



Commissioner
of
Official
Languages

Second
Annual
Report

1971•1972



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Information Canada
Ottawa, 1973
Cat. No. SF1-1972

The Speaker,
Senate,
Ottawa

Madam Speaker,

Pursuant to Section 34(1) of the Official Languages Act, I hereby submit to Parliament through your good offices the second annual statement relating to the discharge of my duties under this Act, covering the fiscal year 1971-72.

Yours respectfully,

A handwritten signature in black ink that reads "Keith Spicer". The signature is written in a cursive, flowing style.

Commissioner of Official Languages

January 1973

The Speaker,
House of Commons,
Ottawa

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Preface

The Parliament receiving this second annual report presents many new Members and no doubt many new ideas on how to meet Canada's linguistic challenge. Last year's report spelled out the mandate Parliament assigned me as its officer for overseeing the progress of achieving equality for English and French in federal administrations under the Official Languages Act; it also outlined the broad approach of "non-political humanism" and low-key diplomacy through which I wished to carry out this seven-year statutory mandate, and the administrative means my colleagues and I had fashioned to hasten, as sensitively as possible, the pace of reform. New Members of Parliament who did not participate in the all-party passage of the Act in July 1969 may care to glance at the first report to situate this year's comments and recommendations.

Members of both Houses may take for granted that my colleagues and I, while each day learning many valuable lessons on the job, intend to pursue firmly but open-mindedly the general policies sketched out last year. Essentially this means that I shall continue consulting periodically with all four party leaders on our Office's main orientations, and act in every way as the non-partisan servant of Parliament the Act obliges me to be. It also means that I shall speak with the frankness my independence from government allows, basing my views on a widening (though somewhat less than oracular) experience covering all the roughly 150 departments and agencies of Canada's Federal State. It means too that, while in over two and one-half years of operations I have still never found it necessary to use the extraordinary powers granted me under the Act's Section 30, my colleagues and I mean to pursue with all despatch the duty Parliament gave us

to promote linguistic justice by trying to make practical and humane recommendations—the only and ultimate “power” really accorded any “ombudsman”.

More and more, my colleagues and I realize that if reform rests on credibility, credibility demands constant and varied consultation. We have followed this path of consultative reform with all the agencies dealt with here, with many individual M.P.'s of all parties, with major unions and staff associations, with cultural, “ethnic” and native groups and, in general, with anyone who cared to offer advice. In June 1972, our office hosted, to its own great benefit, a two-day conference with all five provincial ombudsmen and the Commissioner of Languages for Quebec. I have personally visited all ten provinces and the two Territories, both to seek the counsel of elected officials and to meet the public through every means available: open meetings, speeches, seminars, television interviews, hot-line radio shows. While I cannot claim the cause I was trying to explain—Parliament's broad definition of linguistic justice—everywhere met unreservedly enthusiastic listeners, these “meet-the-people” encounters invariably proved instructive to me and, above all, necessary. For if there remains one disturbing setback in the slow march of Canada's federal administration toward equality for our two official languages, it is the scandalous misinformation that, in too many parts of Canada, still overshadows the Act's basic, civilized truths—its aim of institutional, not individual, bilingualism, its fundamental and long-overdue fairness, its almost limitlessly supple possibilities of adaptation to local human needs. In sum, its profound realism, if applied with zeal tempered by common sense and compassion.

This report as a whole tries without pretension to help meet this need for facts. Certainly it does not purport to fill the information gap through its sheer volume: the detailed accounts of “special studies” (our technique of “preventive medicine”) and of complaints in Chapters II and III will no doubt scare off all but the most masochistic specialists. But my colleagues and I believe it important to report to Parliament as fully as possible, leaving to individual parliamentarians, the press and public the right to pick what they care to look into. But more deliberately for these and any students of language matters, Chapter I focuses on a few matters of general importance, all of which I think need far more public discussion. Although Chapters II and III cover strictly the fiscal year ending March 31, 1972, remarks in Chapter I's “overview” try to take into account events up to mid-December 1972.

Now, well into my third year on the ramparts of a fascinating and rapidly evolving field of change, I am convinced that if “bilingualism” remains “controversial” in some quarters, it is precisely because

too many public officials, in spite of some honest efforts, have not fully met their responsibilities to explain. If, after being in effect for over three years, the Act can still be represented by some Canadians as an outrage against some divinely established order, the fault lies much with those who, instead of patiently and imaginatively explaining the Act as a work of simple justice, viewed any effort to bring light on it rather as one might a campaign in favour of the bubonic plague.

That the Act presents problems to some individual federal employees is a matter of legitimate concern—a concern a “language ombudsman”, even with limited formal jurisdiction for such employees, must be the first to share and try to resolve. But English-speaking Canadians are in no position whatever, as far as my experience and understanding go, to pass from legitimate concern to all-englobing self-righteous indignation. If large-scale injustice exists anywhere, it diminishes essentially the rights of our French-speaking countrymen, both as private citizens and as federal employees. Federal services available (and taken for granted) anywhere in Canada in English still too frequently are denied as exorbitant for French-speaking Canadians. And the 82 per cent English-speaking bastion of the Public Service cannot by any fair assessment be regarded as beleaguered. To seek promotion, or even work, with most federal agencies as a unilingual French-speaking Canadian remains incomparably more difficult than for unilingual English speakers: in 1971, of the 66,675 jobs filled by the Public Service Commission and departments, little over eight per cent allowed for a unilingual French-speaking incumbent; nearly 80 per cent, about ten times as many, required English only. Our language reform, for all its past and current advances, is not yet a revolution.

It is against such realities, and against the hard and delicate challenge Parliament’s own Act throws down to Canadians, that men and women of good faith ought to discuss linguistic justice. I am convinced that leaders of all our parties regard the Act’s underlying principles as sound and enduring. Their consistency is fortunate for Canada, and no doubt encouraging to their followers. Far from avoiding discussion on this vital matter, responsible statesmen—and all who help form public opinion—should not fear, I think, to pursue vigorous debate on the ways and means of language reform. Informed and honest argument is not bigotry. It is the only way justice, shaped by democracy, can escape excess and innuendo. My colleagues and I offer Parliament and public this report in the hope that, despite the excess of its size, it may leave an innuendo most favourable to fruitful dialogue.

K. S.

Chapter I

YEAR TWO : AN OVERVIEW

In his first annual report to Parliament, the Commissioner explained why he thought it useful to go beyond a "mere accounting of case studies to encompass a broader, if partly impressionistic, perspective" of the many jurisdictions active in Ottawa's universe of bilingualism. First, nobody else was doing so. But most of all, the exercise seemed worth trying because the

notion of a general summing up rests on the fundamental democratic principle of Parliament's supremacy: the idea that the legislative branch (of which the Commissioner is an instrument) ultimately has the right to oversee every action of the executive. The following comments [were] offered with no Olympian pretensions. They [were] presented simply in the hope of helping busy Parliamentarians to focus on a few areas the Commissioner [thought] of special concern within the complex, not to say bewildering, array of federal agencies and activities dealing with official bilingualism.

Even more starkly than in the first reporting year, a major failure of the authorities stands out as a deep and perilous information gap. Much of the blame, as we shall argue, rests on continuing timidity and lack of imagination; but part of it is rooted in the sheer complexity of the challenge posed by the Official Languages Act, and a brief "overview", however tentative and subject to change through new experience, appears to the Commissioner as a natural function of his non-partisan status as an officer of Parliament. Indeed, the general practice of ombudsmen throughout the world tends to support this view: such agents of the legislative branch are trying more and more to convey the lessons of their independent work in simple, general terms meaningful to the average citizen whose rights, by statutory mandate, they must defend.

As a result, the Commissioner offers again his comments on a certain number of issues he thinks might aptly occupy the interest of both parliamentarians and public. The choice of subjects is of course arbitrary, and necessarily, at least for specialists, leaves some stones unturned. But the purpose of this chapter is not to spell out definitive technical solutions for terminologists or management consultants; it is to try to help the interested layman—the citizen who wishes to make a little sense out of, and inject a little fair play into, an extremely complicated historic reform. To this end, the Commissioner, as last year, will present frank criticism where he believes it warranted; and again he will attempt to balance such criticism by proposing, wherever possible, constructive alternatives. Above all, he reminds readers that however broad the Commissioner's access to information from many sources, he suffers no illusion whatever about his fallibility. Understanding and applying the Act with common sense and compassion are tasks to challenge all Canadians of goodwill, and the Commissioner will shift his ground whenever and wherever proven wrong: this is especially true of the basically pragmatic and experimental "administrative guide" to the Official Languages Act which follows in section B. In thus sticking out a most vulnerable neck, the Commissioner invites all his colleagues of the "bilingualism universe", in friendship and good humour, to remember that "the mutual confidence on which all else depends can be maintained only by an open mind and a brave reliance on free discussion."

A. The Bureaucratic Jungle: Whom to Ask (or Blame) if You Lose your Way

Ottawa's bilingualism universe continues to present its agencies and activities in a baffling complexity. A later section will lay much fault for this at the door of grossly inadequate public information. But recent months have brought a certain clarification, if not simplification, of responsibilities; and it may be useful to summarize these, then to comment on a potential filling of the executive branch's leadership gap, also decried last year, through a new concentration of duties in the Treasury Board.

1. Stanley, Livingstone and the Territorial Imperative

The private citizen or public servant in trouble over bilingualism can always contact his Member of Parliament. This is logical, for M.P.'s passed the Official Languages Act and remain, in this as in all matters, democracy's natural ombudsmen. However, given the Members'

heavy burdens, and given evolving specializations within the bilingualism universe, people with problems can often usefully turn to other authorities charged with specific responsibilities. Who are these authorities and what do they do? Apart from the Department of Labour's Fair Employment Practices Branch, part of whose job (not directly linguistic in nature) is to prevent ethnic and some other types of discrimination in public service careers, one can cite seven main centres of responsibility.

The first agency is the Privy Council Office (PCO). As the Cabinet's secretariat in charge of planning and priorities for the executive branch as a whole, the PCO necessarily reports to the Government on the place bilingualism occupies among all its programmes. This secretariat role includes passing along advice to the Prime Minister on possible major shifts of bilingualism policy proposed by the Treasury Board or other interested departments. Section 31 of the Official Languages Act assigns to the Clerk of the Privy Council a formal function as the executive branch's central channel for receiving the Commissioner's opinions on violations of the Act and his recommendations for remedial action. These reports by the Commissioner also go to the administrative head of the agency concerned; but the inclusion of the Clerk of the Privy Council in the Act itself seems to suggest for the Clerk some kind of role in the follow-up activity on which, more and more, the Act's credibility will depend. The Privy Council Office has traditionally avoided enmeshing itself in detailed regulatory work, and its staff dealing with bilingualism consisted, as of October 1972, of only one full-time officer. Thus it would appear helpful were the PCO to farm out to the Treasury Board the executive branch's day-to-day supervision of each department's response to the Commissioner's recommendations. Even if this occurs, the PCO's direct access to the Cabinet and the Prime Minister will leave it a vital influence on the Government's priority and pace for bilingual reform.

The second agency is the Department of the Secretary of State. Between July 1969 and December 1971, this Department was in charge of directing nearly all bilingualism activities of the federal government, except for language training and other public personnel matters. The Department's present role focuses on two main areas: promoting the official languages in provincial educational systems, as well as in voluntary associations, industry, and consumer affairs; and supporting cultural activities of minority official-language groups.

In September 1970, the Department planned to provide 300 million dollars over four years to help provinces extend teaching of English or French as second languages, and teaching in the language of official-language minorities. Original grants to provinces dealt with elementary and secondary institutions. In January 1972, the Secretary of State included teaching in universities. Special projects in the educa-

tional sphere comprise teacher training and upgrading, and training of linguists, translators and interpreters. A summer bursary programme for advanced students assisting 2,400 young people in 1971 was extended to 3,500 students in 1972.

The Department also furnishes financial and technical assistance to provinces to encourage bilingualism in provincial governments. Provinces may send 200 public servants per year to the federal government's language schools. They may also receive up to \$100,000 per year for translating provincial statutes. A related project provides money to upgrade the qualifications of translators employed by provincial governments.

A programme for the private sector helps businesses and voluntary associations integrate bilingualism with their operations. Business has received mainly advice, whereas voluntary associations were granted \$266,000 between April 1971 and October 1972 to pay the costs of simultaneous interpretation at meetings and translation of working papers.

In 1971-72 the Department of the Secretary of State spent almost two million dollars in providing cultural assistance to English- or French-speaking minority groups across Canada. It supports existing community organizations through grants for cultural centres, seminars, and leadership development. It tries to ease the cultural isolation of minority groups by sponsoring touring groups of performers, both amateur and professional.

A third and decisively influential agency in assuring rapid and fair linguistic reform for most federal employees (excepting those in many independent agencies) is the Public Service Commission (PSC). Since May 1972, its responsibilities in strengthening the Government's bilingual capacity cover two roles. On one hand, the PSC must implement the broad aim of the Public Service Employment Act to ensure that all recruitment and promotion within agencies subject to that Act respect the principle of merit—which, of course, includes language skills (about 9 per cent of all PSC hirings in 1971 required bilingualism), as well as professional competence, citizenship and veterans' preference. On the other hand, the PSC's Language Bureau has been charged since 1964 with training and testing public employees in official-language skills. In the fiscal year 1971-72, the Bureau provided instruction to some 10,000 students.

The fourth agency is the Treasury Board. The Board is the Government's central management authority for all agencies subject to the Financial Administration Act—covering most, but far from all, federal institutions. While previously the Board could affect bilingualism only through the indirect (but obviously effective) device of budgetary control, since December 1971 it has been gradually assuming direct

responsibility for implementing bilingualism within the Public Service. In his last year's report, the Commissioner greeted the transfer of this role to the Board, from the Secretary of State's Department, as a "logical and strengthening step". This opinion in no way reflected on the competence of either the minister or officials of that department; it merely recognized that putting policy-making, management and budgetary control in one place made sense in getting the job done. We shall take a closer look at the way this transfer appears to be working out in part 2 of this section. But in sum, the Board's role covers two sectors: a) formulation, subject to Cabinet approval, of bilingualism policy for the Government as a whole, including such far-reaching aspects as French-language units, guidelines for identification, designation and staffing of bilingual posts; and b) general monitoring of policy implementation.

A fifth core of responsibility is the management of each of the more than 150 federal institutions. All of these are subject to the Official Languages Act, although to widely differing degrees. Most of these agencies—major exceptions are Crown corporations—must implement the Treasury Board's directives on bilingualism. In particular, this requires them to meet the Board's guidelines for bilingual staffing and to designate within the Board's guidelines any posts department heads think demand bilingual incumbents. Such designation reflects the general duties laid on each agency to offer the public services in both official languages where prescribed by law and to afford federal employees every reasonable chance to work in the official language of their choice.

A sixth, and highly sensitive, task falls to the Bilingual Districts Advisory Board. This independent commission is not meant to play a permanent role as an agency, but its recommendations to the Cabinet on the precise boundaries of possible "bilingual districts" outside the National Capital Region could, if and when agreed to by the Cabinet, leave a deep and lasting effect on the Act's value to the public. The dimensions of the Board's work are outlined in Part D of this chapter.

The seventh centre of responsibility is the Office of the Commissioner of Official Languages. The Commissioner's role, spelled out in some detail last year, rests mainly on Section 25 of the Official Languages Act:

It is the duty of the Commissioner to take all actions and measures within his authority with a view to ensuring recognition of the status of each of the official languages and compliance with the spirit and intent of this Act in the administration of the affairs of the institutions of the Parliament and Government of Canada and, for that purpose, to conduct and carry out investigations either on his own initiative or pursuant to any complaint made to him and to report and make recommendations with respect thereto as provided in this Act.

This broad requirement to intervene, combined with the simple strength of Section 2's declaration of our two official languages' equal status in federal institutions, brings the Commissioner to interest himself in virtually every aspect of federal bilingualism. This does not give him *carte blanche* to practise bureaucratic imperialism. However, in a perspective of rapid linguistic reform, the Commissioner is in fact the full-time "eyes and ears" of Parliament—its independent officer charged with watching over the way all federal agencies, including those cited above as cores of special responsibilities, carry out the letter, spirit and intent of the Act. Reporting directly to Parliament through the Speakers of the Senate and House of Commons, his job is to encourage these agencies to apply the principle of linguistic equality with despatch, common sense and a proper concern for the individual.

He tries to do this through two services. A Special Studies Service offers federal departments and agencies "preventive medicine" by undertaking, usually on the Commissioner's own initiative, studies which give management highly practical, and one hopes humane, recommendations on complying with the Act. Details on this work are found in Chapter II. A Complaints Service fulfills the Commissioner's role as a "linguistic ombudsman". Like the Special Studies Service, the Complaints Service concerns itself with both aspects of language use: service to the public, and languages of work within federal institutions. With his colleagues in this Service, the Commissioner handles complaints from private citizens alleging that one or the other of the official languages is not used, where required, in federal dealings with the public. He is also empowered to receive complaints to protect the rights of federal employees, particularly in two areas. First, he must uphold the principle of the equality of English and French as languages of work. Then, under Section 39 (4), he must ensure, after existing appeal procedures are exhausted, that hiring and promotion for jobs serving the public take due account of the Official Languages Act.

This last duty can help guarantee the fairness of those relatively few competitions open only to bilingual candidates, as well as of those requiring only one language. It is a helpful, but clearly limited, role. More and more, as complaints in Chapter III illustrate, federal employees are turning to the Commissioner on a variety of related issues, especially designation of bilingual posts and problems of language training. Even without formal jurisdiction in these and other matters, the Commissioner is trying to help both English-speaking and French-speaking public servants, in certain gray areas of difficulty, through the device of informal diplomacy vis-à-vis interested agencies. Even if this role remains unofficial, it seems an inevitable one, for it often fills a disquieting gap in jurisdiction.

Above we have set out the tasks and duties of the main protagonists in the bilingualism universe. Now we shall give special attention to the evolving, and potentially crucial, function to be filled by the Treasury Board as the Government's new central authority for achieving its linguistic goals.

2. *Treasury Board (or Take Me to your Master)*

In last year's report, the Commissioner said coordination among the various cores of responsibility within the executive branch was characterized by "a certain disjointedness". This chaste description of mild chaos fell upon ears not only sympathetic, but already inclined to change. For as the report noted, "in the spring of 1971, the Government appeared to be in the process of transferring the central coordinating role, as regards the Public Service, from the Department of the Secretary of State to the Treasury Board." One year later, the Government completed this process by naming a director to head an embryonic Bilingualism Division in the Personnel Policy Branch of the Treasury Board Secretariat.

Already, by the fall of 1971, most of the staff concerned with this aspect of bilingualism had emigrated, with files and experience, to prepare this sensible consolidation of responsibility and power. Previously, the Secretary of State's Department had been enjoying the dubious privilege of presiding over (and taking blame for) policies whose implementation it could not order in other departments. Now, hoped the Government in its press release of February 10, 1972, "the Treasury Board Secretariat, as the central agency responsible for organization and personnel management in the Public Service as a whole, would be better able . . . to define the management objectives relating to bilingualism and to ensure the implementation of those objectives by departments and agencies."

The following May 1, the Board tried to impress upon management that the Government had understood its own previous administrative shortcomings and this time meant business. On that date, the Board informed deputies and other heads of agencies subject to its guidance that its new Bilingualism Division would pursue the following "continuing objectives":

1. In co-operation with the Public Service Commission, departments and other responsibility centres of the Treasury Board Secretariat, to plan, promote, monitor and evaluate the implementation of the Government's objectives for the development of the Public Service as a bilingual institution.
2. To foster, through appropriate communication and information strategies and programs, a greater understanding and acceptance of the

Government's objectives, policies and related programs for the gradual development of the Public Service as a bilingual institution.

3. To formulate, review, develop and recommend policies, plans and guidelines for the gradual development of the Public Service as a bilingual institution.

4. To guide, assist and support departments and agencies in their efforts, plans and programs for the gradual development of the Public Service as a bilingual institution.

At first glance, the Division charged with carrying out this comprehensive and sensitive mandate seems placed at a level somewhat lower than the Government's own announced high priority for bilingualism would suggest. The hierarchy-oriented game of bureaucratic politics in Ottawa may require that the Board's bilingualism staff enjoy a visibly higher status within the Secretariat. Were the Division Director raised to Assistant Secretary of the Board with the rank and right to review all major programme and management proposals from the viewpoint of bilingualism, departments and agencies would more likely take seriously the need to integrate linguistic equality with every proposed programme and activity. The present Division staff's competence is not in question, but its practical influence might be, however much one deplores the status game. Such fears may prove exaggerated, especially if the Board's Secretary and his minister make it plain that their bilingualism representatives command and carry their full confidence. The Commissioner hopes that the Board's senior management have the will to embark on a vigorous plan of reform; his contacts with the Bilingualism Division indicate that it can attract the calibre of persons able to fulfil management's expectations. No doubt the resulting team will have the best chance of achieving its goals if the Government backs it with, a) flexible but disciplined access to special funding and, above all, b) a directive to exert firm, innovative and persistent leadership.

a) Money Isn't Everything, But It Helps

Last year, the Commissioner urged the Treasury Board to speed the pace of reform by loosening the purse strings of its general Contingency Fund. Only thus, he suggested, could the progress of concrete reform reflect the Government's own announced high priority for bilingualism. The Commissioner did not and does not consider money a cure-all—indeed his “most important recommendations affect vital if intangible civil rights”. He merely noted that many of his complaints and special studies led him to make recommendations requiring agencies to make “substantial and unforeseen expenditures” within specified target dates, often between normal yearly budget presentations. Should an agency be caught short of cash but be ready to implement the

Commissioner's recommendations (say, for information programmes, signs or faster language training), rapid access to the Contingency Fund would allow it to proceed on a serious schedule.

In May 1972, the Treasury Board did set up a special \$25-million bilingualism fund. But its main purpose was to subsidize "double-banking", or to provide staff to do the jobs of federal employees on language training. The Commissioner suggests that this fund, slightly expanded if necessary, could also be drawn on to help agencies with legitimate budget problems to comply quickly with Parliament's will, as interpreted by him "within reason".

This proposal does present a danger. Some departments—in fact probably the same ones which sometimes plead financial problems to evade their language responsibilities—might be inclined to milk the fund for extra money to cover normal, predictable long-term linguistic reform. If the Treasury Board opened its fund to help meet genuine emergencies arising from the Commissioner's recommendations, it would have to state toughly to departments that any such special grants did not relieve department heads of their clearly implied statutory obligation to include the cost of bilingualism as an integral part of yearly and long-term planning. Too many top administrators continue to view bilingualism as a passing and exceptional frill, a luxury to be tacked on to regular budgets only if "normal" operating budgets allow it: thus one department asked the Treasury Board in 1972 for an additional \$120,000 for bilingual signs—presumably on the premise that nowhere in its over-\$300-million budget for 1971-72 could this relatively modest sum be squeezed out. Another department, with a yearly operating budget exceeding \$120-million, begged the Board for \$25,000 to produce, gradually of course, some bilingual forms. The Commissioner himself was no doubt naïve in promising two or three agencies to support such submissions, in the hope it would enable them to meet target dates missed by over a year. In all similar cases, the Treasury Board would have to consider any plea for extra money from the Contingency Fund rigorously in the light of the size and flexibility of each department's yearly budget. In sum, to avoid potential abuse of emergency funds, the Board should remind departments and agencies that all foreseeable costs of bilingualism, including a small reserve, should be submitted to it as routine items indissociable from the institution's general budget and programmes.

b) Paving the Road with More than Good Intentions

Far more important than money, however, is leadership. The Treasury Board's new mandate for bilingualism gives it an unprecedented chance to make felt throughout federal institutions Parliament's presumed wish for rapid, sensitively administered reform. This role

should probably stress three elements. The first, obviously, is clear and realistic long-term policies: to guarantee service to the public in both languages as the Act requires, and to give French-speaking Canadians and the French language their rightful place in our country's Public Service. No doubt this fashioning of a coherent, workable plan for change will result from the Cabinet's review of the important study completed by the Board's Task Force on Bilingualism in the fall of 1972. Such a plan could go a long way toward eliminating the tendency in some bilingualism circles to proceed by a series of sporadic and unnecessarily dramatic crash-programmes, instead of by serenely following studied priorities. In practice, this means that the Board will have to arm its allies in all departments and agencies, more often than in the past, with precise, detailed and concrete directives. After accepting motherhood, administrators need a do-it-yourself course in obstetrics.

The second element turns on better information between the Treasury Board and the institutions it guides on bilingualism. In addition to the greatly improved public information programmes urged later in this chapter, the Treasury Board would find it useful to invest a good part of its Bilingualism Division's human resources in collating and distributing up-to-date facts on bilingualism within the Government. Again this year, the Commissioner thinks that the Treasury Board could use the network of departmental bilingualism advisers to much greater effect. As professionals, these advisers still tend to occupy a twilight, decorative role in the administrative backwater deplored in last year's report. Indeed the Government, except in a few cases, has paid no heed to the Commissioner's suggestions to allow these generally neglected specialists to put their talents to intelligent use. Even the advisers' own association, formed by them to help fill the Government's leadership gap, has fallen into limbo for lack of encouragement. At the very least, the Treasury Board should offer the virtually dormant association financial aid for a small secretariat and perhaps a newsletter. But above all, it should consult the advisers on a regular basis, perhaps monthly, to assist them in pooling information and experience now dispersed to the winds of little change. And it should start to view the advisers as important agents of reform—a goal which they can reach only if they are assigned a more influential place in their individual departments. Such a place, translated perhaps into a post of special adviser to each deputy minister, would parallel the higher status the Commissioner suspects the Board's Bilingualism Division may eventually need. It would likewise give each "special adviser for bilingualism" not only direct access to his deputy head but the right to review every major management and manpower proposal in the light of the Official Languages Act. By thus drastically upgrading the

advisers' role and expanding their policy input, the Government could again effectively integrate language reform, as it must, with all its "operational" programmes. Such a shift would at very least avoid the strange situation in some departments where the deputy head does not even inform the adviser of the Commissioner's notices to investigate complaints against the department. . . Far more importantly, it would diminish the advisers' present morale-sapping isolation which, in the long run, may undermine bilingual progress far more destructively than real or imagined "sabotage" by opponents of change. Finally, of course, from the Board's own viewpoint as central coordinator, an imaginative upgrading and more systematic use of bilingualism advisers could prove advantageous by greatly easing the Board's work in extending, and monitoring more uniformly, the progress of its objectives.

The third element is intimately linked to this monitoring. It concerns "follow-up" on not only the Government's broad objectives but on the Commissioner's specific recommendations. Management in most federal institutions already cooperates well with the Commissioner's own increasing follow-up activities. But the Commissioner believes that the Board, in concrete administrative and financial terms, could strongly assist the Clerk of the Privy Council in ensuring on the Government's behalf that departments and agencies give effect to these often substantial and comprehensive recommendations—which, by now, run to some 850. Until very recently, the Government as a whole (that is, apart from individual institutions) had not adopted any systematic policy of following up the Commissioner's statutory reports to the Clerk of the Privy Council and to Parliament. The Commissioner consulted both the Clerk and the Board's Secretary in early October 1972 and is confident that they will soon work out some arrangement to meet this need, which is vital to making linguistic justice a reality as well as a theory.

B. A Few Things You Always Wanted to Know About the Official Languages Act . . . But Were Too Busy to Ask.

Here the Commissioner reviews some of the Act's practical implications. His interpretations do not claim the authority of Mosaic tablets; but they do rest on two years' experience generally accepted by the many federal institutions he and his colleagues have dealt with. This outline seeks to meet three purposes: to inform federal administrators of their duties under the Act, without waiting for the Commissioner to nudge them through investigating complaints or initiating "special studies"; to inform the public of its rights under the Act; and, equally important, to provide parliamentarians with a framework for their own assessments of the bilingualism programme.

Two reasons bring the Commissioner to try such a task. First, the problem's enormous scope. All the more than 150 "institutions of the Parliament and Government of Canada" are subject to the Official Languages Act and thus to the Commissioner's friendly scrutiny: he is indeed the only government official or body having jurisdiction for linguistic reform in every one of the departments, ministries, Crown corporations, boards, commissions and courts that make up Canada's Federal State. Next, although the Act has been in effect for well over three years, it is painfully clear that many government agencies still consider the Act part of a distant and irrelevant archive. As a result, they have too often proven unwilling or unable to effect significant reform without the Commissioner's intervention.

This brief and informal "administrative guide" to the Act will start by recalling which agencies come under it. Then we shall turn to the practical effects of certain of the Act's sections. This second part will concentrate on languages of service to the public, touching only incidentally on languages of work within the Government.

1. The Adam and Eve Syndrome: Who is Covered (by the Official Languages Act)?

The Act applies to all three branches (legislative, executive and judicial), and every component, of what is broadly known as the Government of Canada. Textbook definitions of this complex organization need not be resurrected to bore readers. What matters is that the Act covers all federal public bodies without exception, as well as a relatively few private businesses holding concessions with federal agencies—almost exclusively those serving the travelling public.

The Act's all-inclusive character for federal agencies emerges essentially from Section 2. This states that English and French "are the official languages of Canada for all purposes of the Parliament and Government of Canada, and possess and enjoy equality of status and equal rights and privileges as to their use in all the institutions of the Parliament and Government of Canada." Other sections confirm the Act's application specifically to "every department and agency of the Government of Canada and every judicial, quasi-judicial or administrative body or Crown corporation established by or pursuant to an Act of the Parliament of Canada". Still another section assures that the long arm of linguistic law reaches even into the redoubtable precincts of the Armed Forces and the Royal Canadian Mounted Police. As a rule-of-thumb, one can safely say that "if it's federal, it's bilingual"—always, of course, to the extent the Act prescribes.

The Commissioner is reluctant to define the Act's absolute limits. A few borderline cases are arising with privately-owned public utilities

of a quasi-monopolistic nature. With these the Commissioner usually makes informal overtures to induce the firms to take the Act's principles into account, especially when the companies are federally regulated. He has rarely, if ever, thought it productive to take a legalistic approach, for he has found that even many plainly private institutions have been willing to observe the spirit of the Act, if only as a matter of good business and common courtesy.

2. Legislative Fidelity and Other Duties of Partners in Reform (More or Less What the Official Languages Act Means for Government Departments and Agencies)

The Official Languages Act guarantees the equal rights and status of two *languages*, and imposes duties on federal agencies. Individual Canadians have gained rights by this Act only because they belong to one of the two official-language groups.

a) Two Hereditary Hang-Ups

Departmental duties arising from the Act fit into four general groups: i) the declaration of status of languages (Section 2); ii) statutory and other instruments (Sections 3-7); iii) duties of departments, etc., in relation to official languages (Sections 9-11); and iv) general sections (Section 38 and subsection 39 (4)). Of these, Sections 2, 9 and 10 present to administrators the greatest challenges.

The effect of these sections becomes clear only in the light of two crucial distinctions underlying the effort to give Canada's official languages equal dignity and equal status. The first distinction is between institutional and individual bilingualism, and the second between language of service and language of work.

The Official Languages Act is essentially concerned with institutional bilingualism. As to language of service, institutional bilingualism means simply that, where needed under the Act, each federal government office must have enough employees and written materials to provide service to its public in both official languages. This requirement can be met either by deploying sensibly a sufficient number of bilingual employees, or by suitably stationing unilingual employees from each language group in the same operation. Such a policy does not mean that all federal employees at every level must be or become bilingual. Neither does it in any way require private citizens to become bilingual: the object is to allow citizens to deal with the government in the official language of their choice—an aim which plainly respects, indeed protects, individual unilingualism. This seeming paradox of institutional bilingualism guaranteeing individual unilingualism ought to reassure all for whom the very word “bilingualism” conjures up visions of

cultural genocide or history-distorting revenges of the cradle. The Official Languages Act obliges only the federal Government as a public body to know two languages. By federal law at least, Canada will remain a safe and comfortable place—or will at any rate leave plenty of room—for the citizen who knows, and only wants to know, one language.

Within federal institutions, a second important distinction exists, between language of service and language of work. Language of service means the language used in dealings between the federal administration and the public. Generally speaking, the public is all the private individuals, corporations, groups and institutions (as well, sometimes, as other federal agencies or employees) which the Government serves. We shall touch later on the nature of these services and the Government's duties in some common situations; for now we need only say that, in principle, the Act applies to all forms of communications between administrators and administered.

Language of work can thus be taken to cover what is left: the language used in the Federal Government's internal administration. (The Act affirms the principle that English and French enjoy equal status as federal languages of work). There is, however, as the preceding paragraph hints, one aspect of language of work to which principles of language of service can be applied, namely those areas where the federal administration provides individual public servants with "services" or is regulating their activity. This includes, for instance, personnel matters, notably general directives and all information on job conditions.

b) Some Hints for a Happy Linguistic Life

Apart from the above distinctions, several key principles grow from the Act, especially from Section 2. These all concern language of service.

1) Any Citizen CAN: Equality of Status

Section 2, the Act's cornerstone, states that "the English and French languages . . . possess and enjoy equality of status and equal rights and privileges as to their use in all the institutions of the Parliament and Government of Canada". In practical terms this means that, within reasonable limits of need and sometimes feasibility, every citizen should be able to get the same type and quality of service in French as in English. This equality of status goes beyond the mere availability of services in both languages to include accessibility and automatic offering of service, as well as the prominence and quality of languages.

(a) *Equal Accessibility*

For the two official languages to enjoy equal status, services available in each language must be equally accessible to the public. In the case of services offered in person, the citizen should receive them in the language of his or her choice within a reasonable time of requesting them. Given the sensible ideal of institutional bilingualism, such delay could include the time required to seek out a person able to speak the desired language; but in such cases there should be enough staff to avoid delays much longer than those a member of the other official-language group might expect. And a little common sense and courtesy, experience has shown, can enable even the most fluently unilingual public employee to extract himself gracefully from any linguistic impasse with a client. A smiling "one moment, please" in the client's language does not demand prodigious skill in language-learning, and it surely makes a short wait more tolerable than a sullen "I don't speak French (or English)". This seems a small point, but it is guaranteed to prevent futile apoplexies and countertop replays of the Plains of Abraham. It also keeps telephone chats from becoming hot-line dialogues of the deaf.

Where services are provided through written material, the same principle applies. Especially when the material is printed (signs, forms or information brochures, as opposed to letters, for instance), there should be enough in each official language to meet requests from both groups at all times. Many agencies have found they save themselves the embarrassment of running out of material in one language, or of not appearing to have it available in both languages, by having both language versions available under the same cover—whether side-by-side, back-to-back (flip-over), or in some other bilingual format. The Commissioner recommends this as the simplest solution to a potentially hazardous and annoying problem of inventory control.

(b) *Automatic Service*

Closely linked to equal accessibility is the readiness with which agencies make services available. For the two official languages to enjoy equal status they should be *actively offered* in both languages, not simply be passively available. Any enquiry in a given language plainly constitutes in itself a request for service in that language and should require no further explanation—much less begging—on the citizen's part. A few federal employees, far from understanding this embarrassingly simple truth for a civilized people, still think bilingual clients should be browbeaten into using the administrator's own language. As to choosing the language of service under the Act, the customer is always right. And conceding service with a sulk is not only inelegant, but "bad business" in every way for the agency. At

very least, employees who don't cherish the Act will find it possible to adjust their clenched teeth into a convincingly courteous grin. In general, departments should make it crystal clear that they offer services in both languages, whether through bilingual signs, identification or greeting, or enquiry as to the language preference of the individual. Some agencies have found that the Commissioner's poster and counter card "VOUS AVEZ LA PAROLE/NOW YOU'RE TALKING" can convey this message in a simple, good-humoured way.

(c) *Equal Prominence and Precedence*

Bilingual service equally available and equally slowly offered is still not equal if one language is offered with a roar that drowns out the other's whimper. This problem arises particularly with printed material such as signs and forms. The two languages should claim a roughly equal amount of space, taking into account the physical proximity of the two languages, and the texts should be equally legible (or illegible) in both versions, with lettering of equal size. Even colour schemes can affect equal legibility: whether through inadvertence or perverse imagination, one sign-maker in a public museum, using plexiglas with a black background, made one language effectively invisible on an otherwise impeccably bilingual sign. This was a transparent error, even in esthetics.

Related to, but separate from, prominence is the question of precedence, which inevitably arises. In general, the language coming first enjoys precedence: where the two languages are side by side this means the language on the left; where they are one above the other, it is the language on top. Government policy gives precedence to French in Quebec and to English elsewhere. A "refinement" the Commissioner has proposed gives French precedence in areas outside Quebec where the French-language group forms a local majority. French precedence should also logically apply to French-language Units anywhere in Canada or abroad. Perhaps a sensible guideline on this really minor issue is to give precedence, wherever good taste or practicality do not interfere, to the language of the majority of each agency's clientele—"localized" to the extent the agency itself is decentralized. Visiting cards, those clumsy if sometimes handy status symbols, might give precedence to each bearer's preferred official language.

(d) *Equal Quality*

Whatever marvels administrators dream up to get both languages to the citizen in equal quantity, however, the two official languages can enjoy full equality of status only when they display roughly equal quality. A letter in fractured French, or a tour in pidgin English, is in

some ways worse than no service in the second language at all, for Parliament's intent of equality ends up as twisted tokenism—and citizens may be exposed to a dangerous rise in blood pressure.

