as it demonstrates very clearly that our official languages continue to be rallying points for our citizens. Any English or French speaker in Canada—and here we include anyone able to understand and express themselves in these languages regardless of what their mother tongue may be—is an integral and contributing part of our open and dynamic communities.

The identity of Canadians cannot be defined in simple terms. Many have, in fact, a composite identity. For these individuals, it is not a question of being Anglophone OR Francophone OR Allophone. They are all three at once. A Lebanese immigrant who speaks Arabic and French to her children and uses English and French in her professional life belongs to three different linguistic communities. She defies our traditional categories but fully participates in Canada’s newly emerging diversity.

**Table 6**

### Mother Tongues and Percentage of Canadians Who Have No Knowledge of the Official Languages, 1991-2001\*

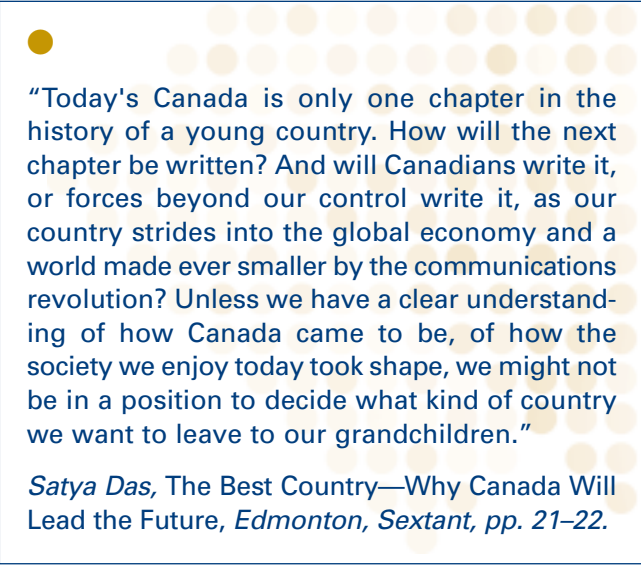


\*Data referring to the distribution of the Canadian population according to mother tongue reflect the proportion of single responses to this census question, namely those who indicated only one mother tongue.

Contemporary Canadian society no longer corresponds to the image of the two solitudes complemented by a multitude of ethnic groups living in closed communities. It is no longer necessary to be born Anglophone or Francophone in order to belong to the Francophone or Anglophone communities of Canada. Today, being Anglophone or Francophone—or both—is as much a choice as an accident of birth.

As a new millennium begins, our country's demographic portrait shows a broadening of our linguistic duality as it now includes and embraces cultural diversity. High rates of immigration and a declining birth rate are both changing our linguistic landscape and having an impact on the future of our communities. Against the backdrop of the transformations Canada is facing, and in order to build a vibrant and common future, we ought to reflect upon the meeting of languages and cultures in Canada today.

## Understanding changes and building the future



"Today's Canada is only one chapter in the history of a young country. How will the next chapter be written? And will Canadians write it, or forces beyond our control write it, as our country strides into the global economy and a world made ever smaller by the communications revolution? Unless we have a clear understanding of how Canada came to be, of how the society we enjoy today took shape, we might not be in a position to decide what kind of country we want to leave to our grandchildren."

*Satya Das, The Best Country—Why Canada Will Lead the Future, Edmonton, Sextant, pp. 21–22.*

Censuses, like family photographs, are, in some ways, merely static representations of the population. Taken as a sequence, they begin to describe our evolution, but still do not determine what path the future will take. In light of the trends revealed in the 2001 census and on the basis of the vision Canadians have for their future, it is up to Canadians to decide how they wish to design the road ahead. In all of this, the objective should be to understand the changes that have occurred in the past in order to make informed decisions for a future that is in keeping with our core values.

This new chapter in our history is far from irreconcilable with the diversified family we have become. On the contrary, the collective project yet to be defined should begin with a reflection on who we are and should be based on the Canadian strengths of duality and diversity.

Despite all the changes we have experienced, linguistic duality remains at the heart of the Canadian identity. It is one of the characteristics that best describes us. In addition, official bilingualism continues to be solidly supported by the population. According to an Environics/CRIC poll published in 2002, 82% of Canadians are in favour of bilingualism as a policy.<sup>14</sup> The data reveal that

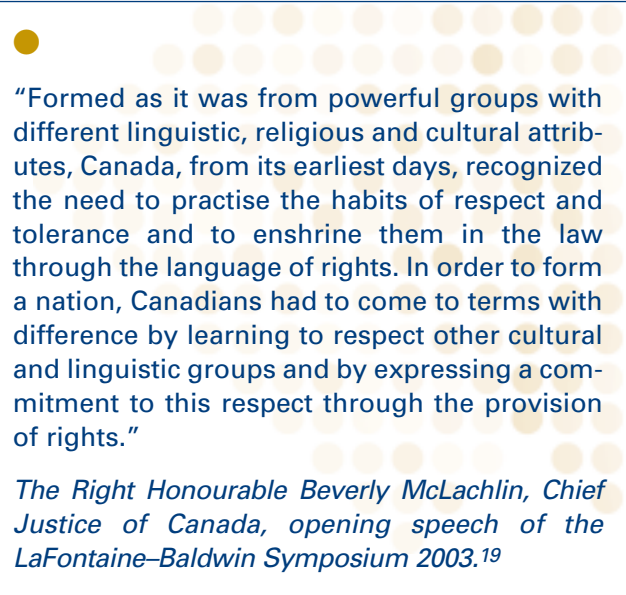
<sup>14</sup> CRIC, 2002, *Portraits of Canada 2001*, The CRIC Papers, no. 4, p. 32.

Francophones strongly support this policy but also that Allophones are more favourable to it than Anglophones.<sup>15</sup> Within each of the linguistic groups, more than three quarters of the respondents affirmed that official bilingualism forms part of the Canadian identity.

The historical coexistence of two languages and two cultures has made our society more receptive to diversity and more willing to make room for other types of differences. But diversity is neither a matter of course nor is it free of challenges. Aboriginal peoples, for example, have contributed very significantly to Canada's diversity, but it has taken time for their self-government claims to produce tangible results.

Cultural diversity is all around us. Proportionally, Canada is one of the countries with the highest number of immigrants, and its population supports the policy of immigration. Every year, approximately 250,000 people choose to settle in Canada. In 2001, over 18.4% of the Canadian population was foreign-born.<sup>16</sup> The proportion of immigrants in Canada's largest cities is reaching remarkable levels. In Toronto, for example, 44% of the population is foreign-born, compared to only 24% in an international city like New York.<sup>17</sup>

Canadians embrace cultural diversity. In a recent survey of 38,000 citizens in 44 countries conducted by the American Pew Institute, Canadian respondents proved to be the only group where a majority (77%) had a positive opinion of immigrants.<sup>18</sup> By comparison, only 49% of Americans shared this opinion. Although Canada is not beyond reproach, it has been able to create a uniquely pluralist society.



“Formed as it was from powerful groups with different linguistic, religious and cultural attributes, Canada, from its earliest days, recognized the need to practise the habits of respect and tolerance and to enshrine them in the law through the language of rights. In order to form a nation, Canadians had to come to terms with difference by learning to respect other cultural and linguistic groups and by expressing a commitment to this respect through the provision of rights.”

*The Right Honourable Beverly McLachlin, Chief Justice of Canada, opening speech of the LaFontaine–Baldwin Symposium 2003.<sup>19</sup>*

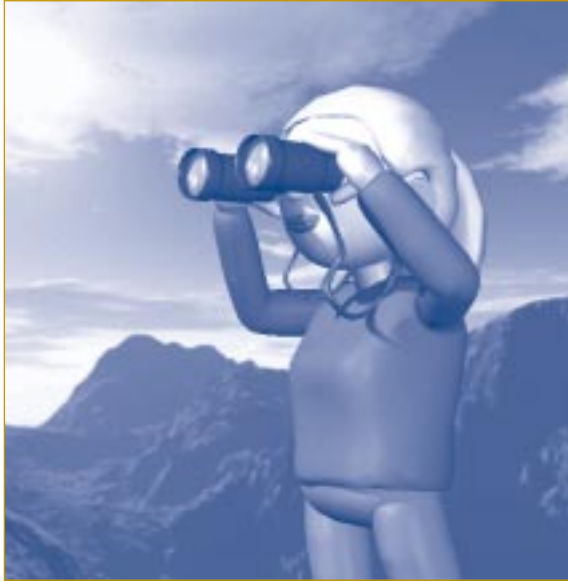
15 CRIC, 2003, *A Changing People: Being Canadian in a New Century*, The CRIC Papers, no. 9, p. 9. Support of official bilingualism stands at 94% among Francophones, 78% among Anglophones and 85% among Allophones.

16 CRIC, 2003, *A Changing People: Being Canadian in a New Century*, The CRIC Papers, no. 9, pp. 5–6.

17 U.S. Census Bureau, cited in *The Globe & Mail*, June 7, 2003, p. F6.

18 See <http://people-press.org/reports/display.php3?ReportID=165>.

19 See [http://www.operation-dialogue.com/lafontaine-baldwin/e/2003\\_speech\\_1.html](http://www.operation-dialogue.com/lafontaine-baldwin/e/2003_speech_1.html).



## A dynamic **vision** of **duality** and **diversity**

Duality and diversity must be part of a dynamic and complementary approach. We experience them on a daily basis, they depend on one another in practice and they are constantly changing. Rather than attempting to “freeze” language or culture, Canadians must acquire the tools and act in concrete terms to ensure that each of these values is given expression by all citizens.

Without restricting the use of other languages, we must take measures to ensure that English and French remain the pillars of our linguistic regime (for

example, by increasing bilingualism, especially among young people). We also need to maintain a demographic balance between official language groups (for example, by ensuring that official language minority communities benefit equitably from the arrival of new immigrants<sup>20</sup>) and we must encourage new fellow citizens to understand and adhere to the fundamental Canadian value of linguistic duality.<sup>21</sup>

Citizens whose mother tongue is neither English nor French understand the importance of learning new languages. At a time when multilingualism is increasingly valued, Canadians can make the right choice by taking full advantage of duality and diversity in our country today. These two values not only define us as Canadians but they are also our gateway to the world beyond our borders.

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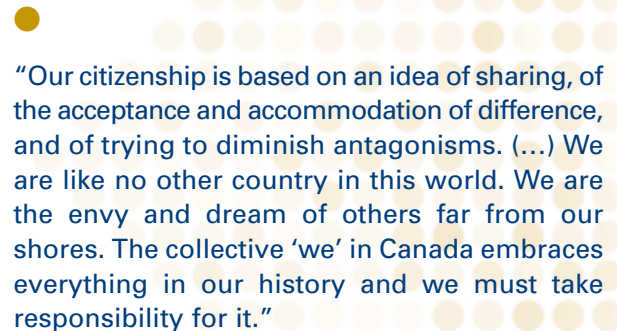
<sup>20</sup> See chapter 6, p. 116.

<sup>21</sup> See chapter 6, p. 119.

## Gateway to the world

Our official languages are international languages that resonate around the globe.<sup>22</sup> They connect us with international organizations such as the Commonwealth and the Francophonie. In addition, the variety of cultural origins of our fellow citizens allow us to feel at home on every continent. Duality and diversity have become as precious as our Canadian passport because they open doors, allowing us to discover and interact with a wider world.

In an era of globalization, knowledge-based economies more than ever require a qualified and multi-skilled labour force. For over a generation, institutional bilingualism and immersion schools have been providing the right conditions for the development of individual bilingualism. The knowledge of our two official languages as well as a third language help Canadians to be language-ready and valued worldwide. The success that Canadian managers are enjoying internationally can probably be explained through our country's legacy of linguistic duality and cultural diversity.<sup>23</sup>



"Our citizenship is based on an idea of sharing, of the acceptance and accommodation of difference, and of trying to diminish antagonisms. (...) We are like no other country in this world. We are the envy and dream of others far from our shores. The collective 'we' in Canada embraces everything in our history and we must take responsibility for it."

*Her Excellency the Right Honourable Adrienne Clarkson, Governor General of Canada, Speech on the Occasion of a Citizenship Ceremony and the Presentation of the Governor General's Caring Canadian Award, March 23, 2003.*

Canada is the only G-8 country to have more than one official language. Its history and its political goals have promoted the coexistence of cultures and identities. Canada has established a name for itself as a model of well-being, prosperity and respect for differences. Because of its history and geography, Canada is used to dealing with superpowers. Often, other countries take notice of Canada as a result of the mediation role it plays on the international stage. This role has been shaped by the experience of managing differences in our own country. Duality and prosperity have led the world to perceive Canada as a free, tolerant and egalitarian society with an ability to welcome diversity.

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<sup>22</sup> There are reportedly 320 million people in the world whose mother tongue is English and over 70 million people whose mother tongue is French. In addition, it is estimated that 1.7 billion people speak English and over 250 million people speak French.

<sup>23</sup> Karl Moore, a professor in the Faculty of Management at McGill University, noted this characteristic of Canadian managers. See *The Globe & Mail*, August 21, 2002.

## Conclusion

Together we have now leafed through a special Canadian photo album. We have glanced somewhat quickly at its older pages but have taken the time to appreciate the more contemporary photographs taken in the 2001 census. The images before us bear testimony to the extent of the transformations Canada has undergone with regard to linguistic duality and cultural diversity. Before we close the album, we cannot help but notice that many pages remain empty, with numerous photographs yet to be inserted. These will soon be taken by our children and grandchildren. While we cannot predict what they will look like, we can work towards ensuring right here and now that our values continue to be developed and that our diverse family continues to grow in as inclusive a manner as possible.

Our future is not predetermined. It is up to Canadians today to choose how to approach the coming years. The linguistic and cultural legacy we leave to future generations is already being formed. We do exercise some control and are capable of making choices as a society instead of letting ourselves be carried by the currents of history. This Canadian village—the word “Canada” comes from an Aboriginal word meaning “village”—is built and maintained through human effort.

Over the last two years, the federal government has reaffirmed its commitment to linguistic duality and taken measures to revitalize the Official Languages Program. Since the political and social environment is subject to rapid change, Canada’s new federal leaders must take up several challenges as they go about the implementation of the *Action Plan for Official Languages*.<sup>24</sup> The promotion of linguistic duality must remain a priority. In the near future, the government must also determine the extent to which today’s linguistic tools are sufficient to meet tomorrow’s challenges, especially in light of the social, political and technological transformations we are experiencing today.

Canadian society and the federal government can count on our common strengths, strengths which have become more apparent as we have achieved a better understanding of the evolution of our two official languages and of our cultural diversity. The time is right for serious reflection on how linguistic duality and cultural diversity can mutually be strengthened. To see our way into the world of tomorrow, we must rely on the strengths we have acquired over time and we must build on our willingness to create a society based on inclusion and mutual respect.

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<sup>24</sup> See <http://www.pco-bcp.gc.ca/aia/default.asp?Language=E&Page=ActionPlan>.



chaptertwo



Political leadership





## POLITICAL LEADERSHIP

**Shortly after** she was appointed in 1999, the Commissioner criticized the government for its lack of leadership regarding linguistic duality and called for it to implement a revitalization plan. The government quickly acknowledged that it had to act and reaffirmed its commitment regarding official languages in two successive Speeches from the Throne.

The *Action Plan for Official Languages*, tabled in March 2003, is the culmination of a series of measures that the government has taken since the beginning of 2001 to reaffirm its commitment to Canadian linguistic duality. The biggest challenges lie ahead because, in order to achieve concrete results, the political leadership must keep up its momentum and focus on implementing the plan.

This chapter presents an analysis of the action plan and an overview of the recommendations issued by the Commissioner in her last annual report. In addition, the Commissioner reviews the leadership of parliamentarians—an essential element in the promotion and protection of linguistic duality. Finally, the initiative to modernize human resources management in the federal government will also have a significant impact on linguistic duality. The Commissioner demonstrates the importance of exercising strong political leadership in order to create an exemplary Public Service with regard to official languages.

## A. Progress on **implementing** the recommendations of the *2001-2002 Annual Report*

This section reports on progress made, as of March 31, 2003, in implementing each of the seven recommendations that the Commissioner submitted to the government in her last annual report.

- 1) Draw up the action plan on official languages and allocate the funding required to implement the measures set out therein.

**Fully implemented** – *The action plan has generally been well received.*<sup>25</sup>

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<sup>25</sup> A detailed analysis of the *Action Plan for Official Languages* is presented in section B of this chapter.

- 2) Give the Ministerial Reference Group on Official Languages the status of a standing committee, in order to stimulate leadership at the highest levels and to support implementation of the action plan on official languages.

**Not implemented** – *The Prime Minister has not deemed it necessary to maintain the Ministerial Reference Group on Official Languages, created for the purpose of supporting the development of the action plan. Instead, a smaller group of ministers will oversee implementation of the action plan.*

**The Commissioner reiterates her recommendation:** *The government must give the Ministerial Reference Group on Official Languages the status of a standing committee in order to support the coordination work of the Minister responsible for official languages and to facilitate active monitoring and concerted implementation of the action plan.*

- 3) Clarify the legal scope of the commitment set out in section 41 of the *Official Languages Act* and take the necessary action to effectively carry out its responsibilities under this provision.

**Not implemented** – *The government has indicated that the accountability and coordination framework provided for in its action plan is intended to strengthen its commitment with respect to section 41 of the Act.<sup>26</sup>*

**The Commissioner reiterates her recommendation:** *Although the government's commitment has been strengthened, it is difficult to imagine that the accountability framework will succeed in overcoming the inertia that certain institutions have shown to date with regard to Part VII of the Act. It is essential that the binding character of Part VII be confirmed through a regulation or legislation.*

- 4) Maintain official languages as one of the federal administration's strategic priorities for a further three-year period, and make this a compulsory priority for all deputy ministers who have exhibited delays in implementing the Official Languages Program in their institutions.

**Fully implemented** – *Official languages have again been integrated into the government's strategic priorities for 2002-2003 and 2003-2004. The Clerk has even made them a mandatory priority for all deputy ministers for 2003-2004.*

- 5) Allocate adequate resources to ensure that the Treasury Board Secretariat can fully exercise its role in supervising and evaluating federal institutions.

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<sup>26</sup> The interpretation of section 41 of the *Official Languages Act* has been the subject of much debate. The provision reads as follows: "The Government of Canada is committed to (a) enhancing the vitality of the English and French linguistic minority communities in Canada and supporting and assisting their development; and (b) fostering the full recognition and use of both English and French in Canadian society." For some, including the Commissioner, section 41 obliges the federal government to take certain measures; whereas for others, it constitutes merely a statement of intentions.

**Partially implemented** – *The action plan provides for the allocation of certain new resources to the Treasury Board Secretariat, but it is still too early to evaluate whether these amounts will be sufficient to enable it to fully assume its responsibilities.*

- 6) Ensure that legislation and policies adopted as a result of the human resources management modernization exercise help achieve the objectives of the *Official Languages Act*.

**Not implemented.**

**The Commissioner reiterates her recommendation:** *The President of the Treasury Board must act upon the commitments made at the New Brunswick Federal Council Symposium on the Language of Work and ensure that the policies and practices adopted within the framework of the initiative to modernize human resources management strengthen the use of our two official languages in the federal Public Service.<sup>27</sup>*

- 7) Develop support programs to implement the language provisions of the new *Immigration and Refugee Protection Act*.

**In the process of being implemented** – *The government’s action plan has allocated some resources to Citizenship and Immigration Canada, which expects to use them to set up pilot projects to evaluate strategies for recruiting immigrants and integrating them into minority official language communities.*



In short, the federal government has responded to the Commissioner’s main recommendation by putting great effort into producing and launching the *Action Plan for Official Languages*.

As of March 31, 2003:

- two recommendations had been fully implemented;
- two recommendations were in the process of being implemented; and
- three recommendations had not yet been implemented.

The Commissioner believes that the implementation of these recommendations will strengthen federal leadership and contribute towards attaining the objectives of the action plan.

<sup>27</sup> See p. 34.

## B. The federal government's new *Action Plan for Official Languages*—The next stage



In the spring of 2001, the President of the Privy Council and Minister of Intergovernmental Affairs was given the responsibility of developing an action plan to strengthen the Official Languages Program. The long-awaited action plan was released after two years of consultation within the federal administration as well as with provincial and territorial governments and minority official language communities.<sup>28</sup>

The government has completed the reflection, consultation and planning stage and has begun to act. It must now begin to prepare the next stages—the stages of full implementation of the plan and evaluation of the Official Languages Program.

### Mobilizing government leadership

The plan is an orchestral score that brings together various activities and participants. To achieve a harmonious result, each institution will have to interpret its own part and assume its respective role in the ensemble, whether this means keeping the beat or playing first violin. The quality of the performance will suffer tremendously if some of the members of the orchestra play out of tune.



"The development of this plan represents the most significant affirmation of political leadership in the area of official languages in the past decade."

*Dyane Adam, March 12, 2003*

<sup>28</sup> Government of Canada, *The Next Act: New Momentum for Canada's Linguistic Duality. The Action Plan for Official Languages*, March 2003. See <http://www.pco-bcp.gc.ca/aia/default.asp?Language=E&Page=ActionPlan>.

## Steps in Mobilizing Government Leadership



### Overview of the plan

The action plan targets **three main axes**:

- education;
- community development; and
- the Public Service.

It provides for an accountability and coordination framework that confirms and clarifies institutional and governmental responsibilities regarding official languages and obliges institutions and the government to take official languages into account in developing their projects.

As a whole, the plan takes into account most of the priorities the Commissioner suggested during consultations.<sup>29</sup>

<sup>29</sup> Office of the Commissioner of Official Languages, *The Government's Strategic Framework for Official Languages*, 2002.



## Priorities Suggested by the Commissioner

## Measures Set Out in the Federal Action Plan

Strengthen the system for implementing the Act, for example, by mobilizing political and administrative leadership, transforming the organizational culture of the federal Public Service and setting up an effective system for language of work.



*Leadership* – the accountability framework:

- clearly establishes the roles and responsibilities of federal institutions regarding official languages;
- defines interdepartmental coordination mechanisms;
- reminds all institutions that they must give priority to linguistic duality.

However, the measures set out to ensure accountability seem inadequate.