A distinction emerges between written services and those offered in person. For written services, in view of the government's heavy outlay on translation, there appears little excuse for anything less than high linguistic quality in either language. With "person-to-person" service, however, all the Commissioner hopes for is reasonably comprehensible and courteous communication where, for a given public employee, institutional bilingualism becomes individual. One regrets that perfectly bilingual Canadians are rare birds that have by no means all flocked to the Public Service; but a reasonable standard of personal bilingualism does not require that federal employees speak the English of Winston Churchill or the French of Charles de Gaulle (or, say, in Canadian terms, of Northrop Frye or Jean-Noël Tremblay). Although the medium may stay much of the message, equal status should require only that the medium not grossly or perilously blur the message's clarity. Ensuring that the message itself is clear seems beyond the powers of even the Official Languages Act.

2) *The Perils of May-December Weddings: Significant Demand and Feasibility*

Not surprisingly, many agencies would like a practical definition of Section 9 (2)'s reference to "significant demand" and "feasibility". These standards define agencies' duty to offer bilingual service everywhere in Canada, including outside eventual "bilingual districts"—none of which yet exists beyond the National Capital Region. Neither standard derives from any scientific measure spelled out in the Act; both, therefore, need interpretation according to such broad values as the courts apply to "the reasonable man" (perhaps a dignified way of saying "flying by the seat of your pants").

Feasibility should cause administrators the lesser trouble. It plainly engages factors of cost, and especially training and deployment of staff. Once significant demand is agreed to exist, managers need only make every zealous but sensible effort to make bilingual service possible. This may take time and probably more money than other operational priorities would suggest; but such an effort is essential to mirror, wherever goodwill and ingenuity allow, the Act's egalitarian spirit and intent. Often technical, financial, administrative or personnel reasons can result in bilingual service proving unfeasible. But such cases should be as rare and/or temporary as possible, and the onus must weigh on national and local management to demonstrate unfeasibility—never on the local public to show feasibility.

The same onus rests heavily on management if it wishes to deny bilingual service on grounds that there exists no "significant demand" at a given office or place. The Commissioner, required by Section 25 to interpret the Act's spirit and intent, realizes the genuine practical dilemma this phrase poses to even the best-intentioned administrators. He believes that Parliament, having defined no more precise criteria, must have wished all concerned to apply the "reasonable man" kind of yardstick—or at least a flexible standard not frozen to immutable, and perhaps occasionally inapplicable, mathematical factors. The Commissioner would further urge that demand be viewed in the framework of the corollary values of common sense, generosity and imagination. All of that is still vague, but it can become more tangible against certain observable facts: local population statistics by mother tongue, proposed bilingual districts (however tentative), a local history of previous demand, prior offering of service, and, more recently, complaints sent to the Commissioner (who must take such complaints as *prima facie* evidence of some demand). Indeed, the Commissioner has noted that a presumed non-existent demand magically materialized—as, for example, in Victoria, B.C.—when an agency started to offer bilingual service. To break a possible vicious circle of "no demand—no service", agencies can pragmatically test demand by actively offering bilingual service for experimental periods.

Permeating all these points are the Act's spirit and intent, which no doubt will continue to become clearer if the Commissioner and administrators keep in mind the above values. Probably, however these and other factors develop, the Act's spirit and intent will most nearly be met by giving the citizen the benefit of the doubt. Again, one should start, though not invariably end, with the idea that "the customer is probably right."

3) *Of Travelling Salesmen and Others*

Federal agencies dealing with the travelling public receive honourable special mention in the Act. Their very own Section 10 lays on them—as well as on their public-contact concessionnaires—not only prestige but geographically limitless obligations. To federal airline, railway, hotel, customs, immigration, parks and other offices or facilities for travellers in Canada, and even abroad, Section 10 leaves few "unilingual loopholes". The duty is not to offer bilingual service *only* where there exist significant demand and feasibility. The Act in fact turns the tables of responsibility on these agencies, requiring them to assume "system-wide" demand—and makes exceptions only where "there is no significant demand" for bilingual service, or where demand is "so irregular as not to warrant" it. And, once more, it's up to the agency to prove the insignificance or irregularity of demand.

For administrators in "travelling public" agencies this is potent medicine. But that is how Parliament wrote the Act, presumably with the hope of making Canadians of both language groups feel at home in as much of Canada as possible—and indeed in Canadian offices abroad. This duty should indicate to management of such agencies first of all that eventual bilingual districts have nothing whatever to do with—or at least cannot restrict—their obligations. Section 10 came fully into effect in September 1969, and if bilingual districts are ever proclaimed they will change nothing for a travelling public already legally entitled to full service (with a few minor exceptions by Cabinet order) throughout the whole federal travel network.

Some federal agencies, such as the National Parks and Historic Sites Branch of the Department of Indian Affairs and Northern Development, have not only understood this weighty obligation but have begun putting into effect the Commissioner's recommendations for systematically introducing bilingual services everywhere. Other agencies such as the CN have also been trying for many years to approach this goal. But certain other key agencies have yet to explain the Act's full import to their employees at all levels. They should do so urgently, but making three points of vital meaning to individual employees.

To begin, management should remind employees being informed of system-wide obligations that these duties lay not on individuals but on the agencies as institutions. In a word, management must explain to employees that Parliament wished the agency to offer the travelling public a bilingual capacity at all points; it never intended every employee at every level to be or become bilingual. Second, management should make clear that the agency, not individual employees, must find sensible and civilized ways of achieving that bilingual capacity within the shortest time humanly possible. The Commissioner's recommendations to such agencies invariably include a strong plea to consult unions and to try to reconcile seniority and "bumping" privileges with Parliament's law. Responsible union leaders have shown the Commissioner that they will support any humane effort to achieve system-wide linguistic justice. This effort often includes more and better language training and a temporary emphasis on hiring staff whose language skills—technical competence being equal—are most needed. Third, the very credibility of the Act requires a certain flexibility in the kind, degree and timing of services offered under Section 10. In spite of the rigour of the Act's text, the Commissioner thinks it wise to interpret the letter of the law with some regard for genuine personnel difficulties in certain stations or posts. Even starting from the assumption of system-wide demand, he thinks it normal, and consistent with the Act's supple spirit, to say that demand is not a matter of

black and white, of total bilingual service or none at all. The best approach, he suggests, is for agencies to strive with all possible energy, resources and despatch to provide bilingual service throughout their system, but allowing the degree and accessibility of service to vary with the nature and volume of tested demand—“tested” of course implying a previous active offering of service. In short, the guaranteeing of language rights to travellers in Canada and through Canadian facilities abroad should start with a clear, resolute understanding of each agency’s universal duties. Then it should radiate out from major travel points as quickly as ingenuity, technology and sensitive personnel administration will allow.

* * * *

Above, the Commissioner has tried to touch on a few of the questions that keep turning up not only in his investigations, but in less formal dealings with public employees and private citizens. No doubt he has missed some points which still cause queries or anguish. These he would gladly try to meet at the drop of anyone’s invitation. In seeking to cast a little light into shadowy corners of the Act, he knows his judgements may err: suggestions and corrections for a better “bilingualism survival manual” will be most gratefully received. Meanwhile, he hopes these first sketchy guidelines may in some degree assist the administratively tongue-tied, or at least offer them a handy and willing scapegoat should things go linguistically wrong.

C. Working in French: Still the Hard Option

Last year, the Commissioner expressed the view that “the long-term future of French in North America will depend mainly on Quebec’s ability to strengthen its principal language of culture as a language of work and of general social use.” In thus linking the fate of French everywhere in Canada to “the dynamism—indeed the healthy predominance—of French in this unique jurisdiction where francophones form a majority”, he wished to point out the natural harmony of his efforts in favour of French, under the federal Official Languages Act, with Quebec’s own logical and growing emphasis on spreading the use of French in all sectors of modern society. The Commissioner’s efforts, which in no way weaken the egalitarian spirit of the Act vis-à-vis English, seek to help French speakers in Quebec and elsewhere in two ways: first, by guaranteeing to them, wherever the law requires, federal services in French; then, by standing up for their statutory right to work for the federal State in their mother tongue.

This right to work in French, as well as English, within federal administrations derives from the Act's Section 2:

The English and French languages are the official languages of Canada for all purposes of the Parliament and Government of Canada, and possess and enjoy equality of status and equal rights and privileges as to their use in all the institutions of the Parliament and Government of Canada.

One might fairly observe that the Commissioner's interpretation of Section 2's words "as to their use in" as recognizing the principle of the two languages' equality as languages of work has hardly been trumpeted about by federal authorities as a whole—at least until the President of the Treasury Board's statement of December 14, 1972. Still less—in spite of the modest experimental "reform" of the French-language Units—does one find this interpretation fulfilled in fact. Ottawa remains far from a paradise for French-speaking public servants; as for French-speaking federal employees outside Ottawa (even, sometimes, in Quebec), the administrative milieu, linguistically speaking, resembles rather the celebrated scenario of Dante. In 1971, only 8.3 per cent of some 66,675 posts filled in the Public Service allowed the incumbent to be unilingual French-speaking (as against nearly 80 per cent for unilingual English speakers), while French speakers formed some 27 per cent of Canada's total population. Tradition, timidity (if not discreet intimidation), tiredness and, above all, the sheer practical complexity facing any sincere intention to implant French as a language of work—all these factors have tended to make the "use" of French for work, on the same footing as English, extremely difficult.

Language of work rights are unquestionably proclaimed by the Act. Obviously, common sense demands some limitations on the exercise of these rights. No reasonable person, whether French-speaking or English-speaking, could expect to insist absolutely on working in his or her preferred official language, anywhere, anytime: the French-speaking public servant in Victoria, or his English-speaking colleague in Chicoutimi, must recognize certain minimum realities. On the other hand, federal management must not exploit ungenerously or unreasonably such "realities" as pretexts for sabotaging the principle of the two languages' equality as languages of work.

In the face of the Act's somewhat generally-stated backing of the two languages' equality for purposes of work, the Commissioner has tried to settle each case on its merits, leaning as heavily as possible toward supporting the individual in choosing his or her language of work. This he does when presented with various practical "obstacles" (such as geography, and the linguistic make-up of a given office) which departments and agencies often invoke to limit the exercise of language of work rights.

Whatever the reasons behind the Federal Government's failure to spread more quickly the use of French for work, it is plain that if Ottawa does not soon make a visible breakthrough in this area, the Official Languages Act will have lost a vital part of its meaning. Such progress will of course remain an illusion unless the Government, one hopes with the support in principle of other political parties, finds answers to practical administrative questions about the exercise of language of work rights, particularly where and how they apply. The Commissioner does not pretend to hold such detailed answers, but thinks it important for the Government, in concert with staff associations, to tackle such questions soon in concrete terms reflecting the principle Parliament has stated. Meanwhile, for purposes of public discussion, he will review briefly the early experience of one device for achieving linguistic justice in language of work—the French-language Units (FLU). After this review, he will make some general suggestions Ottawa might consider as means to raise French to an equal footing with English as a language of work.

1. The French-language Units: Ghettos or Greenhouses?

Beginning in November 1971, the Government tried to offer French-speaking public servants a better chance to work in their language by designating 457 “French-language Units” in 39 departments and agencies. This experiment, while novel at first glance to many English-speaking Canadians, in fact created on a tiny scale a replica of the enormous “English-language Unit” which most of the federal administration was and still is. It remains an extremely modest, though interesting, reform, which might in many cases more aptly be termed a rebaptism: some 26,000 of the 29,000 persons in the FLU's were doing their work in French to varying degrees before their units were renamed FLU's; and over 330 of the 457 units were chosen in Quebec where, after all, French should normally more often prove useful. Indeed, for those who might fear some massive assimilatory assault on the essentially English-speaking stronghold of some 404,000 federal employees, it may be reassuring to recall that the FLU's include such inoffensive groups as the 66 workers in a federal hospital laundry in Quebec and the 12 in one department's stapling unit sub-section in Ottawa. There are, it is true, much larger FLU's such as the 3,800 members of the Quebec-based *Fifth Combat Group*; but the Commissioner is sure the *Fifth Combat Group* has no wish to become a *Fifth Column*. . . . The experiment's limited impact derives too from the units' frequently junior, if not distant, relation to top policy-making offices. Indeed, policy people in FLU's, more often than not, need English as a job requirement—a demand which, however sometimes now unavoidable for dealing with

“outside” units, does not exactly confirm the belief the FLU’s “force” all their members to work in French alone.

Nevertheless, recalling past difficulties public employees faced trying to work in French, and especially the absence of any articulated alternatives to help them, the Commissioner continues to believe this experiment deserves sympathetic attention. It will no doubt take at least another year before conclusions can be drawn from it, but already some drawbacks and advantages are apparent.

Among the difficulties the FLU’s face, the simple “acclimatization” of the units to an overwhelmingly English-language work milieu figures large. This includes misunderstandings among both English- and French-speaking public servants as to the “ground rules” for communication between the units and other government offices: normally the FLU’s are to question and answer all such offices, though not the general public, in French alone. Happily these misunderstandings are being overcome through time, experience, goodwill and a helpful information bulletin put out by the Treasury Board which is responsible for directing the units’ language régime. Other problems include occasional slow-downs in inter-office communications when outside offices lacking bilingual capacity resort to translation (or, on the telephone, force the FLU to use English); the reluctance of some older French-speaking public servants to “recycle” themselves to work in an administrative language they may have partly lost, or indeed never acquired; the fear, perhaps a little ironic in the light of similar but better publicized English-language apprehensions, that working only in French may restrict promotion opportunities; the slowness of effecting reform of any kind outside the units when policy or research papers prepared in FLU’s are ignored elsewhere or held up in translation; and the general lack of French-language office manuals, especially on financial and technical matters, as well as many headquarters directives which, in contravention of at least the spirit of the Act, continue to go out only in English.

The FLU’s may also present several sound advantages. First and most important, their symbolic and official recognition of French as a language of work seems in some cases markedly to have bettered not only morale, but output. Obviously, using one’s mother tongue for work should—unless technical vocabularies are unavailable—produce higher efficiency. Second, many units report a heartening increase in the use of French not only within the units but by “English-language” or “bilingual” units they deal with: the chance to communicate in French seems most welcome to some English-speaking graduates of language training. Third, where FLU’s have followed the broad rules underlying their establishment, they create a “demand” for French-language communications of all kinds, and for specialized

technical vocabularies, which tend to heighten not only the quantity of French used, but its quality. Fourth, the very existence of FLU's ought to make English-speaking public servants more conscious of the rights and problems of their French-language colleagues—perhaps thereby helping English speakers to see their own career challenges in a more accurate perspective. Finally, the units may offer more practical structures and a more congenial atmosphere for welcoming to the Government the many unilingual French-speaking Canadians the Public Service so badly needs both better to represent our population and to tap a reservoir of talent previously out of reach: in June 1972, the PSC still offered only some 9 per cent of its jobs to unilingual French speakers.

From the admittedly fragmentary accounts the Commissioner has received so far, there emerges, in sum, at least a tentative hope that these advantages could help spread the use of French more widely—and thereby more closely meet Parliament's intention—by a possible "snowball" effect. Certainly, longer testing is required either to confirm or disprove the FLU experiment's value.

2. *The "Spirit" of the Act Can Include a Little Realism*

Even while awaiting decisive proof that French-language Units can significantly help implant French as a language of work, and even while seeking practical answers to certain administrative questions, the Government ought urgently to plan for a coherent coordination of all its policies affecting the French language's future in Canada. This coordination demands the meshing, as much as possible, of federal policies to strengthen French with those of Quebec; and it requires an integrated approach to promoting French as a language of work within Ottawa's own roughly 150 administrations.

As for cooperating with Quebec's efforts, Ottawa will probably prefer to await more concrete programmes which will come no doubt in the wake of the Gendron Commission's Report on the Status of the French language. For the same reason of not wishing to presume what language policy Quebec will eventually adopt, the Commissioner can only reaffirm his sympathy with the broad idea of strengthening French there.

But he thinks the Federal Government, in coordinating policies to implant French as a language of work within federal agencies themselves, ought to concentrate on three related challenges.

First, of course, it must formulate more precisely, and make widely known, a series of guidelines defining, if only tentatively, the broad rules it would accept to defend the right of federal employees to work in their chosen official language. This would require preliminary

answers to the simple questions raised above about the modalities for exercising language of work rights. The Commissioner must continue to make independent judgements on individual cases brought to his attention, but a set of guidelines the Government might propose would help federal employees to plan their careers with greater certainty as to the practical opportunities (one hopes extremely wide) of choosing their language of work.

Second, even while awaiting further testing to evaluate the FLU's "structural approach", the Government should move systematically to develop French as the predominant language of work in federal regional administrations within Quebec. This "reform" is nothing but a natural corollary of the *de facto* predominance of English as a federal language of work everywhere else in Canada. Obviously, practical possibilities of working federally in French must extend beyond Quebec, especially to Ottawa and parts of New Brunswick, Ontario and Manitoba. But the priority should rest on Quebec. If federal authorities, even while respecting the statutory work and service language rights of English speakers, cannot accept and implement French as the "normal" language of work in their Quebec offices, they will undermine the strength of French not only in Quebec, but throughout the federal universe. The technical means, including realistic directives, language training for English-speaking federal employees, and translation, do not greatly stretch human imagination. What is needed first and foremost is a firm will to recognize, and act on, the reality that if "administrative difficulties" are allowed to sabotage French as the principal language of work in Quebec, where 80.7 per cent of our countrymen claim it as their mother tongue, the FLU's and any supporting rhetoric will become pitiful window-dressing.

Obviously, one can point to plausible exceptions, such as some aspects of air traffic control governed by international safety rules. But isolated exceptions should not be overblown to obscure the basic normalcy of working in French where French speakers form a strong majority. Even technical problems turn out sometimes to prove less difficult than originally thought: the Atmospheric Environment Service, whose goodwill the Commissioner recently tested in Montreal, found to its own happy surprise and its employees' satisfaction that one can predict weather in French with equal accuracy as in English, and still serve the public in both languages.

The third policy the Commissioner recommends is closely linked to some such intensification of Ottawa's efforts to strengthen French within Quebec, and eventually elsewhere. It urges a clear and intensive effort to bring to Government the talents of both unilingual and bilingual French-speaking Canadians in numbers more closely approximating their numbers in the country.

Naturally, no such recruiting campaign can succeed through false prophecies of linguistic Nirvana or through self-delusion. The Government, backed if possible by all political parties, must tell potential French-speaking recruits that, although improvements are underway, the linguistic "welcoming structures" in federal institutions, with few exceptions, remain very hard to adapt to: in 1971, some 82 per cent of all the "key category" jobs under the Public Service Commission's control were held by English-speaking incumbents, and language requirements for jobs in that year (80 per cent requiring English only, against eight per cent French only) did little to make a revolution giving French-speaking Canadians a fairer break.

Plainly, departments and agencies must find more room for unilingual French-speaking Canadians, or the vicious circle of low French-language recruitment and few federal opportunities to work in French will go on forever. Easy slogans can neither solve nor disguise this problem. The Commissioner hopes that the Government will move quickly to find policies on linguistic work rights, on administrative settings where French-speaking Canadians feel at home, and on more balanced opportunities in recruitment. All these, and nothing less, can make the Official Languages Act the instrument of full linguistic equality which Parliament intended.

D. The Bilingual Districts: Better Late than Never, or Not at All?

The concept of official bilingual districts came from the Royal Commission on Bilingualism and Biculturalism essentially on the example of Finland. It led legislators to devise a comprehensive mechanism covering seven sections of the Official Languages Act (12 to 18), and directly affecting three others: 7, 9 and 11. The public generally, including the Commissioner, had expected that during the fiscal year 1971-72 the Federal Cabinet might use this mechanism to proclaim certain such districts. At the time of this writing, however, the only official "bilingual district" remains the National Capital Region, which assumed its new linguistic status when the Act came into force in September 1969.¹

¹ In the sense of the Act, the National Capital Region is not an ordinary "bilingual district". Such districts, if and when proclaimed, will require bilingual services only in "principal offices". Duties to provide services in both languages in the National Capital Region are, as Section 9(1) indicates, unlimited, and cover offices at every level:

Every department and agency of the Government of Canada and every judicial quasi-judicial or administrative body or Crown corporation established by or pursuant to an Act of the Parliament of Canada has the duty to ensure that within the National Capital Region, at the place of its head or central office in Canada if outside the National Capital Region, and at each of its principal offices in a federal bilingual district established under this Act, members of the public can obtain available services from and can communicate with it in both official languages.

Since preparing his First Annual Report, the Commissioner has pondered anew the role bilingual districts might play in defending language rights. After citing certain factors which invite such a review, it may be helpful, for purposes of public discussion, to marshal briefly some of the arguments for and against proclaiming bilingual districts, then to propose two working hypotheses the designated authorities might wish to weigh.

The first factor is the report, published in May 1971, of the first Bilingual Districts Advisory Board. This *ad hoc* independent commission was charged under the Act with counselling the Federal Cabinet on the precise boundaries of any areas the Government might consider proclaiming bilingual districts. The report, known as the Duhamel Report after its chairman, Mr. Roger Duhamel, suggested that the Government create 37 districts as soon as possible after the statutory 90-day period of reflection, and possibly 24 others after Ottawa learned the results of the June 1971 decennial census. As a rule-of-thumb, the Board had to use the criterion of a minimum 10 per cent official-language mother-tongue minority group (unless customary services made this unnecessary) in any proposed area. Public reaction to the report was mixed, running from satisfaction in most French-language communities outside Quebec, through approval, indifference or hostility among their English-speaking fellow citizens, to general opposition within Quebec to the idea that the entire province, as suggested also only for New Brunswick, should be proclaimed a bilingual district.

The second factor is the appointment in June 1972 of a second Advisory Board, chaired by Professor Paul Fox, to take up the challenge of the then-dissolved Duhamel commission on the basis of the 1971 mother-tongue census figures—the Duhamel Report having been forced to rely on those from the 1961 census.

The third factor is the release, in August 1972, of preliminary 1971 census figures showing a slight percentage drop in French-speaking populations in every province except Newfoundland and British Columbia—two of the provinces with the smallest French-speaking communities—communities ignored as potential bilingual districts even by the tentative maps contained in Volume I of the “B. and B.” Commission’s Report.

The fourth factor is the Government’s own delay in implementing any of the Duhamel recommendations. No doubt noting the highly varied, and sometimes hostile, reaction of public opinion, and observing that within a few months far more up-to-date statistics would be available, the Government held back from proclaiming any districts. The “Fox Report” (expected in the fall of 1973), it argued, would make possible a decision based on more relevant data.

Plainly, the decision to await the Fox Report can claim, over the long view, much merit. Only the second Advisory Board will be able, with its representative wisdom and stronger social science research staff, to offer the “field-tested”, up-to-date investigation a lasting solution demands. But again we face a probable one-year wait; and without trying to second-guess the Board, the Commissioner thinks the confused state of public opinion on the whole issue of districts could make a summary of arguments for and against them a healthy and perhaps eventually helpful exercise.

The points in favour of more districts are relatively well-known. First, although the “will to persist” is no doubt the critical factor in any minority culture’s survival, bilingual districts would give official minority-language rights a clear legal underpinning: Sections 7 (advertising), 11 (courts), and especially 9 (all other services) dictate specific obligations for federal agencies in such areas. Second, districts offer isolated official-language communities a powerful symbolic recognition that the two official languages enjoy equal status on a national scale, however unequal they may be in fact at provincial and municipal levels. Third, while thus making official-language minority groups feel more secure, districts can educate local linguistic majority groups to the minority’s rights, and perhaps encourage provinces and municipalities to provide bilingual districts or services of their own. Fourth, although the practical implications of such districts are still not well understood among public administrators, a number of federal agencies have begun to offer, or plan to offer, services in some proposed areas as if official districts already existed—indeed, in some “special studies”, the Commissioner’s Office has invited departments to keep in mind the eventuality of such districts. The Public Service Commission also follows this guideline in deciding where to place bilingual advertisements for recruitment. Fifth, by any reasonable estimate of real needs, bilingual districts would probably require relatively few federal employees to become “functionally bilingual”. Such districts, like the rest of the Act, aim not to make bilingual every public employee at every level; they seek to enable the State as a body of institutions to serve the public in both languages—that is, to offer a “bilingual capacity” which, in some small towns, might mean adding (or re-posting or retraining) one or two RCMP constables, a nurse, a postal clerk and perhaps a manpower adviser. Districts would also, incidentally but in harmony with the Act’s spirit, and without diminishing any employee’s rights, provide better opportunities to more minority official-language federal employees to work in their mother tongue. Sixth, from the public’s viewpoint, the 10 per cent yardstick for defining districts (made more flexible by Section 13(3)) seems a simple and reasonable, if arbitrary, standard for investing in extra linguistic ser-

vices; and for administrators it represents a plausible "critical mass" for justifying and putting to good use extra services. Seventh, clearly identified districts could avoid the danger that Section 9(2)'s standards of "significant demand" and "feasibility" might—in the absence of districts—be left to inconsistent, or even capriciously inadequate, interpretation by local management. Even now, some administrators may be inclined to "respect" Section 9(2) in certain obviously bilingual areas only because they believe districts will come sooner or later to "enforce" such respect. Finally, from the Commissioner's own viewpoint, new districts would clarify and confirm his duty to defend language rights within plainly marked "bastions".

Against the proclamation of new districts one can imagine several points. First, and perhaps most distressingly, many public administrators tend to view eventual districts not as "bastions" or strongholds out from which, as well as within which, bilingual services would radiate. They see them rather as ghettos—as limiting, "native reservations" to which administratively inconvenient bilingual services can be confined. This restrictive outlook ignores, of course, the complementary stipulation of Section 9(2) guaranteeing bilingual services anywhere in Canada where there exists "significant demand" and "feasibility". The misunderstanding becomes alarming when found among senior management of some agencies dealing with the travelling public—which, of course, by Section 10, enjoys the presumption of "system-wide" demand (anywhere in Canada or abroad) except where an agency can prove that at a given place there exists "no significant demand" or a demand "so irregular as not to warrant" bilingual service. For purposes of serving the travelling public, bilingual districts are simply and legally irrelevant.

Second, as the Duhamel Report showed, it is extremely difficult to draw a map of bilingual districts which does not appear to many as chaotic, illogical and/or unjust. The best-intentioned linguistic map-making in Quebec, or even in Montreal alone, seems likely to meet prodigious political obstacles.²⁾ And how can one fairly "protect" through a district the 795 francophones of Port-au-Port, Newfoundland, while 'abandoning' more than 38,000 native French speakers in Metropolitan Toronto? Third, partly as a result of these intrinsic complexities, districts may well lead isolated official minority-language groups living in them to a ghetto mentality—while heightening irritation among the local official majority-language group and intensifying the resentment of some third-language groups, including native peoples, who perceive the districts as a consecration of their imagined "inferior"

² Some language frontiers in Belgium, far from resolving linguistic conflict for all time, seem recently to have deepened antagonisms to the extent of contributing to the downfall of the country's government.

status. All these psychological reactions were plain before and especially after the Duhamel Report.

Fourth, the "B. and B." Commission's recommendation of matching provincial and municipal bilingual services in federal bilingual districts has not generally been met. Neither, in particular, has its hope that the pivotal province of Ontario declare itself bilingual and accept the concept of bilingual districts for provincial and local purposes. As a result, the whole "B. and B." Commission concept of integrated, three-tiered bilingual services loses its impact and rationale. Indeed, as Alexis de Tocqueville observed about American democracy, the partial satisfaction of a desire for equality (here through only federal bilingual services) rarely soothes such yearnings; it can just as easily fan them into more bitterly frustrated "rising expectations". True, some provinces, such as Ontario and New Brunswick, have taken practical steps gradually to imitate Quebec's long-standing example of providing certain services in both languages. But none of these provinces appears ready to implement its bilingualism policy with a deliberate, systematic plan geared to progress in the federal sphere. In this light, federal bilingual districts run the risk, for the average citizen who cares little about different jurisdictions, of passing for tokenism.

Fifth, because of the wording of Section 9(1) ("principal offices in a federal bilingual district"), serious anomalies arise around large regional headquarters cities such as Edmonton, Winnipeg, Toronto and Halifax. Since the Act does not say "principal offices serving a federal bilingual district", large French-speaking populations eventually grouped into districts outside these cities, even very nearby them, may be deprived of service in their official-minority tongue because the district itself contains no or only minor federal offices: thirty-one per cent French-speaking St. Boniface (total population 46,715) easily qualifies as a bilingual district, but it employs only an estimated 20 to 25 federal public servants—all the regional "principal offices" (with more than 5,500 such employees) being across the river in Winnipeg, whose overwhelmingly English-speaking population could only with some stretching of the law, and perhaps much shedding of bad blood, be grouped into a bilingual district. Notwithstanding this technicality, the Commissioner has invited some agencies to act as though the Act did read "serving", for this often seemed the only way to interpret the law according to its obvious general intent.

Sixth, bilingual districts may have less importance than originally thought because the cultural infrastructure supporting French-speaking communities outside Quebec is being substantially strengthened. Provincial authorities generally—though with varying generosity—are opening new resources and freedoms to these communities in education. And Ottawa, through the Department of the Secretary of State, has

noticeably encouraged a renaissance of French culture outside Quebec by financing French cultural centres in several major cities and by supplying funds used, among other purposes, for hiring social and cultural animators.

Seventh, bilingual districts as a concept contain a built-in irritant in the statutory obligation to review their boundaries every ten years in the light of changing figures from each decennial census. In spite of safeguards for smooth transition, rights once acquired will not easily be relinquished—even if only vestiges of a district-protected minority remain after an exodus, assimilation or natural attrition.

Finally, and in the Commissioner's view far more impressively, bilingual districts may be unnecessary because of empirical evidence that the Act has protected language rights surprisingly well for two and a half years without them. The reason is simple, though widely ignored: Section 9(2). By the fall of 1972, the Commissioner had found it possible to interpret constructively Section 9(2)'s requirements of "significant demand" and "feasibility" to defend official-language rights in nearly every part of Canada. The roughly 1,400 complaints and 35 special studies handled in his Office by that time indicate to him that the strength and flexibility of Section 9(2) may be greatly underestimated by many who, because of the Act's own insistence, have been perhaps excessively fascinated by the notion of bilingual districts as a cure-all. Indeed, far from entrenching language rights more securely, bilingual districts may theoretically shrink them: Section 9(1) guarantees federal bilingual services only in "principal offices" in bilingual districts; Section 9(2) imposes no such limitation. As a case in point, the Commissioner recently recommended services in both languages in sub-post offices (such as in drugstores) in Moncton. If Moncton is proclaimed a bilingual district, the Post Office Department might legally cut back its bilingual services to cover merely "principal offices", perhaps only to the city's one central post office. In such an unlikely case, the Commissioner would argue that Section 9(2) overrode Section 9(1). But the very possibility of such legal pettifoggery suggests that formal districts may not be the indispensable ramparts of rights Parliament and public once thought.

Skepticism growing from this experience about the possibly over-sold indispensability of bilingual districts seems likely to increase because of the unavoidable calendar of events: the second Advisory Board's own reasonable timetable, the statutory three-month period of reflection imposed on the Cabinet, and the need for perhaps longer consultations with provincial governments suggest that no new bilingual districts can be proclaimed before the winter of 1973-74—when the Act will have been in effect for about four and a half years.

What conclusions should we draw from these conflicting arguments? The Commissioner is not sure, but advances two alternative working hypotheses.

Hypothesis A would advise developing the original "B. and B." Commission idea of defining districts by "regional clusters . . . closely related to real language needs" and tending toward "consolidating regional minorities".³⁾ This approach would obviously produce far fewer, but sometimes larger, districts than those proposed in the Duhamel Report: 9 of the 37 districts proposed therein contained less than 2,000 minority-language people. The approach might rest on three criteria. The first would root bilingual districts in living sociological reality—never on symbolism or the self-deceiving nostalgia of reading ancient place names or gravestones. If bilingual districts become identified with folkloric mythology the whole notion may fall into contempt. If there must be districts, let them be for people who plainly intend to speak their mother tongue tomorrow as well as yesterday.

The second would focus districts on relatively large and viable cores—not remote villages plucked off a map but on authentic "regional communities" with sound economic and social, as well as cultural and linguistic, structures. Northern and Eastern Ontario, Northern and Eastern New Brunswick (including Moncton), and St. Boniface would thus be obvious candidates, with New Brunswick serving as a radiant for the Acadian renaissance throughout the Atlantic Provinces. To this end, an Acadian radio and television regional network in the Canadian Broadcasting Corporation would be invaluable, as would more developed and integrated province-wide programming for Franco-Ontarians.

The third would apply to Quebec. In his First Annual Report, the Commissioner expressed the view that "the vitality of French everywhere in Canada will rest on the dynamism—indeed the healthy predominance—of French in this unique jurisdiction where franco-phones form a majority, and possess institutions reflecting this reality." He believes that any proposal for bilingual districts in Quebec, without violating the Official Languages Act's guarantee of equal status for both languages federally, not only should not weaken the French language in Quebec; it ought to take into careful account Canada's national interest in encouraging this "healthy predominance" of French in Quebec's whole way of life.

Hypothesis B would simply scrap the idea of bilingual districts outside the National Capital Region. This more radical approach would in effect substitute Section 9(2) for Section 9(1) as the main method for protecting language rights. In other words, it would use "significant

³⁾ Book I, p. 106.

demand” and “feasibility”, instead of bilingual districts, as the essential guideline to providing bilingual services.

Such an approach might rest on four conditions. First, as a technical matter, Parliament would have to amend Sections 7 and 11 of the Official Languages Act to replace the geographical criterion for bilingual federal advertising and court services by those of significant demand and feasibility. Then the whole Act, except the more stringent Section 10 protecting the travelling public, would operate on the same two deliberately elastic principles.

Second, to allay the natural fear of French-speaking minorities who have been looking to bilingual districts for legal and psychological security, the Government would have to mount a bold and candid information campaign to explain that experience had convinced it that Sections 9(2) and 10 offered both a more generous and a more flexible way of guaranteeing federal language rights. Such a campaign could produce the happy side-effect of explaining the scope and use of these two key sections to federal management at all levels.

Third, to prove its promise to minority groups, the Government would act, through the Treasury Board for departments and Cabinet directive for other agencies, to accelerate substantive, and especially visible, bilingual reform. Such a programme would give priority to agencies with a high degree of contact with the public, and to the relatively simple-to-change visual aspects of bilingualism. This crash programme would not be enough, and should not degenerate into tokenism; but it would be an indispensable start.

Finally, as the crucial test of credibility, the Government would explain to federal management at all levels with what values it wished “significant demand” and “feasibility” to be measured. These two standards—even resting on some empirical data as suggested in part B— may be vague, as would be the values; but bilingual districts have proved hard to define too. In the end, of course, the humane application of any law depends on enlightened administrators. Even such men and women make mistakes. Yet if they were clearly instructed to interpret the above two standards with attitudes of common sense, generosity and imagination, the chances of achieving linguistic justice in the federal sphere throughout Canada might well prove both better, and in terms of intercultural understanding far less costly, than with bilingual districts.

French-speaking Canadians outside Quebec who have long looked to bilingual districts as a vital rampart of their cultural security should in no way view the above discussion as a wish to weaken their rights. It is precisely because the Commissioner wants to strengthen these rights that he thinks necessary an honest second look at the idea of districts as a means to this end.

Here ends the Commissioner's gratuitous intrusion upon the mandate of the second Advisory Board. However cursory and inconclusive this review, he hopes at least it can make a small contribution to the public's understanding of the Board's challenging task.

E. Information: What You Don't Know Might Hurt You

In last year's report to Parliament, the Commissioner noted that the area of public information on bilingualism seemed "dangerously neglected". Decrying Ottawa's efforts (including his own) as failing to display "enough boldness or imagination", he remarked on the saddening irony that, "some two years after its passage, an Act designed to promote linguistic justice should be viewed by so many as a possible instrument of linguistic discrimination . . ."

Now, after well over three years since the Act took effect, the Commissioner believes that, especially in parts of English-speaking Canada, public opinion on this major Act of Parliament remains at least as confused, and sometimes more so. Concrete, equitable reform itself, of course, remains the best information policy. But the Commissioner still thinks the Canadian people are entitled to a candid and comprehensive explanation of Parliament's Act and the Government's bilingualism policies. Such a programme must stress the Act's meaning and the Government's policies in the most down-to-earth practical terms. It should now be clear to all that legislative archivism (passing, then neglecting to explain, a law) will not convince Canadians that language reform deserves their support: few citizens read the *Revised Statutes of Canada*.

Elected leaders in all parties have already shown their willingness to defend the Act as a non-partisan reform. But if "English backlash" (and a less strident yet often more defensible "French" skepticism) are to be dissipated, all responsible authorities must expand and coordinate their efforts to tell today's facts and tomorrow's needs. The "latent goodwill" the Commissioner noted among the public last year is not inexhaustible.

Action seems urgent through three channels. First, the cooperative centre for information on bilingualism proposed here last year, having attracted some support in Parliament and Government, should come to fruition without delay. This centre, besides bringing together information materials from Government agencies in bilingualism's "bureaucratic jungle" and from the Commissioner, could include pamphlets setting on record statements by party leaders and presidents of major staff associations. Such a centre would command public confidence not only through its plainly non-partisan status, but by the timeliness and objectivity of its answers on any aspect of bilingualism. Information

materials for both the general public and federal employees could include not only pamphlets and films, but a telephone service for parliamentarians, journalists and citizens anywhere in Canada requiring up-to-date facts. This toll-free service ought to function at least 14 hours a day to accommodate callers in our different time zones, as well as parliamentarians during evening sittings.