*Change in culture:* the Public Service axis is the weakest of the plan's three axes. The measures put forward remain superficial, and the resources allocated to them are relatively insignificant.

Guarantee quality services in both official languages for Canadians.



Investments are planned to improve language training for federal public servants and to improve the ability of institutions to provide services in both official languages. However, the amounts allocated are relatively modest considering the scope of the task.

Stimulate community development, in particular through immigration, health services and the economy.



Measures are planned to improve the services offered to minority communities in the areas of early childhood development, health, justice, immigration, and economic and community development. However, the cultural sector is virtually excluded from this plan.

The federal government must ensure that it obtains the necessary cooperation from the provinces and territories in order to implement these measures.

Achieve the objectives set out in section 23 of the Charter (by recruiting, integrating and retaining the target student population).



Resources are planned to improve teaching in minority contexts—English in Quebec and French in the rest of Canada. The government intends to increase the proportion of eligible students enrolled in French-language schools to 80% by 2013.

Promote recognition and use of English and French as a fundamental Canadian value.



Increased amounts will be devoted to second-language education to increase the proportion of young people between the ages of 15 and 19 who have a functional knowledge of their second official language from 24% to 50% by 2013.



Lack of mechanisms to encourage government cooperation and to mobilize stakeholders and key decision-makers regarding this objective of promoting the equality of status and use of the official languages in Canadian society.

Promote Canada's linguistic duality internationally, (for example, by enhancing the presence of French on the Internet.)



No measure to promote linguistic duality internationally is provided. However, the plan provides for several support measures for the language industries aimed at strengthening Canadian skills in this key sector of the knowledge economy. This represents an initial breakthrough in this sector.

## Evaluation of the plan

The Commissioner had urged the government to invest the necessary amounts and to adopt an action plan that would motivate federal institutions to respect the *Official Languages Act* and its principles. In particular, she had recommended that clear objectives be defined, cooperation mechanisms be established and targeted measures be provided for in order to obtain **concrete, sustainable, measurable results**.<sup>30</sup>

The government's action plan **meets many of these expectations**:

- its objectives are clear;
- it provides for targeted measures;
- it was preceded by Canada-wide consultations;
- it clearly specifies the responsibilities of each institution;
- it provides for horizontal coordination mechanisms.

More than \$751 million will be provided over the next five years to implement the plan. This amount will be invested incrementally. However, these are not always new investments. For example, the \$209 million to be spent on minority second language education is being added; however, the \$165 million devoted to school management has been exhausted. In several cases, the new amounts target specific measures, meaning that projects will have to be developed, proposed and approved before these funds are actually invested.

The budgets allocated to the Official Languages Program were substantially reduced over the past 15 years. Although the amounts provided for in the action plan will not bring program investments back to their previous level, they should nonetheless breathe new life into the program, provided that this reinvestment is permanent and that it results in concrete improvements. In this regard, even though the plan augurs well, it is still too soon to determine whether it will bring about concrete, sustainable results.

The plan also has significant **weaknesses** that must be pointed out.

- It could be improved if more emphasis were placed on the development of a bilingual Public Service. The government must, first and foremost, lead by example.
- It should have provided for an appropriate system to capture data, measure performance and ensure accountability, thereby ensuring adequate implementation of the Official Languages Program. Setting out responsibilities within an accountability framework is not enough: both action and inaction must be accounted for and justified.

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30 See [http://www.ocol-clo.gc.ca/archives/ar\\_ra/2001\\_02/2001\\_02\\_e.htm](http://www.ocol-clo.gc.ca/archives/ar_ra/2001_02/2001_02_e.htm).



- The federal government should have used the consultations held on its action plan to sensitize the majority communities to the plan's importance and, in general, to the essential role that linguistic duality plays in Canada's future. If the majority communities adhere to these principles, the provincial and territorial governments will be encouraged to participate more actively in the implementation of the Canadian official languages policy.
- The plan is not exhaustive and should not be seen as a cure-all. It does not cover several important areas that should not be neglected, including:
  - arts and culture;
  - the bilingual status of the national capital; and
  - the promotion of our linguistic duality on the international scene.

The action plan gives the orchestra a score to follow, but it is not yet a symphony! As orchestra conductor, the President of the Privy Council and Minister of Intergovernmental Affairs must skillfully coordinate the work of his group to produce a high quality result. He will have to instil in the performers the will to collaborate to produce a work that will captivate the Canadian audience.

### Implementing the plan— The need for effective intergovernmental cooperation



Implementation of the plan will require the efforts of all federal government agencies as well as the **active participation of the provincial and territorial governments**. The Canadian official languages policy transcends the jurisdictions of municipal, regional, territorial or provincial institutions. The challenges it poses demand cooperation and coordination among the various governments.

Over the past 30 years, the federal government has entered into a range of agreements with the provinces and territories to ensure the promotion of official languages in numerous sectors of activity. More recently, the **Ministerial Conference**

**on Francophone Affairs**, which now has a secretariat, has undertaken to advance important issues that promote genuine equality for our two official languages and enhance the vitality of Francophone minority communities.



However, the concerted action of our governments in this regard clearly remains inadequate, as can be seen by the latest federal–provincial–territorial agreements on early childhood, health and the social union, which, despite the representations made, were completely silent on linguistic issues.

None of these agreements provides for the slightest measure to promote our official languages or the development of our official language communities. This situation is unacceptable.

Despite the consultations required by its accountability and coordination framework, and the framework’s requirement to consider official languages objectives in Cabinet decision making, the government’s action plan unfortunately does not provide any method of fostering and structuring cooperation with the provincial and territorial governments—which is nonetheless essential to its implementation.



Last fall, the provincial and territorial ministers of the Ministerial Conference on Francophone Affairs established a set of government leadership principles that will serve as a basis for realizing their vision that Francophones be able to live and develop individually and collectively in French throughout Canada.<sup>31</sup>

## Recommendation 1

### The Commissioner recommends that the federal ministers responsible:

- establish an evaluation framework to assess the measures taken pursuant to the action plan as well as the results obtained;
- establish a framework for intergovernmental cooperation to encourage and facilitate federal cooperation with the provinces and territories regarding official languages;
- design a strategy for ongoing consultation and dialogue with official language majority communities to include them in efforts to enhance linguistic duality, especially as regards the promotion of bilingualism among Canadians.

<sup>31</sup> Provincial-Territorial Ministerial Conference on Francophone Affairs, St. John’s, Newfoundland and Labrador, October 3, 2002, “Government Leadership is vital to the Canadian Francophonie.” See [http://www.scics.gc.ca/cinfo02/860452004\\_e.html](http://www.scics.gc.ca/cinfo02/860452004_e.html).

## C. Parliamentary committees— Keep that **music** coming!

The government was not alone in demonstrating leadership regarding official languages during the last fiscal year. Parliamentarians also worked hard at promoting and protecting linguistic duality in their committee activities, particularly at meetings of the House of Commons and Senate Committees on Official Languages and the Standing Senate Committee on Social Affairs, Science and Technology.

When it comes to protecting or promoting linguistic rights, prevention is always better than a cure. The Commissioner therefore places a great deal of importance on her monitoring role. She steps in whenever she considers that a bill examined by a parliamentary committee could have linguistic repercussions. Her presentations to parliamentary committees are primarily intended to point out the problems that could be created by the legislation and to suggest amendments to help achieve the objectives of the *Official Languages Act*. Her suggestions are often accepted by parliamentarians, who do not hesitate to set things straight when departments forget to consider the linguistic aspect of a given bill.

### **The Commissioner's presentations**

The Commissioner appeared before parliamentary committees 10 times during the last fiscal year (see insert on page 31). With regard to certain issues, it is still too soon to assess the real impact of her actions, since the bills have not yet been passed by Parliament. However, her monitoring role and her actions clearly produced results on two occasions this year.

### **The new *Act to Promote Physical Activity and Sport*—A better linguistic performance**

#### **Issue**

The Commissioner insisted that the *Act to Promote Physical Activity and Sport* do more to anchor linguistic duality in the very heart of the Canadian sport system.<sup>32</sup>

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<sup>32</sup> The Commissioner published two studies on this issue: *Official Languages in the Canadian Sports System* (2000), see [http://www.ocol-clo.gc.ca/publications/sst\\_es.asp](http://www.ocol-clo.gc.ca/publications/sst_es.asp); and *Follow-Up: Official Languages in the Canadian Sport System* (2003), see [http://www.ocol-clo.gc.ca/archives/sst\\_es/2003/sport/sport\\_2003\\_e.htm](http://www.ocol-clo.gc.ca/archives/sst_es/2003/sport/sport_2003_e.htm).



## Results

Thanks to the leadership demonstrated by parliamentarians, the new Act, which received Royal Assent in March 2003, incorporates important amendments suggested by the Commissioner:

- the preamble expressly mentions the importance of linguistic duality in sport;
- section 6 stipulates that the financial assistance granted to national sport organizations must be allocated in accordance with Parts IV and VII of the *Official Languages Act*.



### Presentations to Parliamentary Committees in 2002–2003

The Commissioner appeared before parliamentary committees 10 times this year:

#### Presentations to the committees on official languages concerning:

- immigration and minority official language communities;
- the *2001-2002 Annual Report*;
- the *2002-2003 Report on Plans and Priorities* and budget appropriations.

In addition to appearing before the committees on official languages and attending their meetings, the Commissioner appeared before the following committees:

- **Standing Committee on Citizenship and Immigration** – to suggest amendments to the citizenship bill;<sup>33</sup>
- **Government Operations and Estimates Committee** – to suggest amendments to the bill to modernize human resources management;<sup>34</sup>
- **Standing Committee on Canadian Heritage** – to discuss linguistic issues regarding the *Broadcasting Act*<sup>35</sup> and to suggest amendments to the bill to promote physical activity and sport;
- **Senate Committee on Social Affairs** – to reiterate her recommendations concerning the bill to promote physical activity and sport;
- **Senate Committee on Legal and Constitutional Affairs** – to suggest amendments to the bill to re-enact legislative instruments that were enacted in one official language.

<sup>33</sup> See p. 119.

<sup>34</sup> See p. 34.

<sup>35</sup> See p. 80.

## Equal access to legislative instruments in English and French

### Issue

A number of federal legislative instruments were enacted or published in one official language only, in violation of the bilingualism requirements guaranteed in section 133 of the *Constitution Act, 1867*.<sup>36</sup> In March 2002, Bill S-41 was tabled in the Senate to dissipate any doubt about the constitutional validity of these texts and to enable the Governor in Council to re-enact them in both official languages.

### Action

When she appeared before the Standing Senate Committee on Legal and Constitutional Affairs, the Commissioner welcomed the bill, which aims to ensure that Anglophones and Francophones have equal access to legislative instruments. However, she expressed concern regarding the absence of a reasonable period in which to re-enact the legislative instruments and the absence of an accountability framework.

### Results

**The committee adopted amendments that take into account the Commissioner's proposals. The government will have a period of six years to enact a new version that will replace the non-complying regulatory texts.**<sup>37</sup>

## Official languages committees—Well-tuned violins!

The **Standing Joint Committee on Official Languages** was split in two in the fall of 2002 and replaced by a House of Commons committee and a Senate committee. The last months of the joint committee were nonetheless productive, and several issues were dealt with:

- **expectations regarding the *Action Plan for Official Languages*:** consultations with minority Francophone and Anglophone communities;
- **Part VII of the Act:** tabling of an in-depth study on the legal scope of these provisions;

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<sup>36</sup> These legislative instruments were enacted before section 7 of the *Official Languages Act* of 1988 came into force. It has been clear since 1988 that legislative instruments must be enacted in both official languages and, if printed and published, they must be printed and published in both official languages.

<sup>37</sup> In addition, the Minister of Justice must, within five years after the Act comes into force (June 13, 2003), make a full review of the implementation of the Act and submit a report on the review to the two Houses of Parliament.

- **official languages and air transportation:** examination of Air Canada’s official languages action plan. This plan meets one of the recommendations contained in the committee report of February 2002, in which 16 recommendations were made to the Transport Minister, the President of Treasury Board and the President of Air Canada. The Committee held a working session with representatives of Treasury Board and Transport Canada in July 2002;
- ***la Soirée du hockey in French:*** the committee’s quick intervention enabled the parties to reach a compromise under which the Canadiens Hockey Club and the Réseau des Sports authorized the Société Radio-Canada to continue to carry the weekly broadcast of *la Soirée du hockey* Canada-wide.

The **House of Commons Standing Committee on Official Languages** essentially continued the work begun by the joint committee with respect to several issues, including:

- Part VII of the Act;
- renewal of CPAC’s licence;<sup>38</sup>
- unilingual parking tickets issued by the RCMP;<sup>39</sup>
- the *Broadcasting Act*;
- services offered by large airports and at border crossings;
- effects of immigration on the demolinguistic balance.

The **Standing Senate Committee on Official Languages** also examined a number of issues, including the following:

- Part VII of the Act;
- the Official Languages Act of the Northwest Territories;
- the *Action Plan for Official Languages*.

These two committees will have a crucial role to play in years to come, and the Commissioner is counting on their leadership. With the Commissioner’s support, parliamentarians will have to closely monitor the pace and efficiency of the implementation of the *Action Plan for Official Languages* and continue to carefully assess the application of the various aspects of the Official Languages Program.

<sup>38</sup> See p. 81.

<sup>39</sup> See p. 52.

## Recommendation 2

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### The Commissioner recommends that the House of Commons and Senate committees on official languages:

- continue to closely monitor the actions taken regarding the *Action Plan for Official Languages* and annually convene the key individuals responsible for its implementation in order that they may report on measures taken and the results obtained.
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## D. Modernization of human resources management—Towards an exemplary Public Service?

### Issue

The government undertook to modernize the management of its human resources in April 2001. Since then, the Commissioner has taken numerous measures to encourage the government to fully integrate official languages into its reform. The President of Treasury Board, who is directing the restructuring, indicated that she was in favour of the Commissioner's suggestions, but few concrete improvements have been made to date.

Within the scope of its *Action Plan for Official Languages*, the government undertook to create an exemplary Public Service as far as official languages are concerned. Its modernization exercise represents a golden opportunity to solidify this commitment and to strengthen Public Service linguistic skills. Since the proposed legislation does not set out any measure for strengthening the linguistic skills of the federal Public Service, the government will have to honour its commitment in this respect when it reviews the policies and regulations pertaining to human resources management.

### Action

**2001** – The Commissioner submitted a series of proposals to the Treasury Board Secretariat,<sup>40</sup> among them to:

- consider knowledge of English and French as a basic skill and treat it as such in job classification;
- make increased use of imperative staffing;
- integrate language training into the training and development plans of public servants.

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<sup>40</sup> *Towards a Modern and Bilingual Public Service* (2001).

See [http://www.ocol-clo.gc.ca/archives/op\\_ap/rights\\_droits/modern/modern\\_e.htm](http://www.ocol-clo.gc.ca/archives/op_ap/rights_droits/modern/modern_e.htm).

**2002** – The Commissioner’s annual report recommended that the government ensure that the legislation and policies adopted regarding modernization “help achieve the objectives of the *Official Languages Act*.”

**February 2003** – Bill C-25 on Public Service modernization was tabled. It does not significantly change the linguistic aspects of human resources management. However, the following components of the bill will have an impact on linguistic issues:

- increased delegation to deputy heads with regard to staffing;
- new definition of the merit principle;
- creation of an independent tribunal to examine employees’ complaints concerning internal appointments;
- creation of the Canada School of Public Service to provide all professional training (up to now provided by the Canadian Centre for Management Development and the Public Service Commission).

**March 2003** – The Commissioner appeared before the Standing Committee on Government Operations and Estimates to propose certain amendments to Bill C-25. She asked the government to:

- add the notion of linguistic duality to the preamble of the *Public Service Employment Act* (which establishes the values of the Public Service);
- specify, in the language provisions regarding the Public Service Staffing Tribunal, that “the members of the tribunal are capable, as a group, of hearing complaints in either official language.”

The Commissioner also recommended that the government rethink language training in order to integrate it more fully as part of its professional development initiatives. To do so, she proposed two options:

- create an Official Languages Institute bringing together language training, translation and terminology; or
- entrust language training to the new Canada School of Public Service (to demonstrate that second-language learning is part and parcel of developing the skills that employees must have to properly carry out their duties).

**The Commissioner favours the second proposal.**

She also recommended:

- that access to language training be facilitated and that non-imperative staffing be progressively eliminated (an exclusion approval order enables unilingual candidates to be appointed to bilingual positions)
  - as of April 2004 for executive positions;
  - as of April 2006 for other positions, while easing the rules to facilitate access to language training;
- that a subsequent implementation schedule for external hiring be set out.

### Recommendation 3

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**With regard to the modernization of human resources management, the Commissioner reiterates and expands her 2001-2002 recommendation that the President of the Treasury Board:**

- establish a working plan to fully integrate linguistic duality into the activities and culture of the federal Public Service
    - by completing the revision of official languages policies and regulations in order to emphasize principles and values rather than rules;
    - by establishing an implementation schedule that takes into account the timeline proposed by the Commissioner for progressively eliminating non-imperative staffing;
    - by setting up a program to sensitize and mobilize public servants with respect to their rights and responsibilities in putting linguistic duality into practice;
    - by strengthening public service leadership regarding linguistic duality while taking into account performance and ensuring that, upon their appointment, individuals named to senior positions are aware of the value of linguistic duality;
    - by entrusting language training to the new Canada School of Public Service.
- 

### Conclusion

The government is on the right path, but major changes take time. Most of the changes envisaged have been carefully planned, and just as much—if not more—attention and follow-up will be required to implement them. For the momentum initiated by the authors of the action plan to continue, federal government leadership must be strengthened in order to obtain concrete, sustainable results. Like the Commissioner, parliamentarians have an important role to play in that they must demonstrate diligence at all times and carefully monitor the implementation of the action plan.





## Leadership in the federal administration



# LEADERSHIP IN THE FEDERAL ADMINISTRATION

This chapter on leadership in the federal administration is divided into two parts. The first describes the action taken by some members of the senior Public Service to promote official languages. The second examines how some institutions have implemented the recommendations made by the Commissioner in various studies and investigations.

## A. The senior Public Service: The example can only come from above

Leadership from senior managers is crucial to ensuring that linguistic duality is one of the fundamental values of federal institutions. This section deals with the leadership provided during the past fiscal year by the Clerk of the Privy Council, senior managers and regional federal councils.

### Clerk of the Privy Council

The Clerk of the Privy Council has taken concrete measures over the past fiscal year to raise the visibility of official languages in the federal government:

- He again included official languages in the government's administrative priorities for 2002-2003.

### Meetings with senior management

The Commissioner met with the management committees of seven federal institutions over the past year. These meetings were part of an initiative begun in 2001 to raise awareness among Public Service executives of the importance of making linguistic duality a fundamental value of their organization. The senior managers used the opportunity to express their dissatisfaction with existing language training programs. Two criticisms were often expressed:

- the training is based too much on passing a standardized test; and
- language training programs are not adapted to employees whose mother tongue is neither English nor French.

The federal government needs to take these concerns into account when introducing the measures set out in its action plan to improve language training in the Public Service.

- He also ensured that, in 70% of cases, official languages are part of the performance objectives of deputy ministers, which represents a 45% increase over the previous year. Official languages will be part of the performance objectives of all deputy ministers in 2003-2004. Deputy ministers will be required to ensure that official languages are at the centre of their institution's mission.



### OCOL Leon Leadership Award

The 2002-2003 Leon Leadership Award was presented to John Ryan, President of Farm Credit Canada, which has its head office in Regina. Congratulations!<sup>41</sup> In 2002, the Commissioner introduced the OCOL Leon Leadership Award to honour the head of a federal institution who has distinguished himself or herself through leadership in promoting linguistic duality and implementing the Official Languages Program in his or her institution.



The Commissioner expects the Clerk to report publicly on the results of each department.

- The Clerk also added a new component to the Head of the Public Service Awards that he presents annually to Public Service employees or teams that have excelled in various fields. Beginning in 2003, the Clerk will honour one individual or a team that has made an outstanding contribution to improving the status of official languages in the federal government.



## Committee of Deputy Ministers Responsible for Official Languages







This year, Committee members devoted most of their efforts to supporting the work of the Ministerial Reference Group on Official Languages as it developed the *Action Plan for Official Languages*. Thanks to the skilful coordination of the Deputy Minister of Intergovernmental Affairs, the deputy ministers played a crucial role in developing this plan and they deserve our sincere congratulations.

They must continue to be involved to ensure the plan's implementation at the highest level. This is especially important since the future of the ministerial committee remains uncertain. It therefore falls to the deputy ministers to reinforce their efforts over the coming year to ensure the smooth implementation of the various aspects of the plan and to facilitate interdepartmental collaboration. This committee must also play a key role in defining the performance criteria for evaluating results.

<sup>41</sup> See p. 134.

## Federal councils in the regions

A number of federal councils launched interesting initiatives during the past year:

-  The New Brunswick federal council organized a national symposium on language of work in the Public Service. This important conference took place in Dieppe in November 2002. An action plan was developed following the conference.<sup>42</sup>
-  The Manitoba federal council created an interdepartmental network bringing together the official languages coordinators of various federal institutions in Manitoba. The network's members held an inaugural meeting in February 2003 to discuss the elements of a future action plan to coordinate their efforts.
-  The Pacific federal council is developing a regional action plan to assist federal offices designated bilingual in British Columbia to meet their linguistic obligations more effectively.
-  The Quebec federal council launched several activities to increase the number of Anglophone employees in the federal Public Service in Quebec. Of particular note, its middle managers' network commissioned a study by the Missisquoi Institute to more clearly understand certain issues.<sup>43</sup>
-  The Ontario federal council created an official languages subcommittee, which held its first meeting in the spring of 2003 to develop its action plan.
-  The Newfoundland and Labrador federal council created a multifaceted official languages pilot project that includes promoting oral communication in French, creating a resource centre for learning in French, and increasing the awareness of the Francophone community in Newfoundland and Labrador regarding the federal programs and services available in the province.

The new Regional Partnerships Fund, announced in the *Action Plan for Official Languages*, should enable federal councils to intensify their efforts. They can use this resource to sponsor regional projects to improve services to the public, ensure equitable participation of both linguistic groups or make progress on language of work in bilingual regions.