A second, and perhaps decisive, arena for action is within federal agencies themselves. With broad guidance and guidelines from the Treasury Board, management of these agencies must find ways to make the meaning of the Act "filter down" to operational levels. Most importantly, perhaps, deputy ministers and presidents of Crown agencies might take a more active personal role in information. This is logical not only because agency heads carry the indispensable prestige to "sell" bilingualism; their direct commitment can remind management at all levels that bilingualism is a priority Parliament has inserted into every agency's policy-making as a whole.

Obviously, to coordinate such an effort by management, the Treasury Board must quickly fulfil the promise of leadership its new mandate implies. It must work out with heads of agencies effective and humane policies. But then, heads of agencies, "mobile mandarins" aided by their bilingualism advisers or "special assistants on bilingualism", should try more often to get out of Ottawa into the field, across the country, to explain these policies. If field staff can prove the policies unrealistic or unfair, management should honestly—without ever renouncing the principle of linguistic equality—make adjustments in modalities and timing. What matters most, however, is that top management and bilingualism advisers go to their colleagues at every level in every major area and say clearly what the Act requires them to accomplish together. This "consultative diplomacy" with staff and unions can pay great dividends—and, in any case, should form a normal part of labour relations.

The third agency of information can be the Commissioner's Office. Apart from answering a growing number of enquiries for basic facts on the Act, the Office has prepared a number of audio-visual materials the Commissioner intends increasingly to distribute: a simple pamphlet on the Act and the Office, counter-cards and posters (inviting toll-free telephone enquiries) already widely distributed in Ottawa and some travel stations, articles in union and professional magazines, and a short film. Further, the Commissioner has undertaken tours touching every province of Canada, as well as the two Territories. These tours, usually organized with the help of the sitting Member of Parliament of whatever party, included public meetings with questions and answers, service club speeches, hot-line radio interviews, television appearances, and visits to school classrooms and assemblies. The Com-

missioner renews his offer to Members of Parliament of any party to visit constituencies to help explain the Act and its implications as a non-partisan officer of Parliament. Members in areas where bilingualism is a delicate issue might particularly wish to consider this possibility; at very worst, the Commissioner, if he fails to please, may serve as a handy lightning rod for discontent . . .

The Commissioner is preparing two other initiatives, which will come to reality as needs indicate. First, his Office will have ready in early 1973 an unpretentious "Bilingualism Survival Kit" for federal employees: this will include at least the first two parts of this chapter, the Office pamphlet and one or two articles setting out the meaning of the Act and the Commissioner's role. If federal management and unions agree to help, the Commissioner will distribute these wherever requested, however tentative and subject to improvement the materials remain. Second, the Commissioner is taking steps to participate with interested federal and provincial authorities in developing a series of study guides on bilingualism for different levels of schools. Institutions concerned with explaining how the Act makes second-language teaching even more relevant, or with courses in public affairs, can count on the Office's cooperation as of now.

However much the Commissioner and his colleagues enjoy this work, the Government itself should not delay taking a more vigorous role. It can count on the Commissioner's ready cooperation in helping the public and its own employees to understand better this complex and compelling question. Ignorance on bilingualism, each day reminds him, is not bliss.

F. Language Training: per ardua ad linguas

One of the most eloquent measures of Canada's seriousness in facing its linguistic challenge has been its decision to teach the second official language, whether English or French, to federal employees on a massive scale. Beginning modestly in 1964, and going into high gear in 1968, the Public Service Commission's Language Bureau has spear-headed this effort, though more and more agencies, notably the Armed Forces and the Central Mortgage and Housing Corporation, have developed programmes of their own. By the autumn of 1972, the Language Bureau alone had taken in hand about 21,000 public servants, four-fifths of whom were exposed to learning French.

The Commissioner has observed, both from his own complaints files and exchanges with Members of Parliament and employee association leaders, a few problems worth the public's, and especially the public servant's, attention. The following remarks do not pretend to

say all about language training. While hoping to carry out in 1972-73 a more exhaustive and scientific study of language training policy, the Commissioner prefers to restrict his comments to three or four questions already rooted in his Office's own experience.

The high drop-out rate mentioned in last year's report derives, it appears, from several factors. One apparently widespread reason for prematurely leaving language school is the habit of many departmental and agency heads of pulling people off language training whenever management faces a "crisis" or unexpectedly heavy work load. This temptation is understandable but, from a linguistic viewpoint, disastrous. For students already burdened with career and pedagogical anxieties, and badly in need of strengthened confidence and motivation, such a practice is about as gratifying as Don Juan's adventures in Hell: an endless series of unconsummated seductions. Some departments have started to "double-bank" positions, covering off a language student's normal duties by hiring an extra person during his absence. This is expensive, but certainly less so than throwing good money after bad in putting students through the discouraging, often embittering, and always unpredictable, "stop-start-stop" motions of not learning—but enrolling, resigning and re-enrolling. "Continuous" immersion for six months or more (if it does not provoke nervous stress through culture shock) seems one pedagogically, as well as administratively, sound way of curing the Don Juan syndrome.

Another factor weighing on individual decisions to drop out seems to be the fear, if not the conviction, that departments will not post language school graduates to administrative situations where their new and hard-acquired skills can be put to good use. And the suspicion among many students that the whole language school experience is an exercise in diploma-winning, in getting objectively meaningless extra points on their Data Stream card (from the PSC's computerized "talent bank") necessarily saps student morale, leading some to earn only the bare minimum of credits they think their career might demand, then earnestly to forget whatever language skills they picked up. The PSC, firmly backed by the Treasury Board, should insist that departments place graduates in places where taxpayers' financial investment and graduates' intellectual and emotional investment will produce the best possible pay-off. To meet this goal, the PSC would be well justified in establishing a follow-up assessment sheet on which graduates would note, at six-month intervals, the use their current posting allowed them to make of their training—training which, excluding "double-banking", is estimated by the PSC to cost some \$3000 to \$4800 per student to graduation (when double-banking is used, the PSC calculates the average total cost will be \$14,550). The Treasury Board could use such sheets to help monitor the progress of institutional bilingualism;

and the sheets could further enable the PSC Language Bureau to identify and correct more quickly and systematically weaknesses in its own retention programmes. Indeed, they might offer the Bureau's new Director General at least some indirect evaluation of the various pedagogical approaches he has decided to substitute for the previous "single-method" approach, which left less room for gearing teaching to age, professional experience and language-learning aptitude.

The Commissioner hears from a number of English-speaking graduates from French courses the wish that French-speaking public servants not insist on using English, but show more patience in "bearing with" the graduates' eager but perhaps time-consuming attempts to practise, and thus retain, their freshly-learned skills. No doubt patience is a virtue their French-speaking colleagues have, through hard experience, refined to an art admitting such charity. If such experiments seem trying or bizarre to French-speaking public servants, perhaps the latter can find ironic solace in the legendary willingness of Ottawa's administration over the past century to "help" French-Canadian employees "practise" their English . . .

In furthering its attempts to keep costs down, the PSC might exploit more fully the Government's own large-scale facilities, notably those in Ottawa and Hull which accommodate some 8,000 students a year. At present, these impressive and well-equipped installations are used to only about one-third their capacity during the summer months. Were the PSC to make more widely known that full-summer cycles are open to any public servants willing to take their yearly holidays during the fall, winter or spring, it might get better value for its investment in overhead and reduce significantly the per-student cost of training. Similarly, the PSC might give more thought to using these facilities at night and on weekends to accommodate shift workers, many of whom cannot take full advantage of this valuable vehicle to a richer life and career.

Two important areas where the PSC has made clear progress are registration of second-language test scores, and appeals. As a result of complaints the Commissioner received and discussed with the PSC, the latter has greatly speeded up processing its test of language skills. These results are now passed on to employees and placed on Data Stream within about two weeks, instead of the previous prescribed maximum time of three months—an improvement of value to some candidates in competitions for "bilingual" jobs. Also as a result of complaints he received, the Commissioner urged the PSC to devise a new mechanism for allowing unsuccessful candidates at language exams to appeal results they thought markedly unfair. In December 1971 the PSC established a special review committee of three linguistic experts, operating apart from the traditional appeals procedure. By the end of

this reporting year, the committee, concentrating on candidates for whom the scores had a crucial bearing on careers or for whom clear discrepancies separated two previous scores, had reviewed 146 cases. It revised 127 of these candidates' scores.

The PSC has met a long-standing problem of cultural relevance with equal care. During the year under review, it introduced Level One of a new "made-in-Canada" system for teaching French. Audio-visual in technique, good-humoured in approach, and firmly rooted in Canadian cultural and linguistic realities, *Dialogue Canada* seems a promising replacement for earlier methods borrowed from Europe. Obviously, the new course demands much more classroom testing before its whole impact can be assessed. And if progress aims to be fair as well as rapid, the PSC must devise and introduce a similar course for French-speaking public employees—who here, as elsewhere (although their graduation rate is three times higher than that of English-speaking classmates), seem to remain the more frequently neglected participants in the slow march to a functionally bilingual Public Service.

Linguistic "functional relevance"—relating vocabulary and degrees of active and/or passive language skills to specific job categories—requires urgent attention too. At present, courses in both languages tend still to focus on colloquial conversation and, notably in French, literary analysis. These methods deserve an important place for reasons of general culture; but they should be supplemented by much more utilitarian lexicons (often existing already and easily computerized) geared to the concrete needs of hundreds of different job categories. The resulting pedagogic realism would undoubtedly greatly heighten motivation, speed up essential learning, and even save money by reducing lower, but still too high, drop-out rates.

A final problem engages a fundamental principle of linguistic justice. It turns on the "right" of federal employees to language training on Government time and at Government expense. We hear much, perhaps sometimes a little more than the facts warrant, of sullen opposition to bilingualism by English-speaking federal employees. We should hear more about the many other such persons who, loyally and with an open mind, wish to help make Canada's linguistic reform a success. For these people, the PSC's "do-it-yourself" home-study kits and even its expanding network of satellite schools across the country are not enough. For regrettably, many well-disposed federal employees seem to be frustrated by the Government's failure to give them a fair chance to compete professionally through wider access to language training.

To keep this right in perspective, we should recall that for generations, French-speaking Canadians wishing to join "their" country's Public Service had to pay from their own pockets and study outside

office hours to learn the only administrative language used and tolerated—English. And even now, opportunities for unilingual French speakers, notably secretaries, stay incomparably less than those for unilingual English speakers. Nevertheless, a serious reform is underway to equalize such opportunities, and progress toward securing the official right to language training for federal employees can only benefit both language groups.

Particularly hard hit are unilingual secretaries, whether English- or French-speaking, some of whom are effectively blocked at the ST-5 level because the senior bosses they would like to serve often occupy “bilingual” posts. Not only do these employees miss the 7 per cent bilingualism bonus for secretaries; their departments usually do not give them a high priority for the language training which is their only chance to gain it. True, learning a second language well at age 40 or 45 is no easy task, even for the highly motivated. But the Government subsidizes language courses for wives of M.P.’s and for many wives of high civil servants with the worthy aim of helping busy husbands stay pedagogically immersed. The Commissioner, in praise of ever so slightly older women, believes the Government ought similarly to assist its own employees—who may need another language directly to advance their career—wherever there is a will and an imaginative way.

More generally, as many unilingual employees perceive the problem, departmental management redesignates a proportionately small (some 9 per cent in 1971), but for interested individuals, vital, number of posts as henceforth requiring bilingual incumbents. But the same departments in too many cases refuse to grant priority for language training to all likely candidates, French- or English-speaking, for these jobs.

The Commissioner recognizes that the Government operates under budgetary constraints. He also recognizes that the Official Languages Act, however real its potential benefits to the public served, guarantees federal employees no clear statutory right to language training. As some complaints files in Chapter III show, he can help “involuntary unilinguals” obtain language training through informal persuasion of their superiors. But the Commissioner considers that if the Government’s professions of fair play are to match its hopes for rapid, humane linguistic reform, it must reorder its budgetary priorities and plainly (and more specifically than did the December 14, 1972, statement) define the federal employee’s right to language training: wherever the employee is willing to give language training a serious try, and is likely, in the plausible course of his or her career, to put it to good (and preferably early) use.

One can argue that no one can claim a predictable career pattern. One can answer that legitimate ambition, anchored in recognized

talent, deserves all practical encouragement—in pursuit of the Government's own aim of developing human resources through the vast new job mobility sought by Data Stream. The Commissioner invites planners to reprogramme their computers to understand that goodwill is a priceless asset, and that linguistic charity begins at home.

G. Translation: The Necessary, But Elegant, Evil

Right from the start of its work, the Commissioner's Office realized, when formulating recommendations during a special study or even in studying the circumstances surrounding a complaint, that the Translation Bureau played an important role with regard to bilingualism and the Official Languages Act. Consequently it has consulted the Translation Bureau whenever necessary, and these contacts, carried out in an excellent spirit of cooperation, have given rise to useful exchanges of views.

Indeed, the impact of translation on the Commissioner's recommendations is such that, with the kind agreement of the Under-Secretary of State, he sought last summer more complete information from the Superintendent of the Translation Bureau on the nature, workings and orientation of the services under his direction. This did not of course represent a rigorous study carried out under the Act; thus the interviews with the Bureau's staff led to no formal recommendations. At most the Commissioner tried to form a preliminary opinion on the part the Bureau plays in implementing bilingualism within the Public Service.

Several current activities in the Translation Bureau mirror a wish to adapt to a changing situation. Some of these are still at the planning stage; others lend themselves more easily to observation. For example, one notes that the number of translators continues to grow at a faster rate and that this trend is likely to hold for several years more. The Official Languages Act is not unrelated to this fact: whatever one might have thought or even hoped, developing bilingualism does not reduce demand but rather increases it. Moreover, the higher salaries translators earn are helping the profession's standards. This improvement in human resources affects translation itself: thanks to planning which allows a better use of available skills, it would seem that the Bureau might now be able to avoid the often lengthy delays of the past and to finish most of its work within a reasonable time—that is, respecting the deadlines agreed with the client department.

The Bureau is also trying to better the quality of translation. Among the means used, one notes particularly a system of evaluation and promotion by which special committees continuously check the quality of texts done by certain junior translators. Any improvement in the

quantity and quality of translated texts raises some difficulties. The problem is to get quantity without sacrificing quality. In sum, it is to avoid driving translators to Stakhanovism, by exaggerating the need to "do it quickly", without necessarily "doing it well".

Not surprisingly, recruitment is one of the Bureau's constant preoccupations, for it must not only fill jobs left empty by regular staff turnover but also fill the new jobs created to meet the demand for more and better service. Besides the usual means of recruiting (publicity campaigns or advertising of available jobs), the Bureau has set up a very substantial university programme through which it subsidizes the training of students who, after earning a diploma in a Canadian university, will come to fill out the ranks of permanent translators. At present, four universities—those of Montreal and Ottawa, and Laval and Laurentian Universities—are participating in this programme, whose average length is three years. In 1971-72 alone, some 150 students were taking such university courses.

The Translation Bureau obviously hopes to gain much from this initiative, which in fact is being expanded and should supply a significant proportion of future permanent translators. Moreover, the programme not only meets the Federal Government's needs, but, by proving the value of university training in translation, it encourages universities to train on a regular basis translators whose skills may eventually be required by provincial and municipal governments and by private business. Finally, it allows Canadians to enter an interesting career, while at the same time enabling Canada not to rely—as it had to only a few years ago—on other countries to supply the necessary talents.

Permanent translators, however, are not the only source of skills the Bureau can draw on. The Bureau keeps in its files the names of many free-lance translators and interpreters it can call on in emergencies (a pretty well constant situation, as professional translators know only too well . . .). Since the Bureau will always need their services, and since in any case several valid reasons make it impossible to recruit them as regular translators, it would be timely to hasten the process already started to make their contribution, even while remaining an independent one, part of normal planning, completely integrated with the general translation effort. Obvious factors, such as quality, time and cost, will then have to come into play.

Besides the university training programme set up exclusively for new recruits, the Bureau has established several training programmes for its permanent translators. These are self-improvement courses taken outside the Bureau either in Canadian or European universities, full-time or part-time. Given the regular expansion of the Bureau's services, the need to keep up and improve the quality of texts, the usual demand for competent revisers and terminologists, and the necessity within a

more or less short time to guide translators (who are often "generalists") toward specialization, an intensification of training in translation is desirable and desired. Finally, in addition to efforts already underway within the Bureau to give selected translators training in interpretation, it seems important to create in Canada a full-scale school of interpretation. If undertaken in cooperation with universities, such an initiative would offer many advantages, including that of meeting the increasing needs of governments and private enterprise. It seems indeed that plans in this direction are under study at the Universities of Montreal and Ottawa.

In 1955, the Bureau set up a Terminology Centre, which the Bureau expects to become, after a fashion, the "brain" of its translating services. At present the Centre employs a small staff which will soon grow to continue fulfilling the Centre's job of answering requests for information, culling through numerous publications and preparing various specialized vocabularies, as well as that of putting out its bulletin entitled *L'Actualité terminologique*. The Centre's services are now available not only to translators themselves, but to a growingly wide public, notably provincial governments. Many municipalities and private businesses might gain much by taking advantage of the Centre's service.

The Centre's growth is linked, however, to modern technology, more precisely to the computer. For several years already, the Bureau has been trying to work with other interested parties, including the Quebec Government and the University of Montreal, to organize a unified system based on the computer. Such an arrangement would offer great and obvious advantages: precision, uniformity and speed. Unfortunately the difficulty of reconciling apparently diverging outlooks has prevented the plan from reaching the scope desired. Meanwhile, the Bureau is setting up an automatic file-card system which, even if it marks a step forward, does not offer the benefits of electronic methods. Right now the Bureau is studying ways of establishing in a university or elsewhere an electronic retrieval system which, sooner or later, will become the only way to handle the great mass of information being produced. It goes without saying that any effort in this direction will take on its full value only if the elected representatives of Quebec and Ottawa, as well as government and university experts (at Laval and Montreal), agree quickly to pool their resources for the common good.

For in spite of the hopes rested on developing functional bilingualism in federal institutions, translation will remain an important activity in Canada. The Translation Bureau's expansion thus seems inevitable. Likely its staff of some 1,020 employees, its yearly budget of about \$15 million and its annual output of more than 130 million

words will all continue to rise. It is important therefore that the initiative in the translation field stay in this country and that we seek resourcefully to develop computer technology. In particular, we should be planning to link any eventual system to Europe, more especially to the Common Market, which might draw a certain profit from Canada's experience. Plainly, the European Economic Community will more and more have to solve translating problems, involving English and French, in many ways similar to ours. (The International Symposium on Terminology, organized at the beginning of October 1972 by the Quebec Office de la langue française, represents a happy step toward this goal.) Canada must therefore settle as quickly as possible its terminological "domestic problems" to offer Europe (and indeed Africa and various international agencies) a valid cooperation. Then, and together with language experts from other countries, it would be normal to create a computerized "word bank" on a world scale, constantly on top of the latest progress. Such a bank would help English-speaking and French-speaking peoples of the whole world to communicate with each other in two healthy and dynamic languages, having nothing in common with "Frenglish" or some bastardized "Atlantic" jargon.

The situation described above illustrates the need for rigorous planning in the Translation Bureau. Many changing factors are constantly affecting its activities, so that certain essential data must be kept up to date and carefully analyzed as to their impact on the Bureau's administration. For example, one thinks how important it is to know how demand increases as a result of administrative and indeed political factors, or even, paradoxically, in the wake of developing bilingualism within the Public Service. Careful evaluation of available sources of various specialized talents also requires some thought, taking into account a demand which is unstable or hard to foresee, training problems, factors such as the quality and quantity of texts to put out, staff turnover, the need to develop publicity which is both well-coordinated and focused on clearly defined aims. These few examples may hint at the complexity of the task ahead and the urgency of planning with constant and special care. No doubt translation does not constitute a long-term remedy and represents even less an ideal solution for the use of official languages within the Public Service; in fact, in some ways, it harms the speedy extension in use of the two languages by public servants. Nevertheless, while awaiting lasting solutions, the Bureau must be ready to take on the heavy burden which, at least for now, circumstances lay upon it.

The Bureau's organization and structure continue to hold its directors' attention. As early as 1969, in Book III of its report (*The Work World*), the B. and B. Commission looked at the question,

making comments and recommendations affecting, for example, the expansion of translating services. The Bureau has already taken account of these suggestions by making several reforms. However, certain matters the Commission raised still seem on the agenda, waiting for the Department of the Secretary of State to take final decisions on them. The Bureau's restructuring is doubtless the most important problem the Commission brought up: it concerns regrouping translating services by technical specialties, rather than keeping a translation service in each department for its needs alone. Even if departments appear happy with the present system, a substantial reform seems in order if one considers the high volume of words to be translated, as well as the growth and difficulties of areas of specialization. Furthermore, technical progress in communication (Telex, teleprinter, facsimile, etc.) put the present communications system partly out of date and tend to back the idea of a more flexible structure. Already, it seems, the Bureau has taken certain steps to fill in the gaps of the current organization, especially in setting up an "overload" service and in making possible a certain shifting of work among different translating units.

Obviously, solutions other than those of the B. and B. Commission are equally possible. Some solve only part of the problem, others are more fundamental: for example, a broader autonomy for the Translation Bureau, or offering translating services on a cost-recovery basis, or even the complete integration of translating services within the structure and management of each federal institution, with the Bureau keeping only certain essential activities. A study should be able to show which of these solutions, or which particular arrangement of these different solutions, seems to offer the best chances for improvement. Finally, if such a reform took place, it would again point up the difficult problem of independence, in translation matters, granted certain federal institutions by their respective Acts. Any final restructuring ought to take into account the present arrangement's disadvantages.

Lastly, certain relationships between translation and the progress of bilingualism in the Public Service deserve special mention. One has to note at the outset that no one has yet defined "the function of translation . . . as part of a systematic language policy", as the B. and B. Commission suggested. In truth, even if the Bureau has felt the effect of the bilingualism policy, it has never actively participated in the movement toward reform. Above all, its contacts with the new Bilingualism Division of the Treasury Board and with the Language Bureau of the Public Service Commission have been neither numerous nor significant. It would be desirable and even urgent to work out a formula of participation, such as expressly charging one of the Bureau's top managers with this responsibility. This participation would give

the Bureau the opportunity of playing a more active and vigorous role in implementing the Official Languages Act.

The preceding suggestions, which sometimes echo opinions heard in the Translation Bureau itself, must not eclipse the immense job the Bureau is accomplishing or its contribution to spreading our official languages in the Public Service. The Commissioner recognizes the value of the work carried out by the Bureau which, long before the existence of a policy or an Act on official languages, was pioneering in bilingualism. It remains to be seen how the Bureau will face up to its growing pains, and how, after the indispensable review of its role and methods, it will pick up the challenge of achieving its dynamic integration with the overall development of Canada's official languages.

H. Growing Better Roots: Let the Kids Do It

For all the hard work, imagination, dollars and political debate committed to language reform in the federal sphere, no one should hold illusions about the ability of Ottawa to fulfil Canada's linguistic promise alone. If many Canadians still think of our two languages as a "problem" rather than the challengingly rich heritage they are, the fault lies much in our country's education systems, an exclusive domain of the provinces. History must hold to account the provincial governments of Canada's first century who allowed this thoughtless degradation of our rare gift of tongues. No other major country can claim the good fortune of receiving from its founders English and French—without affront to the dignity of any other tongues, still probably the two most useful, globe-circling languages in existence. Not to develop in most of our people at least an elementary ability to dialogue with each other seems a scarcely credible denial of common sense and of our own civilization.

Even acknowledging recent progress in some schools in several parts of our federation, one has to admit that the teaching of second official languages in Canada remains a countrywide catastrophe. Even while building the federal administrative settings to give our two languages their statutory equal status, we must cultivate urgently the roots of intercultural understanding by teaching our "other" official tongues as living Canadian languages instead of dead, "foreign" subjects. This the Commissioner believes is crucial to students' motivation and to lucid communication among Canadians, without reference or prejudice to Canada's constitutional evolution. Whatever legal structures our people allow statesmen and lawyers to invent, the need for intelligent and intelligible relations between English speakers and French speakers living (and presumably staying) on the northern half of North America will remain.

The Official Languages Act imposes no obligation on private citizens to learn a second language. Well-perceived self-interest ought to. And this perception, this simple encouragement of the young through good teaching and positive rationales for learning a second language, should get backing from all enlightened Canadians, regardless of "jurisdiction", age or profession. At least two Canada-wide projects are underway to spread or improve teaching of our second official languages. Both need support from public and opinion-makers.

The first came from the Department of the Secretary of State. Between 1970 and 1972 (within a four-year budget of \$300 million till 1974) it has given \$112,873,765 in federal funds to provinces specifically for teaching English and French as second languages, as well as for general-subject teaching in schools for each province's official-language minority—in both cases at elementary and secondary levels, and now too in universities. This programme, based on a complex federal-provincial formula, should, after its initial shakedown period, provide useful additional help to the provinces' own efforts. From the start in 1970, ministers agreed that the programme would be evaluated after some 18 months. This process has been continuing for several months. Since the Commissioner, as well as the Federal Government, has received a number of complaints from citizens in several provinces alleging misuse of these funds for purposes other than language teaching, or even education, he is awaiting this evaluation committee's report with great interest. Should any of these allegations prove founded, one hopes that all governments concerned will recall the programme's original purpose and that leaders of all jurisdictions, as well as the local press and parents, will remind education authorities to spend "language" money on languages.

The second project, which the Commissioner advanced last year to the interprovincial Council of Ministers of Education, continues to move slowly through a maze of federal-provincial—and even professional—complications. The Commissioner proposed an interprovincial linguistic volunteer corps offering eventually tens of thousands of English-speaking and French-speaking university and junior college students or recent graduates a chance to serve as "native-speaking" teachers' auxiliaries in elementary and secondary schools of another province. In exchange for perhaps six hours a week assisting local (but rarely "native-speaking") second-language teachers for conversation and accent training, the volunteers would receive roughly \$3,500 a school year to cover living costs and tuition at a local university or college, or perhaps for private study. The idea—long proven in Europe—would add a realism and vitality to second-language learning that few non-native-speaking teachers can achieve. Talking, arguing, agreeing and disagreeing between French- and English-speaking students could

offer an incalculable pay-off both in terms of greater fluency and in the equally important area of understanding. Even those Canadians who serenely savour their theories of "hereditary enemies" must concur that advancing their cause too demands a better knowledge of the "adversary" . . .

After presenting this idea to several Ministers of Education in person and to all by letter, the Commissioner followed it up with the Secretariat of the Council of Ministers. The ministers approved the plan in principle in June 1972, and shortly after, the Secretary of State confirmed that the Federal Government might look kindly on helping with the relatively modest finances needed for a pilot programme of some 200 volunteers. Meanwhile, at least two provinces cited possible problems with teachers' associations which they feared might view the volunteers as threatening jobs at a time of low demand for professional teachers. The Commissioner hopes that association leaders will see the scheme on its own merits and note that it in no way suggests replacing present professional teachers; it would merely tend to relieve them of certain tasks of language instruction they have traditionally found themselves less suited to—thus allowing them to concentrate on the creative talents and methods professionals alone can carry: subtle explanations of grammar and university-backed literary analysis.

The Commissioner's "constructive meddling" in education can really not go much further in pressing this project. He does not mind receiving the "slings and arrows" of outraged language teachers, or even of provincial ministers. But he is conscious of endangering whatever success the project might meet by verbal overkill, by needlessly destroying the idea's credibility and the authorities' indispensable open-mindedness through tiresome preachings or philippics. He merely invites these authorities, and indeed local school boards, parents and the press, to weigh the idea on its human and pedagogical values, and do something about it.

Again the Commissioner states his belief that no bureaucratic panaceas from Ottawa can fully or forever meet Canada's linguistic challenge: that of making real the equal dignity of our two main language communities. The notion of two neighbourly societies which respect each other must germinate in the minds of today's children and teenagers. There, through perhaps the above and many other means massively engaging our youth in spontaneous exchanges of ideas, lies the only hope of ending the sapping distortions of culture which have deprived so many Canadians of their heritage. Whatever one's political or even constitutional options, such honest, and no doubt painful, dialogues echo not some outlived idealism; for a civilized people, they represent the most simple and sensible realism.

Chapter II

SPECIAL STUDIES : PREVENTIVE MEDICINE

During the first fiscal year, the administrative tasks of mounting and manning the Special Studies Service consumed a great deal of our time and energies. We were able, as the first annual report said, to start launching studies only late in the fiscal year.

In the second year, therefore, we devoted some concern to completing studies already underway. But we spent much more time working out realistic policies and methods, and putting these to the test of a substantial and varied programme of advice to some 35 high-priority departments and agencies. The first year pioneered on a modest scale a concept of consultative, reform-oriented linguistic “auditing”; the second year, with more noticeable results, aimed to consolidate and refine the techniques of rapid, humane and practical change the Commissioner wished to develop from the duty of “initiative” opened to him by Section 25 of the Official Languages Act.

A. Doing it Better

In this reporting year, the criteria which influenced our choice of institutions for review remained essentially the same as set out last year:

1. the extent of the organization’s contact with the public;
2. the extent of the institution’s service to the travelling public—a criterion suggested by Section 10 of the Act;
3. the geographical distribution of the institution’s offices, with particular interest in the National Capital Region (Section 9);
4. the organization’s symbolic significance;

5. the strategic importance of the organization's activities, i.e. whether or not the institution exercises pervasive influence in key policy areas;
6. the number and implications of the complaints received at our office.

However, a constant preoccupation with achieving maximum impact in a minimum of time led us to a crucial shift of emphasis: from the "periphery" to the "core," from an empirical linguistic "audit" of selected field situations to a greater stress on reviews of headquarters policy, current practices and plans.

As we gathered more experience it became clear that it would take many years and a much larger staff before we could check, using predominantly our initial "field" method, the extent to which the 150-odd federal institutions were fulfilling through a myriad of regional, district and local offices, the letter as well as the spirit and intent of the Official Languages Act—and that would merely be the first round in the process of "continuing audit" which, as the first report said, is the hallmark of Special Studies. To reduce such a massive task to manageable proportions and at the same time extend to the utmost the sweep of our action within a reasonable time and budget, we have had to go to the decision centres where our federal institutions formulate their bilingualism policies: headquarters. This does not mean that we have limited our studies to Ottawa or other headquarters locations in Canada. Our "policy audits" have not neglected field offices throughout the country when these offices serve an essential purpose in ensuring compliance with the Act.

Indeed, the "fit" between what headquarters intends and directs and what is actually executed in the field is often the essence of a study. But it is by reviewing matters with headquarters management staff that our officers can normally get in very short order a fairly full picture of what is going on throughout a given organization's country-wide operations. It is at headquarters too that the Commissioner and his colleagues, through frank consultation and the formulation of realistic recommendations, can make Parliament's wish for linguistic justice felt and most fruitfully and quickly accepted.

The acid test for fulfilment of the Commissioner's mandate is the effect his recommendations have on federal institutions. If departmental promises of action are not followed by specific, concrete administrative action, the public, especially those members of it who have understandably grown skeptical about the whole matter of linguistic reform, could rightly conclude that his actions produce little effect.

For this reason—which engages the credibility and authority of Parliament itself—we have devoted a growing amount of our time to "follow-through". The Act requires departments to tell the Commis-

sioner what action they propose to correct the sins of commission or omission his investigations might have revealed, and according to what time-table. However, we have been facilitating the follow-through tasks of departments and agencies by setting target dates, where feasible, when formulating recommendations, and by jogging the memories of departmental officials about these recommendations soon after the dates have expired. Where no dates have been set, institutions are contacted periodically for status reports on the progress of implementation.

We conceive follow-through activity to have two basic elements: a) consultation between our staff and departmental officials about the administrative implications of the Commissioner's recommendations; and b) follow-up work by our staff to find out what institutions have actually done about those recommendations.

These two types of sequel to an initial investigation (or special study) are, in our judgment, important features in the Commissioner's exercising his responsibilities as Parliament's custodian of the Act. As a result, we have been devoting more and more of our time and resources to them.

Our experience to date suggests that transmitting a report with recommendations to a department is but the first phase of these investigations, that are normally launched on the Commissioner's own initiative. The second is the consultation or discussion stage, and the very important follow-up work constitutes the third.

Like the first phase, the other two require of the staff the same qualities of mind and administrative orientation mentioned in the first annual report. Our staff must be highly analytical yet "diplomatic" in their approach to departments; they must possess flexibility, imagination, persuasiveness and a sense of administrative realism.

In future a good deal of the work of the Special Studies Service and the Commissioner's Office will generally be devoted to follow-through. The verification of the actual impact of our recommendations, both at headquarters and in selected field areas, is essential to ensure that the Office, Parliament and the public do not interpret the mere accumulation of reports as evidence that concrete progress is made.

B. Consultative Reform: Some Practicalities

In concentrating on the central core of the decision-making apparatus in various departments we have been trying to get as keen an insight as possible, within a relatively short period, into the administrative complexities which condition departmental attitudes and action.

This does not mean that we have been tempted to see ourselves as management consultants. In general, we make recommendations re-

garding specific administrative modalities only by way of suggesting how departments might better meet the letter, as well as the spirit and intent, of the Official Languages Act. When, however, federal institutions request us to provide even more assistance than originally foreseen, as three did during 1971-72, our recommendations become more complex, detailed and numerous.

The main result of this focus on ways of planning for and providing services in both official languages is that we have had a chance to examine departmental approaches and our reactions to certain recurrent ways of doing things.

During the fiscal year under review, we became increasingly concerned in our studies with the matter of personnel required to provide bilingual service and with the facilities such staff should have at their disposal. We ventured into, among others, the fields of:

1. personnel administration,
2. language training,
3. translation,
4. advertising and information,
5. contracts, concessionnaires and the travelling public.

The Office's preoccupation with these aspects of the implementation process led it to develop new approaches to them and to observe closely the postures which various institutions were adopting. We give below some comments on these points.

1. Personnel

a) Job Security

One salient feature of our approach to the question of bilingual personnel is the Office's stand, asserted by the Commissioner from the very beginning, that no recommendation he makes ought to be taken by an institution as placing the job security of an employee in jeopardy. We consider this a very important aspect of the implementation of the Official Languages Act, reflecting the humanism of which we spoke in the first annual report. In our view, the psychological costs of putting the Act into effect should not include the worry and feeling of insecurity that could result from a real or perceived threat of thwarted careers.

b) Recruitment, Mobility, "Turn-over" and Deployment of Personnel

The concern for job security, and the realization of the importance of other factors such as the mobility of personnel within and across de-

partments and throughout the country, have led us to exhort departments to consider aligning recruitment and deployment of staff more imaginatively with the requirements of the Official Languages Act.

c) The Constraints of Collective Agreements

In considering the problem of deploying personnel, the Office has been aware of, and very sympathetic to, the rights and privileges of staff who are bound by collective agreements between workers and management. That is why, in our reports and the recommendations which flow from the findings they contain, we pay scrupulous attention to the fruits of collective bargaining.

In looking at the logistics of providing bilingual services, we have always given due weight to the real constraints placed on both management and staff by these agreements. On occasion we have invited union representatives to at least reflect on the extent to which some privileges, such as "bumping" and seniority, place restrictions on the full application of the Official Languages Act.

Our studies of Air Canada, the Canadian National and the Department of National Revenue (Customs and Excise) in particular have impressed upon us the crucial role unions can play in influencing the implementation of the Official Languages Act.

d) Local Hiring

It is a normal reality of Canadian life that many positions in regional and other local offices of federal institutions are filled through recruiting in the immediate locality. Whether or not these positions are, at a given point in time, being filled by casual, seasonal or permanent full-time employees, the convention of encouraging recruitment in the local area is important. Therefore, we have been conscious of this practice and its ramifications in making recommendations, notably regarding bilingualism in the National Parks and Historic Sites Branch of the Department of Indian Affairs and Northern Development.

e) Making the Most of Scarce Resources

Given a relatively short supply of available bilingual personnel, we have found it useful to suggest to some agencies that they concentrate their second-language capability in some sectors and let bilingual services "radiate" from these. This suggestion is based on our clear aim to advocate institutional, as distinct from individual, bilingualism. In most instances, departments cannot and are not required to provide bilingual services equally throughout a given branch across the country. It is therefore to their advantage to concentrate the bilingual personnel they have in strategic public-contact positions.

2. *Language Training*

This type of administrative necessity has also prompted recommendations urging greater resort to the now well-established device of language training. Our suggestions on this means of increasing bilingual capability have been aimed at helping personnel acquire the amount and type of mastery (including vocabulary) required in the second language for the specific jobs to be done. In other words, our answer to the question of the requisite level of bilingualism for a given position has been the level of receptive ability and active, specialized command actually required for the job.

In many instances the language training recommended is, as in the case of some telephone operators, nothing more than a drilling in a few polite ways of transferring calls to an employee who can deal with the caller in the official language in which the receptionist, or other employee who first replies, is unable to provide service to the public.

Other situations, of course, require a higher level of training. But the essential point we have tried to convey to institutions is that language training constitutes an important way in which they can equip certain staff, indeed, entire agencies, with adequate capability in the other official language in which they must serve the public.¹

3. *Translation*

Our special studies, as well as discussions held with officials of the Translation Bureau early in the current fiscal year (1972-73)² indicate that for the foreseeable future translation will continue to be an indispensable part of the administrative "infrastructure" required to help Canadian federal institutions provide services to the public. This is particularly true of large-scale public information programmes.

Consequently we have made, usually in consultation with the Translation Bureau of the Department of the Secretary of State, a number of recommendations for increased professional use of translation. Apart from the obvious benefits derived from greater availability in both languages of publications, advertisements, forms and other material, an important gain is the guarantee that the equality of status of the English and French languages will be reflected in the **quality** of the language used. Put more directly, it is not good enough to have poor-quality renditions in the second official language of what was written or said in English or French. One cannot plead the excuses of time and administrative convenience for providing French-speaking or Eng-

¹ See Chapter I for a more detailed review of language training.

² A summary of our discussions with Translation Bureau officials appears in Chapter I.

lish-speaking members of the public or public servants with material that “murders” their respective languages.

Though highlighting the cardinal importance of translation as part of the necessary infrastructure for the judicious yet swift implementation of the Official Languages Act, we continue to endorse the efforts being made to increase the use of both official languages inside federal institutions without resort to translation where possible.

4. Advertising and Information

The symbolic and practical impact of the visual aspects of bilingualism is obvious. A kindred aspect which deserves special mention is that of advertising and information. In our judgment, these elements of service to the public are of such crucial importance that they should be seen in the light not only of the letter, but also of the spirit and intent, of the Act. In other words, if an agency such as Air Canada which serves the travelling public were to limit its information policy to the requirements of Section 7 of the Act, it could run a serious risk of not reaching important segments of its public in one of the official languages: Section 10 on the travelling public prescribes duties extending everywhere, not just to “bilingual districts.” Even in the case of institutions not serving the travelling public there is often an obligation to extend the provision of bilingual information services beyond the confines of article 7. Section 9(2) demands bilingual services wherever there exists a “significant demand”, and whenever it is administratively feasible to offer services, again without regard to eventual bilingual districts.

Some institutions are inclined to draw a line between material that solely conveys information to the public, and promotional information that is designed to motivate members of the public to take action of some kind—and then to conclude that the latter does not fall within the requirements of the Act. In our reports and recommendations, we have had to remind institutions entertaining this approach that the Act provides for no such distinction or reservation.

In a few instances, as in the cases of Air Canada and the Farm Credit Corporation, we have recommended that agencies give, as much as possible, equal opportunity for members of both official-language groups to have access to information on the availability of jobs and services. This has meant, for example, that we have suggested to these and many other agencies the use of French-language weeklies where there are no French-language dailies and, therefore, no outlets parallel to the existing English-language dailies.

5. *Contracts, Concessionaires and the Travelling Public*

Our experience with a few departments and agencies suggests that there might be three categories of concessionaires who are obliged under Section 10 of the Act to provide or make available in both official languages services which they are supplying to the public under contract with a federal institution:

- a) concessionaires who are in fact federal agencies renting space,
- b) large private concessionaires,
- c) small family businesses.

Concessionaires in the first category, being themselves federal agencies, fall automatically under the basic obligations of Section 10. Large private concessionaires are generally in a position to organize themselves to meet the obligations of the Act. Small businesses, however, because of their very size, are sometimes in such a vulnerable position that they could be forced out of business if the exigencies of a bilingual programme were allowed to impose sudden financial burdens. One way of avoiding that eventuality is for the contracting federal institutions to help the small concessionaire through offering free, brief and highly specialized language courses designed by the institution's bilingualism coordinator. The institution could also design and provide bilingual signs.

It goes without saying that where long-term contracts are not due for early renewal, concerned departments should use constructive and firm persuasion to influence concessionaires to build bilingual capability into their operations. Naturally, as a matter of systematic policy, contracting federal agencies must obey the Act by insisting on bilingual service clauses in all future contracts with concessionaires dealing with the travelling public, again assisting concessionaires, whenever human factors arise, with legitimate technical and financial problems.

In the course of the fiscal year here reviewed, we have had the occasion to discuss with certain departmental officials the implications of the Official Languages Act for companies providing services to the public pursuant to contracts let by federal institutions, notably the Ministry of Transport and the National Parks and Historic Sites Branch of the Department of Indian Affairs and Northern Development. There seemed to be some confusion about the application of the Act to these companies. The argument was advanced, for example, that a distinction would have to be made between companies which provide services that a department would itself normally be expected to furnish, and other businesses, e.g. book stores, which just happen to be, say, at airports. In

our view, these are false distinctions. If a company providing service to the public is located within an airport or a national park, it is clearly there with the consent of the department or agency concerned and has to bear the burden imposed upon it by Section 10(1) of the Act. We have also been presented with the opinion that, there being a difference between a contract for the provision of services and a lease, Section 10 only applies to contracts. We do not entertain this distinction either. Whether the case is one of a contract for services or one of a lease under which the lessee himself offers the available services to the public, in both cases one of the parties is a federal institution which consents to the provision of services and the conditions under which they are offered. The difference in designation of the documents or transactions involved is, therefore, from the point of view of the Act, irrelevant.

C. Learning on the Job

The Special Studies Service, faced with the great number of existing federal institutions, has tried to select key agencies that engage many different publics and sections of the Act. Through this diversity of agencies, we are able to gain insight into a wide range of concrete problems which a federal institution has to meet when it contemplates, let alone implements, bilingualism.

These studies have covered the gamut of services from telephone answering through credit appraisals to the representation of Canadian interests abroad. The studies have enabled us to gain an appreciation of how a number of federal institutions function, in trying to fulfill the Official Languages Act, in all ten provinces of Canada and fourteen countries abroad. This broad coverage of territory follows, of course, from the wide territorial sweep of Section 10 and the agencies which are governed by its provisions.

This section of the Act has received considerable emphasis in our recommendations. So too has Section 9, which indicates the basic obligations imposed upon departments to provide bilingual services in designated areas.

Our general impression is that the institutions with which we have dealt have gained a surer working knowledge of this important piece of legislation while we have been examining with them the innumerable administrative ramifications of implementing it. In fact, the Commissioner and his colleagues, themselves learning much in exploring the vast frontiers of the Act, have discovered that their activity has triggered an unexpected, but highly beneficial, kind of "fall-out" for

agencies studied which may prove the most valuable contribution of Special Studies: a detailed and resolutely practical education in the Act's human, managerial and budgetary implications. As emphasized in Chapter I, the Act is still not well understood even at many high executive levels of government; in local and field situations, its concrete meaning and demands too often remain, not surprisingly, a mystery. In order to expand and refine the joint educational experience of Special Studies in consultation with a carefully chosen series of pace-setting institutions, the Commissioner hopes that federal agencies will continue to welcome the initiatives of the Special Studies Service, and indeed, if desirable, to invite its cooperative assistance.

D. Work Done During the Fiscal Year 1971-72

In this section of the chapter, we review in more detail the work carried out by the Special Studies Service during the fiscal year 1971-72. This is done in three stages: follow-through on studies completed in 1970-71, studies carried over from last year, and those launched during the second reporting year. Table 1 provides a readily accessible overview of all special studies undertaken by the Service during this Office's first two years of operation.

TABLE 1. Federal Agencies Studied by the Office of the Commissioner of Official Languages

Study	Launched	Completed
Ministers' Offices (telephone answering)	21/ 9/70	1970-71
Air Canada—Ottawa	9/10/70	1970-71
Ministry of Transport—Ottawa	13/10/70	1970-71
Ministry of Transport—Toronto	18/12/70	1970-71
National Museums of Canada	4/ 2/71	1970-71
National Capital Commission	5/ 2/71	1970-71
Royal Canadian Mounted Police	9/ 2/71	1971-72
Dominion Bureau of Statistics	17/ 2/71	1971-72
Department of National Defence— Uplands	18/ 2/71	1971-72
Department of Public Works—Ottawa	8/ 3/71	1971-72
Department of Manpower and Immigra- tion—Montreal	15/ 3/71	1971-72

New Studies 1971-72	Launched	Completed
Department of Public Works—Winnipeg	22/ 4/71	1971-72
Department of Manpower and Immigration—Winnipeg	22/ 4/71	1971-72
Department of Manpower and Immigration—Ottawa—Hull	2/ 5/71	1971-72
Eldorado Nuclear Limited	27/ 4/71	1971-72
Central Mortgage and Housing Corporation	27/ 4/71	1971-72
Atomic Energy of Canada Limited	27/ 4/71	1971-72
Department of Communications	27/ 4/71	1971-72
National Research Council	27/ 4/71	1971-72
Department of Agriculture	27/ 4/71	1971-72
Canadian Broadcasting Corporation	27/ 4/71	1971-72
Department of Energy, Mines and Resources	27/ 4/71	1971-72
Department of External Affairs	12/ 5/71	
Department of Industry, Trade & Commerce	12/ 5/71	1971-72
Department of Manpower and Immigration	12/ 5/71	1971-72
Central Mortgage and Housing Corporation—Ottawa—Hull	26/ 5/71	1971-72
Department of Indian Affairs and Northern Development	10/ 6/71	1971-72
Air Canada—London—Paris	9/ 8/71	1971-72
Farm Credit Corporation	21/ 9/71	1971-72
Department of National Revenue (Customs and Excise)	17/12/71	
Air Canada—Headquarters	19/12/71	1971-72
Atmospheric Environment Service	12/ 1/72	1971-72
Canadian National	30/ 3/72	

Summaries of all the various studies on which we have worked during this reporting year appear below; they describe our Office's action and findings and list the specific recommendations made, except where these were already set out in last year's report.

The recommendations, it will be seen, are in some instances few in number, in others numerous. The difference is not a measure of the size of the organization examined or, necessarily, of the extent of non-compliance with the Act. It more closely reflects, in fact, the number of facets of bilingualism on which this Office focused its attention in the specific case. Some earlier studies, for example, bearing exclusively on external signs, led to relatively few recommendations. The number of recommendations made similarly reflects the degree and depth of this Office's preoccupation, through necessity or upon invitation, with the organizational features and administrative and technical processes of a given institution.

There is, too, a common thread of subject matter running through the recommendations. That thread has a certain necessary consistency about it since all of the studies to date have concentrated on whether, and in what measure, the institution serves its public in the official language of the public's choice. There is, moreover, a limit to the number of ways in which any federal institution can serve its public. These can be grouped broadly under visual and human (person-to-person) contacts. The institution's own performance is usually examined first, with that of its concessionaires, if any, handled as a separate item. Within that order, treatment of the visual aspects usually precedes that of the more delicate and complicated subject of finding, mustering and deploying personnel with the necessary linguistic ability so as to achieve the service prescribed by the Act.

Visual aspects generally embrace such matters as signs, forms used with the public, publications, insertions in the mass communications media, contracts and specifications, as well as lesser elements of these that, however humble, have their part to play in providing the service required and in imparting to the viewing public the image of a federal institution willing and able to extend that service. The availability, rapidity and quality of translation facilities also figure importantly among the considerations.

While the personnel aspect appears to break down neatly and conveniently along three main lines, i.e., recruiting, language training and deployment, problems in this sector are the most difficult with which to come to grips and are rarely amenable to short-term solutions. Principles embodied in collective agreements and the institution's position in the employment mosaic of supply and demand within a community frequently set bounds to how far one may seek answers through staff mobility and hiring. Language training, not always the cure-all one might like it to be, is yet a basic element in the search for solutions and, on occasion, the only recourse.

Finally, the reader should not take the recommendations as chiselled-in-stone, all-inclusive statements of the Commissioner's position on the subjects they cover. Rather they point up not what has been done but what remains to be done to comply with the letter, spirit and intent of the Act and, where necessary or helpful, how that might be done.

1. Studies Completed in 1970-71

It is through repeated contact with agencies and institutions concerning the status of the Commissioner's recommendations that this Office monitors the implementation of reform. The institutions discussed under the present heading were the subject of study in the fiscal year 1970-71. Our first annual report described these studies, and in some

cases, gave evidence of action taken before the end of the fiscal year 1970-71. Below we report on follow-up contacts sustained with four institutions during 1971-72.

a) *Air Canada—Ottawa*

A summary of the study conducted in 1970-71 of bilingual services offered to the public and the bilingual image projected by Air Canada premises in the National Capital Region appeared in the first annual report. As a result of a subsequent follow-up inquiry, Air Canada reported it had taken the following action on the Commissioner's recommendations by February 1, 1972:

- 1) All airport and gate signs were rendered bilingual. A new, completely bilingual departure and arrival board was installed at the airport.
- 2) Any signs in city ticket offices (then on Sparks St., and at the Château Laurier), advertising, displays and brochures were bilingual.
- 3) Any flight announcements are now made from gate areas. All gate agents are bilingual with odd exceptions on late midnight shifts. Announcements for flights to Montreal or Quebec City are usually made in French first.
- 4) Since the special language training course for public-contact employees was devised (120 hours of classroom instruction on company time), 30 public-contact employees, five first-line supervisors and two clerical employees have taken it. There remain 29 public-contact employees, sixteen of whom are at the airport, who will be given the course in 1972-73. In addition, evening classes are offered free of charge to all public-contact employees who have completed the 120 hours of instruction in order to achieve a commercial level of fluency in both official languages.

b) *Ministry of Transport—Ottawa and Toronto International Airports*

Two of the first studies undertaken by this Office during 1970-71 examined the services offered the travelling public by the Ministry of Transport at the Ottawa and Toronto International Airports. The studies focused on services directly provided by the Ministry, as well as those assured by lessees or contractees operating on MOT premises.

1) *Ottawa*

During the past fiscal year the Ministry took belated but systematic action to correct nearly all deficiencies noted at Ottawa International Airport with respect to internal and external signs. The department's attempt to increase bilingual capacity among concessionaires by making functionally specific language training available, at no cost to the concessionaires, did not come to fruition: concessionaires replied that their staffs did not need such training, or that it was impossible to accept the offer for administrative reasons. This Office subsequently

encouraged the department to make concessionaires aware of their obligations under Section 10 of the Official Languages Act, and to devise means to ensure that concessionaires comply with it. The Commissioner reminded the Ministry that it has by law the prime responsibility to make sure that a "bilingual service clause" is included in airport contracts and honoured. He does not accept as valid all the administrative difficulties cited by the department; these must be overcome to prevent "tokenism" at the geographic centre of bilingual reform. At year's end, the Ministry had still accomplished no reform in signs at the booth offering postal, foreign exchange and passenger insurance services.

2) *Toronto*

During this past fiscal year members of the Commissioner's staff and MOT personnel had several follow-up contacts concerning recommendations made for the Toronto International Airport. As of March 31, 1972, the Ministry had failed to meet the Commissioner's target date for making all internal and external signs bilingual: September 1, 1971. Indeed, at the time of this writing, one and a half years since the department received the Office's report and recommendations, the Ministry continues to offer promises to the Commissioner instead of signs to travellers. The department has cited administrative, technical and budgetary reasons for the long delay. While the Commissioner recognizes the validity of some of these delaying factors, he considers the long delay unacceptable—particularly since the department, like other federal institutions dealing with the travelling public, has been subject to the stringent provisions of Section 10 of the Official Languages Act since September, 1969.

Before the end of the fiscal year under review, officials of the department assured this Office that steps were being taken, including the hiring of multilingual personnel, to ensure that public address announcements of a general nature made by MOT personnel at Toronto Airport would be in both official languages. A well-documented complaint to this Office, a month later, clearly showed that the problem had not been solved.

As was the case at the Ottawa airport, very little progress was made in inducing concessionaires to offer bilingual services to the travelling public. The department stated that, since most of the current contracts enabling concessionaires to provide service at the Toronto airport expire only in 1974, it has no legal authority to insist upon the provision of bilingual services until the terms of these contracts are due to be renegotiated. MOT officials assured the Commissioner that all future leases will include a bilingual service clause, "should this be

considered desirable in the public interest". In the Commissioner's view the "public interest" in this matter is expressed in the Official Languages Act, which does not leave it to the departments of Government to decide when the law is to be applied.

The above reservation relating to future leases led to discussions between the Commissioner's Office and the Ministry concerning "significant demand" for service across the country. The department must adopt a clear policy on this question, since its responsibilities to the travelling public extend across 88 airports in Canada. Moreover, the Commissioner's report on the Toronto International Airport specifically invited the department to apply the principles underlying his recommendations to the seven other international airports in Canada. To the Commissioner's knowledge, MOT has taken no concrete action at these airports.

c) National Museums

As indicated in the first annual report, the Service completed a special study on the National Museums of Canada during the fiscal year 1970-71.

Follow-up work revealed that recommendations dealing with guide service, public lectures and publicly-posted signs in the Museums' libraries had been implemented. The National Museum of Science and Technology still faced difficulty implementing recommendations concerning signs and display descriptions. This Office's review of the situation led to the expectation that corrective action would soon be taken.

The National Museums informed this Office that they were attempting to implement the recommendation concerning the translation of scientific works, but that they were hampered by budgetary considerations. Museum officials had consulted with the Translation Bureau about a recommendation concerning the creation of a special translating unit within the components of the Corporation. For the time being the National Museums continue to avail themselves of translation services provided by the Translation Bureau. However, these were improved to meet the specific needs of the Museums.

d) National Capital Commission—Exterior Signs—National Capital Region

The National Capital Commission acted promptly on the recommendations the Service made following a study of the exterior signs under its jurisdiction. Indeed, the agency implemented two of the recommendations earlier than the target date set forth in our report.

On August 6, 1971, the agency reported the addition of the following clause to the "Special Conditions" of all NCC contracts: "All exterior signs erected by the contractor will be bilingual and subject to NCC approval".

Finally, before the end of the period under review, the NCC informed us that all outside signs in need of change had been amended and that a new internal control procedure had been developed for recording the texts of signs.

2. *Studies Carried Over From Last Year*

As we said at the beginning of this chapter, the Service pressed on with the unfinished business of the previous fiscal year. This meant completing five studies. Summaries of our reasons for selecting these studies and methods of research appeared in the first annual report. The summaries given below concentrate on the findings and recommendations and some follow-up action related to three studies started last year. Two others, concerning the Department of Manpower and Immigration in Montreal, and the Department of Public Works in Ottawa, are reported under *New Studies Launched in 1971-72*, since they constitute units of related studies undertaken in 1971-72.

a) Royal Canadian Mounted Police—Headquarters, "N" and "A" Divisions

This study, begun towards the end of the 1970-71 fiscal year and completed early in the next, received only brief reference in our first annual report. The resulting findings and recommendations went forward to the Commissioner of the RCMP on May 14, 1971. The Office chose to study this institution because of its highly visible presence and wide contact with the Canadian public all across Canada.

The study was divided into two parts: RCMP headquarters, and "N" Division; and "A" Division. Both the general Force headquarters and the headquarters of "N" and "A" Divisions are located in Ottawa or its environs. Between February 17, 1971 and March 31, 1971, the study team contacted some 25 individuals in headquarters and "N" Division and another 20 in "A" Division.

The study entailed an audit of headquarters policies in regard to bilingualism as well as a survey of the provision of services in both official languages to the general and travelling public. The Office aimed at assisting the Force to achieve the institutional bilingualism and level of service in the two official languages required by the Official Languages Act as well as to project a bilingual image across Canada. Our team directed its attention to: the earliest acquisition of language capacity on

the scale needed, through recruiting and deploying French-speaking members as well as making much greater use of language training and retention programmes; the provision of services in both official languages through visual aspects of bilingualism (signs, identifying insignia on vehicles and uniforms); bilingual information services through telephone reception, correspondence and personal contacts with the public; and the use of the two official languages in contracts with provinces and municipalities.

The RCMP is a unique federal institution because of its multi-jurisdictional authority, powers and responsibilities. The general public views the Force solely as a federal institution, whereas, in fact, in all provinces, with the exception of Ontario and Quebec, it functions as provincial, and in many localities also as municipal, police. In these latter instances the RCMP operates under the aegis of the provincial attorney general and/or local authorities. In this Office's opinion, the distinction between the federal and the provincial or municipal roles of the RCMP is lost on the tourist or other traveller for whom the uniform is clearly associated with a federal body.

At the time of the study the Force had a 10 per cent French-speaking membership out of a total population comprising 28 per cent Francophones in Canada. It faced difficulties in recruiting French-speaking members for areas outside of Quebec because of its essentially English image and because of the lack of French-speaking instructors for induction and advancement courses. Deployment of Francophones to areas outside of Quebec presented certain difficulties because of a problem of integration of families into the local community and of providing French-language education for children. In fact, most of the French-speaking members of the Force were located in Quebec and preferred to remain there. Another problem, linked to that of a basically anglophone institution, was the fact that French-speaking personnel entering the Force were in danger of losing their ability to work in French because all internal services, courses, and job advancement opportunities were predominantly anglophone in character.

The Force was ascertaining its bilingual strength and determining its requirements for bilinguals at the time of the study. Members of the RCMP were about to be tested as to their language capability. Action had started to unify information on employees' bilingual capacity. Positions in the National Capital Region were being designated as "bilingual" in accordance with the Treasury Board ratios. Also, division offices outside the National Capital Region were to make their bilingual requirements known to headquarters by April 1, 1971.

Based on the findings of the study, ten recommendations were made to RCMP headquarters and "N" Division and nine recommendations to "A" Division, covering all aspects of service to the public.

In a follow-up conducted by this Office at the end of March, 1972, the Force was able to report that for headquarters and "N" Division, seven of the ten recommendations had been implemented; three recommendations were being acted upon. The manner of implementing one recommendation touching upon automobile markings became the subject of intergovernmental negotiation. "A" Division reported that it had carried out six of the nine recommendations by the end of the fiscal year 1971-72, and was working on the remaining three.

For RCMP headquarters and "N" Division, the Commissioner of Official Languages recommended that:

- 1) an officer be appointed at such a level as to report directly to the Commissioner or to a committee made up of the Commissioner and the two Deputy Commissioners;
- 2) he be charged as his sole or primary responsibility, with the centralized planning, implementation, co-ordination and monitoring of a unified program for compliance in all respects with the spirit and the letter of the Official Languages Act by all headquarters and field organizations of the Force **without prejudicing in any way the job security and career opportunities of present members and employees;**
- 3) he hold office at least until such time as the Force has effectively complied with the spirit and all applicable provisions of the Act;
- 4) immediate steps be taken at the headquarters and "N" Division to provide receptionist, telephone answering, guard and basic information services in both the official languages **without in any way affecting the job security of present members and employees;**
- 5) the introduction of visual bilingualism be accelerated so that metal shoulder flashes, automobile markings, internal and external signs, plaques and inscriptions may present at the earliest date across the country the bilingual image of a federal institution;
- 6) a concerted attack be made on ascertaining the level of proficiency that is suited operationally to the RCMP in an acquired official language, and on determining the bilingual requirements of the Force across the country to comply with the spirit and letter of the Act, including service to the travelling public, at that level of proficiency;
- 7) the plan of the Department of National Defence for the implementation of bilingualism in the Armed Forces be examined for applicability to the RCMP, particularly with respect to those features of it that favour development and maintenance of a satisfactory bilingual capacity across the country and the willing movement of French-speaking bilinguals and their families to postings in English-speaking areas and vice-versa;
- 8) central personnel records show not only the member's bilingual status, but also the language the member wants his children to study in, for consideration at the time of posting;
- 9) serious consideration be given not only to language acquisition as at present, but also to language improvement and language maintenance

courses so that the investment in language acquisition through recruitment or training is not subsequently lost through language inadequacy or disuse; (several other government agencies, e.g. CBC, CMHC, National Revenue (Taxation Division), Language Bureau, etc.) have already concerned themselves with the retention aspect of language training;

10) contracts between the RCMP and provinces and municipalities be in both official languages when next negotiated.

For "A" Division, the Commissioner of Official Languages recommended that:

1) bilingual services to the public at the Royal Canadian Mint in Ottawa be assured during those hours of the day when public tours of the building are permitted;

2) all members of the Force posted on Parliament Hill during those hours of the day when the Hill is open to the public be bilingual. Special attention to bilingual capacity should be paid when large numbers of the public attend patriotic or other important events on the Hill (e.g., July 1st parades). On such occasions, constables should use both languages when giving oral instructions to the public;

3) the guard at the Citizenship Court be bilingual;

4) the position of guard in front of Government House and the Prime Minister's residence be filled by bilingual incumbents during the day shift;

5) bilingual service be provided at all times for NCC traffic duty, government parking lot duty and snowmobile patrol;

6) bilingual service be available to the public at all times on the Boat Details at Kingston, Long Sault and Sault Ste-Marie;

7) bilingual service be assured at least in those detachments under North Bay Sub-Division where 10 per cent or more of the population is French-speaking;

8) bilingual service be assured in the East Block and the Justice Building where commissionaires serve as receptionists, at most hours when the buildings are open to the public;

9) bilingual service to the public be assured at all NCC parks where commissionaires come under the responsibility of "A" Division.

b) Statistics Canada

As indicated in the first annual report, the Commissioner launched a study on Statistics Canada (then the Dominion Bureau of Statistics) during fiscal year 1970-71. The objective was to examine, within the bounds of a partial study, general aspects of Statistics Canada's operations involving contacts with a very broad segment of the public. For this reason, the study focused on the Information and Year Book Divisions, which come under the purview of Statistics Use and Information Services, on the Census Division of the Socio-economic Statistics Branch and on the Statistics Canada Publications Programme.

The commencement of the study, in February 1971, coincided with the preparation of the June 1, 1971 decennial Census. That part of the study dealing with the Census Division was not intended to influence the census operation then in progress, but rather future censuses.

The researchers conducted seven interviews with Statistics Canada officials designated by the Chief Statistician. Information collected in this manner was supplemented by a spot check of telephone services and a comprehensive study of documents.

With regard to the Census Division, the Commissioner's staff focused their attention mainly on printed matter (questionnaires, forms, training manuals, etc.) used in conducting the census, the publicity campaign carried out on this occasion, census commissioners, certain aspects of delivering census questionnaires and on some facets of the Division's activities in the area of correspondence.

The Commissioner's staff noted that the preparation of printed matter and publicity material was done in compliance with the requirements of the Official Languages Act. Only the actual distribution of publicity posters throughout the country was slightly inadequate. Correspondence examined was beyond reproach, the Division invariably replying in the language of the correspondent.

On the other hand, findings concerning census commissioners and the procedure used for delivering questionnaires led the Commissioner to recommend corrective measures. The team noted that Statistics Canada did not accord sufficient attention to the linguistic requirements of the 1,920 positions filled by census commissioners, and that those commissioners selected for the National Capital Region were not all capable of performing their duties in both languages. Of course, the appointment of commissioners comes under the jurisdiction of the Minister of Industry, Trade and Commerce, in conformity with Section 5(1) of the Statistics Act. However, Statistics Canada is empowered when selecting candidates not only to specify the qualifications required of them, but also to refuse those who do not fulfill these requirements.

Problems related to the delivery of questionnaires were set forth in the Commissioner's special report to Parliament dated June 21, 1971.

The Inquiries Section of the Information Division, though small (at the time the study was carried out it had a staff of five employees), plays a major role in Statistics Canada's direct contacts with the general public. The study focused, on the one hand, on outgoing letters and, on the other, on the quality of telephone services.

Here again, letters were drafted in the language of the correspondent. However, letters in French contained grammatical errors which, though few in number, recurred regularly. A spot check revealed

the Division's personnel did not always identify the agency in both official languages when answering the telephone; this is essential if the caller is to be made aware that he has a choice of speaking French or English. Moreover, unilingual employees of the Division did not use a stock phrase in the second official language so as to transfer a call to an employee capable of speaking in the caller's language. Finally, Statistics Canada was listed in English only in the Ottawa-Hull telephone directory.

The Year Book Division is concerned mainly with the preparation of the *Canada Yearbook* and of *Canada*. During the course of the study the Division found a temporary solution to the problem of obtaining high-quality French texts. The Commissioner therefore decided to review this aspect of Statistics Canada operations at a later date.

A study of the Statistics Canada catalogue (1968 edition) revealed that 153 bulletins and reference works were published in English only. The Commissioner pointed out that the agency lacked a plan that would enable it to carry out the translation of these publications within a reasonable time limit. He thought that the attendance—if only as an observer—of a representative of the Translation Service at meetings of the Advisory Committee on Publications would be desirable.

During consultations following the study, the Chief Statistician accepted the recommendations made by the Commissioner, as well as the time limits suggested for their implementation. The Commissioner and the Chief Statistician mutually agreed to carry out a concerted study of aspects of the 1976 census likely to be subject to the requirements of the Official Languages Act. The Chief Statistician, while recognizing the validity of the recommendation regarding the Publications Programme, pointed out that Statistics Canada had made great progress in this area, which is undeniable. Actually the agency's plan calls for making all bulletins now being published available in both languages by March 1974. The plan, however, does not cover previously published unilingual works and periodicals. Only reprints and re-editions will be bilingual.

The Commissioner of Official Languages recommended to the Census Division that:

- 1) in future censuses, Statistics Canada recruit only census commissioners capable of carrying out their duties in both official languages in those areas referred to in Section 9 of the Official Languages Act;
- 2) Statistics Canada mention explicitly, in any text whose purpose is to provide information to candidates for the post of census commissioner or representative and in guidelines sent to commissioners and representatives who have been chosen, the requirements of the Official Languages Act that apply to their duties;

3) Statistics Canada see to it that publicity posters which are sent to regional offices and are used for census-taking purposes, be displayed at least in the places referred to in Section 9 of the Official Languages Act so that the equality of status of both official languages be respected.

To the Information Division, Inquiries Section, the Commissioner recommended that:

4) Statistics Canada be listed in English and French in the next edition of the Ottawa-Hull telephone directory;

5) Statistics Canada take the necessary measures by the end of the fiscal year (March 31, 1972) to ensure that the quality of services provided in French by the Inquiries Section of the Information Division be equal to that of services provided in English.

To the Publications Programme, the Commissioner recommended that:

6) Statistics Canada establish, by the end of the fiscal year (March 31, 1972), an integrated plan enabling it to carry out, within specific time limits, the translation of reports which have not yet been published in both official languages;

7) Statistics Canada invite a representative of the Translation Services to attend, even if only as an observer, the meetings of the advisory Committee on publications.

c) Department of National Defence—Canadian Forces Base, Uplands, Ottawa

As indicated in the annual report for 1970-71, the Commissioner initiated a study of visual and non-visual aspects of bilingualism at Canadian Forces Base Uplands. The study team interviewed approximately twenty officers and visited locations within the Base where services to the public were available.

CFB Uplands was at the time of the study giving practical effect to some of the comprehensive measures being adopted by the Canadian Forces to help promote institutional bilingualism. The measures adopted at that time concerned essentially the visual aspects. The Base had made a commendable effort in posting bilingual signs, especially traffic signs, and in seeing to it that the Base Exchange advertised its merchandise and offered services in the two official languages. During an on-site visit, however, the study team noted a number of unilingual English signs.

From an administrative viewpoint, the study team considered that the Base had not sufficiently defined its management objectives on bilingualism and that it lacked a well-promulgated plan for implementing such objectives as well as an officer responsible for coordinating the Base's bilingualism programme. The Base relied on National De-

fence Headquarters for translation services. This arrangement was insufficiently responsive to the actual needs of the Base for such services.

Two of the three positions within the Civilian Personnel Office were filled by unilingual English-speaking employees and one was temporarily vacant. Various forms to be completed by job seekers or by employees were bilingual, but interviews and explanations on personnel matters were conducted in English only. The 3 Air Movements Unit, whose role is to provide for the transportation of military personnel and authorized civilians in service aircraft, had no bilingual officers, though there were approximately twenty men who were capable of giving services in both official languages.

All prominent traffic, parking and other signs related to hangar operations where the unit was located, were in English only. Some signs and literature inside the passenger terminal were not bilingual; however, boarding forms were issued in both languages. Announcements were usually made in English, the researchers noted. The 412 and 436 Transport Squadrons provided varying degrees of bilingual service, though the researchers thought it unlikely either would have sufficient bilingual aircrew on strength to provide all services in both official languages during each flight.

The main entrance gate was staffed by unilingual English-speaking guards during two of the study team's three visits to the Base.

Recommendations made concerned the formulation of a plan and programme for implementation of the Act, the appointment of a bilingualism adviser, the identification of requirements for bilingual personnel, the creation of translation services on the Base, and the rendering of all signs and printed matter bilingual.

By the end of the period under review, the Base had implemented many of the Commissioner's recommendations, including all those for which he had proposed target dates. As well as rendering most signs and all printed material bilingual, the Base formulated a plan for providing the entire range of bilingual services necessary, appointed a Base Bilingualism Adviser and recruited a bilingual staff member for the office of the Base Civilian Personnel Officer.

A few recommendations remained outstanding. The Base had not yet provided full bilingual services in a number of cases owing to a shortage of bilingual personnel. The Department of National Defence indicated that an on-site translation service could not be provided at this time but that provisions had been made to satisfy the translation requirements of the Base. The Base had still to render certain signs bilingual; this was to be effected by the summer of 1972. Airplane inscriptions had not been rendered bilingual, though they will be by December 1973.

The Commissioner recommended that:

1) Administration

a detailed examination of each organizational element within the Base be undertaken to identify areas of activity lending themselves to the provision of services in both official languages, and that the Base formulate a plan and implement a programme with target dates for the introduction of such services;

2) Bilingualism Adviser

a senior officer be officially designated and known as the Base Bilingualism Adviser. The incumbent of this appointment should normally be the Base Administrative Officer;

3) Translation Services

an English to French translator and, of necessity, a supporting bilingual secretary be assigned to the Base on a full-time basis;

4) Signs

with respect to signs in general,

(a) the "bilingualization" of all outdoor signs be completed by September 1st, 1971, and

(b) with regard to all other signs, priority be given to the bilingualization of signs related to CANEX operations and others drawing the attention of VIPs and visitors;

5) Services for Civilian Personnel

the position in the office of the Base Civilian Personnel Officer that is not filled at this time be designated as bilingual and filled at an early date in order to achieve a bilingual capacity within that office;

6) 3 Air Movements Unit

(a) all traffic and parking signs leading or adjacent to the passenger terminal be displayed in both official languages;

(b) all signs in the passenger terminal be displayed in both English and French by August 15, 1971;

(c) all flight and other announcements be made in both official languages; and

(d) the French version of the mimeographed questionnaire for overseas passengers be corrected;

7) 412 Transport Squadron

(a) serious consideration be given to ensure the equality of status of the two official languages by rendering all aircraft markings bilingual on both sides of the fuselage—press and television pictures of planes could thereby widely publicize DND's efforts in taking bilingualism seriously; and

(b) the Squadron ensure that an adequate number of positions on its establishment be designated for bilingual personnel so as to have a bilingual capability during any passenger flight. To this end, as the Squadron is unlikely to have a large complement of bilingual officers on strength, it is recommended that special consideration be given to having all flight

steward positions designated for bilingual personnel. This goal should be met preferably, at first, by giving present stewards accelerated and highly functional training in French;

8) *436 Transport Squadron*

(a) the same recommendation as in 7)(a) above also be applied to the aircraft of this Squadron;

(b) all signs in the passenger or cargo section of the aircraft used by this Squadron intended for the information or the guidance of passengers be displayed in both official languages; and

(c) the Squadron ensure that an adequate number of positions on its establishment be designated for bilingual personnel so as to be in a better position to provide bilingual services when participating in military operations and exercises involving French-speaking units;

9) *Leases and Concessions*

(a) Annex "A" to Canadian Forces Administrative Order 29-5 be amended to include a clause regarding any requirement for the relevant services to be provided or made available by licensees in both official languages; and

(b) future agreements entered into by the Base Commander on behalf of CANEX include a pertinent clause regarding the provision of bilingual services;

10) *Visitors*

the security section of CFB Uplands be composed of a sufficient number of bilingual personnel so that services in English and French are provided at the main entrance of the Base particularly during daytime and evenings.

3. *New Studies Undertaken in 1971-72*

The year reviewed in the first annual report was one of initial organization and of developing a *modus operandi* for the task to be accomplished. Studies during that period had about them, accordingly, a somewhat tentative and experimental character.

Concepts and processes continued to take clearer shape in the following year and the subject matter of the studies themselves broadened and deepened. Where the focus bore at first on the National Capital Region, it has now spread to embrace the entire country and services abroad. Where attention had been directed to regional and local offices at certain locations of particular significance, it has now tended to concentrate on the nerve centre, the headquarters or head office where overall authority and control lay and decisions affecting entire organizations originated. Operations in the rest of the country were in several instances brought under scrutiny either as part of the nerve-centre study, or as a separate undertaking to bring reform to areas of special need, such as St. Boniface-Winnipeg and Moncton.

Finally, in keeping with the Commissioner's desire to help institutions in their efforts to comply with the Act, the recommendations resulting from studies tended to point not only to deficiencies of commission or omission, but also to measures whereby the institutions could close the gap. This tendency added to the responsibilities of the study team an element of inquiry, comprehension and analysis of organization, policies and procedures that a purely audit approach would not have rendered necessary. It is not surprising, then, that several studies conducted during the year under review resulted not from the sole exercise of the Commissioner's initiative but in fact from requests by institutions that the Commissioner look into their operations in whole or in part and advise them on how they might provide the public with the linguistic service prescribed.

a). Three Studies on the Department of Manpower and Immigration—Montreal, National Capital Region and Winnipeg

During the fiscal year 1971-72, the Commissioner's Office sustained the interest it had developed towards the end of 1970-71 in the Department of Manpower and Immigration. This Department's extensive contact with the public is well known. The Office, therefore, combined that consideration with the geographical one to look at its operations not only in Montreal (as did the study started at the end of the fiscal year 1970-71), but in the National Capital Region and in what was then Metropolitan Winnipeg (including St. Boniface).