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<sup>42</sup> See p. 94.

<sup>43</sup> See p. 100.

## Conclusion

It will be especially important for senior managers and executives of federal institutions to show leadership to ensure the *Action Plan for Official Languages* is implemented effectively. All must ensure that their instruments are well-tuned and their institutions are ready to play the part that the government has assigned to them.

## B. Response to the Commissioner's **recommendations**: Taking a **long time to hit** the right note

The recommendations made by the Commissioner following her investigations or studies are one of the main tools available to her to change the way the *Official Languages Act* is applied in the federal administration. The Commissioner has adopted a new approach when making recommendations: she engages the managers of departments or agencies to participate in finding the most appropriate solutions to address shortcomings.

The Commissioner places particular importance on ensuring that her recommendations are implemented. This helps her measure the progress achieved. To illustrate the current situation, we have grouped together the results of several follow-up studies and investigations conducted during the year.

## Follow-up Studies: Uneven Performance

### Study of the senior Public Service: Encouraging progress

#### Issue

In a study released in 2002,<sup>44</sup> the Commissioner made several recommendations to ensure that linguistic duality is a more integral part of and is reflected more fully in the senior Public Service. Her recommendations were directed at the Public Service Commission (PSC), the Treasury Board Secretariat (TBS), the Privy Council Office (PCO) and the Canadian Centre for Management Development (CCMD).

#### Follow-up

The appropriate authorities have implemented or begun to implement most of the proposed measures. However, two important recommendations have not been implemented.

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<sup>44</sup> Office of the Commissioner of Official Languages, *A Senior Public Service that Reflects Canada's Linguistic Duality*. See [http://www.ocol-clo.gc.ca/publications/sst\\_es.asp?Lang=English](http://www.ocol-clo.gc.ca/publications/sst_es.asp?Lang=English).



## Recommendations

## Implementation

Require that all assistant deputy minister and equivalent positions have the CBC profile in the second official language. *(TBS and PSC)*

**Fully implemented**

Ensure that imperative staffing be normally required for assistant deputy minister positions open to candidates from outside the Public Service, that the appointment of candidates who do not meet the language requirements of the position be viewed as an exception and that candidates be given language training upon assuming their responsibilities. *(TBS and PSC)*

**Not implemented**

**The Commissioner reiterates her recommendation.**

Maintain an adequate pool of Anglophone and Francophone candidates at the EX-3 level. *(TBS and PSC)*

**Fully implemented**

Modify the presentations made to new associate deputy ministers and deputy ministers to add a new section outlining the legal framework and the fundamental values of Canada's linguistic duality. *(PCO and CCMD)*

**In the process of being implemented.**

The CCMD organized an orientation session for associate deputy ministers that addressed the official languages issue. It is preparing similar sessions for deputy ministers.

Develop a presentation for agency heads on the application of the *Official Languages Act* and inform new agency heads of the requirements of the Act when they are appointed. *(PCO and TBS)*

**Fully implemented**

Require deputy ministers and associate deputy ministers to have the same level of bilingualism as that required for other EXs in the Public Service and implement a formal language evaluation system. *(PCO)*

**Not implemented**

**The Commissioner reiterates her recommendation.**

Incorporate official languages in the government's strategic priorities and in deputy minister and associate deputy minister key commitments and performance objectives for an additional three-year period. *(PCO)*

**Fully implemented**

Put in place assessment and follow-up mechanisms in order to evaluate the extent to which the objective of integrating official languages into federal institutions is being achieved and take corrective measures as required. *(PCO)*

**Fully implemented**



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## Expectations

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The PCO, TBS and PSC must continue to work toward speedy implementation of all the Commissioner's recommendations. The government's action plan is clear: promoting the use of both of our official languages in the Public Service is a priority. The bilingualism of the Public Service's executives is a key element in achieving this objective.

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### Recommendation 4

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#### The Commissioner reiterates the recommendations of her 2002 study of the senior Public Service.

She recommends that the Clerk of the Privy Council:

- Require deputy ministers and associate deputy ministers to have the same level of bilingualism as that required for other EXs in the Public Service and implement a formal language evaluation system.

She recommends that the President of Treasury Board and the President of the Public Service Commission ensure that:

- Imperative staffing be normally required for assistant deputy minister positions open to candidates from outside the Public Service and that the appointment of candidates who do not meet the language requirements of the position be viewed as an exception.
- 

### A change in culture is emerging...but much too slowly

#### Issue

In 2001, the Commissioner released a summary report of the follow-up studies done by her investigators over the previous five years in offices designated bilingual for the purpose of language of service.<sup>45</sup> The report found that the bilingual capacity of these offices had diminished by about 10% since 1994. The report's 22 recommendations, which were directed mainly at Treasury Board Secretariat, all focused on the same objective: motivate federal institutions to make delivery of quality bilingual services a central element of their organizational culture.

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<sup>45</sup> Office of the Commissioner of Official Languages, *National Report on Service to the Public in English and French: Time for a Change in Culture*, 2001.  
See [http://www.ocol-clo.gc.ca/archives/sst\\_es/2001/report\\_bilan/report\\_bilan\\_2001\\_e.htm](http://www.ocol-clo.gc.ca/archives/sst_es/2001/report_bilan/report_bilan_2001_e.htm).





## Results

### 2001 Study

22 recommendations



### 2002 Follow-up<sup>46</sup>

4 implemented

13 in the process of  
being completed

5 ignored



### 2003 Follow-up

10 implemented

11 in the process of  
being completed

1 ignored

The 2003 follow-up shows the following:

- **Full implementation of six additional recommendations, in particular:**
  - the review and redesign of the official languages initiation course given by TBS in collaboration with the PSC;
  - the development of an evaluation tool to help managers define the language requirements of positions and to determine the number of bilingual positions required to provide appropriate service in English and French;
  - the allocation of sufficient resources to eliminate waiting lists for statutory language training (the federal *Action Plan for Official Languages* invests \$38.6 million in this area).
- **Eleven recommendations are in the process of being completed, in particular:**
  - in collaboration with the CCMD, TBS has developed a training program for managers on mutual respect among employees in bilingual workplaces. This initiative should lead to the development of a more detailed program to make managers aware of the importance of making linguistic duality a fundamental value in their organization;
  - TBS has begun a review of its policies on language of communication and language of work to update and simplify them. It plans to review all of its policies on managing the Official Languages Program;
  - there has been a significant increase in the bilingualism rate among executives (EX): as of March 31, 2003, 5.3% of them had not achieved the CBC level, compared with 31% two years ago.

<sup>46</sup> 2001-2002 Annual Report, pp. 51-52.

See [http://www.ocol-clo.gc.ca/archives/ar\\_ra/2001\\_02/2001\\_02-toc\\_tdm\\_e.htm](http://www.ocol-clo.gc.ca/archives/ar_ra/2001_02/2001_02-toc_tdm_e.htm).



## Expectations

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Progress has been made over the past year but TBS still has not amended its policy on the language designation of positions to increase the bilingual workforce in offices designated bilingual.

- Imperative staffing must be used as often as possible to fill a position in which one of the requirements is to communicate with the public or employees in both official languages.
  - TBS has not always met the deadlines set by the Commissioner. It must significantly accelerate the review of its policies and ensure better collaboration with the other organizations involved, such as the Department of Canadian Heritage, the Public Service Commission and the Canadian Centre for Management Development.
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### The Treasury Board **Secretariat** sticks to its ultimatum to **unilingual executives**

The President of Treasury Board showed leadership and set an example by applying the Policy on the Language Requirements for Members of the Executive Group. This policy requires executives in bilingual positions in designated bilingual regions and all assistant deputy ministers, to be able to carry out their duties in both official languages.

The Minister did not waver and did not extend the policy's deadline of March 31, 2003 for managers to meet the CBC linguistic standard. She reported that almost 95% of the executives required to master the other official language by March 31, 2003 had done so. She took the necessary steps so that the some 120 incumbents of bilingual executive positions who had not acquired the necessary language skills no longer exercised the same duties.

Her actions send a clear message: bilingualism is a non-negotiable reality for executives of the federal Public Service.

## French on-line: The first action plan

### Issue

In her last annual report, the Commissioner deplored the government's slow implementation of the recommendations that she made in 1999 to increase the use of French on the Internet.<sup>47</sup>



**In 2002, on behalf of the government, the Department of Canadian Heritage adopted an action plan describing the measures that various departments planned to take to implement the recommendations in the Commissioner's study.**

**Thanks to the collaboration of several departments in this area and their commitment to implementing the Commissioner's recommendations, a number of initiatives have been taken:**

- **Symposium on the language industry** – organized in May 2002 by Industry Canada, this symposium helped to identify the needs of this sector and to increase cooperation among the key players;
- **Roadmap for the language industry** – stakeholders in the language industry, supported by Industry Canada and the National Research Council of Canada, completed an interim report in February 2003 on developing a technological roadmap for the language industry in Canada with the goal of:
  - identifying the industry stakeholders and developing their profiles;
  - determining up-and-coming sectors;
  - taking stock of the research done in Canada in these fields;
  - suggesting measures to enable Canada to regain its place as a world leader.

**To come** – A number of measures proposed in the interim report should be implemented by December 2003:

- activities fostering networking;
- workforce training;
- support for marketing, research and funding;
- examination of the government's role.

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<sup>47</sup> Office of the Commissioner of Official Languages, *The Government of Canada and French on the Internet* (1999) and *French on the Internet: Key to the Canadian Identity and the Knowledge Economy* (2002). See [http://www.ocol-clo.gc.ca/publications/sst\\_es.asp?Lang=English](http://www.ocol-clo.gc.ca/publications/sst_es.asp?Lang=English).

By 2005, the roadmap should be completed and made public.

- **Centre of excellence for the development of technolinguistic tools** – The National Research Council of Canada has taken on development of this research centre in Gatineau, Quebec, as mentioned in the *Action Plan for Official Languages*. An acting director has been appointed and discussions are under way with partners to clarify the terms and conditions of implementation.
- **Language quality on federal government Internet sites** – The Treasury Board Secretariat has conducted a preliminary audit of the quality of language on the Internet sites of a few federal institutions.

This audit will be extended to all Web sites of federal institutions subject to the *Official Languages Act*. TBS will also develop a self-evaluation tool to assist institutions in improving the quality of the language on their Internet sites.

- **“Word Wizards”**<sup>48</sup> – Canadian Heritage launched this on-line language toolkit in the spring of 2003. This toolkit responds to the Commissioner’s recommendation regarding the need to increase the quality and quantity of French content on the Internet. This new Internet site provides quick access to numerous language tools which make writing and editing easier in either official language.

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## Expectations

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**The cooperation of several departments and their regular action plans show that real progress is possible in this area. The Commissioner will continue to closely monitor the implementation of this action plan.**

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<sup>48</sup> See <http://wordwizards.gc.ca>.

## The Canadian sports system: Sport Canada's disappointing performance

### Issue

In a report released in 2000,<sup>49</sup> the Commissioner reported that French does not enjoy the same status as English in the world of Canadian sport. Fifteen recommendations were made to Sport Canada so that our sports system would offer equal opportunities to athletes from either official language group.

### Follow-up

The follow-up conducted during the past fiscal year included numerous consultations with Sport Canada, national sport organizations (NSOs), multi-sport organizations funded by Sport Canada, and high calibre coaches and athletes. The result is disappointing.

- Sport Canada has fully implemented only three of the fifteen recommendations, and nine others have been partially implemented. Three recommendations have been ignored.
- The participation of Francophone athletes continues to decline: they account for only 17.3% of all carded athletes, or 0.7% fewer than in 2000.

**The Commissioner therefore made a new recommendation to Sport Canada, asking it to conduct an independent study by June 30, 2004, to identify and eliminate barriers to the participation of Francophone athletes in certain sports.**

## Expectations

**Despite Sport Canada's positive response to the Commissioner's recommendations in 2000, the organization's performance has not lived up to expectations.**

**Sport Canada must intensify its efforts to implement all of the measures recommended in 2000 and ensure that athletes and coaches can access services in the official language of their choice.**

**In response to the Commissioner's follow-up study, the Secretary of State for Amateur Sport tabled an action plan in the spring of 2003. This plan commits Sport Canada to implementing the recommendations even before the deadlines set by the Commissioner. The Commissioner will report on the situation in her next annual report.**

**This will be an opportunity for Sport Canada to turn in a medal-winning performance!**

<sup>49</sup> Office of the Commissioner of Official Languages, *Official Languages in the Canadian Sport System* (2000). See [http://www.ocol-clo.gc.ca/publications/sst\\_es.asp](http://www.ocol-clo.gc.ca/publications/sst_es.asp).

## Access to justice in both official languages: Lengthy deliberations

### Issue

In a study released in 1995, the Office of the Commissioner recommended that the Department of Justice take measures to improve access to justice in both official languages throughout the country. Since the release of that study, progress proceeded at a snail's pace before finally taking off this year.

- **1995** – Study and recommendations by the Office of the Commissioner.
- **June 2002** – The Standing Joint Committee on Official Languages recommends to the Department of Justice to work with its provincial and territorial counterparts to examine delivery models for judicial services that might better respond to the needs of official language communities.<sup>50</sup>



### Results

- **July 2002** – Seven years after the study by the Office of the Commissioner, the Department of Justice releases the report<sup>51</sup> of an independent firm on the situation in each province and territory with respect to criminal law, bankruptcy and divorce.

### Findings: high level of dissatisfaction<sup>52</sup>

The report confirmed the findings of the study by the Office of the Commissioner and determined that all accused persons in official language minority communities still frequently encounter problems accessing the judicial system in their own language. The main shortcomings are as follows:

- poorly developed judicial systems, especially in the three territories, because of the lack of a bilingual resident judge and a shortage of bilingual prosecutors, among other reasons;
- a shortage of bilingual judges, attorneys and court personnel in several provinces;
- problems accessing legal materials in French;
- no policy of active offer of services.

**The report commissioned by the Department of Justice proposes many solutions. They were put forward by members of the judicial community and reflect the specific needs of each minority community.**

50 Interim Report of the Standing Joint Committee on Official Languages, *The Justice System and Official Language Minority Communities*, June 2002;

<http://www.parl.gc.ca/InfoComDoc/37/1/LANG/Studies/Reports/LANGRP12-e.htm>.

See also the Third Report of the Standing Senate Committee on Official Languages, May 28, 2003, <http://www.parl.gc.ca/37/2/parlbus/commbus/senate/com-e/offi-e/rep-e/rep03may03-e.htm>.

51 Department of Justice, *Environment Scan: Access to Justice in Both Official Languages*, Report submitted by PGF Consultants, July 2002; <http://canada.justice.gc.ca/en/ps/franc/enviro/toc.html>.

52 In particular, the authors found that overall dissatisfaction with the operation of the judicial system in French was 50% in the criminal law field, 58% in the bankruptcy field and 45% in the divorce field (p. 34, *Environmental Scan*).

## **Collaboration + consultation + adequate funds = concrete results**

- **August 2002** – The Department of Justice creates a federal-provincial-territorial working group to examine possible solutions. While most provincial and territorial governments are part of this working group,<sup>53</sup> the Department should encourage those not involved to join.
- **March 2003** – In its *Action Plan for Official Languages*, the federal government allocates \$18.5 million over five years to facilitate access to justice in both official languages. The Department of Justice also announces the creation of a consultation mechanism involving communities, jurists and accused persons to implement solutions specific to the particular situation in each region.



## **Expectations**

**Now that all of the pieces have finally come together, the federal government should continue to show leadership and ensure that the action undertaken enables citizens to have easier access to the justice system. It is crucial that the next year be one of action. The Commissioner reiterates her commitment to support all major stakeholders who will implement measures or projects that facilitate the delivery of judicial services in either minority official language.**

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<sup>53</sup> When it was established, the federal-provincial-territorial group included representatives from Justice Canada, Alberta, British Columbia, Manitoba, Ontario, New Brunswick and the Yukon. Representatives from Nunavut and Saskatchewan have since joined.

## The *Contraventions Act*: End of a saga

The year 2003 marks the end of the long saga of the *Contraventions Act*.

### Issue

- **1996** – The federal government amends the *Contraventions Act* to give provinces and territories the responsibility of administering legal action for federal contraventions.

### Action

- **1997** – The Commissioner investigates a complaint filed by the Association des juristes d’expression française de l’Ontario (AJEFO) and recommends to the Department of Justice that linguistic guarantees be included in the agreements negotiated with the provinces and municipalities.
- **1998** – Recourse to the Federal Court to force the Department of Justice to act on the recommendations.
- **2001** – The Federal Court rules that the agreement between the Department of Justice and the Government of Ontario does not adequately protect the language rights of the Canadian public<sup>54</sup> and orders the Department of Justice to review the agreement and the regulations governing the application of certain provincial acts.<sup>55</sup> The government accepts the ruling.

### Results

- **2003** – Five years after the findings of the Commissioner’s investigation, important progress has been made in several areas:
  - 1) An agreement is signed between the Department of Justice and the Government of Ontario stating that:**
    - the accused may henceforth receive a trial in French throughout Ontario and receive service in French from court personnel in 27 judicial service regions;<sup>56</sup>
    - court personnel must henceforth provide active offer of their services in French, an obligation that does not currently exist in provincial legislation governing French language services.

<sup>54</sup> The ruling reaffirms two rights, specifically, the right of the public to receive services from court personnel in the official language of its choice (as set out in sections 21 to 34 of the *Official Languages Act*) and the right of the accused to a trial in the official language of his or her choice (as set out in sections 530 and 530.1 of the *Criminal Code*).

<sup>55</sup> For a detailed analysis of the ruling, see “Language Rights 1999-2000,” pp. 86-88, [http://www.ocol-clo.gc.ca/publications/ar\\_ra.asp?Lang=English#4](http://www.ocol-clo.gc.ca/publications/ar_ra.asp?Lang=English#4).

<sup>56</sup> Under the provincial French Language Services Act, only 20 regions are required to offer judicial services in French; implementation of the Federal Court decision therefore extended this requirement to seven additional regions.



- 2) **A draft regulation is published that respects the Federal Court decision.** Nevertheless, the Commissioner and the AJEFO expressed concerns to the Minister of Justice about the lack of a provision that would require justices of the peace and Provincial Court justices to inform offenders of their language rights, as set out in the *Criminal Code*. Representations by the Commissioner and the AJEFO on the importance of active offer in exercising language rights were well received by the Department of Justice, and this point is now reflected in the draft regulation.
- 3) **The Action Plan for Official Languages** provides an investment of \$24 million over five years to ensure compliance with legal obligations arising from the Federal Court decision.

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## Expectations

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**The Department of Justice must now continue discussions with the provinces with which it has entered into similar agreements.<sup>57</sup> In addition, it is important that the Department continue to consult with associations of French jurists as part of its future consultations with the provinces. Similar consultations with the AJEFO, as part of the discussions with the Government of Ontario, proved productive.**

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## Investigation Follow-ups: A Few Wrong Notes

### The Job Bank: A translation system that still doesn't work!

#### Issue


Every day, many English- and French-speaking citizens consult the Job Bank site<sup>58</sup> seeking employment. However, there is no guarantee that they can get understandable information in the language of their choice.

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<sup>57</sup> The Department of Justice has entered into these agreements with Manitoba, New Brunswick, Quebec, Nova Scotia and Prince Edward Island.

<sup>58</sup> See [http://www.jobbank.gc.ca/Prov\\_en.asp](http://www.jobbank.gc.ca/Prov_en.asp).

Here are a few recent examples of machine translations found on the site:

	
<b>Original French text of the job offer</b>	<b>English translation</b>
<p>Votre première responsabilité est la gestion de votre caisse. Vous aurez à manipuler des sommes importantes d'argent et à vous assurer de fermer et de balancer votre caisse. En second lieu, vous aurez à informer la clientèle sur les divers services que l'entreprise met à leur disposition.</p>	<p>Your first responsibility is the management of your box. You'll have to treat (manipulate) large sums of money (silver) to assure (insure) you to close and rock your box. Secondly, you'll have to inform the clientele about the various services which the company puts in their arrangement.</p>
<b>Original English text of the job offer</b>	<b>French translation</b>
<p>MAID BRIGADE is interested in mature and responsible individuals to work within teams, performing light house cleaning in the Calgary area. Valid driver's license preferred. Transportation provided. Training and equipment provided. Hours approximately: 8:30 to 4:30 (no weekends). Call our office.</p>	<p>L'équipe de demoiselle est intéressées par des individus murs et responsables pour travailler dans des équipes, exécutant la maison légère se nettoyant dans le secteur de Calgary. Permis de conduire valable preferred. Transport provided. Formation et équipement provided. Heures approximativement 8 :30-4 :30 (aucuns week-ends) Appellent notre bureau.</p>

In her last annual report, the Commissioner deplored the fact that the federal government needed seven years to develop a new computer system to translate job offers from the private sector posted in Human Resources Development Canada (HRDC) offices. One year later, has the new machine translation system improved the quality of poor English and French translations?

### Follow-up

As of March 31, 2003, the translation system was still not reliable. HRDC employees do not have the necessary resources to revise the growing number of job offers (between 15% and 45% of the job offers posted are revised, depending on the volume).

HRDC has introduced a number of measures that should result in timely improvements:

- The number of full-time student-revisers will increase from 4 to 12 during the summer of 2003: they should revise between 25% and 50% of the texts sent by employers;
- The Job Bank's interface will be modified: the text space provided to employers will be cut in half, thereby shortening the texts to be revised and reducing the chances of error;
- The system will be equipped with revision tools for employers to use.



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## Expectations

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Given that HRDC was alerted to the translation problems eight years ago, it must focus on resolving this problem once and for all. The current situation is unacceptable. If the Department is unable to count on a reliable translation system, then it must hire sufficient resources to revise all of the texts posted and to ensure equal access to quality services in both official languages.

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### The RCMP finally commits to raising the language requirements of constable positions in the Moncton region

As part of their daily work, RCMP constables are in constant contact with the public.

#### Issue

**1999** – The RCMP lowered the level of bilingualism required for several front-line constable positions in New Brunswick. In her investigation report, the Commissioner indicated to the RCMP that the incumbents of these positions had to perform a number of tasks requiring a high level of bilingualism and that it should therefore review the linguistic designation of these positions.



#### Follow-up

**2000** – An **initial** follow-up revealed that the RCMP had not acted on this recommendation.

**2002-2003** – A **second** follow-up was carried out to verify whether the situation had been corrected in the Codiac district (which includes Moncton, Dieppe and Riverview).

The follow-up study found:

- The RCMP had not raised the language requirements of any front-line constable positions. It was of the opinion that the extensive pool of constables available to it in the Codiac district provided the necessary flexibility to assign its bilingual constables wherever there was a need.

The Commissioner made new recommendations to ensure, in particular, that by September 2003 the linguistic levels of constable positions in New Brunswick are established objectively based on the real needs of the population to be served. The RCMP committed to implementing the recommendations and making the necessary changes to the requirements of constable positions.



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## Expectations

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The Commissioner is very pleased with this about-face. She is disappointed, however, that so much time and energy were required to achieve this outcome.

The RCMP must now follow through on its commitment to re-evaluate the language requirements of its constable positions by September 2003 to ensure that the linguistic designations are based on objective criteria, as required by section 91 of the *Official Languages Act*.

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## The Canadian Coast Guard College: No wind in its sails

### Issue

In her last two annual reports, the Commissioner reported on numerous linguistic problems that have emerged at the Canadian Coast Guard College in Sydney, Nova Scotia, since 1995, when responsibility for the College was turned over to Fisheries and Oceans Canada.

The College is a national training centre and, as such, must provide all employees and officer cadets with an environment conducive to the use of both of our official languages.

In July 2001, the Commissioner made numerous recommendations to ensure respect for the language rights of the College's officer cadets and employees. The institution indicated at the time that it planned to implement all of the recommendations and developed an action plan to that effect.



### Follow-up

A follow-up study carried out late in 2002 revealed that the Department was a long way from honouring its commitments:

Out of 17 recommendations:

- three had been implemented;
- 13 had been partially implemented;
- one had been ignored.

In most cases, the College had not adhered to the Commissioner's timelines.

Recommendations implemented:

- The College regained its bilingual status in terms of language of work;
- The language rights of naval engineering and navigation candidates are being respected when they undergo the program selection process;
- The three positions where the incumbents are in close contact with the officer cadets (Director of the College, Liaison Officer and Superintendent of Naval Sciences) have been designated bilingual (CBC).

The follow-up report contains **10 new, more specific recommendations** with the following objectives. The implementation deadline is September 2003:

- Provide staff and officer cadets with services in both official languages (pay and benefits, health, food services, materiel management, simulation software);
- Provide everyone with regularly and widely used work instruments and information systems in English and in French;
- Increase the use of French at meetings and provide related materials simultaneously in English and in French;
- Improve the language quality of materials distributed in both official languages;
- Complete the redefinition of the language requirements of certain positions;
- Address any shortcomings in classroom and at-sea training programs and related workshops for Francophone officer cadets.

Fisheries and Oceans Canada committed to providing the Commissioner with a detailed action plan by the end of September 2003 outlining their efforts and goals towards implementing the Official Languages Program at the College.

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## Expectations

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**The College must not delay any further in meeting its linguistic obligations and implementing all of the Commissioner's recommendations. If it does not take this action, it will be difficult for Francophone officer cadets to advance and to have a career using their language on a regular basis.**

**Here again, as with other situations described in this section, the Commissioner believes that changes are too slow in coming. The Department was not sufficiently committed to implementing the Commissioner's recommendations. As a result, a second follow-up will be undertaken at the College during the coming year.**

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## Restructuring of the Shippagan office of the Canadian Food Inspection Agency

### Issue

**2000** – Complainants challenge the decision of the Canadian Food Inspection Agency (CFIA) to abolish inspector positions at the Shippagan office and to transfer them to another office in southern New Brunswick.

- The complainants argue that this restructuring has a negative impact on service to the public and on the region's economy.

### Action

**2001** – The Commissioner's investigation report finds that the complaint is founded.

- The Commissioner makes three recommendations to ensure that the CFIA fully complies with its obligations with respect to service to the public and takes into consideration the government's commitment to supporting the development and enhancing the vitality of official language minority communities.

**2002** – The complainants seek recourse before the Federal Court to require the Agency to reconsider its decision. No ruling had been made as of March 31, 2003.

### Follow-up

**2003** – The Commissioner finds that some progress has been made but none of the recommendations have been fully implemented.

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## Expectations

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**Regardless of its administrative structure, the CFIA must be able to ensure the delivery of services to the public in both official languages at all times.**

**The CFIA must continue its efforts to support the development and vitality of the Francophone community. Consultations with the official language minority community and complainants are important to better determine the community's needs in terms of development and growth. CFIA managers must be better informed about the extent of their obligations in this regard.**

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## Economic development for the benefit of Franco-Ontarians

### Issue

The economy plays a key role in the ability of an official language minority community to be able to develop and grow. Federal institutions must be aware of this and take it into consideration when preparing their action plans to implement the government's commitment set out in Part VII of the *Official Languages Act*. Some of the complaints received by the Commissioner deal precisely with the shortcomings of federal institutions in this area.

### Action

An eloquent example of this reality was the complaint filed in 2000 against the North Simcoe Business Development Centre (NSBDC), a Community Futures Development Corporation (CFDC) funded by Industry Canada under its Communities Futures Program in Ontario. A representative of the Centre d'avancement et de leadership en développement économique communautaire de la Huronie (CALDECH) complained that none of the NSBDC's economic development officers was able to provide services in French. The organization claimed that because of the absence of services in French and the way in which the North Simcoe CFDC was operating, Industry Canada was not fulfilling its obligations with respect to supporting the development and enhancing the vitality of the minority community in Simcoe County.

The Commissioner determined in September 2001 that the complaint was founded and made four recommendations to Industry Canada to correct the situation. A follow-up was done one year later to verify whether the recommendations had been implemented.



## Follow-up

Investigators found that the Department had not been prompt in implementing the Commissioner's recommendations.

Recommendations	Implementation status
 <p>Take measures to ensure that services provided to the official language minority and majority communities under the Community Futures Program are truly equal in quality and establish appropriate control mechanisms.</p>	<p><b>Partially implemented</b></p> <p>March 2001 – Industry Canada contracted CALDECH to assume delivery of the NSBDC's services in French until the end of 2002.</p> <p>Since early 2003, the NSBDC has been able to provide more services in French to the Francophone community. However, no monitoring mechanism has been established.</p>
<p>Review the agreement signed with the NSBDC to ensure that it fully takes into account the particular needs and concerns of the French-speaking business community of Simcoe County.</p>	<p><b>Not implemented</b></p> <p>The agreement was amended but in a global context, that is, for all CFDCs in Ontario. The NSBDC's agreement was not amended to reflect the specific needs and concerns of the Francophone business community in Simcoe County.</p>
<p>Consult the French-speaking business community prior to undertaking any project or concluding any agreement that could have an impact on the development of this community.</p>	<p><b>Partially implemented</b></p> <p>There was consultation but investigators were unable to determine any link between it and Industry Canada's decisions.</p>
<p>Examine the merits of establishing a French-language CFDC in Simcoe County.</p>	<p><b>Partially implemented</b></p> <p>Industry Canada believes that establishing a French CFDC would represent a duplication of services. The Department prefers to extend the CFDC program to areas not served in Ontario. Industry Canada claims that it is not able to support a Francophone structure in Ontario and that it would be too costly to set up a parallel network of CFDCs in Ontario.</p>



## Expectations

In presenting her final follow-up report, the Commissioner recommended that Industry Canada re-evaluate its approach regarding Part VII of the *Official Languages Act* with the objective of implementing the original recommendations.



## Conclusion

This overview of the Commissioner's follow-up studies shows that some institutions have been highly committed to acting on her recommendations. The Privy Council Office, for example, and to a lesser degree, the Treasury Board Secretariat, have shown praiseworthy effort. However, other institutions are way out of synch and, in some cases, have been dragging their feet for years.

The Commissioner does not want to have to play the role of disciplinarian and continuously follow up on her follow-ups. This approach does not reflect her idea of the type of relationship that an officer of Parliament should have with federal institutions. Leaders of federal institutions need to assume their responsibility to implement the Act and to act on the Commissioner's recommendations within the timelines set. The outcomes would definitely be more sustainable and more beneficial to Canadians.

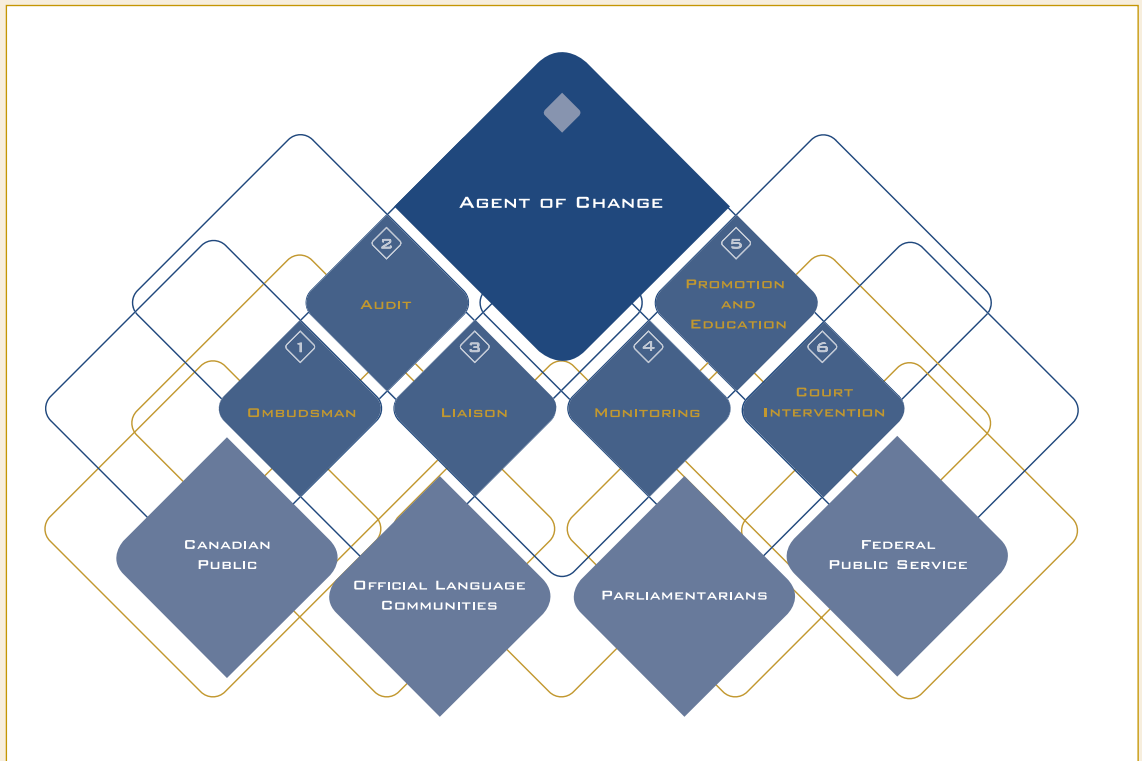


The Commissioner does not want to play the role of disciplinarian.



# THE ROLE OF THE OFFICE OF THE COMMISSIONER OF OFFICIAL LANGUAGES

Acting to **bring** about change: **Information on interventions** by the Office of the **Commissioner**



**The Commissioner** has set herself the mandate of acting as an agent of change in Canadian society, a mission that she carries out through six complementary roles. Here are some of the main activities carried out in 2002-2003 for each of the Office of the Commissioner's roles.

## Ombudsman

The role of ombudsman consists of receiving complaints from the public concerning official languages, reviewing the complaints and investigating them. The Commissioner then makes recommendations and her office works closely with the managers of federal institutions to bring about lasting change.

- Over 1,300 new complaints were investigated.
- Some 500 requests for information were treated.
- Two studies and eight follow-up investigations were conducted.

## Auditing

To ensure that institutions comply with the requirements of the *Official Languages Act*, the Office of the Commissioner monitors and audits the administrative practices of institutions that are subject to the Act in order to play a proactive and preventive role and ensure they are fulfilling their obligations.

- The Office of the Commissioner reactivated its auditing role over the course of the past year by developing a new policy and an audit method.
- The Commissioner will conduct audits during the 2003-2004 fiscal year.

## Liaison

The Office of the Commissioner performs a liaison role with the institutions subject to the Act, communities and various levels of government across the country in order to facilitate the communication of needs and expectations concerning official languages. The Office of the Commissioner works to encourage social and administrative change, thereby enhancing linguistic duality.

- Some seven presentations were made to the management committees of various federal institutions.
- The Office of the Commissioner has enhanced the role of the five regional offices by creating new liaison officer positions. These officers work with federal agencies and the communities in British Columbia, Saskatchewan and Quebec. Two more liaison officer positions will be created during the next fiscal year in the Atlantic Region and Ontario.
- There were approximately 65 meetings with parliamentarians, Members of Parliament and deputy ministers at the federal and provincial levels.
- Meetings were held with about 27 associations.
- Over 1,570 letters were sent to partners, companies and members of the public in Canada.

## Monitoring

The Office of the Commissioner of Official Languages takes preventive action by intervening when legislation, regulations and policies are being developed, to ensure that language rights remain front and centre among political and administrative decision-makers' concerns.

- The Commissioner made 10 presentations to parliamentary committees.
- Some 115 briefing notes and analyses were produced.
- There was ongoing action on at least 11 major issues such as citizenship, immigration, air transportation, broadcasting, health, sports, the modernization of human resource management, the Internet, the *Contraventions Act*, instruction in the minority language and the revision of the Northwest Territories Official Languages Act.

## Promotion and education

The Office of the Commissioner takes concrete measures to promote linguistic duality within the federal administration and Canadian society. The Commissioner carries out research and publishes studies to raise awareness among decision-makers and the public; she regularly gives speeches before various audiences; and she participates in symposiums dealing with significant issues for our official languages.

- Some 280 interviews were given to the media.
- Thirteen press releases were issued.
- Some 13 of the Commissioner's letters were published in the newspapers.
- The Commissioner gave 29 speeches.
- The Office of the Commissioner took part in 15 information booths across the country.
- Five studies were published.

## Court intervention

The Commissioner appeals to the courts as a last resort to ensure full respect for the language rights guaranteed by the *Official Languages Act*. She also intervenes in court proceedings involving the exercise of the language rights guaranteed in the *Canadian Charter of Rights and Freedoms*.

- Intervention in two new actions taken by plaintiffs under the *Official Languages Act*: *Margaret Temple v. Via Rail*,<sup>59</sup> and *Thibodeau v. Air Canada*; and
- Intervention in a new case under the fundamental constitutional principle of respect and protection of minorities: *David Tremblay et al. v. the Corporation of the Town of Lakeshore*.

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<sup>59</sup> The Commissioner has intervened in other similar actions taken by other plaintiffs against Via Rail: *Brian Norton v. Via Rail*, *Brenda Bonner v. Via Rail*, and *Mark Collins v. Via Rail*.

## STUDIES PUBLISHED IN 2002-2003

1. Official Languages on the Internet: Web sites of Diplomatic Missions and International Organizations (April 2002)

[http://www.ocol-clo.gc.ca/archives/sst\\_es/2002/lang\\_internet/lang\\_internet\\_2002\\_e.htm](http://www.ocol-clo.gc.ca/archives/sst_es/2002/lang_internet/lang_internet_2002_e.htm)

2. Official Languages and Immigration: Obstacles and Opportunities for Immigrants and Communities (November 2002)

[http://www.ocol-clo.gc.ca/archives/sst\\_es/2002/obstacle/obstacle\\_e.htm](http://www.ocol-clo.gc.ca/archives/sst_es/2002/obstacle/obstacle_e.htm)

3. The Use of the Official Language Minority Press by Federal Institutions (November 2002)

[http://www.ocol-clo.gc.ca/archives/sst\\_es/2002/minority\\_minoritaire/minority\\_minoritaire\\_e.htm](http://www.ocol-clo.gc.ca/archives/sst_es/2002/minority_minoritaire/minority_minoritaire_e.htm)

4. Official Language Requirements and Government On-Line (June 2002)

[http://www.ocol-clo.gc.ca/archives/sst\\_es/2002/gol\\_ged/gol\\_ged\\_2002\\_e.htm](http://www.ocol-clo.gc.ca/archives/sst_es/2002/gol_ged/gol_ged_2002_e.htm)

5. A Senior Public Service that Reflects Canada's Linguistic Duality (June 2002)

[http://www.ocol-clo.gc.ca/archives/sst\\_es/2002/senior\\_ps/seniorps\\_hautefp\\_e.pdf](http://www.ocol-clo.gc.ca/archives/sst_es/2002/senior_ps/seniorps_hautefp_e.pdf)

6. The Single Window Networks of the Government of Canada (January 2003)

[http://www.ocol-clo.gc.ca/archives/sst\\_es/2003/window\\_guichet/window\\_guichet\\_2003\\_e.htm](http://www.ocol-clo.gc.ca/archives/sst_es/2003/window_guichet/window_guichet_2003_e.htm)

7. Language Rights 2001-2002 (March 2003)

[http://www.ocol-clo.gc.ca/publications/ar\\_ra.asp?Lang=English#4](http://www.ocol-clo.gc.ca/publications/ar_ra.asp?Lang=English#4)

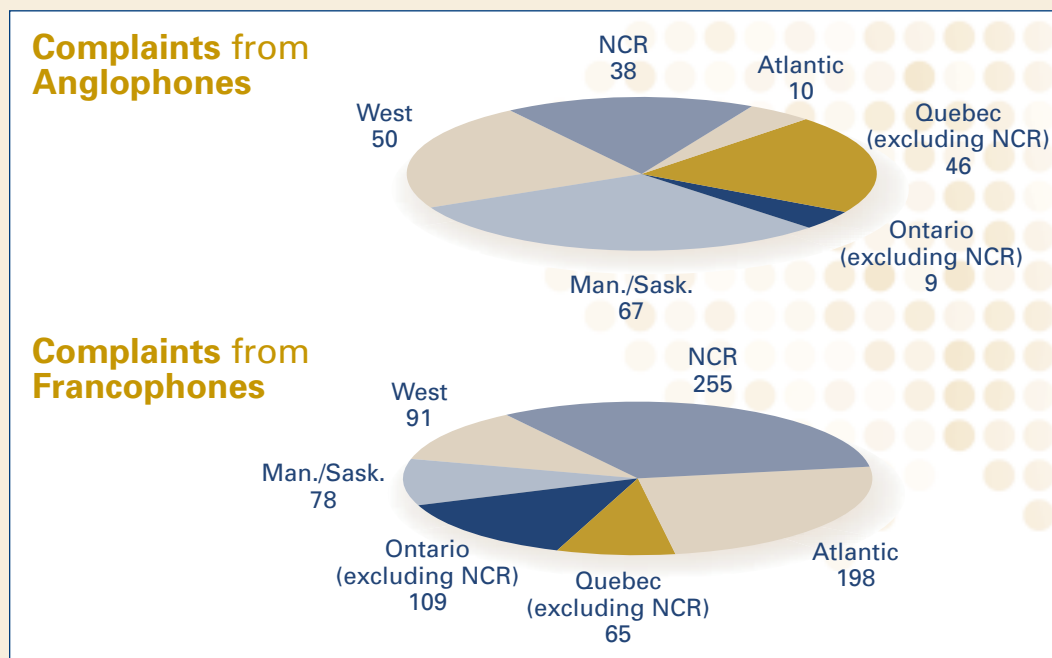
8. Official Languages in the Canadian Sport System – Follow-Up – Getting a Second Wind! (June 2003)

[http://www.ocol-clo.gc.ca/archives/sst\\_es/2003/sport/sport\\_e.htm](http://www.ocol-clo.gc.ca/archives/sst_es/2003/sport/sport_e.htm)

# ANALYSIS OF COMPLAINTS

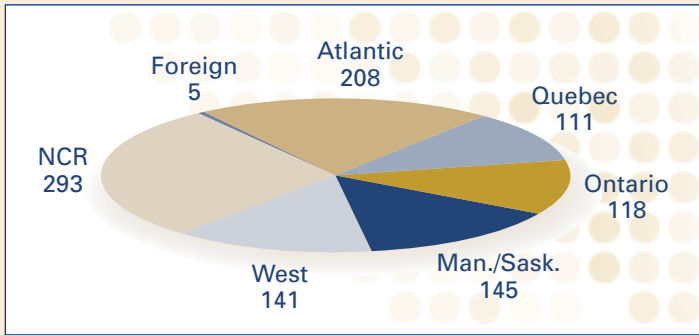
**Complaints** are an essential tool in the work of any ombudsman. It is important when members of the public and employees of federal institutions complain to the Office of the Commissioner because these complaints help us uncover any difficulties that may emerge in the implementation of the *Official Languages Act*, examine the quality of services offered to the public and work with the federal institutions involved in order to correct the situation.

- The Commissioner received 1,330 complaints between April 1, 2002 and March 31, 2003, a 9% increase over the previous year.
- Nearly 77% of them (1,021 complaints) were deemed admissible.
- The number of complaints received has remained about the same over the last decade. The percentages cited below are calculated on the basis of the number of admissible complaints.
- More than three quarters of the complaints were lodged by Francophones.
- However, the number of complaints from Anglophones nearly doubled in comparison with the previous year (300 rather than 167). This increase was largely due to the many Anglophones in the West who objected to the bilingual weather reports broadcast by Environment Canada.<sup>60</sup> However, more than 85% of the complaints against Environment Canada turned out to be unfounded.



<sup>60</sup> See p. 86.

## Admissible Complaints – Location of the Infraction

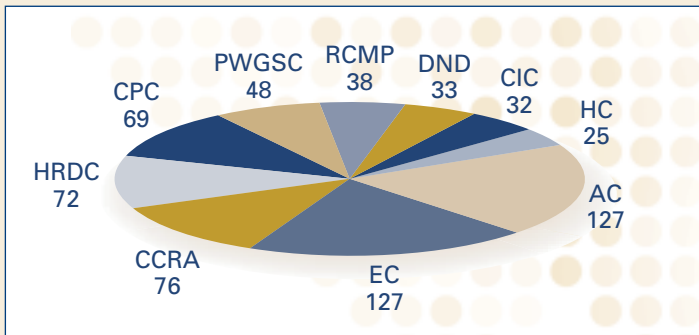


Although complaints were received about situations and incidents all across the country, the two regions cited most often were

- the National Capital Region (NCR) (293 complaints) and
- the Atlantic Region (208 complaints).