In all three studies, the researchers focused on identification of premises, publicity and other printed material and personal contacts of departmental personnel with the public.

1) Montreal

The study team interviewed officials in sixteen Manpower and Immigration offices in Metropolitan Montreal. Its overall assessment of the state of bilingualism in these offices was very favourable. All signs, inscriptions, forms and printed materials, including publicity materials, were available in both official languages. Precedence on signs was generally, and appropriately, accorded to the French language. Printed materials, the team noted, were not always equally displayed in the official languages. The team found that sufficient bilingual personnel existed to provide prompt and adequate service in their direct contacts with the public over the counter.

In the light of the team's findings, the Commissioner made five recommendations. Four had either been implemented or were to be implemented by the end of the 1971-72 fiscal year. No action was needed on the fifth recommendation since the material involved was soon to be discontinued and would thus no longer be displayed.

The Commissioner recommended that:

- (a) each employee concerned in the sixteen offices serving the general public be equipped at the earliest opportunity with a completely bilingual calling card, with one or both sides of the card used for this purpose, and with French having precedence where one side only is used;
- (b) the Department devise and introduce as soon as possible date stamps, particularly those used on documents seen by the public, that in all respects reflect the equal status of the two official languages and where possible give precedence to French;
- (c) outside sources be requested by the Dorval office to provide publicity and information material in both languages and that the material be so displayed;
- (d) the Laval and North Offices be required to ensure that all pamphlets they display appear in both official languages;
- (e) the Department remind the managers of its offices serving the general public to ensure that telephone-answering personnel, in answering incoming calls, identify their office bilingually and give precedence to French.

2) *National Capital Region*

The findings revealed a consistent picture of the Department's operations in the Ottawa-Hull area. Office designation, directional and other signs were found to be bilingual. With few exceptions, all forms, publications and other printed materials were also in both official languages. Telephone identification and information services, the researchers learned, met the requirements of equality of status of the official languages.

The researchers noted several serious deficiencies in the provision of bilingual services to the public. Publicity and information materials and job advertisements were displayed and posted frequently in English only. Moreover, the principal Canada Manpower Centre in Ottawa did not automatically offer French-language service over the counter, but only when specifically requested or when French-speaking clients could not speak English. Needless to say, the Centre offered English-language services spontaneously.

In the light of the above findings, the Commissioner made six recommendations and the Department accepted them all. However, one was later abandoned in the wake of new developments. The recommendation relating to the posting of job advertisements has been in force since June 1, 1971. The Department has printed temporary French-language calling cards and has been in the process of designing bilingual cards. It has also been able to induce many employers to provide their job information in the two official languages. Finally, the percentage of French-speaking personnel in the Slater Street office has increased significantly as a result of recruitment and language-training programmes.

The Commissioner recommended that:

- (a) in order to avoid possible complaints the Department adopt a policy, as for example that of the National Capital Commission for the Ottawa-Hull area, on precedence to be observed by its offices in their use of the two official languages;
- (b) job opportunities on bulletin boards be posted in both official languages;
- (c) bilingual calling cards be used rather than unilingual cards or separate cards in each language;
- (d) in the interest of approaching as nearly as possible equality of status of the two official languages, potential employers be requested to provide publicity or information material in both languages whenever available, and that the available material be displayed to give equal prominence to both versions;
- (e) a distinct and specialized English-French translation capability be developed at the Canada Manpower Centre on Slater Street;
- (f) French-speaking members of the public be automatically served in French at the Canada Manpower Centre on Slater Street.

3) *Winnipeg*

Since the Office's study of Manpower and Immigration activities in Winnipeg formed part of a restricted survey of the "federal presence" in that area, an attempt was made to look at them somewhat more closely than in the two cases of Montreal and the National Capital Region. Additional topics that appeared to warrant the Office's attention were directives, advertisements, translation and contracts.

As one might expect, the findings proved that the bilingual performance in that regional office was considerably less than in Montreal or in Ottawa-Hull. Directives issued from Ottawa attested to the Department's understanding and acceptance of the Official Languages Act, but the team noted serious discrepancies between the intent of the directives and their actual implementation in regional and field offices.

The use of French and English on signs was inconsistent; only occasionally were both languages evident on "signage". Printed materials were not always produced or made available in both official languages. The basic texts of standard agreements and contracts with the provincial government, private firms and individuals were not prepared in such a manner that agreements and contracts could be drawn up in the official language chosen by the other contracting party.

As for the availability of personnel to provide service to the public in both official languages, only eleven of 73 public-contact employees working in the regional office were, the team reported, bilingual. Moreover only six of the nine services dealing frequently with the public were capable of serving the public in both official languages. Other Manpower Centres and the Winnipeg District Immigration office had even a lower complement of bilingual employees,

the ratio being 13 to 204. The Immigration office located at the Winnipeg International Airport could not provide all necessary services to the travelling public in both official languages. The Department was moving towards identifying and creating bilingual positions, but had achieved nothing substantial at the time of the study. Certainly, enrollment in language training programmes did not produce a significant number of bilingual personnel. Even if those employees who were enrolled in language training were certified bilingual, the overall percentage of bilingual employees would rise only from 6.5 to 10.9.

The Commissioner made eighteen recommendations which were influenced by the fact that many of the Department's activities did not seem to be geared to the needs of the significant French-speaking population residing in St. Boniface. It is particularly important that their needs be met by Winnipeg offices when there are no equivalent federal services in St. Boniface.

Considerable progress has been made in implementing these recommendations in accordance with the target dates suggested by the Commissioner. As of the end of the period under review, the Department was in the process of implementing recommendations dealing with signage, publications, calling cards, telephone listings and advertisements. The Department was also taking action to provide bilingual services at the Immigration Office of the Winnipeg International Airport and at other locations in the Metropolitan Winnipeg area. The Department proposed May 1973, as an appropriate target date for rendering forms used in its Winnipeg office bilingual, the date by which all departmental forms are expected to be standardized and bilingual. With respect to the Commissioner's recommendation dealing with bilingual telephone reception, the Department agreed to continue providing this service where already offered, and to provide it in other offices where there is a recurrent and relatively frequent demand for it.

Five recommendations, touching on contracts, counter reception, translation, news releases and language training, have remained outstanding due to technical problems and a lack of time and human resources. However, the Department assures this Office that the implementation of these recommendations has not been completely arrested, but only delayed.

The Commissioner recommended that:

- (a) the Department give priority to the planning and development of bilingual services to the public in Metropolitan Winnipeg offices;
- (b) the Department take the necessary steps to ensure that:
 - (1) notice boards, posters and signs on all premises occupied by it become entirely bilingual within the next six months;
 - (2) all unilingual forms used in communication with the public be rendered bilingual within the next six months, and where separate French and English

versions of a form already exist, that within the next 30 days both become available to services using them;

(3) similarly, where separate French and English editions of a publication exist, the French version be, within the next 30 days, available at the same time as the English version in offices where they are used in dealings with the public;

(4) the periodical *Manpower Review—Prairies and North-West Territories* be published in both official languages within the next six months;

(5) the text on employees' calling cards be bilingual within four months, and that to this end the Department provide the Regional Office with guidance respecting the French equivalent of position titles;

(6) the basic text of all future standard agreements and contracts with the provincial government, private firms or individuals, be bilingual, so that the contract may ultimately be drawn up in the official language of choice of the other contracting party;

(7) entries in future editions of telephone directories, where the entry is purchased or otherwise controlled by the Department, be bilingual, and that, in all other such directories in which entries appear, their inclusion in bilingual form be negotiated, if possible;

(c) the Department see to it that:

(1) directives issued by Department headquarters and the Prairie Regional Office respecting telephone communications be henceforth complied with by all services of the Department, so that bilingual replies are made to all telephone calls;

(2) reception and initial dealings with clients visiting any of the Department's offices be conducted, within the next six months, in either official language, whether by the provision of appropriate intensive training for receptionists or by any other suitable means that does not adversely affect the job security of staff already on strength;

(3) henceforward, arrangements be made for tests to be available and administered in French and in English at the option of the person being tested;

(4) support staff be no longer called upon to translate but rather a central translation service be used by Regional and local offices;

(5) all advertisements placed by the Department on its own account be published henceforth in English and French by the appropriate media in the Metropolitan Winnipeg area, and consideration be given to the question of advertisements prepared and inserted on an employer's behalf, having in mind the need for both language groups to be equally informed;

(6) similarly, steps be taken to ensure that Anglophones in St. Boniface and Francophones in Winnipeg are informed in their own language of matters of interest made public by means of news releases issued by the Manpower Centre serving the area in which they live;

(d) the Department

(1) pursue a very active programme designed to train bilingual personnel so that all its offices in Metropolitan Winnipeg may be provided within the next two years with a sufficient number of bilingual employees so that the public may be able to obtain services in either official language at all times,

(2) take the necessary steps to provide bilingual services as soon as possible at the Immigration Office at Winnipeg International Airport, and

(3) create the number of bilingual positions in its offices in the Metropolitan Winnipeg area required to comply with the provisions of the Official Languages Act.

b) Visual Aspects of the Exterior of Federal Institutions—National Capital Region

The Commissioner's Office sustained the interest in the visual aspects of federal bilingualism in the National Capital Region which it displayed during the year 1970-71.

The study of the Department of Public Works, which was launched towards the end of last fiscal year, was continued into the year under review. Because of what we learned about the limits of that Department's jurisdiction over parts of the "signage" programmes of some federal institutions, we also did a series of eight other small-scale studies to complete our survey of signs in the National Capital Region—a review which included a look, last fiscal year, at the National Capital Commission's activities in this field.

The nine institutions whose exterior signs we surveyed during the fiscal year 1971-72 were:

<i>Department or Agency</i>	<i>Date of Report to Department or Agency</i>
1) Eldorado Nuclear Ltd.	July 14, 1971
2) Central Mortgage and Housing Corporation	July 22, 1971
3) Atomic Energy of Canada Ltd.	August 3, 1971
4) Department of Communications	August 4, 1971
5) National Research Council	August 4, 1971
6) Department of Agriculture	August 5, 1971
7) Canadian Broadcasting Corporation	August 6, 1971
8) Department of Energy, Mines and Resources	August 9, 1971
9) Department of Public Works	September 30, 1971

In the case of most of these institutions it was possible to observe almost all types of exterior signs and inscriptions. By "types" of signs, we refer to signs carrying exactly the same message, e.g. NO PARKING. Such a sign was only counted once in our observations regardless of the frequency of its recurrence. In the case of the Department of Public Works an exhaustive survey was impossible because the Department did not know the total number of signs and inscriptions over which it had jurisdiction.

We used two categories to evaluate the wording of the signs examined. The wording was considered either "acceptable" or "unacceptable". Unilingual or partly bilingual signs and signs containing errors in wording were regarded as unacceptable.

We also collected data on the precedence accorded to the two official languages. This consideration, while less important than that of the presence and the accurate use of the two official languages, nevertheless deserves attention, especially in the light of Section 2 of the Official Languages Act.

On the whole, the studies uncovered a pattern of incomplete bilingualism in the National Capital Region, the French language coming out second best.

The studies also revealed the absence of contractual agreements with construction contractors to put up temporary signs in both languages. Signs identifying federal premises or alerting the public of potential dangers are presumably meant for speakers of **both** official languages.

The use of accents raises another special problem. Without making firm recommendations, we suggested that, in order to avoid any misinterpretation (in French, an accent can often change the meaning of a word), accents be used on capital letters.

In making his recommendations, the Commissioner tried to reconcile two factors that can be often considered contradictory: the need on the one hand to have the visual aspect of federal institutions in the National Capital Region conform strictly with the Official Languages Act and, on the other, the budgetary and administrative constraints which implementation of the recommendations inevitably entails. The most realistic way of doing this was, in our judgement, to set reasonable deadlines for action.

Findings, for each department or institution observed, can be summarized as follows:

1) Eldorado Nuclear Ltd.

A visit to the site revealed that there were only five signs and inscriptions in all, on the building and in the surrounding grounds. Of the five signs and inscriptions, two were bilingual and the remaining three were unilingual English.

On this basis the Commissioner recommended that:

(a) the two signs, "ELDORADO VISITORS" and "DELIVERY ENTRANCE" be presented in both official languages, by the end of September, 1971;

(b) the inscription on the front of the building be changed to "ELDORADO" as soon as the decision to adopt that particular name has been made. If the present inscription is maintained, accents should be added to the French text where necessary.

2) *Central Mortgage and Housing Corporation*

The field survey of all types of exterior signs and inscriptions showed that the majority of the signs at the Head Office site were totally bilingual. Researchers found only four signs to be unacceptable as they were unilingual English: three of these were parking lot signs, and one, a temporary sign indicating the names of the architects on a job site.

On the whole, except for the very few cases mentioned above, the survey revealed that the CMHC had most adequately provided exterior signs and inscriptions in both English and French.

In the light of the findings the Commissioner recommended that:

(a) all exterior signs which are under the jurisdiction of the Central Mortgage and Housing Corporation at the Head Office site be totally bilingual by, if possible, November, 1971;

(b) the CMHC make the relevant parts of recommendation (a) binding on all contractors retained to do construction or repair work at the sites administered by the Corporation in the National Capital Region.

3) *Atomic Energy of Canada Ltd.*

The study team observed 30 types of signs and inscriptions. Of these, 23 were considered unacceptable because they were unilingual or only partly bilingual. Moreover, the quality of the French text on two bilingual signs was questionable. It was also found that some inscriptions on mobile trucks were only partly bilingual. Finally, a temporary construction sign installed by a contractor was unilingual English. During the field work, the study team noted that AECL had already taken steps to have all non-bilingual signs replaced.

On the basis of the foregoing, the Commissioner recommended that:

(a) the AECL plan to replace unilingual signs by totally bilingual ones at Tunney's Pasture and South March be implemented by the end of September, 1971;

(b) contractors be asked to install totally bilingual temporary signs on job sites located in the National Capital Region.

In addition, the Commissioner stated that the first recommendation should apply to all inscriptions, including those on trucks.

4) *Department of Communications*

Of a total of 40 types of signs and inscriptions observed at the three sites which the Department administers in the National Capital Region, nineteen were found to be unacceptable.

For the most part, the bilingual image presented to the public by the signs in the non-restricted areas was satisfactory. There was

one case, however, where grammatical mistakes were quite visible. With respect to the other unacceptable signs, these were to be found mainly in areas dealing with public safety.

The Commissioner recommended that:

(a) all exterior signs and inscriptions which are under the jurisdiction of the Department of Communications at the Shirley Bay, Clyde Avenue and Almonte sites be totally bilingual by June 30, 1972;

(b) the faulty exterior sign noted at the Shirley Bay site be rendered correctly by, if possible, November 1, 1971, in both official languages.

5) *National Research Council*

Out of a total of 121 types of signs noted, 94 were found to be in need of change. This figure includes the unilingual English signs and the partly bilingual signs as well as two totally bilingual signs in which the French text was found to be faulty.

The survey also revealed that, in agreements drawn up with contractors, no written clause existed requiring temporary signs installed on construction sites to be bilingual.

The Commissioner recommended that:

(a) all outside signs and inscriptions under the National Research Council of Canada in the National Capital Region be totally bilingual by June 30, 1972;

(b) all faulty signs be rendered correctly in both official languages by, if possible, November 1, 1971;

(c) whenever contracts are handled by NRC, contractors be asked to install totally bilingual temporary signs on job sites located in the National Capital Region.

6) *Department of Agriculture*

The field survey of most types of exterior signs and inscriptions at sites administered by the Department of Agriculture in the National Capital Region revealed that of a total of 72 types of signs, 40 were found to be in need of change.

The Commissioner recommended that:

(a) all exterior signs and inscriptions which are under the jurisdiction of the Department of Agriculture in the National Capital Region be totally bilingual by June 30, 1972;

(b) all faulty signs be rendered correctly in both official languages by, if possible, November 1, 1971.

7) *Canadian Broadcasting Corporation*

For the most part, the bilingual image presented to the public by exterior signs and inscriptions was satisfactory. Of a total of 28 types of signs observed, two were unacceptable because they were only partly bilingual.

The study team noted that temporary signs installed on construction sites were usually provided by the contractors. No specific clause existed in the contract to ensure that such signs be bilingual.

The Commissioner was very pleased to commend the Corporation for its action in the field of "signage". In his opinion, the few gaps revealed by the study could be easily corrected.

He recommended that:

(a) all exterior signs and inscriptions which are under the jurisdiction of the Canadian Broadcasting Corporation in the National Capital Region be totally bilingual by November 1, 1971;

(b) the CBC make the relevant parts of recommendation (a) binding on all contractors retained to do construction or repair work at the sites administered by the Corporation in the National Capital Region.

8) *Department of Energy, Mines and Resources*

In all, 48 types of signs and inscriptions were noted. Of these, 18 were unilingual English, 3 were partly bilingual and 27 were totally bilingual. The study team discovered 21 signs in need of change.

On the basis of the foregoing, the Commissioner recommended that:

(a) all exterior signs and inscriptions which are under the jurisdiction of the Department of Energy, Mines and Resources in the National Capital Region be totally bilingual by June 30, 1972;

(b) all faulty signs be rendered correctly in both official languages by, if possible, November 1, 1971.

9) *Department of Public Works*

The survey covered 607 types of exterior signs and inscriptions created and installed by the Department. Of these, 181 were considered to be unacceptable.

An observation the team made was that the respective responsibilities of the DPW and the lessors of buildings in which the government was renting space were imprecisely defined in regard to the installation of bilingual signs and inscriptions.

In the light of the findings the Commissioner recommended that:

(a) all exterior signs and inscriptions which are under the jurisdiction of the Department of Public Works in the National Capital Region (as described by the National Capital Act) be totally bilingual by September 30, 1972;

(b) all faulty exterior signs and inscriptions be rendered correctly in both official languages by, if possible, June 30, 1972;

(c) where federal institutions occupy 50 per cent or more of a leased building, the Department of Public Works make the necessary arrangements with the lessor to have all inscriptions appearing on the exterior of the building worded in the two official languages. These arrangements would be made before renewal of leases expiring by the end of the fiscal year 1971-72. In the case of long-term leases, the Department of Public Works

should arrange that the lessors concerned make the necessary changes by, if possible, September 30, 1972;

(d) the policy which the Department of Public Works has set down with regard to the precedence of one language over the other (the English version with the French version underneath or to the right in communities where the majority of the people are English-speaking and vice-versa in communities where the majority of the people are French-speaking) be uniformly applied in the National Capital Region.

As of the end of the period under review, most of the departments and agencies had made good progress in implementing our recommendations. Indeed, Atomic Energy of Canada and the Central Mortgage and Housing Corporation were able to meet the proposed deadlines. We were also very pleased to learn that the Department of Communications initiated, in the light of our recommendations, a survey of all signs and inscriptions inside and outside their offices throughout Canada.

Eldorado Nuclear, while implementing our first recommendation, did not act on the second because its name is spelled without accents in its letters patent. In the President's opinion, the use of accents would be a contravention of Sections 25(2)(3) and 26 of the Canada Corporations Act.

The National Research Council reported good progress. However, it asked the Commissioner that the target date for the implementation of our second recommendation be deferred until June 30, 1972. The Commissioner agreed with the new date in view of the practical difficulties which arose in this case.

The Department of Energy, Mines and Resources was not able, as per March 31, 1972, to report on the measures taken to implement our recommendations.

In the case of the Department of Public Works, the large number of signs involved prompted the Deputy Minister to request his staff to undertake a complete survey of their signs in the National Capital Region. After this preliminary step, departmental personnel will take down and replace all unacceptable signs.

c) Department of Public Works—Winnipeg

In addition to surveying the visual aspects of the exterior of federal institutions in the National Capital Region, the Office initiated a study on signs and lettering under the jurisdiction of the Department of Public Works in Winnipeg.

The research team conducted the study on the basis of a series of interviews and a photographic survey of signs and lettering. Of the 100 signs examined, less than 20 per cent were entirely bilingual; even these in some instances contained errors in spelling and accents in the French texts. The remaining signs were in English only. With one

exception, the English and French texts on bilingual signs were given precedence in predominately English-speaking and French-speaking communities, respectively. In general, signs and lettering erected on buildings and installed at parking lots belonging to federal government institutions located in St. Boniface were bilingual. In Metropolitan Winnipeg, this was not the case.

In light of the above findings, the Commissioner made fourteen recommendations, the central message of which was contained in the first and general recommendation: that the Department respect the equality of status of the two official languages by ensuring that all lettering and signs under its jurisdiction in the Metropolitan Winnipeg area be in English and French.

The Department's efforts in implementing the Commissioner's recommendations are encouraging. The Bicultural Information Committee of the Department has undertaken a study of the overall problem of building signs and lettering and will attempt to develop standards for bilingual signs. The Department foresaw no difficulty in meeting the target dates recommended by the Commissioner for correcting faulty bilingual signs and for converting unilingual signs to bilingual signs on all existing Crown-owned buildings and parking lots.

The Department did not wish to interfere, unless specifically requested, in the installation of signs and lettering for the internal use and operations of other departments and agencies located in Winnipeg. However, since DPW thought it incumbent on itself to promote compliance with the Official Languages Act, this Office enjoined the Department to ensure that such signs be bilingual if it becomes in any way connected with their preparation.

The Commissioner made the following general recommendation:

The Department respect the equality of status of the two official languages of Canada by ensuring that all lettering and signs under its jurisdiction in the Metropolitan Winnipeg area are in English and French, including signs and lettering that did not form part of the sampling examined in the course of this study.

More specifically, he recommended that:

1) the Department respect the use of the two official languages in the signs and lettering

- (a) of all new buildings that it constructs,
- (b) of all Crown-owned buildings that undergo renovations,
- (c) of all new parking lots that it establishes;

2) the Department make the necessary arrangements so that by September, 1974, the use of the two official languages is respected in all signs and lettering

- (a) on all existing Crown-owned buildings,
- (b) on all existing Crown-owned parking lots;

- 3) when a department or agency occupying a Crown-owned building asks the Department of Public Works to put up signs and lettering, the Department remind the applicant of the stipulations of the Official Languages Act so that all new signs and lettering respect the equality of status of the two official languages;
- 4) in consultation with departments and agencies occupying Crown-owned buildings, the Department of Public Works set up a programme to equip, by September 1974, the premises they occupy or will occupy and, if necessary, parking lots, with signs and lettering consistent with the spirit and intent of the Official Languages Act;
- 5) henceforth, the Department of Public Works insert in all its leases, including those it is renewing, a clause allowing the installation of bilingual signs and lettering in areas of buildings and parking lots occupied by the departments and agencies;
- 6) for all buildings that are provided with a directory board, the Department henceforth insert in the leases, including those it is renewing, a clause stipulating that there be enough space on the board to include the names and services of departments and agencies in both official languages;
- 7) in the case of leases not expiring before 1974, the Department
 - (a) inform the owners with whom it holds leases of the stipulations of the Official Languages Act,
 - (b) obtain modification of all signs and lettering inconsistent with the Act,
 - (c) negotiate with the lessor to obtain enough space on directory boards so that the names and services of departments and agencies can appear in both official languages;
- 8) when a department or agency occupying a leased building asks the Department of Public Works to install signs or lettering, the latter remind the applicant of the stipulations of the Official Languages Act, so that all new signs and lettering respect the equality of status of the two official languages;
- 9) in consultation with the departments and agencies occupying leased buildings and, if necessary, with the owners of these buildings, the Department of Public Works set up a programme to equip, by September 1974, the premises they are occupying or will occupy, and, if necessary, parking lots, with signs and lettering consistent with the spirit and intent of the Official Languages Act;
- 10) the Department continue to apply its policy of preparing and erecting temporary signs to indicate the nature of construction work, in both official languages;
- 11) the Department see to it that signs prepared and erected by contractors be in both official languages either by adding a specific clause to the contracts or by any other appropriate means;
- 12) all existing bilingual signs and lettering be examined for the quality of the French text, and all errors found be corrected by December, 1972;
- 13) the Department make the necessary arrangements to assure, henceforth, the high quality of the French and English texts of all new signs and lettering and to ensure, as well, that they are free of errors and omissions.

d) Canadian Representation Abroad—The Departments of External Affairs, Industry, Trade and Commerce, Manpower and Immigration.

In May 1972, the Commissioner's Office undertook studies of the operations of three federal departments in Western Europe and in the Americas: External Affairs, Industry, Trade and Commerce (including the Canadian Government Travel Bureau), and Manpower and Immigration. The decision to study these departments was based upon their wide range of contacts with Canadian travellers and foreign publics, as well as their responsibility for representing a bilingual image of Canada internationally. The studies themselves focused mainly on the extent to which these departments provided services in the two official languages to Canadians and others in the parts of the world under review.

Two teams from the Commissioner's Office conducted a total of 31 interviews with headquarters officials of the three departments in Ottawa. They examined the headquarters bilingual policies, directives, and personnel distribution, and established criteria for the selection of overseas sites for field observations. These took place from the beginning of September to the first week in November 1971. The two teams examined the degree to which posts abroad complied with the Official Languages Act and projected a bilingual image of Canada. During the field observations attention centred on the use of the two official languages in post operations, internal communications, signs and publications, human linguistic resources and working instruments. The three departments received our final reports at the end of March, 1972.

The accompanying table outlines the number of interviews conducted, and the posts visited.

1) Department of External Affairs—Western Europe and the Americas, excluding Canada

The study teams noted that the Department's directives concerning bilingualism interpreted Sections 10(1) and 10(2) of the Official Languages Act as applicable only to the **Canadian** travelling public. This interpretation limits the range of intent of the Act. The public envisaged by these subsections includes Canadians and non-Canadians, whether they are travelling or resident abroad.

The personnel at External Affairs posts overseas fulfill the role of cultural information officers at different levels in the Department's operations and contacts; post activities include general representation such as contacts with diplomats, local authorities and businessmen, speeches, attendance at exhibitions, telephone communications, distribution of printed matter, library and film loan services, contacts with the media and correspondence with the public.

TABLE 2. Canadian Representation Abroad

Department	Total number of Posts outside Canada	Numbers of Posts Visited			Number of Interviews			
		Europe	America	Total	Ottawa	Europe	America	Total
External Affairs	90	23	15	38	15	41	21	77
Manpower and Immigration	41	14	9	23	7	10	5	22
Industry, Trade and Commerce	79	23	14*	37	9	15	14	38
Total					31	66	40	137

*Including 3 Travel Bureau offices.

Personnel is clearly a crucial element if a post is to appear in the eyes of a host country as representative of a bilingual Canada. In this regard the teams noted that the Department, in its recruiting abroad, made a point of engaging bilingual receptionists and telephone operators, thus recognizing the importance of public-contact positions. Our recommendations emphasized the importance of having sufficient numbers of bilingual employees among officers, secretaries and stenographer-typists to assure bilingual service to the public at all times.

The heads of posts occupy a special position in the public eye and they project a condensed image of the country which they represent abroad. This Office considers it desirable for heads of posts to have sufficient knowledge of the second language to enable them to carry out their duties in either of Canada's official languages. To ensure the job security of departmental personnel, the Commissioner recommended language training, where required, to enable incumbents to perform their jobs in the other official language. In order that French-speaking employees might have better opportunities to work and advance their careers, we recommended that general training and induction courses, hitherto available only in English, be given also in French.

Many posts abroad, particularly in the Western Hemisphere, must make service and information available in the language of the host country as well as in Canada's official languages. In Europe, French and English often are used as diplomatic or unofficial working languages, in addition to local official languages. The Department, therefore must face the task of providing its services in French and English as well as in a third or perhaps more languages at some posts. This necessitated recommendations concerning more effective deployment and recruitment of personnel to take cognizance of the above needs. Statistical data provided by the Department indicated that, in the past three fiscal years, virtually all employees taking language courses have been enrolled in French. During the fiscal years 1968-69, 1969-70 and 1970-71, 33 per cent of the Department's 72 Foreign Service Officer recruits were bilingual. Field observations at posts revealed that no uniform policy applies to the recruitment of local bilingual personnel.

Working instruments examined by the teams i.e. manuals, forms, stationery, calling cards, invitation cards, dictionaries, typewriters and office stamps did not always respect the equality of status of English and French. The Commissioner therefore made recommendations to ensure that they be available in both official languages.

At the 23 posts visited, 120 of the 286 signs identifying posts met the requirements of the Official Languages Act and 166 did not. Our recommendations did not overlook this anomaly.

Telephone reception constitutes a large part of the posts' contact with the public: the Commissioner accordingly recommended that telephone identification at posts be in both official languages, or, if deemed more appropriate, in a third language only.

The teams' examination of publications available at posts abroad revealed the frequent absence of second-language versions, both French and English. They could not obtain a complete list of books available for library loan at all posts visited, but it appeared that there was a greater proportion of English-language books. Both instances gave rise to recommendations directed at rectifying the disclosed imbalances.

The Commissioner recommended that:

Directives

(1) by March 31, 1973, the Department include in its *Manual of Procedures* all the directives of a permanent nature to be found in the various circulars already issued on the use of the official languages, after having made the appropriate corrections in these documents;

(2) the Department, at intervals it will set itself, systematically bring its *Manual* up to date in all matters concerning the official languages;

(3) if it has not already done so, each post establish, by March 31, 1973, a separate, easily accessible file containing directives, letters, circulars and any other document on bilingualism;

(4) the Department immediately send to the posts a circular to the effect that their services must be offered in the two official languages to the public at large regardless of nationality;

Representation

(5) the Department remind all its senior officials at posts that, in the course of their many contacts with the public at all levels and of all categories, they must take the appropriate measures so that in all circumstances the status of equality of Canada's two official languages is recognized and appreciated abroad, while taking into account the attention they deem necessary to grant to a third language;

(6) the Department, to the extent that it is responsible for exhibitions (in the broadest sense of the word) organized under its auspices, concern itself, in cooperation with any other department or institution concerned, with respecting the equality of status of both official languages, making use of suitable recommendations in the present report as well as directives it has already issued concerning bilingualism;

Telephone Reception

(7) the Department ensure that all city telephone directory listings of posts abroad be, if possible, in English and French, notwithstanding the use of another language;

(8) henceforth, at all posts, the receptionist or telephone operator and any other personnel—including guards—answering telephone calls from the public identify, at all times, the post in both official languages of Canada, or, if deemed necessary, in a third language only;

(9) henceforth, the receptionist or telephone operator and any other personnel—including guards—answering telephone calls from the public who

are not proficient in the language of the caller—be it English or French—be at least able to inform the caller in the latter's language that the call will be referred to another employee capable of providing the service in the appropriate language;

Printed Information

(10) publications (brochures, folders, leaflets, etc.) printed in French or English, emanating from the Department of External Affairs or from other Canadian federal institutions, and made available to the public at posts abroad, henceforth be available at all times in both the French and the English versions—preferably under one cover.

(11) the official departmental identification in all future printings of publications available to the public and produced in Ottawa in separate French and English versions be in the two official languages of Canada;

(12) in all future printings a statement in English to the effect that the publication is also available in English appear in the French version, and one in French appear in the English version to indicate the existence of a French version;

(13) all publications produced at posts abroad in English or French and distributed to members of the travelling public henceforth be in both official languages of Canada;

(14) the official identification of all publications produced at posts abroad in English or French, and distributed to the indigenous population, henceforth be in Canada's two official languages;

Libraries

(15) the Department ensure that, in addition to material in other languages, all library material at posts abroad be available in appropriate proportions in both of Canada's official languages;

(16) a plan be developed by March 31, 1973 which will enable the Department to complete the implementation of the previous recommendation no later than March 31, 1975;

(17) the Department see to it that reference texts published by federal institutions and which have been printed in both official languages of Canada henceforth be made available at all posts in both the French and English versions;

Films

(18) the Department take the necessary measures to ensure that, in addition to films in other languages, there is an appropriate proportion of films in each official language available at every post;

(19) a plan be developed by March 31, 1973, which will enable the Department to complete the implementation of the previous recommendation no later than March 31, 1975;

Contacts with the Media

(20) posts when issuing press releases in one or the other of the two official languages, in addition to a third language, henceforth make such press releases available in both official languages;

(21) in future, identification appearing on press releases intended for the English- or French-speaking media be in Canada's two official languages;

(22) post identification appearing on all classified ads placed in the English and French press abroad henceforth be in Canada's two official languages;

Manuals

(23) all administration manuals and reference works prepared by the Department of External Affairs and used abroad be available, at each post, in both of Canada's official languages by March 31, 1974;

Forms

(24) all forms for external use of the Department of External Affairs be bilingual by March 31, 1973;

(25) henceforth, the posts have a sufficient permanent stock in both official languages of all forms for external use presented separately in both languages;

(26) all forms for internal use of the Department of External Affairs be bilingual by March 31, 1974;

(27) henceforth, the Department see to it that all posts abroad use cards bearing a bilingual text either on one face or in a back-to-back format, when registering resident Canadians;

(28) in all future printings a space be provided on the registration card so that a Canadian residing abroad may indicate in which official language he wishes to receive correspondence;

Stationery

(29) at all posts abroad, identification or return addresses on envelopes which are only in one of the two official languages be made bilingual by March 31, 1973;

Calling Cards

(30) by March 31, 1973, all officers at posts abroad, without restricting the use of calling cards in a third language only when their use may seem more appropriate, have at their disposal calling cards which are bilingual (English-French) using either one side or both sides for this purpose;

Invitation Cards

(31) by March 31, 1974, External Affairs officers using invitation cards in either of the two official languages have at their disposal, at all times and in sufficient quantity, a set of invitation cards in each of the two languages;

Dictionaries

(32) the Department see to it that, in future, dictionaries are available in appropriate linguistic proportions at posts abroad;

Typewriters

(33) the Department of External Affairs take immediate steps to ensure that an appropriate number of typewriters with French keyboards be available at all posts abroad;

(34) as of the present date, with the exception of typewriters equipped with third-language keyboards, all new typewriters purchased for posts abroad be equipped with French keyboards;

Rubber Stamps

(35) all unilingual (English or French) rubber or date stamps for external use at posts abroad be made bilingual by March 31, 1973;

Internal Communications

(36) the Department of External Affairs see to it, immediately, that directives, memoranda, circulars and any other documents of general or administrative nature distributed within the posts are, notwithstanding the use of a third language, presented simultaneously in both official languages of Canada and in a form respecting the equality of status of both languages;

(37) the Department of External Affairs immediately inform all its personnel that they may henceforth use the language of their choice in all communications between posts abroad and Head Office, or vice-versa, regardless of the language of the addressee;

Visual Aspects

(38) the signs, posters, notices and inscriptions (external and internal, permanent and temporary for the information of the public as well as the personnel) which at posts come under the jurisdiction of the Department of External Affairs, all be in the two official languages of Canada by March 31, 1973, notwithstanding the presence of one or several other languages;

(39) the Department of External Affairs give, by March 31, 1973, equal importance to the English and French texts of signs, posters, notices and inscriptions which, at posts, come under its jurisdiction;

(40) magazines, newspapers and other printed matter in English or French, placed at the disposal of the public in waiting rooms, reading rooms or any other places visible to visitors at the posts, represent equitably, at all times, the two official languages of Canada;

Personnel

(41) the Department of External Affairs, using precise definitions, establish by March 31, 1973, a comprehensive collection of statistics on the linguistic composition of personnel in its posts, and bring its statistics up to date periodically;

(42) all heads of posts in the employ of the Department of External Affairs should be able, gradually, to perform their duties in both of Canada's official languages;

(43) the Department of External Affairs henceforth post its officers so that, at all times, at each post there be a sufficient number of officers capable of providing services to the public without delay or limitations in the official language which is not used by the majority of the post's personnel;

(44) all secretaries to the heads of posts be able, gradually, along with the heads of posts, to perform their duties in both of Canada's official languages;

(45) the Department of External Affairs henceforth post its stenographer-typists so that at all posts, for each department located there, there be at all times a sufficient number of stenographer-typists who are bilingual or capable of working in the official language which is not used by the majority of the post's personnel;

(46) by March 31, 1974, the receptionist and telephone operator at each post be able to perform their duties in the two official languages of Canada;

(47) all general training courses given by the Department, including induction courses, be henceforth available in both of Canada's official languages;

(48) the Department of External Affairs henceforth provide personnel affected by recommendations (42), (43), (44), (45) and (46) with the opportunity to take language courses;

(49) the Department of External Affairs determine by March 31, 1973, the proportion of Foreign Service Officers, capable of carrying out their duties in both of Canada's official languages, to be recruited, if need be, in order to achieve its objectives with regard to bilingual personnel for that occupational group;

(50) the Department of External Affairs set up by March 31, 1973, in cooperation with the Public Service Commission, a system that would permit it to assess the linguistic knowledge of a Foreign Service Officer candidate;

(51) henceforth any job announcement published abroad, explicitly mention that the knowledge of Canada's two official languages is

(i) of primary importance for applicants for receptionist and switchboard attendant positions; and

(ii) desirable for applicants for other positions.

2) *Department of Industry, Trade and Commerce, and Canadian Government Travel Bureau—Western Europe and the Americas, Excluding Canada.*

The study teams found that departmental directives concerning bilingualism contained an unduly restrictive interpretation of the Official Languages Act, Sections 10 (1) and 10 (2), referring to the provision of bilingual services to the travelling public. The Department interpreted these sections as applicable to Canadian visitors only, whereas the Act stipulates no such restriction.