At the other extreme, Quebec was the region with the fewest complaints.

## Institutions Most Affected



Ten individual institutions accounted for nearly 65% of all complaints. As in the past, the institutions with the most complaints filed against them were those that have close contacts with the public, such as Air Canada (AC), Canada Customs and Revenue Agency (CCRA), Human Resources Development Canada (HRDC)

and Canada Post Corporation (CPC). The diagram to the left is based on the number of complaints lodged and found admissible, not the number deemed to be founded (see also table on page 73).

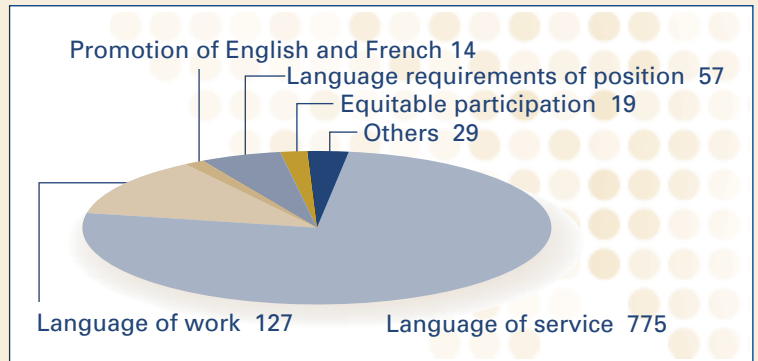
## Complaint categories

Of the complaints received:

- 76% concerned language of service;
- 12% concerned language of work; and
- 6% concerned the language requirements of positions.



The Commissioner receives a number of complaints each year on other official languages issues. Some of these complaints concern the participation of Anglophones and Francophones in the Public Service. Others concern federal institutions that allegedly fail to comply with the federal government's commitments under Part VII of the *Official Languages Act* (development and vitality of the Anglophone and Francophone minorities in Canada).



### Service to the public

Most complaints across the country were about language of service. These complaints can be broken down into six groups:

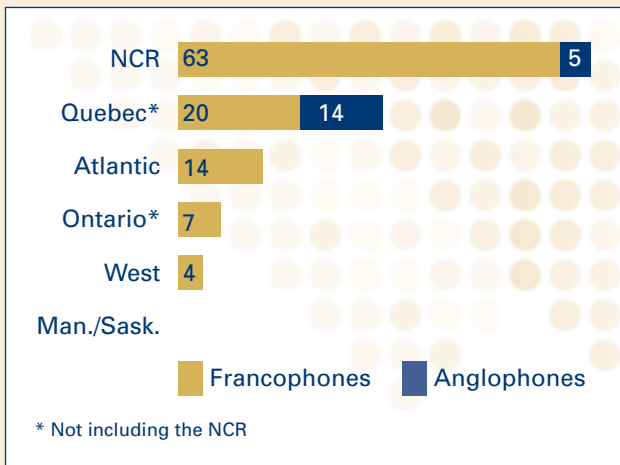
- Travelling public (14% of all complaints) – three quarters of these were about ground services (counter services in airports, pre-boarding security checks, etc.). The rest pertained to services on board aircraft.
- Audio-visual communications (14% of all complaints) – most pertained to Environment Canada's weather reports. These complaints were unfounded.
- Communications in the media (14% of all complaints) – most pertained to federal institutions that did not use media that serve minority official language communities when communicating with the public.
- Written communications (13% of all complaints) – most accused various federal institutions of failing to communicate with members of the public in the official language of their choice.
- Services provided in person (11% of all complaints) – several complaints accused federal employees (receptionists, customs officers, postal workers, police officers, etc.) of failing to actively offer services in both official languages.
- Telephone service (9% of all complaints) – these pertained not only to a lack of service in the client's language but also failure to actively offer service in both English and French.

## Language of work

The second largest category of complaints received at OCOL concerned the language of work rights of public servants or the obligations of federal institutions. The 127 complaints concerning language of work are distributed as follows:

- 54% of the complaints about language of work were lodged by employees in the National Capital Region;
- 27% by employees in the Quebec region; and
- 11% by employees in the Atlantic region.

These employees complained primarily about:



- unilingual central and personnel services (20% of complaints);
- written communications (19%);
- professional training (14%); and
- overall work environment (11%).

## Language requirements of positions

The number of complaints about the language requirements of positions increased considerably over the previous year, rising from 38 to 57. These complaints were usually about one of the following three subjects:

- the language designation of a position (bilingual, either/or, English essential and French essential);
- its linguistic profile (level A, B, C or P);
- the staffing method used to fill it (imperative or non-imperative).

## Development of communities in minority situations

- Nineteen complaints—twice as many as last year—pertained to failures to comply with Part VII of the *Official Languages Act*, which sets out the government’s commitment to enhancing the vitality of the Anglophone and Francophone minorities in Canada and fostering the full recognition and use of English and French in Canadian society.
- Three quarters of these complaints were lodged by Francophones.
- Half the complaints were in regard to three institutions: Citizenship and Immigration Canada, Human Resources Development Canada and the Federal Electoral Boundaries Commission for New Brunswick.

## Equitable participation

There were 14 complaints about the equitable participation of both official language groups in the Public Service. Most alleged that Anglophone and Francophone employees did not have the same chances for advancement in their institutions.



### Admissible Complaints<sup>61</sup> by Province and Territory

Province/ Territory	Admissible Complaints	Service to the Public	Language of Work	Language Requirements	Advancement of English and French	Equitable Participation	Others <sup>62</sup>
Newfoundland and Labrador	11	10	-	-	-	-	1
Prince Edward Island	49	44	-	3	1	-	1
Nova Scotia	84	68	5	4	-	1	6
New Brunswick	64	37	9	10	6	1	1
Quebec <sup>63</sup>	111	65	34	5	1	1	5
National Capital Region (Quebec)	41	17	18	6	-	-	-
National Capital Region (Ontario)	252	167	50	21	6	6	2
Ontario <sup>63</sup>	118	95	7	6	2	1	7
Manitoba	59	55	-	1	2	-	1
Saskatchewan	86	84	-	-	1	-	1
Alberta	89	84	2	-	-	-	3
British Columbia	46	38	2	1	-	4	1
Yukon	6	6	-	-	-	-	-
Foreign	5	5	-	-	-	-	-
<b>TOTALS</b>	<b>1 021</b>	<b>775</b>	<b>127</b>	<b>57</b>	<b>19</b>	<b>14</b>	<b>29</b>

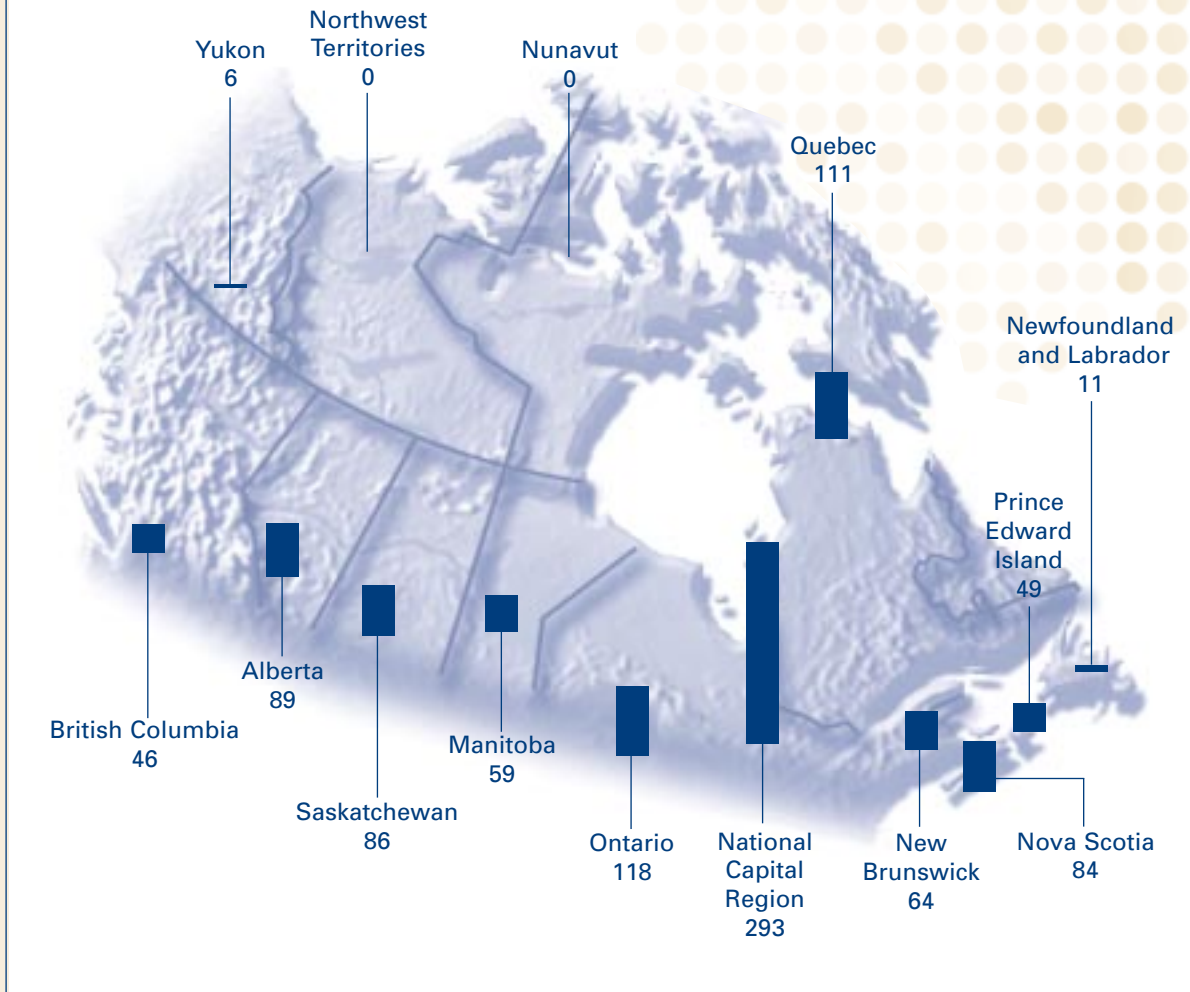
61 Approximately 80% of complaints are admissible. Those which are not investigated are referred to an appropriate institution or refused because they do not fall under the jurisdiction of the Act or its Regulations.

62 The category “Others” includes mainly complaints regarding notices, administration of justice and discrimination as a result of lodging a complaint.

63 Excluding the National Capital Region (NCR).



## Admissible Complaints by Province and Territory





## Institutions With 15 or More Admissible Complaints and Status of the Complaints

Department/Institution	Founded	Un-founded	Under Investigation <sup>64</sup>	Other	TOTAL
Environment Canada (EC)	8	111 <sup>65</sup>	8	-	127
Air Canada (AC)	6	17	104	-	127
Canada Customs and Revenue Agency (CCRA)	17	6	51	2	76
Human Resources Development Canada (HRDC)	12	4	56	-	72
Canada Post Corporation (CPC)	31	6	31	1	69
Public Works and Government Services Canada (PWGSC)	8	5	35	0	48
RCMP	8	1	28	1	38
National Defence (DND)	8	5	20	0	33
Citizenship and Immigration Canada (CIC)	6	0	25	1	32
Health Canada	10	1	14	0	25
Correctional Service of Canada (CSC)	3	10	10	-	23
Macdonald-Cartier Ottawa International Airport Authority	1	3	19	-	23
Canadian Heritage (CH)	6	1	14	-	21
Parks Canada Agency	6	0	11	-	17
Public Service Commission of Canada (PSC)	2	0	13	0	15

64 Complaints under investigation as of March 31, 2003.

65 Unfounded complaints concerning Environment Canada's weather bulletins.





chapterfour



Services to the public





## SERVICES TO THE PUBLIC

The basic mission of the federal government is to serve the Canadian public. For some years, citizens have increasingly been using new technology and the Internet to obtain information and gain access to government services. Given the needs of the population, however, it is important to maintain some traditional forms of service delivery, particularly by telephone or in person. In all cases, the federal government must ensure that services are offered equally in both official languages. It's a matter of respect for all.

### Innovative ways of reaching the public

Most federal institutions tend to consider the linguistic dimension of the new initiatives that they undertake too late in the process. In the case of two recent initiatives, the Commissioner reminded certain institutions that they must respect the language rights of the public they serve.

#### Stagnation in Saskatchewan

The Government of Saskatchewan assisted the Assemblée communautaire francosaskoise (ACF) in setting up, as a pilot project, two satellite single window networks and an administrative centre to serve the province's Francophone communities.

Discussions were initiated in 2002 to evaluate the initiative and determine how the federal government might participate. The discussions had not been concluded as of March 31, 2003, unduly delaying this promising and much-needed initiative. In 2001, a study by the Office of the Commissioner showed that the language capacity of federal offices designated bilingual in Saskatchewan was low, and that services in person in French were available only 60% of the time.

The federal partners, led by Canadian Heritage, must work together with Saskatchewan Francophone communities and demonstrate greater flexibility to support single window networks, since these facilities promote more equitable access to services in both official languages in Saskatchewan.

## A promising concept: Single window networks

### Issue

Canada has two networks of single windows giving access to a wide range of federal services, and sometimes the services of other levels of government or the private sector as well:

- the Canada Business Service Centres (CBSC) network; and
- the Service Canada Access Points network.

### Action

The Commissioner undertook a study<sup>66</sup> to examine whether the services offered by both networks are equally accessible in English and French.

### Observations

The study concluded that grouping several services in the same location offers a number of advantages:

- it enables the institutions to optimize their bilingual resources;
- it provides members of official language minorities with better access to services in their language; and
- it helps and encourages other participating organizations to offer bilingual services as well.

Several windows offer an exemplary level of bilingual services:

- In Manitoba, for instance, Service Canada has integrated three of its centres with provincial Bilingual Service Centres located in St. Boniface, Notre-Dame-de-Lourdes and Saint-Pierre-Jolys. The federal government is considering extending its participation to the three new bilingual centres that the province plans to open. Aside from offering services of the three levels of government in both official languages in a single location, the centres are public offices where Francophones can work in their own language.

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<sup>66</sup> *The Single Window Networks of the Government of Canada*,  
[http://www.ocol-clo.gc.ca/archives/sst\\_es/2003/window\\_guichet/window\\_guichet\\_2003\\_e.htm](http://www.ocol-clo.gc.ca/archives/sst_es/2003/window_guichet/window_guichet_2003_e.htm).



## Expectations

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The federal government must provide the necessary resources to maintain the single window networks because they make it possible to offer better services in English and French, and contribute concretely to the vitality of official language minority communities. Certain improvements, however, are desirable:

- making the model flexible to facilitate the creation of satellite windows tailored to the needs of small official language minority communities, notably in Saskatchewan (see box on page 77); and
  - increased supervision of public- and private-sector partners to ensure that they comply with their language obligations.
- 

### Internet services of equivalent quality in English and French

The Government On-Line initiative calls for a wide range of federal government services to be offered on the Internet by the year 2005.



#### Action

The Commissioner published a study<sup>67</sup> to encourage institutions to take their language obligations into account in the earliest stages of project planning and implementation.



#### Observations

- The government did not fully consider the language aspect of the project during the planning stage.
- No comprehensive policy has been developed to group together and complete the various existing language policies governing on-line services offered under Government On-Line.



#### When consultation leads to action

A working group for consultations between the RCMP and Manitoba's Francophone community was created in 2002, as a follow-up to a recommendation of the Commissioner and subsequent to a forum organized by the Manitoba police force to improve French-language services to the public.

Group discussions were productive and led to the opening of three bilingual service counters in the Francophone communities of Richer, Lorette and Notre-Dame-de-Lourdes. As of March 31, 2003, the group was studying the possibility of opening three new service counters for other Franco-Manitoban communities.

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<sup>67</sup> The study *Official Language Requirements and Government On-Line* was published in June 2002. See [http://www.ocol-clo.gc.ca/publications/sst\\_es.asp?Lang=English](http://www.ocol-clo.gc.ca/publications/sst_es.asp?Lang=English).



**As of March 31, 2003, Treasury Board Secretariat had begun implementing some of the Commissioner's recommendations.**

- It revised its policy on computer networks, taking into account the provisions of the *Official Languages Act*.
- It inspects the Web sites of federal institutions to ensure that there is a proper balance between English and French content, and to check the quality of the language used.
- It has compiled all of the guidelines concerning this initiative into one document.
- It has just launched a pilot project, in which several key institutions are participating, to examine different methods of increasing the availability of specialized reference material and information in French.

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## Expectations

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**The government will have to adopt several additional measures to ensure that information and services offered by Government On-Line are available in both official languages. It must:**

- **develop a policy for on-line publication of scientific or historical information in both official languages;**
  - **publish more specialized documents in French to achieve a better balance in the quantity of documents published in both official languages; and**
  - **help develop more effective software for translation and the extraction of meaning, in collaboration with the institutions concerned.**
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## Communications

**The *Broadcasting Act*: More fully reflecting Canada's linguistic duality**

### Issue

The Standing Committee on Canadian Heritage held hearings on the *Broadcasting Act* in the spring of 2002.



## Action

The Commissioner participated in the hearings and explained to parliamentarians how legislation could contribute to implementation of the *Official Languages Act*.



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## Expectations

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The Commissioner made five recommendations:

- ensure sufficient funding for the national public broadcaster and community broadcasters;
- ensure distribution throughout Canada, at no charge, of English- and French-language public educational networks;
- promote partnerships between public corporations and non-profit businesses that produce Canadian content in both official languages, in order to create a critical mass of content;
- expand the distribution of high quality Canadian broadcasting content on the Internet, as well as public access to such content; and
- encourage the export of public- and private-sector broadcasting products in English and French, in order to help promote linguistic and cultural diversity worldwide.

The Committee was to present its report and recommendations to the government in June 2003.

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## The new CPAC licence: Better service in French

### Issue

The Cable Public Affairs Channel (CPAC) asked the CRTC to approve its licence renewal application.



### Action

The Commissioner asked the CRTC to require CPAC to broadcast all its programs in both official languages.



## Results

**The new seven-year licence was granted in November 2002. Attached to it are several conditions that will have a positive impact on CPAC's delivery of French-language services:**

- broadcasting distributors now have to include all CPAC English and French program services in their basic service;<sup>68</sup>
- CPAC must offer simultaneous translation of all of its programs, as of September 1, 2003;
- CPAC must produce and broadcast at least 25% of its original long-form public affairs programs in French, as of September 1, 2003;
- at least 20% of all events covered during a year must be broadcast in French, as of September 1, 2003;



### CPAC changes its editing procedure

CPAC public affairs programs are usually edited in English only. When the original version includes French-language sequences, they are first translated into English using an off-camera voice. The edited program is then translated into French, which leads to a strange result: the voice of a Francophone interpreter replaces that of the French speaker! A viewer complained about this practice to the Commissioner.

The Commissioner contacted the President of CPAC to point out the absurdity of the situation and the need to treat English and French in the same way during editing. Less than a week later, the problem was solved. Programs are now edited in both official languages. This proves that a complaint from the public can quickly bring about change, especially when the institution involved is willing to cooperate.

- 25% of funds spent to acquire documentary rights must go to purchase rights to documentaries produced in French; and
- as of September 1, 2007, CPAC must subtitle 50% of its programs in French and 90% of its programs in English.

Canadians can now enjoy better access to CPAC programs in both official languages.

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<sup>68</sup> A similar requirement has existed since September 2001, but it applies only to broadcasts of House of Commons debates.



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## Expectations

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Differences in subtitling in English and French are, however, problematic. In the fall of 2002, the Commissioner proposed that technological tools be developed under Industry Canada's programs supporting language industries.

In Ottawa, the Cité collégiale announced that it will offer a new computer-assisted steno-captioning program as of September 2003. This will make it the only institution in Canada to offer such training in French.

It is essential that Anglophones and Francophones have equal access to subtitles in their own language. It is even more important to have equal access to subtitles in programs broadcast on public networks. CPAC must be exemplary in this respect.

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## Broadcasting House of Commons debates in both official languages: Still before the courts

### Issue

For the healthy exercise of democracy, Canadians must be able to follow parliamentary debates in the official language of their choice.



### Action

**2000** – In her investigation report, the Commissioner recommended that the House of Commons ensure access for the Canadian public to parliamentary debates in both official languages.

**2001** – In view of the House's refusal to act on this recommendation, a citizen asked the Federal Court to require it to do so. The Commissioner presented the conclusions of her report to the Court.

**2002** – The Court handed down its decision in June 2002, finding in favour of the plaintiff.<sup>69</sup>

- The Federal Court concluded that the House of Commons should have ensured that its broadcasting agreements with CPAC provided for broadcasts in English and French. The *Official Languages Act* requires federal institutions using third parties to ensure that they comply with language requirements for public services.

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<sup>69</sup> See *Language Rights 2001-2002*, pp. 70–74, [http://www.ocol-clo.gc.ca/publications/ar\\_ra.asp#4](http://www.ocol-clo.gc.ca/publications/ar_ra.asp#4).

- The Court ruled that the House's parliamentary privilege does not allow it to exempt itself from this requirement.

**2003** – The House of Commons appealed the decision. The case is to be heard in September 2003.

## Bilingual government advertising: Greater self-discipline

### Issue

Official language minority newspapers reach a readership of close to 1 million people in Canada. The readers depend heavily on their local weekly or monthly paper for news of their community and government activities of concern to them.

However, federal institutions that place ads in newspapers often neglect to provide equivalent coverage in the print media of the minority official language, as they are required to do under the *Official Languages Act*. From 1998 to 2001, 20% of complaints to the Office of the Commissioner concerned this omission.

### Action

The Commissioner has completed a study of the problem to bring about lasting changes and thus put an end to the complaints received each year on this matter.<sup>70</sup>

## Expectations

**The Commissioner recommended the following measures, in particular:**

**Before December 31, 2002:**

- **the inclusion of specific clauses outlining language obligations in agreements between the government and advertising and placement agencies.**

**Before March 31, 2003:**

- **the revision by Treasury Board Secretariat and Communication Canada of policies, guidelines and procedures relative to the use of official language community newspapers, to comply with the requirements of the *Official Languages Act*;**
- **strengthening advertising management in each institution, by giving managers the tools they need to meet their commitments; and**
- **the implementation by Treasury Board Secretariat of proper monitoring mechanisms to ensure that institutions comply with policies.**

<sup>70</sup> *The Use of the Official Language Minority Press by Federal Institutions*. See [http://www.ocol-clo.gc.ca/publications/sst\\_es.asp?Lang=English](http://www.ocol-clo.gc.ca/publications/sst_es.asp?Lang=English).





## Results

- Communication Canada has begun to revise its *Advertising Guide* in light of the recommendations submitted to it.
- Treasury Board Secretariat has indicated that it will take advantage of the revision of its official languages policies to clarify the requirements of the *Official Languages Act* concerning use of the media.



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## Expectations

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Given the scope of the problem, the Commissioner expects that all the institutions targeted will show self-discipline and implement her recommendations as soon as possible. They must use official language community newspapers on an ongoing basis in order to reach and inform Canadians of both language groups.

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### Announcements in Quebec must be made in English as well!

#### Issue

Community Futures Development Corporations (CFDCs) are non-profit organizations funded by Canada Economic Development for Quebec Regions. Two Gaspé residents complained that CFDCs in their region published their announcements only in local Francophone weeklies.

#### Action

The investigation revealed two problems:

- CFDC funding agreements did not specify that communication services must all be bilingual.
- The Agency was not using the criterion set by the *Official Languages Regulations* to determine the existence of “significant demand” from the official language minority community. It concluded that demand was significant if the minority represented at least 10% of the population in a service area, while the threshold set by the Regulations is 5%.

#### Results

**The Agency accepted the Commissioner’s recommendations:**

- It now uses the standard of 5% to determine whether there is a “significant demand.”
- It has amended its funding agreements with CFDCs: they must now offer more services in the two official languages, and their linguistic performance is subject to new monitoring and oversight measures.

The changes should enable both language communities to have access to information published in newspapers by CFDCs throughout Quebec.

## Rain or shine, in English as in French

### Issue

**1999** – Several Ontario residents complain about Environment Canada weather bulletins, broadcast in English only on Weatheradio Canada.

### Action

**2000** – The Commissioner investigates, and Environment Canada accepts her recommendation to broadcast weather forecasts in both official languages throughout Canada.

**2002** – Now the new bilingual bulletins draw the wrath of listeners in Western Canada. They complain of the potential danger created by the longer bilingual bulletins should there be a weather warning.

### Results



#### Television in English and French in hotels used by the government

Participants in the meeting of G-8 heads of state, held in Kananaskis in June 2002, deplored the lack of French-language television networks in their hotel, which, however, offered broadcasts in several other languages.

To prevent the recurrence of such a situation, the Commissioner asked the Minister of Public Works and Government Services to ensure that government travel services do business only with accommodation establishments that offer more equitable access to English- and French-language television networks.

The Minister responded positively to the request and has indicated that next year he will encourage hotels registered in the catalogue of government-authorized places of accommodation to offer services in both official languages, including television broadcasting services.

**2003** – Complaints concerning the new bilingual bulletins prove to be unfounded. The Commissioner congratulates Environment Canada on having found a compromise that complies with the *Official Languages Act* and takes safety concerns into account:

- weather warnings have been shortened; and
- weather bulletins are now broadcast on an accelerated cycle.

# Training

## The military adjusts its sights

### Issue

In November 2002, the Department of National Defence published an announcement inviting interested journalists to register for a course to familiarize them with the military. The objective of the course was to give them an overview of the training members of the Canadian Forces receive before being deployed abroad.

The course was offered solely in English, but the announcement noted that journalists would have access to bilingual learning materials and instructors. A journalist informed the Commissioner of the situation.

### Action

The Commissioner informed the department that the situation was unacceptable and asked that it be corrected.

### Results

**Shortly afterward, the department announced that the course would be offered in French as well. This once again shows that the saying “An ounce of prevention is worth a pound of cure” applies perfectly to the work of the Commissioner and watchful citizens.**

# Transportation

## Air Canada’s action plan on official languages: Ready for takeoff?

The Commissioner has often criticized Air Canada’s lack of commitment to the official languages program. The airline’s recent financial difficulties only aggravate the already precarious situation of travellers’ language rights.



In his department’s new strategic policy, the Minister of Transport has recognized the importance of official languages in the transportation sector.<sup>71</sup> He expressed his commitment to linguistic duality in the following terms:

*“The government will continue to address compliance with the provisions of the Official Languages Act by exercising appropriate oversight and discussing enforcement measures for improving the situation.”*

The Commissioner urges the Minister to go further.

<sup>71</sup> *Straight Ahead—A Vision for Transportation in Canada*, February 2003. See <http://www.tc.gc.ca/aboutus/straightahead/publications.htm>.

Following pressure from the Commissioner and the Joint Committee on Official Languages, Air Canada published its own action plan on official languages in the spring of 2002 with a view to correcting the language problems that have plagued the company for too long.

The Commissioner was pleased with the plan, but she expressed reservations about some aspects of it, particularly:

- the 10-year period that the airline estimated was required for its staff to become sufficiently bilingual; and
- its decision to make language training for its thousands of employees conditional on obtaining federal government funds, which ultimately were not granted to it.

The Commissioner notes some **progress** this year:

- Air Canada's Web site<sup>72</sup> now features:
  - a message from the airline's president, in which he reiterates his commitment to offering services in both official languages (published also in *En Route* magazine); and
  - new language performance objectives for the airline's senior executives related to implementation of the action plan.
- The company is also distributing a new leaflet enabling passengers to comment on services offered in both official languages.

In addition, the final report of the Independent Transition Observer on Airline Restructuring stressed the importance of ensuring that Air Canada comply with measures and timetables set out in its action plan.<sup>73</sup>

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## Expectations

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**On April 1, 2003, Air Canada sought court protection under the *Companies' Creditors Arrangement Act*. In these difficult circumstances, Air Canada will obviously devote its energy primarily to surviving as a business. Even so, it must continue to comply with the laws of the land and to ensure that it respects the language rights of its passengers and employees.**

**For its part, Transport Canada must closely watch the situation so that the financial restructuring of the transporter does not result in a rollback of language rights.**

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<sup>72</sup> See <http://www.aircanada.ca/about-us/language>.

<sup>73</sup> Final report of the Independent Transition Observer on Airline Restructuring. See <http://www.tc.gc.ca/pol/en/report/AirlineRestructuring/4sept2002/restructuring.htm>.



### **Air Canada's bilingual service at Toronto and Halifax airports**

In 2002, Air Canada reached an agreement with the Office of the Commissioner to upgrade bilingual services offered at the Toronto and Halifax airports. In the agreement, Air Canada undertook to initiate discussions on the subject with its unions and to report to the Commissioner.

Air Canada stated that such meetings were planned and that an awareness campaign would be launched targeting airport personnel. Given the precarious situation of Air Canada in the spring of 2003, it was impossible for us to verify whether these actions had been undertaken.

## **Now boarding: Official languages in airports**

### **Issue**

About a decade ago, the federal government transferred the operation of all major airports in Canada to non-profit agencies. Some of them have misinterpreted the language provisions of the *Airport Transfer (Miscellaneous Matters) Act*: they assert that they have obligations to passengers only, not the general public. Since 1995, the Office of the Commissioner has received some 40 complaints concerning the Vancouver, Edmonton, Winnipeg and Halifax airports. Above all, the complainants object to the exclusive use of English in signage, voice messages and advertisements of airport services.

### **Action**

A preliminary investigation report published in 2001 recommended that Treasury Board Secretariat:

- review the language obligations of airport authorities in light of the applicable provisions of the *Official Languages Act*, its Regulations and the *Airport Transfer (Miscellaneous Matters) Act*;
- develop directives to inform airport authorities of the exact extent of their language obligations; and
- ensure that the directives are properly implemented.



## Results

Treasury Board Secretariat has initiated discussions with airport authorities in consultation with the Office of the Commissioner, with the aim of clarifying and reaching a uniform interpretation of the language obligations of airport authorities.

The definition of these obligations had not yet been made public as of March 31, 2003.



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## Expectations

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The federal government could miss out on an excellent opportunity to correct the language problems commonly found in Canadian airports. Its new draft legislation on airports, tabled in March 2003, simply repeats the existing language provisions.

- The government must take advantage of the legislative review to clarify the language obligations of airport authorities. In this regard, the Minister of Transport has said he is open to re-examining the provisions of the bill in order to take into account the Commissioner's concerns.
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## Conclusion

Federal departments and agencies, needless to say, exist to serve Canadians. In this era of new communications technologies, contacts with citizens are multiplying at an increasing pace. In most cases, the public receives good service. However, administrative procedures are not always designed, or sometimes not implemented, in ways that meet the needs of serving the public in both official languages.

The Commissioner has intervened at appropriate times to avoid systemic problems, to remind federal institutions of their obligations and to enhance the quality of service provided in our two languages. By ensuring respect for citizens' rights and working in a spirit of cooperation, the Office of the Commissioner is helping federal institutions to adopt the culture of high quality service that the public expects.



chapter**five**



An **intercultural** workplace:  
**two** languages in **synergy**

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## AN INTERCULTURAL WORKPLACE: TWO LANGUAGES IN SYNERGY

There is within the federal Public Service a potential source of wealth for the vitality of Canada's linguistic duality. Members of Canada's two language communities work daily side by side in respect and harmony.

Being able to work in the language of your choice means having the opportunity to grow in an environment where your cultural identity is respected. And being able to have contact with the other official language community helps build bridges, promoting mutual understanding and appreciation of each other's language and culture. The harmonious coexistence of Anglophones and Francophones within the federal Public Service is an important asset for Canadians. The policies and programs created for them are of higher quality because they reflect each language group's own way of thinking and values. Few countries have such an advantage. However, it means that the public service must provide an environment where each person can work in his or her own language on a daily basis.

The right of federal employees to work in the official language of their choice in certain designated regions is an important component of Canada's linguistic duality. A bilingual workplace also contributes to the vitality and development of both language communities, and it promotes linguistic duality in Canadian society. The government must also ensure that Anglophones and Francophones have equal employment and promotion opportunities, and ensure that the language requirements for positions are set objectively. Where then do we stand today?

### The **two** languages in use: The road **ahead**

The challenge we have described is considerable in view of the existing situation: the English language continues to dominate in the federal workplace. Treasury Board Secretariat conducted an extensive study on Public Service employee attitudes toward the use of the two languages.<sup>74</sup>

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<sup>74</sup> *Attitudes Towards the Use of Both Official Languages Within the Public Service of Canada*, a study conducted by Treasury Board Secretariat in collaboration with the Office of the Commissioner, Canadian Heritage, the Department of Intergovernmental Affairs and Communication Canada, September 2002. See [http://www.tbs-sct.gc.ca/ollo/or-ar/study-étude/er-re/index\\_e.asp](http://www.tbs-sct.gc.ca/ollo/or-ar/study-étude/er-re/index_e.asp).

Data from this and the 2002 general survey of federal public servants confirm the fact that French remains underused at work:

- Bilingual Francophones spend 43% of their time speaking English, while bilingual Anglophones spend 14% of their time speaking French.
- As for work documents, 62% are in English only (in regions where French is the sole language of work, the figure is 22%).
- Approximately 1 Francophone in 4 cannot use his or her own language in meetings, compared with approximately 1 Anglophone in 10.
- The Treasury Board Secretariat study of attitudes of Public Service employees also showed that they are poorly informed about their rights and responsibilities with regard to language of work.

On the other hand, some of the study's findings show that it is possible to achieve a more balanced use of the two languages:

- Most public servants—whether unilingual or bilingual—favour holding meetings in both languages (93% of bilingual employees and 73% of unilingual employees describe themselves as “very” or “somewhat” at ease with this principle).
- Eighty-six percent of the approximately 5,000 employees consulted describe themselves as ready to make efforts to encourage bilingualism in their workplace.

### **Raising awareness: A successful symposium on language of work**

In November 2002, the New Brunswick Federal Council demonstrated leadership by organizing a major Symposium on Language of Work, held in Dieppe. Participants examined the situation in New Brunswick.

- They concluded that institutions must be proactive and encourage the use of French at work. Such an approach would eliminate the insecurity that often keeps Francophones from using their language in an environment where English is dominant.

A highlight of the symposium was the important speech delivered by the Treasury Board President on the challenges to be met and the steps to be taken to promote the use of both official languages within the Public Service of Canada.

The Commissioner was pleased to observe that the President espoused most of the proposals that she herself had made to the government in the fall of 2001 to create a new momentum in the use of the official languages in the Public Service. The proposals were as follows:

- the need for a cultural change from a rules-based approach to one based on values;
- the need to increase the accountability of heads of institutions by requiring them to report on how they are applying the *Official Languages Act*;
- the development of a very good passive knowledge of the second language on the part of employees, thereby allowing both language groups to use their preferred language;
- the need to redesign language training by making it more accessible and stressing learning that is more closely related to work needs; and
- the gradual elimination of non-imperative staffing.

In her speech, the Treasury Board President emphasized:

- the adoption of a new values-based approach;
- the need for strong, sustained leadership; and
- policy modernization (to gradually be able to fill bilingual positions with bilingual people right from the start) and a rethinking of the approach to language training.

## **Round table on language of work: Senior public servants take action**

Acting on a suggestion of the Commissioner, the Canadian Centre for Management Development brought together senior public servants and representatives of central agencies (including the Office of the Commissioner of Official Languages) for a round table to discuss concrete actions that the government and managers should take in order to improve the situation.

The report of the round table had not yet been released as of March 31, 2003, but participants highlighted the importance of improving the language capacity of Public Service staff and encouraging greater use of French at work.

The Commissioner is looking forward to receiving this document. Next year she intends to report on actions taken as follow-up.

## Commissioner's expectations: From assessment to action

The government now has an accurate assessment of the situation of the two languages in the workplace, and it has suggested approaches that should enable the Public Service to take better advantage of the coexistence of our two languages and their cultures. It must now take action by adopting a clear strategy, based on the following components:

- an organizational culture that encourages each language group to express itself and contribute actively;
- the adoption of policies and measures to continue increasing bilingualism among employees (in particular, the gradual elimination of non-imperative staffing and a more generous policy on access to language training);
- the launch of departmental projects promoting a more balanced use of both languages through an understanding of intercultural dynamics; and
- ongoing information and awareness efforts with staff concerning the requirements of a bilingual workplace, based on a better understanding of each other's reality.

The reflection and study period is completed and the stage is set. It is now time to act.



### Drawing inspiration from the ISO standard to meet language requirements more effectively

In June 2002, the Canada Customs and Revenue Agency launched a pilot project to improve the quality of bilingual communications between headquarters and regional offices in Quebec and Northern Ontario. The innovative quality management system was modeled on an ISO standard. It provides for a self-assessment process that will encourage the use of both official languages in many areas:

- commonly used work tools;
- performance evaluation and supervision;
- grievances;
- administrative meetings;
- written and oral communications; and
- training.

It is still too soon to determine how effective the new quality control system is. If the findings prove conclusive, the Agency will extend use of the system to all its operations as of April 2004. Other departments are already interested in the initiative and are examining the possibility of adopting it.

## Making more room for French at the Command and Staff College in Kingston

### Issue

Canadian Forces training centres have been the subject of numerous complaints over the years, generally because of the lack of proper training available in French.

### Action

- In 2001, the Commissioner conducted an investigation at the Canadian Land Force Command and Staff College, located in Kingston, Ontario. Several recommendations were made to allow the College to fulfil its bilingual status.

### Follow-up

Follow-up during the past fiscal year led to a number of observations.

- Two recommendations have been implemented:
  - The College distributes English- and French-language course material at the same time.
  - Persons undergoing training can now communicate orally in the official language of their choice.
- Two recommendations have been partially implemented:
  - Documents are not always of equivalent quality in English and French. The French translations of documents given to students too often contain inaccuracies.
  - Written material is offered in both languages, but almost all lectures by College staff are exclusively in English.

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## Expectations

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**The Canadian Forces have made efforts to better respect the language rights of members studying at the College. However, to comply fully with the Act, the College must:**

- **improve the quality of French in texts that are distributed; and**
  - **offer more frequent bilingual lectures.**
-

## A recurring problem: Public Works and Government Services Canada must review its administrative practices

### Issue

Since 1998, the Commissioner has received several complaints concerning the linguistic designation of certain positions within a branch of Public Works and Government Services Canada (PWGSC).

### Action

In 2002, a special investigation by the Commissioner brought to light a serious problem:

- PWGSC was following practices that did not comply with the *Official Languages Act* to staff positions designated bilingual. Under PWGSC's administrative policy, the language requirements of positions were set according to the language skills of staff already in place. However, the language requirements of positions must instead be set according to departmental requirements for providing bilingual service to the public and respecting the right of employees to work in the official language of their choice.
- At least 45 bilingual positions were temporarily made unilingual English positions, or designated as positions requiring a low level of bilingualism.

The Commissioner presented three recommendations to PWGSC to correct the situation.

### Results

- **PWGSC has abolished its administrative policy for the linguistic designation of positions.**
- **PWGSC's Executive Committee has approved a strategic action plan that seeks, among other things, to increase the department's bilingual capacity on an ongoing basis.**

### Expectations

**Since the conclusion of the investigation, the Commissioner has received several new complaints concerning this same issue, which shows that the problem persists. Although the action plan seeks to correct the situation in the long term, senior management must act quickly to ensure that, for any future staffing actions, the linguistic designation of positions is determined objectively according to the requirements of the *Official Languages Act*.**

## Canada Economic Development for Quebec Regions enhances the use of English

### Issue

In 2001, Canada Economic Development for Quebec Regions took action to fill five communications adviser positions in various regions of Quebec. The work of an adviser mainly involves drafting communications documents in French, and dealing with Anglophone and Francophone clients. The Commissioner received a complaint that the French skills required for these positions placed Anglophone applicants at a disadvantage.

### Action

The Commissioner's investigation yielded the following observations:

- The tasks of the positions justify the French skills required.
- On the other hand, given the clients served, the English skills required for the positions are inadequate.

### Results

- **The Agency accepted the Commissioner's recommendation to encourage new communications advisers to quickly acquire the appropriate level of knowledge in English. Advisers who require language training have started receiving it.**

## Equitable Participation by Both Linguistic Groups

### Progress report

During the last decade, the overall proportion of Anglophones and Francophones has not changed in the group of organizations subject to the *Official Languages Act* (this includes Crown corporations and certain private organizations, such as Air Canada):

Anglophones: 72%

Francophones: 27%

## Anglophone representation in Quebec

In Quebec, a major ongoing concern of the Anglophone community is to increase the representation of Anglophones within the federal Public Service (outside the National Capital Region).

The federal government recognizes that it would need to hire 1,000 new Anglophone employees in order to achieve a balance in the language makeup of its staff in Quebec. During the past year, the Missisquoi Institute published a report on the question,<sup>75</sup> highlighting the need to better understand the situation of Anglophone managers as a first step to improve it. The report recommends that the government correct two problems raised by the principal stakeholders:

- a work environment that discourages the use of English; and
- promotion procedures that put Anglophones at a disadvantage.

However, it must be noted that Quebec Anglophones are well represented in organizations that do not come under Treasury Board but are subject to the *Official Languages Act* (Crown corporations, etc.), where they make up 16% of employees.

## A less turbulent hiring policy at Nav Canada

### Issue

In 1996, the Department of Transport transferred civilian air traffic control to Nav Canada, a private corporation subject to the *Official Languages Act*. Nav Canada is also responsible for training air traffic controllers throughout Canada.

Unlike its predecessor, Nav Canada did not offer any language training to recruits wishing to occupy air traffic controller positions designated bilingual.<sup>76</sup> The air traffic controllers' union submitted a complaint to the Commissioner.

- It maintained that the hiring practices of Nav Canada contravened the government's commitment, provided for in section 39 of the *Official Languages Act*, to ensure that English- and French-speaking Canadians have equal employment and promotion opportunities.

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<sup>75</sup> This study was conducted for the Middle Managers' Network of the Quebec Federal Council.

<sup>76</sup> Air traffic controller positions in Quebec and Ottawa require knowledge of both official languages; in the rest of the country, only a knowledge of English is required.





## Action

The investigation revealed that Nav Canada's practice was to eliminate applicants who failed a language skills test administered at the start of the recruitment process, retaining applications only from people who already had the requisite level of bilingualism.

The Commissioner took into account the fact that Nav Canada is a private company not subject to Treasury Board language training policies, and that the nature of its operations requires it to have the flexibility to staff its bilingual positions with individuals already meeting the language requirements.



## Results

**Nav Canada accepted the recommendation of the Commissioner. From now on, all applicants will be placed on an equal footing, without taking into account their language skills.**

- The top recruits who do not pass the language skills test will be granted a period of up to 18 months to acquire, at their own expense, the necessary skills in English or French.

**This solution strikes a balance between two principles:**

- giving Anglophones and Francophones equal access to jobs; and
- granting private companies subject to the *Official Languages Act* some latitude in how they enforce Treasury Board Secretariat policies.

## Conclusion

Despite some improvements in recent years, the federal Public Service workplace is still not truly bilingual. The legislative foundation is clear, but the changes required go beyond rules and regulations; they touch the complex social and cultural interactions of the two language groups in the workplace. The difficulty of the situation does not, however, mean that the government can sidestep the issue. It must work harder at correcting the situation through the adoption of a coherent strategy aimed at giving French a more important place than it currently occupies.

Certain initiatives clearly show a determination to act, such as the decision to maintain the cut-off date of March 31, 2003, for executives to acquire the requisite level of bilingualism.

But the government must move faster. The workplace will be enriched if Francophone employees can contribute to the activities of their government in their own language. These measures will promote the vitality and development of Canada's two major language communities and will bring us closer to achieving equality of English and French in Canadian society, as set out in our constitution.



chapter**six**



Promoting linguistic duality



## PROMOTING LINGUISTIC DUALITY



The *Official Languages Act* gives the Commissioner the task of promoting linguistic duality not only within the federal Public Service but also within Canadian society. Her work and the work of other individuals in this area reflect the fundamental importance of official languages in our daily lives. Languages are more than just tools of communication; they also possess great social value. Language influences our personal development and links us with our fellow citizens.