The public of ITC includes mainly businessmen and public servants. About 30 per cent of these in Europe are Canadian and 70 per cent are of other nationality. The Canadian portion of this public receives approximately 25 per cent of its service in French and 75 per cent in English. In the Western Hemisphere, the percentage of services provided in English frequently exceeds 95 per cent. The provision of service to non-Canadians often requires the use of a third language.

The Travel Bureau offices serve a diverse public consisting of foreign nationals, travel agencies, the press, local authorities and prospective tourists. It is therefore important that these offices be able to communicate in the language of the host country. Of the eight Travel Bureau offices visited, five are located in English-speaking countries, one in a French-speaking country and two in countries whose official languages are neither English nor French.

Since the main concerns of the ITC and the Travel Bureau offices are the promotion of business and tourism, their contacts are handled mainly in the language of the host country.

Without wishing to derogate however slightly from the importance of these activities, the Commissioner felt that more attention could,

and should, be accorded the projection of Canada's bilingual image and he made recommendations to this effect to the Department.

The study teams' research showed disparity between the availability of English and French publications at posts abroad. This occurred sometimes because it takes longer to obtain French versions of publications from Ottawa than English ones. Most offices displayed both English and French newspapers and magazines. In some instances the study teams found an unwarranted disproportion between the English and French editions in evidence.

The Department of Industry, Trade and Commerce uses 40 films for publicity purposes, eighteen of which are available in a French-language version. The Travel Bureau offices abroad gave the study teams an English-language film catalogue containing 128 titles of which only five are in the French language. A French-language catalogue in the Paris Travel Bureau office lists approximately 50 films in the French language. Neither catalogue mentions the fact that many of these films are available in both official languages of Canada. In the Commissioner's view, offices of the Department and of the Travel Bureau should make an appropriate proportion of their films available in both English and French in countries where a language other than English or French is spoken.

Internal work materials such as manuals, forms, stationery, dictionaries and office stamps were found to favor English.

In April, 1971, when support services were integrated, the Department of External Affairs became responsible for most signs displayed abroad. Nevertheless, there were thirteen signs at the posts visited which were the sole responsibility of Industry, Trade and Commerce. Of these thirteen signs, eight were acceptable. Recommendations designed to correct these imbalances were made to the Department.

In the Department, some 210 trade commissioners, or about 80 per cent of all the staff rotate among 79 offices abroad. At 48 of these offices there is at least one bilingual officer. At the other 31, bilingual services are provided by locally-hired personnel, officers on loan from External Affairs, a translation bureau or by support staff.

At the time of the interviews the Travel Bureau maintained 24 offices abroad. According to information supplied by Bureau representatives, ten of their offices had at least one bilingual employee. Twelve offices were able to provide services in both official languages with the assistance of representatives of the Trade Commissioner Service, the Department of External Affairs, locally hired personnel, or a translation bureau. Two offices were able to provide services in only one official language. These arrangements in both the ITC and the Travel Bureau offices are not entirely satisfactory because of their

dependence on the cooperation of employees from another department, often physically separate within a given post, and on the assistance of translation bureaux, which are suitable for written communications only.

Training available to personnel includes both professional and language courses. During the 1970-71 and 1971-72 fiscal years, 82 officers took French-language courses in Ottawa and 37 abroad. Two officers took an English-language course. The Travel Bureau sent an additional thirteen employees on French-language courses during 1971-72. The Department is to be commended on the variety of language programmes it offers to its employees and those of the Travel Bureau.

This Office recognizes the difficulties facing the Department as it attempts to provide service, where required, in Canada's official languages, without neglecting the importance of the host country's language. The Commissioner put forward several recommendations designed to assist the Department, and the Travel Bureau, in meeting this objective.

The Commissioner recommended that:

Directives

(1) henceforth, if this has not already been done, each office of the Trade Commissioner Service set up a separate, readily accessible file containing directives, circulars and all other documents on bilingualism;

(2) the Department immediately send to the offices of the Trade Commissioner Service abroad a circular specifying that their services must be provided in both official languages of Canada to the general public regardless of nationality;

Representation

(3) the Department apply all the recommendations contained in this report (such as those covering printed information, films, the visual aspects, etc.) which relate in any way to trade fairs and exhibitions;

Telephone Reception

(4) henceforth, at all posts abroad the Department of Industry, Trade and Commerce see to it that the receptionist or telephone operator and any other personnel answering telephone calls from the public identify the office in both official languages of Canada, or, if deemed necessary, in a third language only;

Printed Information

(5) publications (brochures, folders, leaflets, trade reviews, etc.) printed in French or English emanating from the Department in Ottawa and made available to the public at missions abroad, henceforth be available simultaneously at all times in both the French and the English versions—preferably under one cover;

(6) the official departmental identification in all future printings of publications available to the public (and produced in Ottawa) in separate French and English versions be in the two official languages of Canada;

(7) in all future printings a statement in English to the effect that the publication is also available in English appear in the French version, and one in French appear in the English version to indicate the existence of a French version;

(8) when the Department finds it necessary to produce publications in a third language and English or French, these publications henceforth be produced in the third language and both of Canada's official languages;

(9) publications such as those mentioned in recommendation (8) be identified in English, French and the third language;

(10) the official identification in all publications printed by the Canadian Government Travel Bureau in a language other than French or English be in that language only or in English, French and the third language;

Libraries

(11) the Department take steps to ensure that henceforth all reference works and other publications prepared by federal institutions and in use overseas be available in both official languages;

(12) with respect to publications from other sources, the Department take steps to ensure that henceforth its overseas offices will have reasonable proportions of comparable works in each of the official languages of Canada;

Films

(13) the Department of Industry, Trade and Commerce see to it that an appropriate proportion of films used in countries where a language other than French or English is spoken, is in each of Canada's official languages, notwithstanding the use of films in a third language;

(14) the Canadian Government Travel Bureau see to it that the film catalogue is henceforth published (beginning with the next edition) in such a way as to make the French-speaking and English-speaking public abroad aware of the fact that many of the films it contains are available in the two official languages of Canada.

(15) by March 31, 1973, each Travel Bureau office abroad have on hand an appropriate proportion of its films in both French- and English-language versions;

Contacts with the Media

(16) offices of the Trade Commissioner Service which now issue press releases in English only or French only in countries where the national language is neither of Canada's official languages henceforth publish these releases in English and French;

(17) henceforth all press releases intended for an English- or French-speaking public be issued in both official languages;

(18) in future, identification appearing on press releases intended for the English- or French-language media be in Canada's two official languages;

(19) press releases whose official identification is in English or French and a third language henceforth be identified in English, French and the third language or in the third language only;

(20) identification in all official classified ads placed in the English and French media abroad by the Canadian Government Travel Bureau henceforth be in Canada's two official languages;

Manuals

(21) all administrative manuals and reference works prepared by the Department of Industry, Trade and Commerce and used overseas be available in both of Canada's official languages by March 31, 1974;

Forms

(22) all forms in English or French used by the Department of Industry, Trade and Commerce both at headquarters and abroad be made bilingual by March 31, 1974, with first priority being given to all forms used by the public;

(23) where a form exists (at present or in future) in separate English and French versions, Trade Commissions henceforth have on hand at all times a sufficient supply in both official languages;

(24) Travel Bureau forms which are printed in a third language and only one of Canada's two official languages, henceforth be printed in the third language only or in English, French and the third language;

Stationery

(25) letterheads, identification and return addresses on stationery used at posts abroad which are in only one of the two official languages of Canada be made bilingual by March 31, 1973;

Dictionaries

(26) the Department of Industry, Trade and Commerce see to it that, in future, dictionaries always be available in equitable linguistic proportions;

Rubber or date stamps

(27) all unilingual English or French rubber stamps, for external use at posts abroad, be made bilingual by March 31, 1973;

Internal Communications

(28) the Department of Industry, Trade and Commerce ensure that directives, memoranda, circulars and any other documents of general application or of an administrative nature, which are distributed within Trade Commissioner Service offices overseas, are provided in both official languages of Canada simultaneously, the use of a third language notwithstanding, and in a form which respects the equal status of the two languages;

(29) the Department of Industry, Trade and Commerce immediately inform all its personnel that they may henceforth use the language of their choice in all communications between missions abroad and Ottawa, or vice-versa, regardless of the language of the addressee;

Visual Aspects

(30) all signs, posters, notices and inscriptions (whether exterior or interior, permanent or temporary, intended for the public or for departmental personnel) displayed in Department of Industry, Trade and Commerce offices abroad appear in the two official languages of Canada by March 31, 1973, notwithstanding the presence of one or more other languages;

(31) the Department of Industry, Trade and Commerce ensure immediately that the magazines, newspapers and other printed material made available to the public in waiting or reading rooms (or any other place open to the public) in Trade Commissioner Service offices abroad give fair representation at all times to the two official languages of Canada;

(32) all Travel Bureau posters printed in English or in French henceforth be printed, identified and distributed in the two official languages of Canada—preferably in bilingual format;

Human Resources

(33) by March 31, 1973 the Department of Industry, Trade and Commerce compile a set of homogeneous statistics, based on precise definitions, concerning the linguistic composition of its staff abroad. These statistics should be updated at regular intervals;

(34) in future, the Department appoint officers in such a way that in all Trade Commissioner Service offices abroad there is always a sufficient number of bilingual or unilingual officers to provide services to the public in both of Canada's official languages;

(35) by March 31, 1973, every Travel Bureau office abroad have a sufficient number of bilingual or unilingual employees to provide services to the public at all times in both of Canada's official languages;

(36) by March 31, 1973, the Department take the necessary steps to provide an opportunity for employees of the Trade Commissioner Service and the Travel Bureau who are likely to attend professional training courses to take such courses in either of the two official languages of Canada;

(37) by March 31, 1973, the Department determine the proportion of officers capable of performing their duties in both of Canada's official languages to be recruited if necessary, for the Trade Commissioner Service and the Travel Bureau in order to meet the targets it will set for bilingual personnel overseas;

(38) by March 31, 1973, the Department, in cooperation with the Public Service Commission, perfect a system which will enable it to evaluate accurately the language capabilities of a candidate for any officer position which may entail an overseas assignment.

3) Manpower and Immigration—Western Europe and the Americas, Excluding Canada

Representatives of the Department of Manpower and Immigration outside Canada administer our country's immigration laws and regulations and explain them to prospective immigrants. This implies a need for service to the public in the language of the host country.

The study teams confirmed that the proportional use of one or the other of Canada's two official languages varies according to whether English or French is the official language of the host country. In the United States and England, departmental officials stated that the proportion of services dispensed in English exceeds 80 per cent and sometimes reaches 99 per cent, French often sharing the remainder with other languages. Where French is a principal language, or the national language, as in France, Belgium and Switzerland, the proportion of services in French exceeds 80 per cent, with English sometimes sharing the remaining 20 per cent with other languages. In countries where the national language is neither English nor French, the pro-

portion of services in our two languages may sometimes reach a mere five per cent. Canadians, who are included in these figures, constitute a very small percentage of the public making use of immigration services.

The Department considers 57, or about 38 per cent, of its 189 Foreign Service Officers to be bilingual. Forty-three of the latter are at 28 offices outside of Canada, 9 at headquarters in Ottawa and 5 on loan to other services. Thirteen offices abroad have no bilingual capability.

Between 1966 and 1969, the Department recruited 101 officers, of whom 31 were bilingual. The Department estimates that 75 per cent of the officers in its Foreign Service should be bilingual in order to meet existing needs. The Commissioner recommended that the manner of recruiting and deploying officers be such as to ensure the availability of service in our two official languages to the Department's public.

During the fiscal year 1971-72, 99 officers attended management courses available, for the most part, in English only. During the fiscal year 1970-71, 18 Foreign Service Officers from Head Office and 7 in postings abroad took French-language training. One commendable innovation introduced by the Department was to afford officers' wives the opportunity of following language courses. Eleven wives took advantage of this training in Ottawa or abroad.

The study teams found 61 out of 95 signs at posts visited abroad were unacceptable. Newspapers and magazines subscribed to for the use of personnel and/or display purposes did not adequately reflect the linguistic dualism of Canada.

The Department, throughout the study, expressed interest in establishing English and French on an equal basis as languages of service and of work at its offices abroad. The 38 recommendations contained in the report aimed at helping the Department achieve this end.

The Commissioner recommended that:

Directives

(1) the Department take the additional measures it considers appropriate to make personnel abroad more aware of the requirements of the Official Languages Act and of the Department's own directives;

(2) where it has not already been done, each immigration office abroad make up a separate file, clearly identified and easily accessible, containing interim directives, letters, circulars and all other documents on bilingualism, by March 31, 1973;

(3) the Department continue to include in its Departmental Manual all directives of a permanent nature contained in the various memoranda already distributed to its offices;

(4) the Department make an inventory of directives presently contained in memoranda or in the Departmental Manual, so as to locate any gaps that

may exist, and eliminate them by incorporating in the Departmental Manual any necessary additional directives;

(5) the Department carry out, at intervals of its own choosing, a systematic updating of its Manual in the area of the official languages;

Representation

(6) the Department's immigration officers take steps to ensure that, when participating in exhibitions or other activities of a representational nature, the equality of status of the two official languages is respected, and that to this end they be guided by the appropriate recommendations in this report as well as by the Department's own directives on bilingualism;

Telephone Reception

(7) the Department take steps to ensure that in the future, its immigration offices abroad are listed in telephone directories in Canada's two official languages;

(8) where the staff of immigration offices abroad are now using either English or French when answering the telephone, they henceforth use both official languages of Canada;

(9) henceforth, where the telephone receptionist or any other person answering telephone calls from members of the public speak only one of the official languages (French or English), he or she be able at least to inform the caller, in the language used by the latter, that the call is being transferred to an employee who speaks that language;

Printed Information

(10) publications (brochures, folders, leaflets, etc.) printed in French or English, emanating from the Department in Ottawa or from any other Canadian federal institution, and made available to the public at missions abroad, henceforth be available at all times in both the French and the English versions—preferably under one cover;

(11) the official departmental identification in all publications available to the public and produced in Ottawa in separate French and English versions be in the two official languages of Canada;

(12) publications printed in a third language be identified either in that language only or in the two official languages as well as the third language;

Libraries

(13) the Department take steps to ensure that henceforth all reference works and other publications issued by any federal institution and used abroad be available in either official language;

(14) with respect to publications from other sources, the Department take steps to ensure that henceforth its offices abroad have on hand, in reasonable proportions, comparable works in both of Canada's official languages for all subject areas;

Contacts with the Media

(15) all press releases (including the identification of the Department thereupon) intended for the general public be issued simultaneously in both official languages of Canada;

(16) the Department be identified in both official languages of Canada on advertisements placed in the French- or English-language press abroad;

Forms

(17) all departmental forms for external use be available in both official languages by March 31, 1973;

(18) all departmental forms for internal use be available in both official languages by March 31, 1974;

(19) where a form exists in separate English and French versions, immigration offices have on hand at all times a sufficient supply of such forms in both official languages;

(20) all forms for internal or external use existing at present in only one of the official languages and a third language be available in English and French by March 31, 1973, use of a third language notwithstanding;

Stationery

(21) envelopes and stationery in all immigration offices abroad be identified in both official languages of Canada by March 31, 1973;

Dictionaries

(22) the Department make a survey of dictionaries available at its offices abroad, with a view to ensuring that, in future, they always be available in equitable linguistic proportions;

Directives and Memoranda

(23) the Department ensure that directives, memoranda, circulars and any other documents of general application or of an administrative nature, which are distributed within immigration offices abroad, are simultaneously provided in both official languages of Canada, the use of a third language notwithstanding;

Communications with Ottawa

(24) the Department immediately inform all its personnel that they may henceforth use the language of their choice in all communications between missions abroad and Head Office, or vice-versa, regardless of the language of the addressee;

Visual Aspects

(25) all signs, notices and inscriptions at offices abroad under the jurisdiction of the Department of Manpower and Immigration (whether exterior or interior, permanent or temporary, intended for the public as well as for office personnel), appear in Canada's two official languages by March 31, 1973, notwithstanding the presence of one or more other languages;

(26) the Department ensure immediately that the magazines, newspapers and other printed material made available to the public in reception areas or reading rooms at immigration offices abroad, give fair representation at all times to the two official languages of Canada;

Human Resources

(27) the Department of Manpower and Immigration using precise definitions, prepare by March 31, 1973, a set of uniform statistics on the linguistic composition of Foreign Service Officers, and that, henceforth, these statistics be kept up to date;

(28) the Department henceforth post its officers so that there be, at all times, at all immigration offices abroad a sufficient number of bilingual or uni-

lingual officers capable of providing services to the public in both of Canada's official languages;

(29) by March 31, 1973, the Department take the appropriate steps in order to offer Foreign Service Officers likely to take management courses, the opportunity of taking these courses in one or the other of the two official languages of Canada;

(30) in the appropriate cases, the Department immediately provide officers affected by recommendation (28) with the opportunity to take language courses;

(31) the Department determine, by March 31, 1973, the proportion of Foreign Service Officers capable of carrying out their duties in both of Canada's official languages to be recruited, if necessary, in order to achieve its objectives with regard to bilingual personnel posted abroad;

(32) in cooperation with the Public Service Commission, the Department perfect by March 31, 1973, a system enabling it to assess accurately the linguistic skills of an applicant for any Foreign Service Officer position which might involve being posted abroad.

e) Central Mortgage and Housing Corporation—Headquarters, and Ottawa and Hull Local Offices

The Commissioner selected the Central Mortgage and Housing Corporation for study because of its wide contact with the public and because it is a pioneer in the realm of institutional bilingualism.

On the basis of a series of nine interviews held at the Head Office, and the Ottawa and Hull branch offices, the research team tried to determine what steps the Corporation had taken to serve the public in the National Capital Region equally in both official languages and how far it had progressed toward its own goal of institutional bilingualism.

The study revealed that the Corporation had taken a number of commendable steps toward the provision of bilingual services to the public. It had introduced an organized and unified plan that required all offices located throughout the country to develop a capability to provide bilingual services. One important part of CMHC's approach is the astute "rule of thumb" that, wherever there is *some* demand for them, bilingual services must be provided as soon as possible. This policy position enables the Corporation, like the National Parks and Historic Sites Branch of the Department of Indian Affairs and Northern Development, to bypass the maze of "significant demand". The proportion of bilingual to unilingual personnel at the Head Office and at the Ottawa and Hull branches had significantly increased over the past few years by virtue of the recruitment of bilingual personnel. Sufficient bilingual capability existed in public-contact positions to provide service in both English and French during all hours of operation.

The Corporation had also made effective use of language training programmes. Between September 1969 and June 1971, 144 employees

enrolled in language training, of whom 36 had been certified as bilingual by the time of the study. The facilities of the Public Service Commission, as well as the Corporation's own facilities, were used for language training. The Corporation's own well-researched language training programme was designed to meet the specific needs of CMHC personnel. However, the study team noted two problems: the high rate of attrition among students enrolled in the programme and the lack of retention programmes.

The Corporation provided a translation service at headquarters capable of handling the requirements of all its offices. All information material and communications designed for the public originated and appeared in both languages. The Corporation replied to correspondence in the language of the originator. The team found that all publications, forms, and other printed materials were bilingual. Reception services were also provided in the two official languages.

Since the team noted few deficiencies in the Corporation's bilingualism programme, recommendations numbered only five. The Corporation considered all of them appropriate. It created an internal committee charged with determining ways and means of implementing the recommendation on substitution of personnel, at least temporarily, for employees absent on language training. By the end of the fiscal year, the Corporation had already implemented the recommendations relating to language training and retention programmes and was taking action on the remaining three.

The Commissioner recommended that:

- (1) annual turnover records be kept by the Head Office in order to determine yearly losses or gains in bilingual personnel;
- (2) along with the hiring of bilinguals, the language training of the unilinguals be accelerated so that they may be given equal opportunity to aspire to positions which require proficiency in both languages and offer more in terms of career development;
- (3) all employees with calling cards use bilingual cards rather than unilingual cards or separate cards in each language;
- (4) in order to apply more effectively the policy which states that "an employee may transact business with his colleagues in his maternal tongue" and the policy which stipulates the "creation of a climate where the two cultures may find expression freely", and to obtain maximum return from the investment made in the language training programme, the Corporation examine without delay, the possibility of hiring some substitute personnel, at least on a short term basis, to allow staff flexibility—and interchangeability—for those absentees on language training;
- (5) the Corporation apply its policy on transfers to newly-bilingual employees in the Head Office and in the Ottawa Branch, by sending them into areas, at least on a rotational basis, where they must use the second language more frequently. This measure would not only help in retention,

but would also make it easier for a significant portion of the Corporation's employes to function as effective, operational bilinguals within the meaning of the Official Languages Act, and eventually facilitate their accession to the positions designated as bilingual positions which offer more to the employees' career.

*f) Department of Indian Affairs and Northern Development—
National Parks and Historic Sites Branch*

The study was undertaken following a request from the Deputy Minister of the Department of Indian Affairs and Northern Development that the Commissioner of Official Languages have his staff conduct a study on how best to provide bilingual services in national and historic parks. The Commissioner agreed to carry out a special study and also to make specific recommendations on the administration of the parks. In effect, the Branch asked the Commissioner's Office to act, to some extent, as management consultants with respect to the internal arrangements affecting the bilingual services offered by the National and Historic Parks Branch.

The study focused, therefore, on language of service at national parks and national historic sites across the country, as well as dealing with historic markers. Our staff held extensive interviews with branch officials in Ottawa, at regional headquarters in Calgary, Cornwall and Halifax, and at 37 national parks and historic sites across Canada. The parks and sites visited were chosen on the basis of geographical distribution and the range of services provided to the public. During the interviews and field observations the study teams gained deeper understanding of the parks' "raison d'être". They also sought information on methods of park administration in order to gain an appreciation of the context in which the bilingualism programme was being implanted.

Because of the wide range of subject matter covered and the focus on how things were being done, findings were extensive and resulted in 99 recommendations. Some of these applied to all three regions, while others were particular to one region, park or site.

Only about a quarter of the more than 600 National Historic Markers under the authority of the Branch across Canada were already bilingual. The pace at which they were being rendered bilingual meant that most of these, many of which are in bronze or stone, would remain unilingual for years to come. The Commissioner recommended acceleration of this pace to ensure that all would be bilingual by June, 1975.

The approximately 30,000 signs erected at national parks and historic sites constitute a major form of communication between branch officials and visitors. Programmes to render all signs bilingual were underway in the three regions at the time of the research teams' visits, and had reached various stages of completion at individual parks and

sites. Spot checks of signs in all regions showed that the texts of bilingual signs were sometimes incomplete or inaccurate in one or the other of the official languages. The Commissioner made recommendations to ensure not only that all signs would be completely bilingual in the shortest time possible, but also that existing and future signs would be accurate and accord equal prominence to texts in both languages. The recommendations also dealt with administrative problems encountered both in Ottawa and in the regions in relation to the authorization, control, translation, production and erection of signs.

The Branch produces a wide variety of publications in conjunction with Visitor Services and Interpretive Services. Some of these are distributed nationally at parks or historic sites, while others circulate only regionally. As was the case with signs, great variance was noted within and among the regions in the availability of bilingual publications. The office made recommendations to increase the pace at which unilingual publications were being translated, and to ensure that methods of distribution and display of publications satisfied the requirements of equality of status of both official languages.

The study clearly showed the pitfalls of producing separate unilingual texts; the practice created problems of determining individual preference when distribution on a mass scale took place at gates and entrances, and also resulted in cases of shortage or misdirection of supplies of publications in one or the other language version.

Other aspects of Visitor Services and Interpretive Services studied include forms, calling cards, advertising, telephone listings, films, slides and recordings. Shortcomings in these areas were often due to the fact that they had been overlooked in the regions because no departmental policy existed requiring change from unilingual to bilingual formats.

This study revealed, as have many others, that the visual aspects of linguistic equality can be achieved through the requisite allocation of funds and energetic administrative action. The most intractable problems relate to linguistic equality in services provided by departmental personnel.

The personnel profile of the Branch is particularly complex due to the administrative and service requirements of national parks and historic sites. Employees providing Visitor and Interpretive Services fall into four broad categories: permanent, seasonal, casual, or contract staff. At most locations, they fill either public-contact or administrative positions, and occasionally both. Their terms of employment vary, as do recruiting and deployment practices within the regions. The length of the Commissioner's report, some 250 pages, as well as the number of recommendations made, reflect this complexity.

A very large percentage of personnel providing Visitor Services fill established seasonal positions. They meet the public at information

kiosks, campgrounds, tennis courts, swimming pools and entrance gates. These people are locally hired and are unilingual, with the exception of those hired in Quebec and at a few locations in the Maritimes. Since language training is not possible or practical for seasonal employees, the Branch must emphasize imaginative deployment of bilingual staff and increased recruitment of bilingual casuals to ensure that maximum use be made of the parks' bilingual capacity on a priority basis.

The parks face great difficulty in ensuring that French-speaking and English-speaking visitors have equal access to scheduled interpretive events conducted by naturalists. At the time of the study, this was the case outside of parks in Quebec, several in the Maritimes and one in the Western Region. Competent, bilingual naturalists are a rare and localized breed. The report discusses various aspects of the recruitment, training and deployment of naturalists with a view to making most efficient use of those on staff, and attracting greater numbers to the Branch. Branch officials had, in the past, discussed establishment of a second school for naturalists in Eastern Canada. The Commissioner therefore recommended that it be established in a French-speaking area, so that language training could profitably be incorporated with technical training.

Some parks and historic sites have been deliberately created as a source of local employment. Re-deployment of staff and recruitment of bilinguals from outside the local communities therefore cease to be possible ways of meeting bilingual staff requirements. In such cases, language training was the alternative recommended.

Concessionnaires provide a wide variety of services to the travelling public at national parks, including basic amenities and recreation. The Office's study revealed that although branch officials were aware that Section 10 of the Official Languages Act applied to concessionnaires, no action had been taken to develop a national policy to bring concessionnaires into compliance with the Act. Individual superintendents had approached concessionnaires, but hesitated to undertake action with reference to concessionnaires while their "own house" was not in good order. The Office withheld detailed recommendations concerning concessionnaires. As a first step, we recommended that the Branch determine its legal status in relation to concessionnaires and report this to the Commissioner.

The excellent co-operation of the Department during the course of this study was continued by quick action before the end of the fiscal year to translate the recommendations into administrative reality. The Branch appointed an officer to develop a detailed administrative plan and calculate the resources required. His report formed the basis of the Branch's request for funds to support its bilingualism programme for the fiscal year 1972-73.

The Commissioner recommended that:

NATIONAL HISTORIC MARKERS

1) The programme for rendering all Historic Markers bilingual be accelerated so as to be completed by June 1975, and that the additional funds needed to meet this objective be made available.

Other Recommendations

The following recommendations apply to all three regions, except in those cases where recommendations specific to regions are indicated.

SIGNS

National Recommendations

- 2) within the confines of the parks, all external and internal signs be rendered bilingual by June 1, 1972;
- 3) upon completion of the bilingual signs programme, a centrally controlled survey be carried out by the Regional Offices to ensure
 - (a) that no unilingual signs remain;
 - (b) that the texts have been rendered accurately and correctly in both languages;
 - (c) that both official languages enjoy equal prominence in all cases;
- 4) all labels and descriptive texts in museums and other interpretive displays that have not already been rendered bilingual be so rendered by June 1, 1972;
- 5) Interpretive Services in Ottawa ensure that all colour schemes used for interpretive texts be such that both English and French be equally legible;
- 6) all faulty French texts be corrected as soon as possible, but no later than June 1, 1973;
- 7) the Regional Office ask all superintendents to submit texts for emergency warning and temporary signs which might be required, so that appropriate texts and translations can be prepared and distributed throughout the Region in advance of actual need;
- 8) the National and Historic Parks Branch negotiate with provincial governments in order to obtain permission to replace existing unilingual park approach signs with bilingual ones;
- 9) within three months after obtaining such permission, the individual parks render the roadsigns approaching the parks bilingual;
- 10) a qualified member of the park's staff located at the point at which signs are produced be responsible for proofreading sign texts in order to ensure accurate reproduction of the official translation;
- 11) the Translation Bureau be requested to provide rules for proper hyphenation of French texts;
- 12) requests for translation be accompanied by a brief statement specifying the context in which the sign will be used;
- 13) a code for the Telex system be developed to allow for the inclusion of proper accents in French;
- 14) a bilingual manual of directional and information signs in common usage be compiled and maintained at Regional Office with a copy distributed to each of the superintendents;

15) the Department of Indian Affairs and Northern Development approach the Translation Bureau of the Department of the Secretary of State to arrange for translation services under contract within the region;

16) symbol signs be used whenever possible and a bilingual brochure be issued to the public explaining the meaning of each symbol used;

Central & Western Only

17) sign painters and other relevant personnel receive rapid language training oriented to reading and spelling;

18) the translation unit of the Department in Ottawa be asked to give priority to requests for public safety and emergency warning signs to reduce the time required to produce these, until such time as translation facilities are available in the Region;

Central & Atlantic Only

19) any new signs which are erected be bilingual (exception to be made in the case of an emergency sign for which there is no readily available translation);

Atlantic Only

20) all nature trail signs be in both official languages and where the trails are provided with self-guiding pamphlets, these be bilingual;

Western Only

21) the Branch develop a system of priorities for translation of emergency signs;

22) in order to prevent confusion on campsite identification, each site within a sector in campgrounds be related to blocks of numbers rather than letters;

23) the names given to thoroughfares, for example, Upper Hot Springs, remain as they are but the kind of thoroughfare be subject to translation, e.g. "Chemin Taylor Road";

24) the superintendent or chief park naturalist at each park undertake a complete inventory of all interpretive texts, plaques and ground signs as the first step towards ensuring that all will be bilingual by June 1, 1972;

25) this inventory be kept up to date by means of the addition of the texts of all new interpretive signs;

26) interpretive signs be subject to the same check for quality at the point of production as was recommended for informational, directional and regulatory signs;

27) all nature trail signs be rendered bilingual or the trails be converted to "self-guiding" trails with numbers replacing the signs and with bilingual pamphlets made available to the public to interpret these numbers (in the latter case, however, if any signs remain they must be bilingual);

28) attention be paid immediately to rendering interior signs bilingual;

29) when signs are placed in a bilingual format, precedence be given to English, i.e., English appear on the left, French on the right, or English above and French below;

PUBLICATIONS

National Recommendations

30) all written material distributed without charge by the National and Historic Parks Branch for public information be provided in both official languages by June 1, 1972;

31) in order to avoid problems of distribution and display, the Branch should consider printing future material under one cover where feasible, rather than in separate English and French versions;

32) when it is not possible to issue bilingual publications under one cover, then both language editions be displayed with each receiving equal prominence;

33) where other federal government publications are displayed, they be in both official languages whenever possible; (Otherwise, the Branch should approach the federal departments or agencies concerned to find out whether bilingual copies may be obtained. If not, the Branch should encourage those departments or agencies to have their unilingual publications translated into both official languages);

34) where non-federal government books and publications are made available in both languages, they be segregated and identified separately as distinct from federal government publications;

35) the Regional Office be responsible for co-ordinating the production of all interpretive programme schedules for its parks, in order to accommodate possible-last minute changes and ensure their production on time in both official languages;

36) in order to prevent distribution and/or shortage problems, the Branch examine its existing inventory control system for publications to determine what improvements can be made so that in the future both English and French editions of publications be at all times available;

Western Only

37) at park entrance gates, only publications bilingual under one cover be distributed to avoid problems of determining language preference and of distribution;

VISITOR SERVICES

National Recommendations

38) the Department's policy on answering correspondence in the language of the correspondent be observed, and all efforts be made to reduce to a minimum delays in answering in the minority official language;

39) the National and Historic Parks Branch approach the Government Telecommunications Agency of the Department of Communications for assistance in placing bilingual telephone listings for each park and Regional office in relevant local directories at the earliest opportunity;

40) all forms, i.e. permits, licences, stamps, used with the travelling public be bilingual by June 1, 1972;

41) all personnel using calling cards be issued with bilingual cards incorporating the two official languages on the same card by June 1, 1972;

42) where bilingual capacity among lifeguards is limited, appropriate notice boards and signaling devices should be developed for lifeguards so that

information can be provided to the public in both official languages; furthermore, all such boards and devices, whether already in existence or to be developed, be bilingual;

43) where and if bilingual wardens are available, they be deployed at stations where public contact is likely to be greatest;

Central & Western Only

44) in national parks if and so long as resources of available bilingual personnel are limited, then:

(a) an order of priority be developed for the deployment of Visitor Service bilingual personnel based on the frequency of use of various services provided by the parks; such a priority might be as follows:

- Information Attendants
- Campground Attendants
- Swimming Attendants
- Gate Attendants
- Tennis Court Attendants
- Lawn Bowling Attendants

(b) bilingual units be designated and developed where a multiplicity of outlets exists for a particular service, and these be so indicated on the signs and in the literature;

(c) where bilingual service is available in any facility, it be advertised by means of signs and literature;

(d) where only one outlet for a service is available, that outlet must, when it is open to the public, be served by a staff with a bilingual capacity.

Central & Atlantic Only

45) in the national and historic parks, a system be established for meeting requests for French-language speeches. (This might include setting up a roster of speakers and a repertoire of texts to be used);

46) where demand is present or likely from schools for talks, lectures or similar presentations, material be prepared in both languages for use by school groups. (Such material might include films, slides, recordings, leaflets and other explanatory material for the teacher to use on her or his own);

Central Only

47) parks should investigate what French news media there are in the area to ensure that French-language groups have equal access to information;

Western Only

48) all press releases be in both official languages whenever possible;

49) the Branch undertake discussions with the federal department responsible for issuing weather and road reports posted in mountain parks to ensure that those reports be in both official languages;

Atlantic Only

50) where there is a local French population, the telephone receptionist have some bilingual capability;

51) the Beauséjour and Fundy parks issue press releases in French to *l'Évangéline* and other French-language media;

52) as their bilingual capacity develops, the parks provide school talks in French upon request;

53) in national parks if and so long as resources for bilingual personnel are limited:

(a) an order of priority be developed for deployment of Visitor Service bilingual personnel based on the frequency of use of various services provided by the parks; such a priority might be as follows:

—Information Attendants

—Campground Attendants

—Lifeguards

—Wardens

(b) information booths provide bilingual service at all times that they are open;

(c) where bilingual service is available in any facility it be advertised by means of signs and literature;

INTERPRETIVE SERVICES

National Recommendations

54) films used in interpretive programmes be made available in French and English and that Interpretive Services in Ottawa distribute each year to all parks relevant catalogues of French and English films;

55) recordings used in the interpretive programmes at historic parks be made available in French and English. Where reproduction in the other official language is not possible for historic or other reasons, an equivalent recording or text should be provided;

Central & Atlantic Only

56) the National and Historic Parks Branch make available interpretive programmes in both English and French by June 1, 1972;

57) all national parks advertise the availability of interpretive services in both official languages and indicate where and when such service may be obtained;

58) historic parks advertise the availability of guide service in both official languages and indicate where and when such service may be obtained;

59) the National and Historic Parks Branch consider, where necessary, the possibility that historic parks hire bilingual guides on week-ends during the off-season, as well as establish duty-rosters for special services during week-days;

Atlantic Only

60) the National and Historic Parks Branch investigate the possibility of translating into French the two films at the Alexander Graham Bell museum and, if this proves impossible, they consider commissioning a French film from the National Film Board on the same subject; this also means investigating the extra projection facilities that bilingual service would entail;

61) Prince Edward Island, Fundy and Cape Breton Highlands each have a total of two bilingual naturalists providing service to the public in the summer, beginning in the summer of 1972; this would allow each park to run two separate programmes in French and at two separate locations; all other parks should have at least one bilingual naturalist on staff in the summer

in contact with the public; the French-language naturalist programmes should, where possible, be formally scheduled and advertised in the same way as the English;

62) the planned second permanent naturalist at PEI be bilingual and, if the proposal for the second naturalist in Cape Breton and Fundy is accepted, one of the two naturalist positions in all three parks be staffed with a bilingual;

Western Only

63) the National and Historic Parks Branch hire sufficient bilingual seasonal naturalists each year to ensure that there is one bilingual person available at the park during all the hours when interpretive programmes and events are available to English-speaking visitors;

64) an attempt be made to schedule French-language interpretive programmes;

65) these programmes, if scheduled, be adequately advertised throughout the park;

66) a sufficient number of bilingual guides be hired to ensure that service in both official languages is available whenever the park is open to the public;

PERSONNEL

National Recommendations

67) whenever new parks are opened, an adequate number of bilingual personnel be hired right from the start, to fill all public-contact positions;

68) increased accommodation facilities be provided in all parks for casual male and female employees to facilitate hiring casuals from outside the immediate park area;

69) the Director of the Official Languages Branch begin discussions with the Public Service Commission on the development of a new language training programme which can meet the difficult problems imposed by the conditions obtaining in the parks; in particular, this could involve establishing language training programmes within the parks themselves;

70) the Official Languages Branch prepare and distribute language retention programmes to those employees that are presently engaged in language training as well as to those that have completed it;

71) the Branch, in conjunction with local authorities, develop a family French-language programme to be offered on a voluntary basis to all employees wishing it;

72) consideration be given to the establishment of a naturalist school in either La Mauricie, Forillon or Kouchibouguac to provide functionally specific language training;

73) the costs of language training be borne by the National and Historic Parks Branch rather than by the individual region, or alternatively that budgetary allocation for language training be made independent of and without prejudice to the regular training budget;

Central & Western Only

74) there be at least a sufficient number of bilingual seasonal and casual personnel in sensitive categories such as naturalists, information officers,

lifeguards, gate and campground attendants and guides in all national and historic parks to cover the hours of the day in which service is available to the travelling public;

75) the Regional Office, in order to facilitate the recruitment of bilinguals, draw up a list of suitable bilingual applicants by tapping all sources in the region, and that the list be made available to the parks before any hiring of casuals is undertaken;

76) priority for language training be given to those employees coming into contact with the public, regardless of the rank or category of the employees;

77) the Branch provide, at no cost to the employee, the opportunity to enrol in correspondence courses in the other official language;

Central & Atlantic Only

78) the Regional Office officials investigate all the possible sources of bilingual personnel both permanent and temporary in the region and devise means of maximizing awareness of openings in the National and Historic Parks Branch. This would include engaging in extensive publicity as well as sending recruiting teams to all institutions likely to produce bilingual recruits;

Central Only

79) within the National parks in Ontario, at least two of the permanent year-round positions be filled by bilingual incumbents either through recruitment or through language training; where the parks have one or more permanent naturalists on staff, one of those permanent year-round positions should be filled by a bilingual naturalist;

Atlantic Only

80) there be at least a sufficient number of bilingual personnel in each of the information booth attendant and guide categories in all national parks and historic sites, to cover hours of the day in which service is available to the travelling public;

81) the Atlantic region continue its current practice of filling, in particular, the positions of historic park guide, naturalist and information booth attendant with student casuals as well as the practice of hiring for these positions on a region-wide basis;

82) the search for bilinguals be carried beyond the Atlantic Region if the parks cannot find sufficient bilinguals within the Region;

83) a translation capability be established at Louisbourg as a means of meeting the particular requirements of that park;

84) arrangements be made for a permanent language teacher at Louisbourg;

Western Only

85) the Western Regional Office become aware of the areas of French-speaking population in Western Canada and seek to recruit people from those areas;

86) the search for bilinguals be carried beyond the Western Region if the parks cannot find sufficient bilinguals in the region;

87) an attempt be made to place students from Western Canada in the Central Region and/or in Ottawa if a large number of eastern students are recruited for service in the West;

CONCESSIONAIRES

National Recommendations

88) the Branch review all existing contracts with concessionaires to determine what can be done to require concessionaires to comply with the Official Languages Act; the results of this review be made available to the Commissioner by February 29, 1972;

89) the Branch assist concessionaires in providing bilingual signs dealing with public safety; these signs be installed by June 1, 1972;

90) the Branch inform all federal government agencies with facilities in the parks of the requirements of the Official Languages Act, and ensure that the signs and publications of these agencies be bilingual by June 1, 1972;

GENERAL RECOMMENDATIONS

91) one person in each region be designated as responsible for monitoring the implementation of the Branch's bilingualism programme;

92) the Department of Indian Affairs and Northern Development consolidate and re-issue all departmental directives dealing with bilingual policies;

93) all services to the public be provided automatically in both of the official languages rather than on request;

94) all parks be issued with general purpose English-French, French-English dictionaries of high quality;

95) all parks be issued with bilingual typewriters;

96) all decals and other forms of identification used on branch vehicles be bilingual;

97) all badges and shoulder patches worn on uniforms and designed for public information be bilingual;

98) whatever additional funds and man-years may be required for the implementation of the Official Languages Act be made available immediately;

99) an increased number of man-years be provided as an addition to the Branch's purely operational strength to maintain the necessary level of linguistic effectiveness and to avoid chronic conditions of overwork.

g) *Air Canada—London and Paris*

In conjunction with a series of studies on Canadian representation abroad, a study team reviewed the provision of services in the two official languages to the travelling public at Air Canada facilities in Paris and London. The team conducted interviews with Air Canada personnel in these cities in September, 1971, to enquire into such features of language of service as signs and publications, and personnel service.

The majority of signs and inscriptions at the Paris offices were posted in the two official languages, but only approximately one-half of the printed material displayed appeared in both English and French. Counter service was entirely bilingual.

Air Canada offices located in London did not fare as well as those in Paris in the provision of bilingual service. Most signs were posted in English and printed matter was not displayed equally in both languages. The Corporation did not provide bilingual counter service at all public-contact points located at Heathrow airport. Neither Paris nor London offices greeted telephone callers in both official languages, nor were they listed in telephone directories in these two languages.

This Office's recommendations proposed that signs, inscriptions, printed matter and telephone services provided by both the Paris and London offices be completely bilingual. Particularly noteworthy was the recommendation that the entire range of Air Canada services, including counter service, be available to the public at Heathrow airport in both official languages.

The Office's report and recommendations went forward to Air Canada on January 14, 1972. The Commissioner recommended that:

- 1) all of Air Canada's signs and inscriptions in Paris and London be fully bilingual by June 1, 1972;
- 2) all of Air Canada's printed matter (folders, brochures, etc.) and all printed matter supplied by other Canadian federal institutions be displayed in the two official languages by June 1, 1972, and that, preferably, the two versions appear under one cover;
- 3) Air Canada take immediate steps to ensure that service be available to the travelling public in both official languages at each of its four public contact stations at Heathrow Air Terminal during all hours of operation;
- 4) callers at all Air Canada offices in London and Paris be greeted in both English and French;
- 5) Air Canada offices in London and Paris be listed in the telephone directory in both English and French.

h) Farm Credit Corporation

The Chairman of the Farm Credit Corporation requested the Office to assist FCC in developing a feasible and comprehensive approach to fully implementing the Act as it applies to the Corporation. It was mutually agreed that this Office would first give the Corporation a sort of "reading" on their ability to serve their public in both official languages. This was to be followed by an analysis of the specific problems encountered by the Corporation in implementing the requirements of the Official Languages Act.

The study was launched in September, 1971. During October the study team conducted sixteen interviews with headquarters and Ottawa district office personnel. Their observations showed that the Corporation was well advanced towards compliance with the Act. Our team was, in effect, able to review an existing, recently completed internal report

on bilingualism and widen its canvas slightly. This Office's eight recommendations dealt with deployment of personnel, language training, signs, calling cards, advertising and telephone listings.

The main business of the Corporation is mortgage lending on land and chattels. The key employee in contact with the public is the Credit Adviser who processes loan applications. This involves preliminary visits to farms for assessment purposes and credit checks. Corporation personnel in very few other functions come into contact with the public, so it would seem that recruitment and language training efforts should concentrate on increasing bilingual capacity mainly among credit advisers, particularly since most field offices are one-man operations without clerical or secretarial assistance.

At the time of the study, the Corporation had a staff of 644 employees. Of these, 139, or 21.9 per cent, were stated to be bilingual. The distribution of bilinguals varied from none in British Columbia to 61 per cent in the Province of Quebec. The Corporation had taken steps to ensure bilingual services in a number of its public-contact offices across the country, but was uncertain whether the number should be increased.

It was evident that the Corporation was making serious efforts to increase its bilingual capacity through language training, since it imposed no limitations on the number of people who might apply for language courses. In addition, the Corporation also made use of a lateral transfer programme which involved sending English-speaking employees to Quebec and French-speaking employees to English-speaking Canada. However, the Corporation had not, at the time of the study, established a language retention programme.

The main publicity brochure for farmers was produced in a bilingual tumble format. All forms used or seen by the public were either bilingual under one cover, or available separately in both English and French.

FCC advertised mainly in the weekly or monthly national farm papers and magazines in either English or French. There is no French-language farm press outside Quebec. On the assumption that the Quebec French-language farm publications were distributed in New Brunswick and Eastern Ontario, the Corporation did not advertise in the French weekly non-farm press outside of Quebec. Hence, it appeared that French-speaking farmers in those parts of the country where French-language farm publications from Quebec were unavailable did not have access to information in their own language. Neither did the farmers in those parts of the country lacking a French press of any kind.

The researchers discovered no clear departmental policy on the use of the official languages on signs at premises occupied by FCC.

Head Office signs were completely bilingual, while with a few exceptions in Alberta, Ontario and Quebec, all other signs were unilingual, either in English or French.

This Office considered that the Farm Credit Corporation, with offices throughout Canada, should be able to serve its public in both official languages in widely diverse areas. However, it recognized that expecting the Corporation to provide services in both English and French in all of its more than one hundred offices across Canada would be unnecessary and unreasonable. The Commissioner therefore recommended the deployment of bilingual personnel to offices located in, or serving, areas containing important official-language minorities.

In March, 1972, the Corporation reported that it was taking action to implement all the Commissioner's recommendations. Because of budgetary limitations the date of completion for Recommendation 5) was forecast as July 1, 1973, instead of September 1972, as stipulated.

The Commissioner recommended that:

1) the Farm Credit Corporation deploy its bilingual personnel to ensure bilingual service in the following areas:

Alberta—Edmonton, Peace River, Athabaska

Saskatchewan—North Battleford, Saskatoon, Regina, Prince Albert, Assiniboia

Manitoba—Winnipeg, Portage la Prairie, Brandon

Ontario—Ottawa, Cornwall, Toronto, North Bay, Chatham

Quebec—Hull, St. Jean, St. Jérôme, St. Hyacinthe, Sherbrooke, Waterloo, Valleyfield, Ste. Foy

Maritimes—Moncton, Grand Falls;

2) the bilingualism adviser of the Farm Credit Corporation, with the assistance of the Language Bureau of the Public Service Commission, develop language retention programmes suitable to the Corporation's particular needs;

3) an effort be made to provide language training to the spouses of employees enrolled in the language programme;

4) the Corporation encourage and sponsor enrollment of employees in language correspondence courses over and above regular Language Bureau courses;

5) all signs in all Farm Credit Corporation offices be made bilingual by September, 1972;

6) all calling cards of authorized employees be printed in a bilingual format;

7) the telephone listings of all FCC offices be bilingual in the appropriate local directories;

8) the Farm Credit Corporation place its advertising in the French and English press, in the existing French-language and general-interest publi-

cations, and in bilingual format in the unilingual press in those parts of the country where farmers are not served by a daily press in both languages.

i) Department of National Revenue (Customs and Excise)

In January, 1972, the Office of the Commissioner launched a study to ascertain the availability and extent of bilingual services provided to the public by the Department of National Revenue (Customs and Excise). This decision was taken on the strength of the broad and numerous points of contact the Department has with the public, both resident and travelling, and because a number of complaints were registered with the Commissioner against the Department for its alleged failure to comply with the Official Languages Act.

The investigation focused on the Department's headquarters as the central source of direction and control responsible for planning and formulating policies and programmes relating to the provision of services in the two official languages. Since the Customs and Excise sectors differ in their type of operations and contact with the public, information about them was collected separately.

The study team held approximately twenty interviews with departmental officials at headquarters. In addition, the six regional directors of the Customs Operations Branch were interviewed in Ottawa.

The study team was analysing the information obtained in Ottawa at the end of the fiscal year.

j) Air Canada—Headquarters

This study, launched on December 17, 1971, reflected a continuing concern with the travelling public. It took the form of a policy "audit" or review of Air Canada's bilingualism programme as it was being conceived and exercised from headquarters in Montreal. This review was, in a sense, a natural sequel to our conversation with the corporation about action taken on the special study of Ottawa International Airport and on the recommendations which the Commissioner had been making as a result of investigations by the Complaints Service.

Information for the study was obtained during the period February 9 to February 25, 1972, through interviews, questionnaires and telephone calls. Based on the findings of the study, the Commissioner made 33 recommendations to the corporation.

The study team found that Air Canada was actively engaged in the implementation of bilingualism, although its efforts and achievements were more visible in Quebec than anywhere else. Indeed, the company attained considerable success with respect to rendering bilingual its signs, forms and publications. In aspects such as purchase specifications, announcements and other oral communications, advertising and public relations programmes, and correspondence, some

corrective action was required to ensure full compliance with the Act. The major deficiencies, however, existed in the company's plans, procedures and activities to develop and deploy the human resources needed to ensure provision of services in both official languages across the country and abroad.

Historically a predominantly English-speaking institution, Air Canada experienced difficulties shedding traditional attitudes and practices which were at variance with the spirit and intent of the Official Languages Act. The company needed to elicit the co-operation of its employees and actively involve them in promoting its bilingualism programme. Also, there was definite need for a control mechanism to ensure that policies and directives emanating from the headquarters would be followed throughout the whole system.

A massive reorganization in 1970 to increase the company's efficiency and to reduce costs led to a lapse of the bilingualism programme, which began partially in 1969. The nation-wide economic slowdown in 1970 forced the company to reduce staff; in that process, it lost many bilinguals because they lacked seniority. This economic austerity also curbed the hiring of ground and flight personnel. Qualifications for a stewardess are apparently quite exacting, and the requirement of bilingualism has only added to their stringency.

The company's good intentions and activities were frustrated by the lack of an ultimate objective and an overall plan for ensuring bilingual services automatically across the country and abroad. Bilingual employees were being used in positions where unilinguals could serve the purpose. In its attempt to acquire bilinguals, Air Canada was concentrating mainly on Quebec, and was not fully reaching out to sources of bilingual population outside Quebec and to educational institutions producing bilingual graduates. Pressures from various quarters in the country and abroad to hire locally were thwarting the company's efforts to provide adequate bilingual service.

Deployment of bilingual personnel to meet the need, where it existed, was limited in management's view by the reluctance of some employees to move, by seniority and bidding rights acquired by employees and by restrictions imposed by union agreements. Those who were willing and able to move did not wish to do so owing to the lack of incentives provided by the company.

In the light of these difficulties, the one way Air Canada could develop its bilingual human resources was by training unilingual employees. But language training, which began several years ago, was being given to employees on a scale and in a manner that was less than adequate for the requirements of the corporation; moreover, retention measures were non-existent.

The Commissioner recommended that:

General

- 1) pending its promulgation of a more formal bilingualism policy and procedure, the corporation, through its Secretary and Customer Service Branches, implement the recommendations contained in this report;
- 2) every effort be made, especially through fuller internal and external information programmes, to develop attitudes and create an environment conducive to Air Canada's active, methodical, and full compliance with the Official Languages Act;
- 3) the company place high priority on meeting the requirements of the Official Languages Act across its system in Canada and elsewhere;
- 4) the company, in recognizing its position as Canada's national and international airline, accept the existence of overall regular demand for bilingual service to the travelling public across the system in Canada and elsewhere, and that it therefore accept the providing of such service throughout the system as a permanent objective, (all existing and future measures to provide bilingual service to that public should be regarded and assessed as steps to that end);

Deployment of Personnel

- 5) steps be taken immediately, including the use of incentives, to increase to the maximum the number of bilinguals willing and able to transfer to public-contact positions in locations where bilingual capacity is required;
- 6) all possible steps be taken to ensure that no flight lacks the necessary bilingual capability, (pending a more permanent solution, Air Canada should consider such measures as offering financial inducements, substituting bilingual for unilingual stewardesses on flights lacking the necessary bilingual complement, or other interim means);

Recruitment

- 7) all possible sources of supply of bilinguals capable of fulfilling the statutory requirements to serve the travelling and other public within the meaning of the Official Languages Act be explored with a view to a maximum increase in the supply of bilinguals entering the corporation's service, and that, where local hiring inhibits such increase, the hiring area extend as necessary beyond the locality;

Language Training

- 8) extensive and intensive English-language and French-language training be made available to public-contact employees on a scale designed to meet from within Canada the company's requirements for bilinguals in the shortest possible time;
- 9) Air Canada make use of all available and reputable language training facilities offered by public and private enterprises across the country;
- 10) Air Canada make such language training available under whatever conditions are most conducive to results, whether it be on company time and at company expense, or after hours and with suitable incentives, or any combination of these conditions;
- 11) employees self-assessed as being bilingual be objectively tested and the results be kept in the company's personnel inventory, thus providing the

basic information essential to planning and reviewing manpower development on a continuing basis across the system in Canada and elsewhere;

12) in addition to language training programmes the corporation establish retention programmes in order to protect its investment by maintaining the acquired bilingual capability;

Controls

13) a senior officer at the Region and/or District levels be entrusted with the primary duty to ensure implementation of the requirements of the Official Languages Act, through whom the Policy Committee on Bilingualism can directly or indirectly achieve timely results;

Forms

14) the few Air Canada public-use forms still remaining unilingual be rendered bilingual within the next six months;

15) all stamps employed to obliterate, validate or cancel public-use forms be rendered bilingual or alingual within the next six months;

Advertisements

16) sales promotion advertising be published in both official languages as required by Section 7 of the Act and Air Canada consult the Federal Identity Program Division of Information Canada with a view to applying the requirements of Section 7 throughout the country;

17) by virtue of Sections 2, 9 and 10 of the Act, sales promotion advertising in media other than publications reflect the principles outlined in Recommendation 16;

Signs

18) all of Air Canada's signs and inscriptions for the information or direction of the public be rendered fully bilingual by the end of the current corporation fiscal year;

Correspondence

19) adequate translation service be ensured in both official languages to the public whether through in-house or outside facilities or a combination of both, and that general support staff and/or French-speaking officers not be called upon or indirectly required to do translation over and above their normal duties. All planning in this regard should, in relation to equality of status, include the features of quality of language and comparative delay in answering correspondence in French and in English. The Corporation should explore techniques for reducing any unequal delay, including that used by the Public Relations Branch of communicating text and translation by Telex rather than by regular mail, with some code developed to add accents in French for the benefit of unilingual English receivers.

Public Relations

20) whatever steps are necessary be taken at the corporate headquarters to ensure that

(a) the bilingual image of Air Canada as a federal institution is developed, and

(b) all public relations material for use in the Regions in Canada are produced in both official languages wherever media in both languages exist, so as to keep the two language groups equally informed;

21) all calling cards used with the travelling public or with any local public consisting of both official language groups be rendered bilingual either on one or both sides by the end of the company's fiscal year;

Other Printed Materials

22) Air Canada take such steps and make such provisions as are required to render supply specifications bilingual except in those cases where the clearly defined language of the supplier would render the translation unnecessary; and construction contracts and attendant documents be rendered bilingual within the next year;

Airport Announcements

23) provision be made at all airports where Air Canada makes announcements for the benefit of the travelling public, to ensure that such announcements are made at least in both official languages giving proper precedence to the major official language of the area at home and abroad;

24) when Air Canada must page a particular person, then the paging be in the language specified by the person requesting the paging, otherwise at least in the two official languages;

In-Flight Announcements

25) Air Canada ensure by whatever means at its disposal that on all flights a suitable capability exists to make in-flight announcements satisfactorily in both official languages, whether the capability lies in a single bilingual or in two or more persons with complementary mother-tongue proficiency;

26) as a step towards making Canada's national carrier reflect its bilingual character and as a facet of achieving maximum customer satisfaction, pursers be encouraged to help promote Air Canada's bilingual image to the travelling public;

Personnel Generally

27) the corporation establish

(a) the number of bilinguals and the level of second-language proficiency required both in the aggregate and at each base and office to serve the public satisfactorily in both official languages,

(b) the number of bilinguals currently on hand in the aggregate and at each base and office who are truly capable of providing that service,

(c) the number of bilinguals possessing the requisite levels of proficiency in the aggregate and at each base and office, who must be produced through hiring or language training or a combination of both to make up the difference between (b) and (a) with the least delay;

Flight Attendants

28) henceforth, as a further step towards the attainment of satisfactory bilingual service on all flights, all new flight attendants, before they are assigned to flight duty, possess such proficiency in the two official languages as to be able to serve the travelling public suitably in both, and that they either possess that proficiency at the time of hiring or acquire it through company means within eighteen months thereafter;

Ground Personnel

29) the precise number of bilinguals needed for public-contact ground positions across the system in Canada and elsewhere to meet the require-

ments of the Official Languages Act be determined on a first priority basis; similarly the bilingual capabilities already within the company be ascertained; a plan be worked out to bring the above two elements together by 1974; every effort be made to recruit bilinguals and that some pooling arrangements be worked out so that Regions and Districts will have access to all available resources;

30) language training be effectively made available either within the corporation or outside to public-contact ground personnel on a scale and in a manner designed to achieve the 1974 objective, whether it be on company time and at company expense or after hours and with suitable incentives, or any combination of both;

Telephone Identification and Information

31) in all offices in communication with the travelling public and in those offices in communication with a local public consisting of both official language groups, telephones be answered and the office identified in both official languages, giving precedence to French in Quebec and to English in the other provinces;

32) in the offices described above, where more extensive information than in the previous recommendation is required over the telephone, the person answering the telephone, if bilingual, change into the language of the caller, and, if not bilingual, possess such courteous phrases and sentences in the other official language as to be able to keep the caller waiting until another person can be brought on the line who can deal with the caller in the latter's language, (the same phrases should be taught to all unilingual ground and flight staff dealing directly with the public);

Concluding Remarks

33) all ground and flight staff dealing directly with the public take the initiative of offering service in both official languages where required by law, rather than merely responding to requests or complaints;

34) in implementing the preceding recommendations, Air Canada maintain close liaison with the unions, particularly CALEA, CALFA, CALPA and IAMAW.

k) Department of the Environment—Atmospheric Environment Service Branch

In January, 1972, this Office launched a study on the AES headquarters efforts to formulate a bilingualism policy in conformity with the Official Languages Act. Headquarters operations were examined with a view to determining how the Branch might best provide services to its public in both official languages.

The study team held a series of ten interviews with headquarters officials in Toronto from January 31 to February 4, 1972. The Commissioner sent the findings and his recommendations to the Branch at the end of March.

The activities of the Atmospheric Environment Service Branch include research, consultation, forecasting and the transmission of forecasts and climatological information to the public. The Branch has a

general public, both travelling and stationary, comprised of individuals who require weather information for the performance of their jobs or the pursuit of recreation; and a specialized public consisting of the media, industry, and provincial and federal government departments. An essential element of this service is the need to deploy personnel at weather offices 24 hours a day in order to prepare and transmit round-the-clock information. The Branch's responsibility is complicated by the additional necessity of making its information available in both official languages in all regions of Canada. The study team learned that the AES, in the normal course of preparing and transmitting weather data, employs sophisticated telecommunications. The Commissioner recommended that the already available telecommunications system be utilized in a more effective manner so as to not only serve the Branch's purpose, but also to fulfil the requirements of the Official Languages Act.

In all, the Commissioner made 45 recommendations covering all areas of service to the public, including signs, publications, public relations, forecast information, translation facilities and personnel. In his sixteen recommendations concerning personnel, the Commissioner pointed to the need for increased language-training, in-service technical courses in French, and the establishment of French-language units for recruitment and language retention purposes.

The Commissioner recommended that:

- 1) an inventory be taken of all signs identifying AES premises across Canada to ascertain those requiring conversion either because of the absence of one of the official languages, or because the text in one language may be incomplete, less legible than the other language version, or grammatically or otherwise incorrect;
- 2) the Service consult with other federal government departments to establish whether they or the Service are responsible for rendering signs bilingual;
- 3) the Service urge other departments to ensure that the signs within their jurisdiction identifying AES premises be rendered bilingual by September 1, 1972;
- 4) the Service ensure that all regional directors receive guidelines for the conversion of unilingual or inadequate texts so that all signs will be bilingual by September 1, 1972;
- 5) a directive be sent to regional directors requiring all future signs to be produced in conformity with the above recommendations;
- 6) the Service establish and maintain an inventory of all publications originating at headquarters and in the regions, and being used internally or by the public, including forms, manuals, maps, and other documents;
- 7) a system of priorities be developed for submitting for translation all of the above publications which are available only in one language;
- 8) all future publications be automatically published in both languages, under one cover whenever possible;

- 9) the internal newsletter "Zephyr" be produced completely in both official languages;
- 10) all unilingual forms, weather maps, manuals and directives produced either by headquarters or by regional offices be submitted for translation by July 1, 1972;
- 11) the Service ensure that all press releases issued by headquarters or by regional offices be issued in both official languages;
- 12) in areas where the majority of the media is in the English language and the local population is English-speaking, a special effort be made to contact French-language media when press releases are issued;
- 13) the Service adopt a policy and issue a directive to the effect that all future displays and exhibits contain labels or descriptive texts in both official languages;
- 14) AES headquarters take appropriate steps to render labels and descriptive texts of all its permanent displays bilingual by June 1, 1972;
- 15) an effort be made to ensure that the public visiting the Service's exhibit at the Ontario Science Centre is served equally in both official languages;
- 16) tours through weather offices be scheduled, where possible, so that the visiting group will be served in English or French as required;
- 17) AES headquarters ensure that educational material and French-language films be distributed to major and minor weather offices across Canada which are located close to a centre of French-speaking population;
- 18) since in all regions there exist both English and French populations and/or media, the major weather offices (WO1) in Vancouver, Edmonton, Winnipeg, Toronto, Montreal and Halifax issue Public Inland forecasts, synopses and other relevant weather information in both official languages;
- 19) whenever weather information is provided orally by telephone or by other means, there be a bilingual capacity during all hours of service in the National Capital Region, in eventually proclaimed bilingual districts and in all localities where there is a significant minority speaking one of the official languages;
- 20) the marine forecasts, synopses and other relevant weather information issued from the Halifax weather office (WO1) be in both official languages;
- 21) whenever the marine forecasts and synopses for the Great Lakes and the St. Lawrence Seaway are transmitted in written format, they be in both official languages;
- 22) whenever specialized forecasts and bulletins, such as those concerned with agriculture, forest protection, snow removal, gas dispatching and others, are provided in written format or orally, they be transmitted in the official language or languages of the receiving organization and media;
- 23) steps be taken to ensure that consultation services are available in both official languages initially at national headquarters and in the Quebec region, and also at the major weather offices in the other regions where consultation in the minority official language is likely to be required, as soon as these offices have a bilingual meteorologist on staff;
- 24) Service officials negotiate with the Translation Bureau to establish a system which will enable all major weather offices to have access to translation facilities 24 hours a day;

- 25) the Service estimate its immediate future needs for translation based upon the recommendations in this report, as well as long-range needs to enable the translation unit of MOT to properly equip itself to meet these demands;
- 26) an inventory of job descriptions identifying and locating those positions calling for public contact be immediately centralized at headquarters;
- 27) personnel records indicating individuals' language competency be devised and kept up-to-date at headquarters;
- 28) priorities be established as to areas of greatest need for bilingual personnel;
- 29) serious consideration be given to recruiting more bilinguals and unilingual Francophones to make it possible to serve the public in both official languages;
- 30) French-language technical instructors be provided for the Air Services Training School and Upper Air Training School and all other training programmes for technicians and professionals in order to attract unilingual Francophones into the Service;
- 31) French- and English-language training as needed be incorporated into the in-service training provided for professional and technical recruits;
- 32) bilingual technical and support staff be recruited regionally for intra-regional posting and nationally, when regional recruitment does not produce sufficient numbers of bilingual personnel;
- 33) where transfers of support staff across regions are not feasible, unilinguals be recruited and provided with language training;
- 34) the major weather offices be manned with sufficient bilingual staff to provide 24-hour bilingual service to the public;
- 35) unilingual Francophones be hired for posting in some Quebec offices so that present bilingual incumbents may be transferred to locations lacking sufficient bilingual personnel;
- 36) French-language units be used as a source of supply for bilinguals and as a vehicle for unilingual Francophone recruitment as well as for career advancement;
- 37) in order to realize career advancement through opportunities to work in both languages, cross-region postings be made available to technicians and professionals;
- 38) headquarters, with the collaboration of the Service bilingualism coordinator, take the responsibility for setting out priorities for regional supervisors to note in selection of field personnel for language courses with due regard to those in public-contact positions at whatever level and grade;
- 39) support staff, including especially telephone clerks with continuous public contact in the weather offices, be considered for language training;
- 40) negotiations be completed with the French Language Training Centre, of the Civil Service Commission of Ontario, for two monitors to work at AES headquarters with the 32 staff already on course as a means of retaining language skills and enthusiasm and of encouraging others to go on language courses;

- 41) for retention purposes, personnel having attained some degree of linguistic competence be posted in areas where the newly-acquired language may be utilized;
- 42) French-language units be used to post bilingual Anglophones able and eager to work in French so as to maintain and improve acquired language skills;
- 43) a permanent co-ordinator for bilingualism be appointed for AES, either at the Service or the departmental level;
- 44) this person be appointed to a level which will permit him to ensure the implementation of programmes and to establish adequate reporting back systems;
- 45) where bilingual service is available, service to the public be offered automatically in both official languages rather than only on specific request.

1) Canadian National—Headquarters

At the end of the fiscal year, the Commissioner informed CN of his intention to study the company's headquarters with a view to examining its policies, plans and achievements in providing bilingual services to the travelling and general public. The study of CN was yet another added to a list of institutions furnishing transportation facilities which this Office studied during the fiscal year. The decision to carry out a special study of CN stemmed from the following facts: the company had been engaged in its programme of bilingualism for years; as a national transportation company, CN has a special obligation to provide service to the travelling public in both official languages; and many complaints received by the Commissioner concerned this institution.

Chapter III

COMPLAINTS: "NOW YOU'RE TALKING"

In Chapter III of his first annual report, the Commissioner set out the basic functions of his Complaints Service as well as the methods followed in its investigations. A second year of experience has enabled the Service to study complaints with a better understanding of the Official Languages Act and of the universe in which the Act must be applied.

Practising jurists find it helpful to delve into legal texts which allow leeway for interpretation. The Act which the Commissioner has the mandate to administer contains several provisions demanding study in the light of the facts or circumstances brought out in complaints. Each case requires individual examination, and often it is not possible to propose general solutions or ones applicable to a group of situations. The Commissioner's authority rests on his power to submit recommendations to federal institutions and to report on his activities directly to Parliament. He bases his recommendations on an objective and careful analysis of versions offered by the complainant and the institution concerned. Sometimes investigations demand on-site visits in Ottawa or elsewhere. When it proves necessary to visit a regional or local office, the Commissioner asks the cooperation of the top management of the institution itself.

A. The Complainant

The Complaints Service opens a file for every complaint or grievance entrusted to it. Any complaint involving language and a federal institution is admissible for investigation under the Act. Complaints officers nevertheless examine complaints not fitting into this category, and may then suggest to the Commissioner, after obtaining the complainant's permission, referral to the proper authority.

The general philosophy the Commissioner and his colleagues share consists of avoiding “bureaucratic” answers and of acting in the broadest spirit of ombudsmanship: never against the law but, if necessary to help the citizen, “beyond” the law. This approach means that the ombudsman must never shut his door (at least during office hours . . .). If he cannot help the complainant officially under the Act, he should try either to explain clearly and simply to the complainant why all the possible “doors” seem closed, or unofficially to find him or her the “right door”—the valid recourse—on which the ombudsman is ready to knock in the complainant’s name. Obviously, if the subject matter of the complaint is “trivial” or if the complaint is “frivolous or vexatious or is not made in good faith”, under the Act the Commissioner may refuse to investigate it, giving his reasons (it has never yet proven necessary formally to invoke this Section 26(4) for such a refusal). In all other cases, the complainant can expect to receive from the Commissioner the assurance that his or her grievance will lead to an investigation—or at least to a serious effort to find a satisfactory answer to his or her problem.

The Complainant can count on the Commissioner’s complete discretion. The complainant’s name will not be revealed without his or her explicit authorization. A person may lodge a complaint anonymously, but plainly cannot then be informed of the investigation’s results and the complaints officer cannot get in touch with the complainant should extra information be required.

Whatever the manner used to lodge a complaint, it is in the complainant’s interest to facilitate the investigation by giving the Commissioner or his representative as many details as possible: for example, the time, date and place of an incident, as well as a full description of the facts surrounding it.

Complainants are invited to use any means—letter, telegramme or personal visits—they find convenient for presenting their grievances. Those who prefer not to write or who cannot come in person can telephone: the Commissioner’s Office is one of the first federal institutions to place at the public’s disposal toll-free long-distance telephone access from anywhere in Canada. From the beginning of January 1973 this service was extended to cover local office hours in all the country’s time zones. Some complainants using this service still prefer to send the Commissioner their written version of the facts, expressed precisely in their own terms, to limit the risks of ambiguity.

In some cases, complainants must wait a certain time before learning the investigation’s results. If the facts alleged in the complaint show an infraction of the Act, the Commissioner makes recommendations to the institution concerned and “negotiates” with it the manner and timing of their implementation. The institution may take a fairly

long time to gather the information for its reply, especially when the head office must communicate with its regional or district representatives. The main thing is to get corrective action or reform whenever a breach of the Act occurs. Should an institution refuse to give effect to the Commissioner's recommendations, complainants will understand that the only means at the Commissioner's disposal is to spell out, and, if he sees fit, comment on, this inaction in a report to Parliament.

A number of public servants complain to the Commissioner that the implementation of bilingualism programmes might harm their advancement within the Public Service. In many such cases the Commissioner discovers no infringement of the Act. However, in nearly all these cases, he brings the grievance to the attention of the proper authorities, even while recognizing that he does not always hold jurisdiction allowing him to pronounce judgement on the Government's decisions and make formal recommendations. A need seems to exist within the federal administration for additional procedures to look into certain kinds of linguistic grievances concerning federal employees. Meanwhile, the Commissioner will continue, without deliberately impinging on the jurisdiction of other authorities, to explore with any federal employee any "gray area" where a complainant may be having trouble. The Commissioner is of course glad to assist parliamentarians or union leaders who may wish to refer to him cases which are brought to their attention.

B. The Institution

When a complaint falls within the Commissioner's jurisdiction, Section 27 of the Act obliges him to inform the deputy head or other administrative head of the institution concerned of his intention to investigate. This procedure is merely a simple device to meet two aims: to allow the Commissioner to follow the Act, and to inform the institution concerned about complaints the Commissioner has received, even before an investigation begins.

In the Office's practice, this notice of intention includes a description of the complaint including all relevant facts supplied by the complainant. The Commissioner asks the institution to let him have its side of the story (both facts and explanations) and to mention, wherever appropriate, the steps it intends to take to meet the Act's requirements in future. After examining the complainant's and institution's versions, and completing all necessary interviews and research, the Complaints Service proposes to the Commissioner suitable recommendations, should this seem indicated.

During the fiscal year 1971-72, federal institutions sent the Commissioner versions which one might classify in two main categories. Certain institutions offered explanations which merely held to the letter of the Act, interpreting narrowly Section 9(2)'s standards of "significant demand" or the administrative "feasibility" of possible corrective action. Other institutions, however, displayed broader judgement by going beyond the letter of the law to meet further its spirit and to propose reforms of a scope greater than the immediate complaint suggested. A few departments even extended their efforts to the whole country. Obviously, such initiatives can bring concrete results only after a certain time, but reforms in depth inevitably take time within the federal administration in such a complex area as bilingualism.

Federal institutions should always be aware that the explanations they give the Commissioner will be sent on to complainants and may eventually go into his annual report to Parliament. This could leave an unhappy impression in cases where administrators might offer an inaccurate or "unconstructive" interpretation of some of the Act's provisions. For example, the Act demands that bilingual services be automatically offered in certain places, without awaiting an explicitly expressed demand from the public. It is no secret that before the Act took effect many federal departments and agencies were accustomed to serving the public only in English. Today these institutions should be taking initiatives to inform their French-speaking clientele that the situation has changed since September 7, 1969.

C. Summary of activities

1. Breakdown of Complaints

In 1971-72, the Complaints Service opened 745 files, a considerable increase over the 181 complaints received last year. The 66 files under study as of March 31, 1971, were closed during 1971-72, making a total of 668 files which were closed during the second year.

TABLE 1. Number of Files by Year

	1970-71	1971-72
Opened	181	745
Closed	115 (64%)	602 (80%)
Still Active at the End of the Fiscal Year	66 (36%)	143 (20%)

TABLE 2. Cumulative Total of Files for the First Two Years

Opened	926
Closed	783 (85%)*
Still Active	143 (15%)

*The 66 files still active as of April 1, 1971, are included in this total.

This increase in complaints is no doubt due to the fact that the Office of the Commissioner and the Official Languages Act became better known as a result of the Commissioner's visits to different parts of the country and of an information programme organized by his Office. Factors such as the decennial census, which are the responsibility of certain agencies, must also be taken into account.

The 745 files opened may be classified as follows:

TABLE 3. Files Opened in 1971-72

	Closed	Still Active
Admissible Under the Act	492 (82%)	118 (83%)
Inadmissible Under the Act	110 (18%)	25 (17%)
	602	143

TABLE 4. Language of Complainants

	1971-72	1970-71
English	154 (21%)	44 (24%)
French	591 (79%)	137 (76%)

TABLE 5. Method of Submitting Complaints

By Letter	516 (69%)
By Referral	32 (4%)
In Person	40 (6%)
By Telephone	133 (18%)*
Other Means (telegram, newspaper, note, etc.)	24 (3%)
	(100%)

*The increase in complaints made by telephone is due to the invitation made in posters and newspaper advertisements to phone collect the Office of the Commissioner.