The vitality of our official languages affects all Canadians since it embodies our desire to build a diverse society that respects differences. The quality of health care for Anglophones in the Eastern Townships, the growth in Francophone school enrolment in all regions, the preservation of cultural symbols in Ontario or bilingualism at the municipal level in the Magdalen Islands or in Moncton—all of these are indications of the aspirations of language communities and concern us all.

This chapter describes the work carried out by the Commissioner throughout our country to support community efforts toward enhancing linguistic vitality. It also describes other activities of the Commissioner, designed to promote Canada's linguistic duality both nationally and internationally.

### Supporting the **Development** of Linguistic Minorities

#### **Education: A comprehensive development plan is needed**

One of the most important development tools of official language minority communities is access to education in their own language. To ensure their future and fulfil their mission, French-language schools outside Quebec must succeed in recruiting and retaining as many students as possible. The government's action plan calls for certain measures to help them achieve this. The federal government's objective is to increase the enrolment of eligible students in French-language schools to 80% by 2013 through:

- the creation of a fund supporting teaching in the minority language; and



### Purpose of section 23 of the *Charter of Rights and Freedoms*:

“To correct, on a national scale, the historically progressive erosion of official language groups and to give effect to the equal partnership of the two official language groups in the context of education.”

*Supreme Court of Canada, Mahé v. Alberta, [1990] 1 S.C.R. 342, and Arseneault-Cameron v. Prince Edward Island, [2000] 1 S.C.R. 3.*

- the renewal of the protocol and agreements with the provinces and territories concluded under the Official Languages in Education Program (OLEP).

Since the 2001 study *Rights, Schools and Communities in Minority Contexts*,<sup>77</sup> the Commissioner has been pressing the authorities responsible to develop a national plan for recruiting from the target population for French-language schools—that is, all students eligible under section 23 of the *Canadian Charter of Rights and Freedoms*. Enrolment in these

schools has levelled off over the past 10 years at 54% of the target school population. The other half of the target population goes to English-language schools. Without such a plan, future generations could find themselves losing their right to French-language education.

The Commissioner organized a roundtable session on this crucial issue in September 2002. Participants included leaders from government and the school board systems, parents, teachers and representatives of education faculties. They discussed ways to achieve the objective of section 23 of the Charter, and agreed that any initiatives should occur within the context of a comprehensive development plan for Francophone minority communities.

Following the meeting, the participants produced a document<sup>78</sup> which, in their opinion, presents an overall vision and can serve as a guide for continuing discussions, directing the planning process and broadening action. The resulting national plan for developing French-language education could be developed and implemented under the new Official Languages in Education Program.

In the education sector, the active participation of provincial and territorial governments is essential in order to achieve the two objectives of the *Action Plan for Official Languages*:

- to instruct in French 80% of the target school population covered by section 23 of the Charter by 2013; and
- to double the proportion of high school graduates having a functional knowledge of their second official language by 2013.

It will be very difficult to meet these challenges, without close intergovernmental cooperation within the Council of Ministers of Education, Canada.

<sup>77</sup> See [http://www.ocol-clo.gc.ca/archives/sst\\_es/2001/rights\\_droits/rights\\_droits\\_2001\\_e.htm](http://www.ocol-clo.gc.ca/archives/sst_es/2001/rights_droits/rights_droits_2001_e.htm).

<sup>78</sup> *Accomplishing the mission of French-language education under section 23 of the Canadian Charter of Rights and Freedoms, Report on the proceedings.*

## Recommendation 5

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### The Commissioner recommends that the Minister of Canadian Heritage:

- encourage each provincial minister of education to produce an annual report on progress achieved both on the objective of doubling the proportion of bilingual high school graduates and on providing French-language instruction to 80% of the target school population covered by section 23 of the Charter;
  - table an annual report on progress achieved nationally before the parliamentary committees on official languages.
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### Nunavut: Education bill on ice

#### Issue

In 2002, the Government of Nunavut tabled an education bill.

#### Action

The territory's Standing Committee on Health and Education held consultations, and leaders of Anglophone, Francophone and Inuit communities expressed their many concerns about the proposed legislation.

The Commissioner and spokespersons for the Nunavut Francophone community argued that the proposed system did not meet the requirements of section 23 of the *Canadian Charter of Rights and Freedoms*.

#### Results

**In March 2003, the Government of Nunavut announced that it would not be passing the bill. The government showed sensitivity to the concerns raised, and it demonstrated leadership by accepting the committee's recommendation and dropping the bill from the Order Paper. It indicated that it would take the time needed to draft a bill that better responds to the aspirations of Nunavut's diverse linguistic communities.**

## Better funding for Ontario's French-language school boards

### Issue

A task force headed by Dr. Mordechai Rozanski was mandated to examine whether funding in Ontario's school system was fair. The final report was submitted in December 2002.

### Action

In 2002, the Commissioner participated in consultations and underlined the importance of achieving two vital objectives to help Franco-Ontarian school boards:

- achieving school results equivalent to those of the majority, and slowing the gradual erosion of the province's Francophone communities; and
- providing sufficient funds to do this.

### Results

The task force recommended that the Ministry of Education "amend the funding formula as appropriate to ensure that each of the grants in the formula recognizes the higher costs experienced by French-language boards in delivering education programs and services." The Commissioner also wrote to the Ontario Minister of Education to encourage her to act on the recommendations of the Rozanski Report.



#### An initiative to encourage literacy among young English Quebecers

Literacy is especially important for minority communities because an individual's identity is greatly influenced by proficiency in his or her first language. An essential element of learning a language is acquiring good reading and writing skills.

In collaboration with the Quebec Federation of Home and School Associations and Literacy Partners of Quebec, the Commissioner contributed to the launch of a new competition to promote English literacy in Quebec.<sup>79</sup> Open to all of the province's English-speaking elementary school students, the contest awards prizes for the best writing and drawings inspired by a Canadian work of art or author. Books will be given to the winning students, as well as to their school library.

<sup>79</sup> See <http://www.nald.ca/lpq/read.htm>.





## The Université de Moncton's Faculty of Law celebrates a quarter century of existence

The year 2003 marks the 25th anniversary of the founding of the Faculty of Law at the Université de Moncton. The Faculty was the world's first university institution to offer training in common law entirely in French. The reputation of this institution now extends beyond the borders of New Brunswick: its Centre international de la common law en français and its Centre de traduction et de terminologie juridiques have contributed greatly to advancing knowledge in the fields of bijuralism and common law in French, in both Canada and in other Francophone countries.

A symposium on teaching common law in French was organized to mark the occasion. The Commissioner was invited to the symposium to launch her latest *Language Rights* report.<sup>80</sup>

## Access to health care in one's own language throughout life

### Issue

Health is the top priority for all Canadians, whatever their first language. A smoothly functioning health system is able to quickly offer high quality care to patients who are weakened by illness and distress. Communications obviously play a central part in the delivery of high quality health care. To meet people's needs, you must first understand what they say, and so you must know their language and its related cultural code. A hospital is certainly the last place where you should have to fight for your language rights.

Over the past fiscal year there were some significant advances on the issue of minority language health services.

### Action

**2001** – The Consultative Committee for French-Speaking Minority Communities identified three areas of action:

- networking;
- training; and
- access to primary care in the minority language.<sup>81</sup>

This groundwork has set the tone for subsequent government initiatives.

<sup>80</sup> See [http://www.ocol-clo.gc.ca/archives/lr\\_dl/2001-2002/2001\\_e.htm](http://www.ocol-clo.gc.ca/archives/lr_dl/2001-2002/2001_e.htm).

<sup>81</sup> Consultative Committee for French-Speaking Minority Communities, *Report to the Federal Minister of Health*, September 2001, 45 pages.



## Société Santé en français

The Société Santé en français was created in December 2002 to implement the action plan of the Consultative Committee for French-Speaking Minority Communities and to improve French-language health services in Canada. It has an ambitious program, including:

- setting up regional cooperation networks in each province and territory;
- forging strong ties with all provincial and territorial governments;
- improving front-line health care in French; and
- obtaining long-term funding for French-language health care through federal-provincial-territorial cooperation.

### 2002 – Reports published

1. **The Consultative Committee for English-Speaking Minority Communities submitted its final report.** According to a recent study by the Missisquoi Institute,<sup>82</sup> English-speakers in Quebec are less likely than Francophones to turn to the public health system in case of sickness. Consequently, they depend first and foremost on family, even though they are less likely to have a family member living near them.

These findings prompted the Consultative Committee for English-Speaking Minority Communities to produce a report on the future of the Anglophone health system in Quebec.<sup>83</sup>

The report, submitted to the federal Minister of Health in December 2002, proposes a global action plan that calls for a series of government and community measures to improve social and health services for English-speaking communities. The measures include:

- offering health care that takes into account the needs of users and is tailored to different regional and community circumstances;
- establishing a multi-purpose centre that could offer health, education and community services; and
- adopting incentive measures to recruit medical school graduates and to keep these professionals in an English-speaking environment.

If implemented, the initiatives will make it possible to reinvigorate English-speaking communities, something which many hope will happen.

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82 Saber-Freedman, Sara. 2000, *Quebec's English-speaking communities in the year 2000: A preliminary report on the omnibus survey of the attitudes and experiences of English-speaking Quebecers*, Montréal: Missisquoi Institute, 63 pages.

83 Report to the Federal Minister of Health, Consultative Committee for English-Speaking Minority Communities, July 2002. See <http://www.chssn.org/>

2. **Romanow Commission.**<sup>84</sup> The Commission partially responded to the appeal from the Commissioner and spokespersons of official language minority communities following publication of its interim report, which did not take into account the needs of official language minority communities:
  - Its final report recommends that governments and regional and community authorities “work together to identify and respond to the needs of official language minority communities.”
3. **Standing Senate Committee on Social Affairs, Science and Technology.**<sup>85</sup> The Senate Committee recommended the adoption of additional measures to help official language minority communities receive health services in their own language:
  - place the issue of health care for minority language communities on the agenda of the next federal-provincial-territorial conference of health ministers;
  - enter into negotiations with the provinces and territories on the possibility of setting up an official languages program in health; and
  - examine the possibility of increasing the current envelope under agreements with the provinces and territories for minority language services in order to increase the amount earmarked for activities involving health and social services.

#### 2003 – New measures

1. **Parliamentary actions.** Private Member’s Bill C-202, “An Act to amend the *Canada Health Act* (linguistic duality),” introduced by the Member of Parliament for Ottawa-Vanier, was debated in the House of Commons in the spring of 2003. The bill seeks to amend the *Canada Health Act* by adding a sixth principle: respect by the provinces for linguistic duality in the field of health. In March 2003, the bill was referred to the Standing Committee on Official Languages. The Committee was mandated to consult official language communities as well as provincial and territorial authorities to determine how to ensure better access to health care.
2. **The Action Plan for Official Languages.** The action plan includes an important health component that recognizes the needs of linguistic communities. The government plans to devote \$119 million to it over five years to promote networking, recruitment and retention of health professionals, and improve primary health care.

<sup>84</sup> Commission on the Future of Health Care in Canada, *Building on Values: The Future of Health Care in Canada*, November 2002, 357 pages. See <http://www.hc-sc.gc.ca/english/care/romanow/index1.html>

<sup>85</sup> Commission on the Future of Health Care in Canada, *Building on Values: The Future of Health Care in Canada*, November 2002, 357 pages. See <http://www.hc-sc.gc.ca/english/care/romanow/index1.html>

3. **Initiatives taken by minority communities.** Minority communities are helping to put in place health networks throughout the country. This shows how important it is to have the cooperation of key stakeholders in developing minority-language health services. The provincial and territorial networks will enable partners in a region to define local needs, identify priorities for action, define their respective roles, and cooperate on implementation.<sup>86</sup>



## Results

### *Is anyone listening?*

The Senate Committee and the Romanow Commission undertook to listen to Canadians and formulated recommendations so that the health system might attain a level of excellence in both official languages.

Each report recognized the importance of federal-provincial cooperation. It is at best disappointing that the First Ministers' Accord on Health Care Renewal, adopted February 5, 2003, contains no provision on health services for Anglophones and Francophones in minority communities.



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## Expectations

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At their most recent conference on health care, our governments thus missed an excellent opportunity to show that they are seriously committed to the vitality of their official language minority communities. When governments consult them, are citizens not entitled to expect concrete actions? The federal government therefore has a duty to strengthen its partnerships with the provinces and territories and to support, in the long term, the development of health care and services that meet the needs of official language minority communities.

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## Recommendation 6

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### **The Commissioner recommends that the Minister of Health:**

- ensure that federal-provincial-territorial health agreements are tailored to the particular needs of the official language minority communities of each province and territory, and that they include specific provisions on health services that must be offered in the minority language.
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<sup>86</sup> Société Santé en français, [http://forumsante.ca/index.cfm?Repertoire\\_No=-661868150&Voir=page&Art=2](http://forumsante.ca/index.cfm?Repertoire_No=-661868150&Voir=page&Art=2).



## **Two hospitals join together to better serve their official language minority clients**

The Centre hospitalier de l'Université de Sherbrooke (CHUS) and St. Boniface General Hospital have established a partnership under which they plan to implement several measures to make their care and services more accessible to the official language minority communities they serve: the Anglophone community of Quebec's Eastern Townships and the Francophone community in the area of Winnipeg, respectively.

CHUS has already begun to draw on the experience of St. Boniface in this field: it has adopted a policy to upgrade the quality of English-language services and has created the position of liaison officer with the Anglophone community. St. Boniface has drawn on the expertise of CHUS in several specialized fields, such as computerized files. Each institution has a policy on translating documentation for patients. Their employees can take second-language training designed for their workplace. In addition, the two institutions jointly take part in several projects focusing on continuously upgrading patient services.

The initiative is an excellent example of sharing and bridge building that benefit our two official language minority communities.

## **Save our Sanctuaries!**

### **Issue**

In the spring of 2001, the Bishop of London announced the closure of three parish churches in the region of Essex, in southwestern Ontario, to be replaced by a single newly built church that would serve the three parishes. It was then decided to demolish one of the three original churches, the Church of St. Joachim.

A community group (Save our Sanctuaries) was formed to oppose destruction of the church, and it asked the municipality of Lakeshore to designate the Church of St. Joachim a historic monument because of its significant cultural value. The Church of St. Joachim, built around 1882 by the Francophone community, symbolizes the vitality of the Franco-Ontarian community in the region.

In October 2002, a group of Francophone citizens turned to the Divisional Court of Ontario; they argued that by not acting on the designation request presented by citizens, the municipal government had not taken into account the impact of the demolition on the official language minority community of the region.



## Action

- In the spring of 2002, the Commissioner approached the Bishop of London, asking him to find a way to safeguard the churches in order to help promote and protect the region's Franco-Ontarian heritage. She also approached the federal and provincial ministers responsible for heritage to explore the possibility of having the churches declared historic monuments.
- In October 2002, the Commissioner asked permission to appear before the Divisional Court of Ontario to support the citizens of Save our Sanctuaries and stress the duty of the municipal government of Lakeshore to take into account the basic values of Canadian society and the constitutional principle of respect for and protection of minorities. The hearing date was set for May 2003.

## Promoting Linguistic Duality Nationally

Promotion of linguistic duality can take many different forms. It can mean ensuring that both official language communities benefit equally from immigration, promoting the use of English and French among new citizens, or promoting bilingualism at the provincial or municipal level.



### A successful merger in language terms

On January 1, 2002, the Government of Quebec merged the eight villages of the Magdalen Islands to form a single large municipality with a Francophone majority. Eight months later, the new municipality declared its borough of Grosse-Île officially bilingual.

The merger did not give rise to any language tensions: leaders of both of the region's language groups worked together throughout the process to ensure that existing rights and the identity of the local Anglophone community would not be placed at risk.

The Commissioner participated in the inaugural ceremony for the borough of Grosse-Île in August 2002. She declared, "The delivery of quality services in English fills a very real need for the English-speaking residents of the Magdalen Islands. It enables them to preserve their heritage, maintain their community, and above all, build and consolidate their own identity and self-esteem. ... The inauguration of the borough of Grosse-Île, with formal guarantees of its bilingual status, is the very example of a winning solution." [Translation]

## Bilingualism in the National Capital: What is the province waiting for?

### Issue

Since the City of Ottawa was restructured in 1999, the Commissioner has repeatedly called for an amendment to the provincial Act creating the new city, so that it could become officially bilingual. She has made her views known on many occasions in the media and to the provincial Minister Responsible for Francophone Affairs.



### Results

**Fortunately, the inaction of the Government of Ontario on this issue has not prevented municipal officials from taking several measures to promote a bilingual Ottawa.**

- **2001** – The Municipal Council created an advisory committee on French-language services, adopted a policy on official languages, and asked the Government of Ontario to amend the *City of Ottawa Act 1999* in order to require that the administration of the City of Ottawa and the delivery of municipal services to the public be conducted in English and French.
- **2002** – The Mayor of Ottawa and the Minister of Canadian Heritage signed a memorandum of understanding covering a period of five years. The federal government undertook to invest \$2.5 million in language training, translation, simultaneous interpretation, and a support program seeking to encourage businesses to offer bilingual services. The Commissioner met representatives of the City to discuss implementation of the memorandum of understanding.
- **2003** – The City commissioned a study on retailers' perceptions and needs with regard to the provision of services in both official languages (at the ByWard Market and the St. Laurent Shopping Centre). The findings were as follows:
  - In Ottawa, investing in language is profitable. Providing services in both official languages is said to enhance the public image of a business.
  - Many retailers recognize the economic advantages of bilingualism and try to offer their services in both official languages. However, retailers need tools to help them offer more services in the two languages. Several business owners said that they were willing to join with the City to develop such tools and organize a promotional campaign.



## Recommendation 7

### The Commissioner recommends that the Minister Responsible for Official Languages:

- examine and take all measures available to him so that the Capital of Canada will be declared officially bilingual.



### Canada Winter Games: A gold medal for bilingualism

The 2003 Canada Winter Games took place in the Bathurst-Campbellton region of New Brunswick. The organizing committee used effective and sometimes ingenious measures to ensure that our two official languages received equal treatment during the event:

- care was taken to use both languages early in the planning stages for the games;
- a large number of bilingual volunteers were recruited (70%); and
- a “language patrol” was organized to visit the competition sites daily and ensure that athletes and spectators were offered services in English and French.

This was a major challenge since more than 100 km separated the two host cities. Nevertheless, the few problems which did arise were corrected by the time the competitions got under way. Bilingualism had one of its best showings in the history of Canada during these 10th Winter Games. The Commissioner wrote to the chair of the organizing committee to congratulate him not only on ensuring that the principles of linguistic duality were respected, but also on helping to build bridges between the two official language communities. What a winning formula it was, indeed!



## Immigration: Supporting growth in Francophone communities

Immigration is one of the cornerstones of Canada’s population growth and economic prosperity. Unfortunately, some communities and regions of the country do not benefit as much as others from the effects of the annual influx of 250,000 persons who choose to settle in Canada. Francophone communities throughout the country, including Quebec, are a case in point. These communities are only able to attract a quarter of the number of immigrants that they should, given the size of their population. The Commissioner seeks to correct this imbalance, using three of the roles she exercises as an agent for change.



## Monitoring Role

Since the beginning of her mandate in 1999, the Commissioner has focused many of her efforts on the legislative aspect of immigration by exercising her monitoring role of parliamentary activities. Based on the findings of a study<sup>87</sup> that analysed the demographic issues of immigration in minority communities, the Commissioner approached federal Members of Parliament to ensure that new immigration legislation would take into account Canada's linguistic duality, particularly the needs of minority communities. The new *Immigration and Refugee Protection Act*, which came into force in June 2002, incorporates several of the Commissioner's recommendations. The Act specifies that immigration must henceforth promote the development of both language groups, including communities living in a minority context.

## Promotion and Education Role

Exercising her promotion and education responsibilities, the Commissioner has taken concrete measures to inform communities of the benefits that immigration offers.

- A second study by the Commissioner, published in November 2002 and entitled *Official Languages and Immigration: Obstacles and Opportunities for Immigrants and Communities*,<sup>88</sup> presents concrete measures that must be taken not only by Citizenship and Immigration Canada but also by the provinces and communities to facilitate the integration of immigrants into Canadian society in general and minority communities in particular.
- The Commissioner continues to carry out workshops throughout Canada to encourage all stakeholders to take measures so that Canada's Anglophones and Francophones benefit equally from immigration. In 2002-2003, the Office of the Commissioner held workshops in Vancouver, Edmonton, Ottawa and Toronto.

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<sup>87</sup> *Immigration and the Vitality of Canada's Official Language Communities*, [http://www.ocol-clo.gc.ca/dual\\_div/studies\\_etudes.asp?Lang=English](http://www.ocol-clo.gc.ca/dual_div/studies_etudes.asp?Lang=English).

<sup>88</sup> See [http://www.ocol-clo.gc.ca/archives/sst\\_es/2002/obstacle/obstacle\\_e.htm](http://www.ocol-clo.gc.ca/archives/sst_es/2002/obstacle/obstacle_e.htm).



## Duality and diversity

"If Canada has been able to build a successful pluralist society, it is because linguistic duality has been and continues to be a cornerstone in the building of Canada. To put it differently, without bilingualism, the tolerant and diverse society we enjoy would not have come about in the same way. The conclusion to be drawn from this is that the continued effective governance of Canadian diversity will depend on our continued ability to assume the linguistic duality of the country."

*Dyane Adam, excerpt from the article, "Canada's Official Languages, cornerstone and guarantee for managing Canadian diversity," Canadian Issues/Thèmes canadiens, April 2003, pp. 10-12.*

## Liaison role

Through her liaison role, the Commissioner mainly seeks to ensure that federal institutions, provinces and communities work closely together. Their cooperation makes it possible to develop tools and an infrastructure that encourage the creation of long-lasting links between newcomers and host communities in a minority context.

- The Commissioner closely monitors the work of a committee established by the Minister of Citizenship and Immigration to encourage Francophone immigration.<sup>89</sup> The committee is currently preparing a strategic framework to facilitate immigration

to minority communities. The Commissioner intends to work with the communities once the plan has been adopted to ensure that they benefit equitably from immigration, as intended in the new legislation.

- The renewal of federal-provincial immigration agreements is a good example of cooperation. Three agreements were renewed in 2002, with Nova Scotia, Saskatchewan and Manitoba. The agreements specify procedures for consultation and collaboration with official language minority communities during recruitment of immigration candidates nominated by the provinces. Through her liaison role, the Commissioner works closely with the communities to ensure that the agreements yield the intended results.

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<sup>89</sup> Citizenship and Immigration Canada, Francophone Minority Communities Steering Committee.



## Manitoba: Creating a set of tools to welcome immigrants in French

In October 2002, over 120 representatives of Franco-Manitoban community organizations and federal and provincial institutions participated in a symposium on integrating newcomers.

Their recommendations dealt with four themes: developing community leadership and a structure for welcoming immigrants; raising awareness at all levels; promoting Francophone Manitoba internationally; and updating federal and provincial policies for immigrants. A committee bringing together community organizations and the three levels of government was created to implement the recommendations.

The activities are part of the “Agrandir l’espace francophone” strategy of the Franco-Manitoban community. Among other things, the strategy seeks to include all French-speakers in the activities of Manitoba’s Francophone community, including bilingual Anglophones, Francophone immigrants and parents of mixed families.

## Becoming a Canadian citizen in both official languages!

### Issue

In late October 2002, a new citizenship bill (C-18) was tabled in the House of Commons. The draft legislation calls for major changes in the role of citizenship judges.<sup>90</sup> They would be given greater responsibility for promoting citizenship in order to ensure increased participation by citizens in their community.



“...We have a country rich in diversity in which people can remain a part of their own communities while still participating fully in the larger society of Canada. (...) Canada's diversity is highlighted by its bilingualism, and it is important that children of immigrant families be given an opportunity to learn both French and English so that they can both realize the greatest opportunities that our great country has to offer and have the broadest number of careers available and become fully part of Canadian society.”

*Excerpt from a speech by Senator Mobina Jaffer, delivered in the Senate on November 7, 2002, as part of the adoption of the Address in response to the Speech from the Throne.<sup>91</sup>*

<sup>90</sup> Bill C-18 also stipulates that the judges will henceforth be called “citizenship commissioners.”

<sup>91</sup> See [http://www.parl.gc.ca/37/2/parlbus/chambus/senate/deb-e/017db\\_2002-11-07-e.htm?Language=E&Parl=37&Ses=2](http://www.parl.gc.ca/37/2/parlbus/chambus/senate/deb-e/017db_2002-11-07-e.htm?Language=E&Parl=37&Ses=2).



## Action

Performing her parliamentary monitoring role, the Commissioner analyzed the bill and observed that it remained silent on a basic Canadian value that judges should undoubtedly be required to promote: linguistic duality.

The Commissioner appeared before the Standing Committee on Citizenship and Immigration to propose certain amendments to Bill C-18. She recommended that it include:

- recognition of English and French as official languages of Canada; and
- a requirement that judges, as they preside over ceremonies, ensure that they are conducted in English and French; they should also stress the importance of the equal status of English and French as official languages of Canada and as a basic Canadian value.



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## Expectations

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**Filled with symbolism, citizenship ceremonies are an excellent opportunity to promote Canada's basic values. The Commissioner therefore expects that linguistic duality will be given its rightful place as a Canadian value in the bill and that, consequently, new citizens will be made aware of the importance of the two official languages in Canadian society at the time that they become members of the Canadian family.<sup>92</sup>**

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## Enlightened leadership in New Brunswick

New Brunswick saw major changes over the past year:

- the province adopted a new Official Languages Act; and
- the City of Moncton passed a resolution declaring itself officially bilingual.

The new Official Languages Act further solidifies the bilingual character conferred on the province by the Constitution. In the spring of 2002, the Commissioner approached the provincial government, and proposed certain changes to the draft legislation so that the government's constitutional obligations would be fully met. As a result, the new law is having a positive impact on both of the province's official language communities:

- the rights and obligations set out in the earlier act have been broadened;

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<sup>92</sup> As of March 31, 2003, the Standing Committee on Citizenship and Immigration was still studying Bill C-18.

- public access to various important services is now guaranteed in English and French (municipal services, police services, administration of justice and health care); and
- a commissioner of official languages (the fourth such position to be created in Canada) is mandated to ensure respect for provincial language rights and promotion of both official languages.

Moncton's official declaration that it is a bilingual city bodes well for official language communities and Canada's linguistic duality.

From now on, public notices and information will be prepared in both official languages.

While these initiatives were originally prompted by citizen-initiated court proceedings in which the Commissioner participated, the measures now achieved go beyond what was required by the courts.

The community is now looking to the Government of New Brunswick to enforce the Act so that English-French equality is fostered. All of Canadian society stands to gain from this.



## **The City of Moncton, first winner of the Montfort of the Year**

In March 2003, the Department of Canadian Heritage and its partners organized the first Prix Montfort presentation ceremony, one of the events marking the Rendez-vous de la Francophonie and the Journée internationale de la Francophonie. The awards were created to recognize the achievements of Francophones and Francophiles who contribute to the development of Canadian society. The prize winners have achieved distinction by helping to bring Canadians together and by extending the francophone influence in Canada and abroad.

The prizes are awarded in the categories of arts, health, youth, communications, science, understanding, cultural diversity and international appeal. The Montfort or the Year was awarded to the City of Moncton as the first city in Canada to declare itself officially bilingual.



## **Bilingual youth preparing for the labour market**

The Edmonton Public School Board has developed a large-scale initiative to revamp its French instruction programs. The French Language Renewal Project, launched in the spring of 2002, seeks to:

- increase enrolment in French immersion and French-as-a-second-language programs;
- improve the performance of participating students;
- strengthen contacts between students and the Francophone community; and
- establish partnerships with organizations interested in French instruction.

The Office of the Commissioner of Official Languages is participating in this innovative project as a member of its advisory board. The Commissioner intends to award a certificate of merit to each student completing the French immersion program who passes the language skills tests administered by the Public Service Commission of Canada, which is also collaborating in the project.

This project is truly remarkable because it is the first time that young Canadian students are taking language tests that are recognized when applying for designated bilingual positions within the federal Public Service.



## Official language teaching in Canada

“Our universities will have to show rather more leadership and responsibility than in the recent past in providing opportunities for students to develop and consolidate their second-language skills. If targeted funding is required to achieve this, it should be considered.

Second-language education will have to be viewed increasingly as a continuum which extends from preschool to include college and university, as well as exchanges, work opportunities and other skill maintenance activities. New ways will have to be found to ensure that FSL and ESL students can enjoy productive contacts with local minority-language communities and their culture.”

*Address by the Commissioner to the Joint Conference of the Canadian Association of Immersion Teachers and the Canadian Association of Second Language Teachers, Charlottetown, November 2002.<sup>93</sup>*

## The Official Languages Act: An international model

Canada was one of the first countries to pass legislation in order to protect and promote official languages. More and more countries are now seeking Canada’s expertise in this domain as they adopt measures designed to recognize linguistic diversity, both within and beyond their borders. In particular demand is Canada’s expertise in language planning, delivery of bilingual government services, and implementation of the *Official Languages Act* and the *Charter of Rights and Freedoms*, both of which have served as models in several countries.



### Association des ombudsmans et médiateurs de la Francophonie (AOMF)

The Commissioner is joint vice-president of the AOMF, an association of some 30 ombudsmen and mediators from French-speaking countries and governments.

In 2002-03, the Commissioner coordinated the updating and modernization of the Association’s statutes, and examined the feasibility of setting up a permanent secretariat. These improvements to its structure should help the Association to more effectively perform its role of developing the ombudsman function in countries belonging to the Francophonie.

<sup>93</sup> See [http://www.ocol-clo.gc.ca/archives/sp\\_al/2002/2002-11-07\\_e\\_1.htm](http://www.ocol-clo.gc.ca/archives/sp_al/2002/2002-11-07_e_1.htm).

The Commissioner encourages the government to promote Canada's linguistic duality internationally. She herself has been invited on occasion to present the lessons learned by Canada over its more than 30 years of official bilingualism.

- Over the past year, the Commissioner received a delegation of parliamentarians from the **Russian Federation** interested in Canada's approach to language planning and ways to adapt the model of the Office of the Commissioner of Official Languages to their country.
- She also went to **Ireland**, where the government was studying a bill to promote and protect the Irish language. Modelled to a large extent on Canada's *Official Languages Act*, the new law even creates a position of commissioner of official languages, one of the first of its kind outside Canada. The Commissioner met with the minister responsible for promoting the Irish language and offered various practical suggestions to ensure effective implementation of the legislative measures that the Irish government has adopted.

## Conclusion

Promoting linguistic duality at the community, national or international level is a responsibility that the Commissioner performs with pride. The role she plays complements local initiatives undertaken by dynamic communities that receive solid support from various governments. Actions undertaken by the Office of the Commissioner of Official Language remind Canadians of the importance of the basic rights of language communities. The Commissioner's promotion role serves the interests of all Canadians through its defence of the principles of justice and equity which, in turn, help us to preserve the richness of our languages and social fabric.





Conclusion





## CONCLUSION

**Canadian society** is constantly evolving. Recent years have brought many changes, particularly in demographic, societal and technological terms; and political changes are on the horizon. In this context, the federal government must demonstrate even greater vigilance to protect one of the key values of our society: linguistic duality. The changes are often gradual, but they are no less likely to have a major impact on the future of Canada's linguistic duality.

The government's action plan thus comes at an appropriate time. It unquestionably reflects the government's strengthened commitment towards official languages. It lays the foundations for a policy of "sustainable development" for our linguistic duality. Accordingly, the action plan should be pursued and developed far beyond the five-year period for which funding has been provided.

It is the government's duty to ensure that its political commitment to support linguistic duality extends to all levels of the federal Public Service. It will be equally important for the government to ensure that its action plan receives the support of all Canadians, as well as that of provincial and territorial governments. Their cooperation is indispensable to the success of the plan.

It is worth returning to the analogy we used at the beginning of this report: the Minister Responsible for Official Languages must truly perform the job of an orchestra conductor to coordinate all the actions required to implement the government's strategy for strengthening official languages. His work requires considerable skill and energy, and will depend to a large extent on the ability of his orchestra to play in harmony, with each member striving to play in tune with the group. He must not leave any room for improvisation nor tolerate any wrong notes.

The work to be performed is ambitious, and the audience's expectations are high.





## Appendices





## Appendix A

### COMMISSIONER'S RECOMMENDATIONS

#### Recommendation 1

The Commissioner recommends that the federal ministers responsible:

- establish an evaluation framework to assess the measures taken pursuant to the action plan as well as the results obtained;
- establish a framework for intergovernmental cooperation to encourage and facilitate federal cooperation with the provinces and territories regarding official languages;
- design a strategy for ongoing consultation and dialogue with official language majority communities to include them in efforts to enhance linguistic duality, especially as regards the promotion of bilingualism among Canadians.

#### Recommendation 2

The Commissioner recommends that the House of Commons and Senate committees on official languages:

- continue to closely monitor the actions taken regarding the *Action Plan for Official Languages* and annually convene the key individuals responsible for its implementation in order that they may report on measures taken and the results obtained.

#### Recommendation 3

With regard to the modernization of human resources management, the Commissioner reiterates and expands her 2001-2002 recommendation that the President of the Treasury Board:

- establish a plan to fully integrate linguistic duality into the activities and culture of the federal Public Service
  - by completing the revision of official languages policies and regulations in order to emphasize principles and values rather than rules;
  - by establishing an implementation schedule that takes into account the timeline proposed by the Commissioner for progressively eliminating non-imperative staffing;
  - by setting up a program to sensitize and mobilize public servants with respect to their rights and responsibilities in putting linguistic duality into practice;
  - by strengthening public service leadership regarding linguistic duality while taking into account performance and ensuring that, upon their appointment, individuals named to senior positions are aware of the value of linguistic duality;
  - by entrusting language training to the new Canada School of Public Service.

#### **Recommendation 4**

The Commissioner reiterates the recommendations of her 2002 study of the senior Public Service.

She recommends that the Clerk of the Privy Council:

- require deputy ministers and associate deputy ministers to have the same level of bilingualism as that required for other EXs in the Public Service and implement a formal language evaluation system.

She recommends that the President of Treasury Board and the President of the Public Service Commission ensure that:

- imperative staffing be normally required for assistant deputy minister positions open to candidates from outside the Public Service and that the appointment of candidates who do not meet the language requirements of the position be viewed as an exception.

#### **Recommendation 5**

The Commissioner recommends that the Minister of Canadian Heritage:

- encourage each provincial minister of education to produce an annual report on progress achieved both on the objective of doubling the proportion of bilingual high school graduates and on providing French-language instruction to 80% of the target school population covered by section 23 of the Charter;
- table an annual report on progress achieved nationally before the parliamentary committees on official languages.



## Recommendation 6

The Commissioner recommends that the Minister of Health:

- ensure that federal-provincial-territorial health agreements are tailored to the particular needs of the official language minority communities of each province and territory, and that they include specific provisions on health services that must be offered in the minority language.

## Recommendation 7

The Commissioner recommends that the Minister Responsible for Official Languages:

- examine and take all measures available to him so that the Capital of Canada will be declared officially bilingual.

The Commissioner reiterates the following two recommendations from her 2001-2002 Annual Report which were not implemented:

## Recommendation 8

The Commissioner recommends that the Prime Minister:

- give the Ministerial Reference Group on Official Languages the status of a permanent committee, in order to stimulate leadership at the highest levels and to support implementation of the Action Plan for Official Languages.

## Recommendation 9

The Commissioner recommends that the government:

- clarify the legal scope of the commitment set out in section 41 of the *Official Languages Act* and take the necessary action to effectively carry out its responsibilities under this provision.

## Appendix B

### SHOWCASE OF SUCCESS STORIES

Dynamic leadership in official languages means excellence in the delivery of services to the public in both official languages, in the creation of a bilingual workplace and in the promotion of linguistic duality. This section highlights what some organizations have undertaken and achieved through this type of leadership.

#### 2002–2003 Leon Leadership Award

##### Farm Credit Canada

For 2002-2003, the Commissioner of Official Languages is honouring the head of a small government agency in Regina, Saskatchewan. The 2002-2003 Leon Leadership Award goes to **John Ryan, President and CEO of Farm Credit Canada (FCC)**. With this award, the Commissioner pays tribute to Mr. Ryan, who has demonstrated extraordinary leadership in his efforts to integrate official languages into the culture and daily activities of his organization, going well beyond the basic requirements of the Official Languages Program.



For FCC, offering service in both official languages is more than a requirement; it's a matter of respect and good business practice. To ensure exceptional service in both official languages, FCC periodically conducts follow-up calls and on-site audits to designated bilingual offices in order to check whether they actively provide bilingual service as required (including displays, publications and voice messages) and comply with their official language obligations.

Bilingualism is part of the way of life at FCC. French is spoken regularly at meetings, in the corridors, during teleconferences and at lunchtime, not only at the Loan Administration Centre in Moncton but also at the Risk Management Centre in Kanata and corporate headquarters in Regina. Throughout the country, Francophones, Francophiles and employees taking language training regularly speak French. Employees are actively encouraged to speak their preferred language.

FCC's senior management team also believes that management support is essential to the success of any initiative. To foster a workplace that is conducive to the use of both official languages, the senior management team has designated senior positions bilingual, regardless of the fact that all senior managers work in Regina, a region not designated bilingual for language of work. Consequently, senior managers are bilingual or soon will be. In addition, FCC has introduced "French Fridays" throughout the country. On Friday, a word or expression is e-mailed to all employees, who are encouraged to speak French. Employees taking language training thus have a golden opportunity to enhance their learning experience.

In its efforts to enhance the vitality of official language minority communities, FCC's corporate office actively promotes Francophone community events to its employees and encourages them to participate in various activities. Furthermore, the organization sponsors many projects in official language minority communities and has established a national committee with an employee from each region to ensure liaison with minority language groups. The committee identifies potential partnerships, sponsorships and in-kind contributions which could benefit minority communities.

The Commissioner congratulates Mr. Ryan and the FCC for their exemplary leadership in promoting linguistic duality to the public and within the organization.

## CITIZENSHIP AND IMMIGRATION CANADA

Citizenship and Immigration Canada (CIC) has developed an accountability framework that defines the roles and responsibilities of all its managers with regard to official languages. It requires all managers to report on implementation of the *Official Languages Act* and the promotion of linguistic duality. The accountability framework includes the terms of an agreement to increase cooperation between CIC and the Office of the Commissioner of Official Languages. This is the first cooperation agreement signed with the Office of the Commissioner.

CIC also organizes a monthly round table during which managers with responsibilities for official languages can discuss language issues that affect the department and take any necessary action.

## ATLANTIC CANADA OPPORTUNITIES AGENCY

In partnership with Nova Scotia Economic Development and the Collège de l'Acadie, the Atlantic Canada Opportunities Agency has helped set up a Knowledge-Based Economy Incubation Centre. The Centre makes its space and services available to the region's Francophone entrepreneurs who wish to increase their information technology activities. An excellent way to support the development of official language minority communities!

## DEPARTMENT OF FOREIGN AFFAIRS AND INTERNATIONAL TRADE

The Department of Foreign Affairs and International Trade has developed virtual campus programs for its employees in Canada and abroad. Employees can now have access to on-line language training. This initiative is particularly interesting because it facilitates access to language training outside working hours and regardless of the employee's location. This tool also helps personnel to maintain knowledge of their second language.

## COMMUNICATIONS SECURITY ESTABLISHMENT

The Communications Security Establishment has designed an interactive decision tree on communications requirements. Employees can now consult an Intranet guide which poses questions to help them identify whether their internal and external written communications must be prepared in both languages. A good way to help staff meet their language obligations toward the public!

## CANADA MORTGAGE AND HOUSING CORPORATION

The Canada Mortgage and Housing Corporation (CMHC) has integrated knowledge of official languages into the skills profile for its positions. CMHC recognizes the importance of language skills; it assigns them a value similar to that of other skills judged necessary for properly performing the duties of a particular position. This innovative practice corresponds with the recommendations submitted by the Commissioner to the President of the Treasury Board for the entire Public Service.

## CANADA COUNCIL FOR THE ARTS

The Canada Council for the Arts has launched an initiative to support the development of artists in Francophone minority communities. It gives its peer evaluation committees “contextual brochures” that describe, for each arts discipline, the particular conditions that affect Canada’s Francophone artists in minority communities. These background documents were drafted by the Fédération culturelle canadienne-française. The initiative has been so successful that Quebec’s English-speaking community is considering adopting the model. A good way for English and French communities to get to know each other better!

## CANADIAN HERITAGE

- Canadian Heritage has pursued efforts to implement its Action Plan on Language of Work: it offered information sessions to over 1,500 employees and managers to make them aware of the language of work guidelines set out in the plan. Better understanding of what constitutes a workplace favourable to the use of both official languages should promote the creation of such environments.
- Launched in the spring of 2003, the on-line language toolkit “Word Wizards” offers Canadians a new Web site that provides quick access to many language tools, facilitating writing and editing in either official language. This is an essential tool for Canadians. The project was undertaken by Canadian Heritage in cooperation with the National Research Council of Canada, Treasury Board Secretariat, the Translation Bureau and Industry Canada.
- The Commissioner congratulates Canadian Heritage on its support for the creation of the Prix Montfort and the gala awards presentation ceremony to recognize the achievements of Canada’s Francophones and Francophiles.

## INDUSTRY CANADA

In cooperation with the regional development agencies in its portfolio, Industry Canada has designed the CommunAction Web site. The site informs members of official language minority communities about the department’s programs and services, and promotes their use. The initiative also seeks to make the department and agencies aware of the needs of the communities.

## CANADA CUSTOMS AND REVENUE AGENCY

The Quebec regional office of the Canada Customs and Revenue Agency (CCRA) has developed and, with the support of headquarters, is implementing a three-year pilot project to ensure better use of both official languages at the Agency. This official languages quality management system is based on the ISO standard. It includes a review of work processes and staff awareness sessions. The initiative seeks to create a bilingual workplace—and thereby a change in culture—through the involvement of all staff concerned. Treasury Board Secretariat is greatly interested in the initiative and supports the project.

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The Commissioner wishes to recognize some encouraging initiatives in other sectors of Canadian society.

## MINISTERIAL CONFERENCE ON FRANCOPHONE AFFAIRS

At the October 2002 Ministerial Conference on Francophone Affairs in St. John's, Newfoundland, participants from the provinces and territories created a permanent secretariat and adopted a set of principles for governmental leadership. These principles will serve as the basis for realizing their vision for Francophones to be able to live and grow individually and collectively in French across Canada.

## RICHIBOUCTOU MUNICIPAL COUNCIL— Welcome, bienvenue and ëptjilaasi

In New Brunswick, the Richibouctou Municipal Council decided to “trilingualize” the municipality. It had the word “welcome” translated into Mi'kmaq in all of the city's promotional literature. Many local retailers have followed suit and now display signs in English, French and Mi'kmaq in their shop windows.



## LAURIERS DE LA PME

The Commissioner congratulates the winners of the 2003 Lauriers de la PME awards competition:

- Château des Charmes
- La Savonnerie Olivier
- Lemalu Holdings Ltd.
- RégeNord Ltd.
- Scénario Design

Organized by the National Committee for Canadian Francophonie Human Resources Development,<sup>94</sup> the competition highlights the importance to Canada's economy of Francophone businesses outside Quebec. These businesses support community development efforts and create a work environment in which staff can develop and use their language.

## SIMON FRASER UNIVERSITY

This year, a wonderful initiative came to fruition in Western Canada: the signing of a memorandum of understanding between Simon Fraser University and the Fédération des francophones de la Colombie-Britannique. The university will establish a Bureau of Francophone and Francophile Affairs, and will develop a French-language undergraduate program in community development and public administration.

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<sup>94</sup> See [http://www.francophonie.gc.ca/news/lauriers2003/index\\_e.shtml](http://www.francophonie.gc.ca/news/lauriers2003/index_e.shtml).







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*Note: Act stands for Official Languages Act; HR, for human resources*

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