TABLE 6. Origin of Complaints

	1971-72	1970-71
Newfoundland	2 (0.3)	0 (0.0)
Prince Edward Island	13 (1.8)	2 (1.1)
Nova Scotia	12 (1.6)	0 (0.0)
New Brunswick	43 (5.8)	10 (5.5)
Quebec	167 (22.4)	54 (29.8)
Ontario	222 (29.8)*	73 (40.3)
Manitoba	71 (9.5)	12 (6.6)
Saskatchewan	53 (7.1)	22 (12.2)
Alberta	131 (17.6)**	1 (0.6)
British Columbia	20 (2.7)	6 (3.3)
United States	5 (0.7)	
Great Britain	1 (0.1)	
France	2 (0.3)	1 (0.6)
Austria	1 (0.1)	
Chile	1 (0.1)	
Senegal	1 (0.1)	
	745 (100%)	181 (100%)

*Complaints originating in the National Capital are included in this total.

**For the most part, these complaints were directed against the Canadian Broadcasting Corporation from the St-Paul-Bonnyville-Lac La Biche area.

TABLE 7. Receipt of Complaints (Distribution by Month)

	Number of Complaints Received During Month	Cumulative Total
April	45	45
May	71	116
June	85	201
July	49	250
August	34	284
September	24	308
October	17	325
November	57	382
December	61	443
January	59	502
February	58	560
March	185	745*

*The number of complaints received in March 1972 exceeded the total number lodged during 1970-71. This is partly the result of more varied publicity made by the Office of the Commissioner.

2. Complaints Admissible Under The Act

TABLE 8. Language of Complainants

English	94 (15%)
French	517 (85%)
	611

TABLE 9. Nature of Admissible Complaints

Language of Work	62 (10%)
Language of Service	549 (90%)
	611

TABLE 10. Federal Institutions Cited in Admissible Complaints

Agriculture	3
Air Canada	30
Auditor General's Office	1
Bank of Canada	1
Canadian Broadcasting Corporation	139
Canadian International Development Agency	1
Canadian National Railways	33
Canadian Pension Commission	1
Canadian Radio-Television Commission	2
Canadian Wheat Board	1
Commissioner of Official Languages	2
Communications	3
Company of Young Canadians	1
Constitution (Joint Parliamentary Committee on the)	2
Consumer and Corporate Affairs	4
Energy, Mines and Resources	4
Environment	10
External Affairs	15
House of Commons	8
Indian Affairs and Northern Development	10
Industry, Trade and Commerce	5
Information Canada	6
Insurance (Department of)	1
Justice	2
Manpower and Immigration	20
National Capital Commission	3
National Defence	11
National Film Board	1
National Gallery of Canada	1
National Health and Welfare	12
National Library of Canada	2
National Museums of Canada	2
National Parole Board	2

National Research Council	4
National Revenue (Customs and Excise)	13
National Revenue (Taxation)	21
Post Office	40
Privy Council Office	1
Public Archives	2
Public Service Commission	25
Public Works	7
Regional Economic Expansion	4
Royal Canadian Mint	2
Royal Canadian Mounted Police	7
Secretary of State	19
Senate	2
Solicitor General	9
Statistics Canada	71
Supply and Services	3
Tax Review Board	1
Transport	24
Treasury Board	2
Unemployment Insurance Commission	13
Veterans Affairs	2
	611

TABLE 11. Admissible and Inadmissible Complaints*

Files Closed	602	
Admissible complaints	492	
Admissible and justified complaints		262 (53%)
Admissible complaints not justified		230 (47%)
		492

*An admissible and justified complaint is a complaint involving language and a federal institution which reveals a contravention of the Official Languages Act.

Thus, 262 (nearly 44%) of 602 settled complaints received in 1971-1972 were admissible and justified.

TABLE 12. Admissible Complaints From Public Servants (as Public Servants) Including Members of the Armed Forces and Employees of Crown Corporations.

		Justified	Not Justified	Still Active
Anglophones	35	6	19	10
Francophones	30	12	12	6
	65			

TABLE 13. Nature of Admissible Complaints From Public Servants

	Anglophones	Francophones
Language Test	4	0
Language Courses	10*	2*
Competitions, nominations, duties, designation of language requirements	15	13
Working conditions	6	15
	35	30

*This includes 6 English speakers and 1 French speaker who desired access to second-language training.

D. *Summaries*

The following summaries give a brief description of the nature of complaints settled during 1971-72, as well as of the steps the Commissioner took to find solutions for them under the Act. In several cases, the reader will find the text of recommendations he made to the federal institutions in question. A few isolated cases which, for example, might have revealed a complainant's identity or which seemed extremely minor are left out.

The first part of the summaries touches on complaints admissible under the Act—that is, those involving both language and a federal institution. These are grouped in alphabetical order. The second part includes complaints not admissible, on the following subjects:

- Bilingualism (Policy of)
- Education
- Private firms
- Provinces
- Public Service Alliance of Canada
- Telephone

1. *Complaints Admissible*

AGRICULTURE

File No. 109 — Circular Letters

A number of departmental public servants working in Quebec complained that they received circular letters drafted solely in English from the Division of Veterinary Hygiene. The circular letters explained the legislation on which their work was founded.

Following the Commissioner's intervention, the Department translated the two circular letters, and stated that all circulars would henceforth be available in both official languages.

File No. 123—Language of Work

A French-speaking veterinarian reproached the Department for not respecting his rights regarding the choice of language he used during study sessions.

Since the situation seemed to be on the point of being corrected to the satisfaction of all interested parties, by virtue of grievance procedures existing within the Department, the correspondent did not wish to submit a formal complaint to the Commissioner.

File Nos. 176, 196, 467—Publications

- The complainant wondered whether his not having received a publication he ordered was due to its non-existence in French. The publication did exist in French. The Commissioner informed the complainant where and how to obtain it.

- An editor drew attention to the poor quality of French in a departmental publication, attributing it to mediocre translation. The complaint was withdrawn as a result of improvements made in the editorial services.

File No. 484—Experimental Farm

The complainant alleged that she could not obtain information in French during a visit to the Experimental Farm in Ottawa.

The investigation revealed that the complaint particularly involved the security staff who are employed by an agency under contract to the government. Since the security personnel are frequently called upon to reply to visitors' questions, the Department decided, following the Commissioner's investigation, to request the employment agency to appoint bilingual employees to posts which are liable to involve contact with the public. This measure ought to be adopted particularly during the summer months and week-ends.

AIR CANADA

1. Service to, or Communication with, the Public

Air Canada deals with the travelling public throughout Canada and in many foreign countries. Opportunities for encounters with this

public exist at city ticket counters, at airports, during flights, at telephone information and reservation centres, etc. As a result, Air Canada requires a high proportion of bilingual personnel at all its public-contact positions. The recurrence of complaints of the same nature indicates that Air Canada is still far from adequately serving the French-speaking public.

The Commissioner believes that the company must accord bilingual service a much higher priority, in keeping with the geographically unlimited requirements of Section 10 and the airline's own considerable impact on the public's awareness of the bilingual federal image. He expects that Air Canada, using as a broad guideline the special study on Air Canada headquarters policies which the Commissioner's Office carried out in the spring of 1972, will make much more serious efforts in the near future to make its performance match the obvious goodwill of both management and employees.

Because of its high visibility Air Canada complaints are expectedly numerous and repetitious. The summaries are therefore grouped by categories with Air Canada's position on each included. In all cases the complainant was informed of Air Canada's position. Where the investigation of a complaint resulted in a recommendation, it is noted. Otherwise, the Commissioner's recommendations are found in the special study report referred to.

a) *Lack of French-Language Service on Flights**

Toronto-Ottawa	<i>File No. 54</i>
Winnipeg-Toronto	<i>File No. 86</i>
Winnipeg-Ottawa	<i>File No. 144</i>
Montreal-Ottawa (2)	<i>File Nos. 174 & 332</i>
Winnipeg-Vancouver	<i>File No. 443</i>
Quebec City-Ottawa	<i>File No. 454</i>
Edmonton-Winnipeg (2)	<i>File Nos. 460 & 571</i>
Winnipeg-Saskatoon	<i>File No. 522</i>
Montreal-Winnipeg	<i>File No. 536</i>
Montreal-Toronto	<i>File No. 750</i>
Toronto-Timmins	<i>File No. 763</i>

1) *Toronto-Ottawa Flights*

Beginning April 25, 1971, the company would be able to provide bilingual service at all times on Toronto-Ottawa-Toronto flights.

*This includes lack of service in French by hostesses, lack of announcements in French by the pilots and the equal failure to translate the pilot's comments on the part of the bilingual hostess.

2) *Winnipeg-Toronto; Winnipeg-Vancouver; Winnipeg-Ottawa; Winnipeg-Saskatoon; Edmonton-Winnipeg*

Air Canada acknowledged it did not have a sufficient number of bilingual hostesses operating from the Winnipeg base to provide bilingual services on all flights from that city. However, the corporation informed the Commissioner that all unilingual employees in Winnipeg (and Toronto) who normally are assigned to the aforementioned flights are encouraged to follow French-language courses and receive financial assistance to defray the costs. In view of restrictions imposed by the unions on transfer of personnel, the general programme of increasing the number of bilingual personnel on various flights would be implemented slowly.

Nevertheless, a new system of mixed assignments was being put into effect on a trial basis. This involved including bilingual personnel from the Montreal base with other personnel, so that a greater number of flights on the Winnipeg-Toronto and other lines might be bilingual to the extent of at least 50 percent.

3) *Montreal-Ottawa*

Two of the four hostesses were bilingual but their linguistic services were not offered, nor made available. The anglophone hostesses dealt with by the complainants did not seek the assistance of bilingual hostesses as they should have done, according to company policy.

4) *Quebec City-Ottawa*

The hostesses on board should have translated the pilot's comments but neglected to do so. Pilots are not obliged to be bilingual, but Air Canada policy requires a bilingual hostess to translate a unilingual pilot's comments.

5) *Montreal-Winnipeg*

On the Montreal-Toronto portion of the flight two of the hostesses were bilingual but failed to translate the pilot's announcements. From Toronto to Winnipeg, none of the personnel was bilingual (see item 2).

6) *Montreal-Toronto*

The normal crew had been delayed on a connecting flight and the substitute crew were not bilingual.

7) *Toronto-Timmins*

The shortage of bilingual personnel and lack of necessary qualifications on the part of applicants, as well as union agreements, prevented

the company from providing bilingual services. It would endeavour to assign at least one bilingual member to future flights.

b) Lack of French-Language Service at City Ticket Offices

1. Winnipeg (2) *File Nos. 84 & 752*
2. Regina *File No. 373*
3. New York *File No. 476*

Air Canada stated that due to union contractual agreements and financial and budgetary considerations it could not provide bilingual service at that time at the city ticket offices in Winnipeg and Regina. The New York office had a bilingual capacity, but it was not available at all times.

c) Lack of French-Language Service at Airport Counters

1. Ottawa *File No. 105*
2. Toronto *File No. 154*
3. New York *File No. 171*
4. Winnipeg *File No. 183*

Air Canada maintained it had a bilingual capability at Ottawa, Toronto and Winnipeg, but this did not mean every passenger agent was bilingual. Nevertheless, it could offer service in both official languages to varying degrees. At Kennedy Airport in New York, Air Canada's bilingual capacity was minimal and the Commissioner recommended that the necessary measures be taken to permit the corporation to provide bilingual services as required by the Act.

d) Lack of French-Language Reading Material on Flights

1. Montreal-Ottawa *File No. 140*
2. Quebec-Ottawa *File No. 621*
3. Quebec-Toronto *File No. 596*
4. Ottawa-Quebec *File No. 454*
5. Edmonton-Winnipeg *File No. 460*

Normally, French-language newspapers and magazines are provided on flights from cities where such reading material is published or readily available. Furthermore, it is corporation policy to provide newspapers published the same day as the flight, so that on Sundays and holidays there may be none available. Climatic conditions, such as an unusually heavy snowstorm, may delay delivery of the daily quota to the airport in time.

e) *Lack of French-Language Telephone Service*

1. Washington *File No. 683*
2. New York *File No. 683*
3. Ottawa (freight office) *File No. 417*

Telephone calls to Air Canada's Washington office are directed automatically to the answering service in New York. The New York reservation office has a bilingual capability, but it is not one hundred per cent effective, for various reasons. The Corporation intends to increase its bilingual capability at New York.

The Ottawa freight office has a partial bilingual capability. The Commissioner recommended that Air Canada take the necessary measures to assure bilingual service at all times and the corporation decided to give French-language courses to the anglophone personnel at the freight office.

f) *Lack of French-Language Flight Departure Announcements*

Fredericton—*File No. 596*

Air Canada stated that collective agreements with its unions prevented it from offering public announcements in French at Fredericton.

g) *Business Reply Card—File No. 563*

An Anglophone from Dundas, Ontario, received an Air Canada business reply card which was bilingual on the return self-addressed side, but was in English only on the questionnaire side. On behalf of his French-speaking compatriots he believed this was unjust.

Air Canada explained that they had two sets of cards, one set for their English clients and one for their French clients. Air Canada maintained separate lists for English and French customers according to the original request of the individual.

2. *Internal Administration: Personnel*

File No. 167

An Air Canada employee complained that the corporation was practising discrimination in the appointment of In-Flight Directors for the Boeing 747 planes. In the complainant's view, the discrimination took the form of not appointing any Directors who were Vancouver-based, because the senior pursers in Vancouver were not bilingual.

Investigation revealed that the decision to base In-Flight Directors at Montreal and Toronto only, was taken essentially for economic and practical, rather than linguistic, reasons.

File No. 455

The complainant believed that not enough French-Canadians were hired by Air Canada (and other Crown corporations and private enterprises). He enclosed a photograph with names of an Air Canada 747 plane and its entire flight crew, to show that there was not a single French Canadian among the personnel.

The complainant raised ethnic rather than linguistic questions. The Commissioner pointed out that the fact the personnel bore names that were manifestly non-French did not constitute proof they did not speak both English and French.

File No. 477

A bilingual Francophone in Ottawa employed by Air Canada was unwilling to accept a transfer to a position involving the duty of providing services to the travelling public. She gave her seniority rights as a reason to suggest that the institution seek a suitable incumbent from among the younger employees. She called upon her union to deal with the case.

The Commissioner was unable to investigate this complaint because it did not involve a breach of the Official Languages Act.

As will have been noted, Air Canada often stated that it could not implement the Commissioner's recommendations, or correct the situations complained of, due to budgetary restrictions and binding collective agreements with CALEA. The collective agreements affected seniority privileges, staff mobility, bumping rights, etc. of the very personnel who were in public-contact positions. The agreements were advanced as explanations in relation to the Winnipeg city ticket office complaints (File Nos. 367 and 373), and complaints concerning flights emanating mainly from Winnipeg (File Nos. 86, 443, 522) or terminating there (File Nos. 460 and 536). Additionally, in Fredericton, N.B. (File No. 596) the same reason was invoked for not making public announcements of flight arrivals and departures in French.

In March 1972, the Commissioner was informed that Air Canada and CALEA intended in the near future to form a committee composed of personnel of both organizations to seek procedures and solutions that would take full cognizance of the Official Languages Act and enable the public to be served in the official language of its choice throughout the system.

AUDITOR GENERAL'S OFFICE

File No. 497—Status of the French Language

The complainant, a French-speaking employee of the Auditor General's Office, alleged that it was not possible, in practice, to work in French in this Office. He stated that all reports must, by custom if not by rule, be made in English. He also alleged that most instructions and directives as well as personnel services were provided in English only.

The Auditor General informed the Commissioner that all internal communications intended for personnel in general would henceforth be published in both official languages with the two texts printed side by side on the same page. With regard to French as a language of work in his Office, the Auditor General had pointed out in his Report for the fiscal year ended March 31, 1971, that his Office must work in the language of its clients and that this language continues to be predominantly English in the areas of accounting and finance. He expressed the hope that opportunities would become available for French-speaking members of the staff to work in the language of their choice.

The Auditor General and the Commissioner agreed that the opportunity referred to would become more available if the Auditor General were to invite clients to submit their accounts in French. This would be a most significant step towards affording an equal opportunity to Francophones to work in the official language of their choice in the Auditor General's Office, as well as in other government administrations. The Commissioner, for his part, told the Auditor General that the Commissioner's Office would begin on April 1, 1972, to submit all its accounts in French, and he discussed with the Auditor General certain other agencies whose existing capacity to do accounts in French would enable them, were they so invited, to do likewise.

The Commissioner believes that this reform will permit Francophones of the Auditor General's Office to work more often, and in some cases mainly, in French and, taking into account the widespread *de facto* use of English in federal agencies' accounting, will better respect the principle of the equality of status of English and French as languages of work in this Office.

BANK OF CANADA

File No. 552—Advertising

A French-speaking correspondent reproached the Bank of Canada for advertising in Manitoba in English-language daily newspapers only.

He wanted to be able to receive information on the activities of federal agencies through the French-language media, and asked that in areas where there are no daily newspapers in that language, the agencies use French-language weeklies.

The Bank of Canada informed the Commissioner that it had used French-language radio, television and weeklies to publicize its 1971-1972 issue of Canada savings bonds in Manitoba. With regard to the advertisement "Hurry" which the complainant enclosed in his letter, the Bank acknowledged that it had appeared only in the daily newspapers. In the final phase of its campaign, the Bank had decided to use French-language radio and television in order to reach the French-speaking Manitobans. This was an administrative decision which did not concern the Official Languages Act.

The Bank of Canada assured the Commissioner that it had been endeavouring to provide information to the French-speaking population outside Quebec in French about its savings bonds issues, and that it intended to continue this practice. The Commissioner recommended that the Bank use the French-language press for advertising for other purposes as well.

CANADIAN BROADCASTING CORPORATION

A large number of the complaints relating to the Canadian Broadcasting Corporation concerned the extension of its services. The Corporation has pointed out many times, notably in its last annual report (1970-1971, page 45ff.), that it plans to extend radio and television services in both English and French to all parts of Canada as public funds become available. In the Speech from the Throne on February 17, 1972, the government announced an accelerated expansion of radio and television services in the following terms:

It is a matter of concern to the Government that at this moment many communities do not receive the national broadcasting service and that some one million Canadians in 260 communities receive no television service in their own language. The Government proposes, therefore, that the CBC be authorized to extend its services in a comprehensive fashion and to utilize the capabilities of Canada's pioneer satellite communications system to assure within a five-year period that at least 98 per cent of Canadians are served.

There are thus grounds for hoping that almost all Canadians will shortly have access to CBC services in the official language of their choice.

File No. 5065-52/R3 — French Television for Saint Paul, Bonnyville and Lac La Biche, Alberta

Over 250 French-speaking persons complained of the lack of French television in the Saint Paul—Bonnyville—Lac La Biche area of Alberta. The complainants stressed the essential part played by television in the matter of language, and pointed out that access to French television would be an effective asset in ensuring the vitality of the French language in this region.

The CBC informed the Commissioner that the three localities in question were among those in which it was planning to install television rebroadcasting stations. However, the CBC pointed out that many localities in Canada were requesting television services, and that it had to extend its services according to an order of priority based on the per capita cost and an equitable distribution of public funds from the geographical and linguistic points of view.

Some time in 1972 the CBC intended to submit an application to the Canadian Radio-Television Commission for the installation of a television rebroadcasting station to serve the Saint Paul—Bonnyville area. A similar application for a rebroadcasting station at Lac La Biche was to be submitted in 1974. These two stations would rebroadcast television programs from CBXFT in Edmonton. The CBC indicated that these dates were provisional, and might be changed, but that in any case a rebroadcasting station cannot be put into operation until about a year after it receives CRTC approval.

The Commissioner recognized the factors motivating the CBC's decisions, but nevertheless recommended to the President that the extension of French television to the Saint Paul—Bonnyville—Lac La Biche area be speeded up as much as possible, pointing out that this service is not a luxury, but a necessity.

File No. 92—French Television Programs in the Penetanguishene Region of Ontario

A Francophone complained of the lack of French-language television programs in the region of Penetanguishene, Ontario. She asked the Commissioner to request that the CBC provide more such programs for the French-speaking inhabitants of the area.

The CBC informed the Commissioner that it broadcasts six hours of educational programming in French annually to this area, in three half-hour units each season. However, the people in the area can receive the educational broadcasts produced by the Ontario Educational Communications Authority. The CBC added that it also intends to set up a television rebroadcasting station in the area in 1975, so that the

inhabitants of the area will be able to receive the television programs of the CBC's French service.

File No. 102 — French Service in Toronto

A Francophone complained that he had often had difficulty communicating in French with radio station CJBC in Toronto, saying that the CBC's telephone receptionists in the city are not able to provide services in French. He also pointed out that the plaques identifying the CBC's building on Jarvis Street are in English only.

In its reply to the Commissioner, the CBC indicated that between June 1971 and March 1972, the number of its bilingual telephone receptionists had increased from two to six, so that half the staff of this section is now bilingual. It considered itself adequately equipped to provide service in the two official languages at any time. Furthermore, it expressed its willingness to reconsider the entire matter when French television is introduced to Toronto.

Concerning the plaques identifying its buildings in Toronto, the CBC informed the Commissioner that changes were being made in the location of its services, and that when this work was completed, the plaques identifying its buildings and services would be in both official languages.

File No. 127 — Insufficient French-Language Television Broadcasting in Southwestern Ontario

A French-speaking Torontonians complained of the insufficient French-language television programming in southwestern Ontario, particularly in the Toronto area.

The Canadian Broadcasting Corporation informed the Commissioner that it had submitted an application to the Canadian Radio-Television Commission in November 1970 for the establishment of a French-language television station in Toronto. This application was approved in March 1972. The new station will probably be in operation at the end of 1972 or the beginning of 1973. The Corporation anticipates that it will reach 28 per cent of the French-speaking population of southwestern Ontario—31,000 out of a total of 109,000 (partial census of June 1, 1966). It also pointed out that of the 443,000 French-speaking persons in Ontario (partial census of 1966), some 300,000—mainly in the north and east of the province—were already reached by its French-language programming. This means that by the end of 1972 or beginning of 1973 the CBC will be serving 75 per cent of Ontario's French-speaking population.

The Corporation added that it intends to establish, over the next few years, stations or retransmitters in various parts of southwestern

Ontario where there are a sufficient number of French-speaking persons. For example, the Windsor-Essex-Kent region will probably have French-language television service in 1973 and the Midland-Penetanguishene region in 1975.

File No. 412 — Services in French in Toronto

A French-speaking resident of Ontario complained that the CBC had sent him a contract drawn up in English.

The CBC informed the Commissioner that its policy was to reply in the language of the correspondent. To avoid a repetition of such cases, the Corporation stated that it intended to use translation services whenever its employees did not have the linguistic ability to meet the public's requirements in both official languages.

File No. 471 — Pension Plan

A French-speaking contributor to the CBC pension plan complained that the Corporation's agent—Royal Trust—had sent him a letter in English.

The CBC informed the Commissioner that communications between the trust companies and its employees were supposed to take place in the language indicated by the Corporation, and that in the present case it had erred in indicating that the language was English. The Corporation stated that it proposed to make certain improvements in its agreements with the trust companies in order to avoid a repetition of such incidents.

File Nos. 502 and 760—Televised Speeches with Simultaneous Translation

The complainants protested against CBC presentation of televised speeches or statements with simultaneous translation. They suggested the use of subtitles in such cases so that Canadian citizens could appreciate, if they want, the arguments of the speaker in the official language he expressed himself.

Although finding no contravention of the Act, the Commissioner referred the complaint unofficially to the attention of the CBC.

The CBC informed the Commissioner that, after lengthy discussion, they have as yet been unable to find a universally satisfactory solution to this problem. Adding subtitles to a televised program or to part of a program necessitates special preparation. This can be done in a technically acceptable manner only where program texts are available before transmission or where the textual content is independent of the program itself (this is the case when a special announcement is flashed on the screen during a regular program).

The Corporation added that, since the systems presently in service are not used for live programs where text and picture are synchronized, the only practical technique was simultaneous translation. In most cases, apparently, such an interpretation will be part of the soundtrack when the statement is subsequently used for other programs.

The problem is under continuing study by the Corporation's Program Committee.

File Nos. 561 and 761—French Broadcasting in Vancouver and Victoria

The complainants criticized the lack of French-language radio and television broadcasts in the Victoria area in British Columbia, as well as the absence of French-language television programming in Vancouver.

The CBC informed the Commissioner that the French radio broadcasts of its AM network were carried by CBUF-FM Vancouver, at 97.7 on the FM dial. According to the Corporation, there should be no difficulty in picking up these broadcasts in Victoria.

The CBC is also considering the establishment of French-language television stations in Vancouver and Victoria, but as in several other cases these projects are not yet final. It expects to submit an application to the Canadian Radio-Television Commission at the beginning of 1973 for the establishment of such a station in Vancouver, and a similar application for Victoria should be submitted during 1974.

File No. 569 — French Broadcasting in St. John, N.B.

A Francophone stated that it was impossible to pick up French-language radio broadcasting in St. John, N.B., and demanded the establishment of a French-language radio station in that city.

The CBC informed the Commissioner that during the first half of 1972 it expected to submit an application to the Canadian Radio-Television Commission for the establishment of an FM radio station which would serve the St. John-Fredericton area. The reason for using the FM band was that there was no longer any space on the AM band. However, the new station would rebroadcast the CBC's AM programming of CBAF, Moncton.

The CBC took this opportunity to supply the Commissioner with certain information on the extension of its French-language television services in this area. On November 26, 1971, it submitted an application to the CRTC for establishment of a new French-language television station in Grand Lac (near Fredericton) which would serve the St. John-Fredericton area.

Although in theory the city of St. John lies within contour B of the proposed station, the Corporation recognizes that topographical and interference factors will probably cause reception problems in certain parts of the city. This is why it is willing to establish a low-power retransmitter either in St. John itself or in the surrounding area in order to guarantee satisfactory service.

File No. 570 — Lack of French-Language Service in the Prince Albert Region (Saskatchewan)

The complainant stated that residents of the Prince Albert region in Saskatchewan were deprived of French-language radio and television service. She insisted that the Canadian Broadcasting Corporation should provide such services.

During the investigation of the complaint, the CBC informed the Commissioner that there are at present privately-owned French-language radio stations at Saskatoon and Gravelbourg. These stations carry a large volume of CBC French Network programming under a rental arrangement with the Corporation which provides a significant portion of the stations' revenue. In addition the coverage-extension plans of the CBC call for a French radio station at Prince Albert. The date for this is still tentative but, in any event, the Corporation does not foresee such a station being in operation until 1974, at the earliest.

The CBC underlined to the Commissioner that television was much more expensive than radio. Up to now the high cost of delivering TV program service to the West has been the chief obstacle to extension of French-language television on the Prairies through CBC facilities. The arrival of the communications satellite (ANIK) in 1973 should, however, go a long way to make French television service to the West feasible. The English-language CBC TV stations at Regina, Moose Jaw and Saskatoon each broadcast about 2½ hours of French-language programs weekly.

In the light of this expected development, the CBC foresees the establishment of French-language TV stations at several Saskatchewan locations, of which Prince Albert is one. As with radio, plans of the Corporation are still tentative. At the moment the CBC envisages a Prince Albert television application to the CRTC sometime in 1973, with the station to be in operation about a year later. This project, like all coverage projects of the Corporation, is dependent upon CRTC approval and availability of the necessary capital and operating funds.

The Commissioner decided that, subject to the need for follow-up, the Act was being respected.

File No. 591 — Unilingual Printed Stamps

A French-speaking Montrealer received printed matter from the Corporation in Ottawa. He pointed out that on the CBC's envelope there was one printed stamp in English only and one which was partially bilingual: "Printed matter" and "CBC, Radio-Canada, your publicly owned broadcasting system".

The Corporation explained that it has both French and English franking equipment and that it uses whichever language is appropriate in the circumstances. It seems that in the present instance the English stamp was inadvertently used. To avoid repetition of such errors, the Corporation will supply its personnel shortly with bilingual stamps.

File No. 600 — Ottawa Local Newsroom

An Anglophone alleged that the Ottawa local newsroom at CBOT (CBC TV news) was manned by 14 unilingual English reporters and no French-language staff whatever. Consequently, staff could not cover French-language events of a newsworthy nature and there was unbalanced TV news coverage.

The complainant also alleged that on Parliament Hill there were six unilingual Anglophones and only one functional bilingual to handle the CBC National News. He questioned that this was sufficient language balance to provide good cross-Canada coverage.

The CBC admitted there was not a completely bilingual reporter in the English newsroom but pointed out that the French-language reporters of the CBOFT news service were in the same room and that there was a degree of exchange of information and pooling of resources. Moreover the CBC was implementing a French-language training program for some of the unilingual Anglophones, including the personnel of the Parliamentary Bureau.

The CBC believed that coverage of French-language news given by CBO and CBOT had been "rather well balanced" in the past and that additional French-language capability could only improve the situation. The Commissioner considers that the planned language training, if sufficiently functional, should considerably facilitate reporters' work and should form, at the individual's choice, a normal part of their professional development.

File No. 609 — CBC Engineering Headquarters in Montreal

The Commissioner received from an anonymous complainant an operating chart of the CBC Engineering Headquarters in Montreal accompanied by a copy of an article on bilingualism published in Time

magazine of November 29, 1971. On the operating chart the complainant had typed in capital letters: "NO FRENCH HERE PLEASE".

The communication did not formulate a precise complaint and was not investigated.

File No. 618—"Suivez la piste"

An English-speaking public servant wrote to the Commissioner about the television program "Suivez la piste" on the CBC English Network. He stated that Sunday at noon was "about the most useless time possible" for such a program.

The Commissioner concluded that the subject matter of the complaint did not involve a contravention of the Official Languages Act, and forwarded a copy of the letter to the Canadian Broadcasting Corporation.

File Nos. 633, 668, 689—French-language Television Broadcasting in the Peace River Region of Alberta

The Commissioner received a petition bearing 5,000 signatures demanding French-language television broadcasting for the Peace River region of Alberta. This petition was first sent to the Prime Minister of Canada and to the Secretary of State.

The Commissioner asked the CBC to consider the matter. The CBC informed the Commissioner that it expected to submit an application in 1972 or at the beginning of 1973 to the Canadian Radio-Television Commission for the establishment of a television retransmitter in Falher, which will serve the Peace River region. This station will rebroadcast the programming of CBXFT, Edmonton. The Corporation pointed out, however, that it would take about one year to set up the retransmitter and put it into service after receiving CRTC approval.

The Commissioner asked the Corporation to act as rapidly as possible, so that the Francophones of the Peace River region might obtain French programming in the near future.

File No. 663—Lack of English-Language Service in the Saguenay Region (Quebec)

An English-speaking resident of Kenogami, in Quebec, stated that there was a lack of radio and television service in her language in the Saguenay region. She wondered why it was not possible to obtain such services in English when CBC provided them in French in Nova Scotia "where there were about 10,000 people more or less who were able to understand French".

The CBC gave a satisfactory explanation. It informed the Commissioner that it had recognized the need for English-language service in this region for some time, and had filed an application with the Canadian Radio-Television Commission for an FM station in Chicoutimi that would also serve Kenogami. This application was approved by the CRTC on April 21, 1972. Although the proposed station would be an FM outlet, English-language programming would be provided by the CBC-AM services in Montreal.

The possibility of developing an English television network to serve the Saguenay region is also under consideration, and the CBC hopes to submit a request to the CRTC sometime this year. It usually takes about a year to begin operation of a station after CRTC approval is accorded.

The CBC stated that there were over 40,000 French-speaking listeners in Nova Scotia. The 1966 census indicated that about 40,000 Nova Scotians speak French. This figure does not take into account those who understand French well enough to be considered part of the CBC's listening or viewing public.

File Nos. 773, 804, 805, 806, 807, 808, 809, 812, 823, 828, 835, 836, 841, 849, 851, 865, 866, 867, 868, 872, 873, 879, 882, 883, 884, 889, 890, 891, 892, 893, 894, 897, 901, 905, 913, 914, 915, 916, 926—Strike by NABET Technicians

Several people from Regina and Edmonton complained to the Commissioner that French-language television broadcasts had been suppressed due to the strike by CBC technicians. Certain complainants from Regina took the opportunity to make the following recommendations to the CBC:

1. that a reserve of taped programs be kept for use on such occasions;
2. that the station be identified in French during the broadcasting of French programs;
3. that programs in French be broadcast twice a week on a regular basis.

The situation described was the result of a rotating strike by CBC technicians who belong to NABET and affected both French and English broadcasting. Since the English-language television stations in Regina and Edmonton were part of the national network, management personnel in Toronto could take over in the case of a work stoppage. However, this could not be done in the case of the French programming of the station in Regina, or in the case of the French-language television station in Edmonton, both of which were supplied with tapes on a day-to-day basis from Montreal.

When the Commissioner received these complaints, the Montreal technicians were on strike and the CBC could not record the programs required by these two stations. Normal service resumed when the work stoppage ended.

The Commissioner made it clear that such a situation lay outside the purview of the Official Languages Act.

The CRC noted the recommendations of complainants in Regina regarding the storage of taped programs which could be broadcast when the need arose, and promised to study the possibility of identifying the station in French during French programming. With regard to the possibility of broadcasting French programs two evenings a week on a regular basis, the Corporation regretted that this could not be done until a French-language station had been established in Regina.

CANADIAN INTERNATIONAL DEVELOPMENT AGENCY

File No. 119—Competition

A Francophone complained that CIDA ignored his wish to be interviewed in French during a closed competition for a position requiring a knowledge of French. The selection committee interviewed the applicant almost entirely in English.

The investigation revealed that the procedure followed at the time of the interview was irregular and constituted an infraction of the Official Languages Act. Consequently, the Commissioner recommended that CIDA hold a second competition and that interviews be conducted by a selection committee chosen in accordance with the Act. CIDA agreed to rehold the competition with a bilingual selection committee.

File No. 542—Notice of Competition

In a notice of a closed competition relating to the position of supervisor of the Budgetary Control Section, under the heading "Linguistic Requirements", there appeared the following notation: "The positions to be filled require a good knowledge of the English language". The complainant believed that these positions ought to require a knowledge of the two languages.

After having examined the nature of the work of the positions advertised, the Commissioner concluded that the linguistic requirements entered on the notice of competition did not sufficiently take into account the objectives and provisions of the Official Languages Act. In addition, the examination of the complaint revealed that the degree of bilingualism existing in the Division of Budgetary and Statistics Control was clearly insufficient to ensure adequate service in French

to its francophone clientele. The Commissioner recommended to CIDA that it take into consideration this deficiency when nominating personnel and that it rehold the closed competition for CIDA personnel after a revision of the linguistic requirements of the position.

CIDA notified the Commissioner of the changes effected within the Budgetary Control Section since the complaint was registered: two of the three employees in charge of Francophone Africa are bilingual and the third is able to communicate in French without difficulty.

During the course of the year 1972-1973, one of the posts of supervisor (CR5) will be filled by a bilingual incumbent and the assistant to the chief of the section will also be bilingual. As for the competition, CIDA declared that it was prepared to rehold it without mentioning linguistic requirements, which it did three months later.

Following the competition, two Anglophones were appointed to the positions of supervisor of the Budgetary Control Section. One was to take a language training course, while the other, who, according to the Agency, could work in French, even though he had not passed the language test of the Public Service Commission, enrolled in a language course for the purpose of improving his oral French.

CANADIAN NATIONAL

File No. 43—CNT (Ottawa Office)

A French-speaking person reproached the Telecommunications Office of the Canadian National Railways (CNT) in Ottawa with not providing adequate service in French. He maintained that in order to send a telegram in French, customers sometimes had to wait several minutes before being served. Moreover, he stated that in certain cases they had to spell every word.

The Crown corporation explained to the Commissioner that at the CNT in Ottawa at least 50 per cent of the staff serving the public is bilingual. It added that directives had been issued instructing its unilingual English-speaking employees to transfer customers wishing to be served in French promptly to one of the bilingual employees. The unilingual English-speaking employees had been taught a few basic phrases in French to enable them to make this type of transfer. The CN was of the opinion that its Ottawa office was equipped to provide adequate French-language service at all times, without undue delay.

File Nos. 69, 156, 491, 539, 545, 788, 846, 858— CNT (Toronto and Winnipeg Offices)

Several French-speaking and English-speaking people complained that the CNT offices in Toronto and Winnipeg were not able to provide

adequate service in French at all times. They added that when they did manage to obtain service in French, it was usually only after waiting for several minutes. Moreover, they pointed out that in order to send a telegram in French, they often had to spell almost every word, and that the telegrams which they sent in French usually contained several spelling errors.

The CN admitted that it was not able to provide adequate, reasonably prompt service in French at all times, not only in Toronto and Winnipeg, but also in Edmonton. In order to remedy this situation, it requested permission from the Trans-Canada Telephone Network to set up a private line which would enable citizens living in these three areas who want to be served in French to speak directly to the CNT in Quebec City, at no extra charge.

Since the CN expected that negotiations with the Trans-Canada Telephone Network would be lengthy, it decided to use the services of Zenith as a temporary measure in these three areas in order to direct calls in French to the Telecommunications office of the CN in Quebec City. Even though the Zenith service presented a problem (the local telephone operator, who often does not speak French, has to intervene to transfer the call), the Commissioner felt that the service in French in these three regions would be improved by adopting this measure. In the end, the Trans-Canada Telephone Network informed the CN that it had rejected its request. The CN then assured the Commissioner that it would continue to use the Zenith service for these three areas.

File No. 500—CN-CP Telecommunications in Montreal

A French-speaking person reproached the CNT in Montreal with using only a unilingual English cancellation stamp and with issuing computer cards (bills) which were not completely bilingual.

The stamp and bill in question were from the Telecommunications branch of the Canadian Pacific. The CNT reminded the CP that the CN, as a Crown corporation, was obliged to comply with the Official Languages Act, and recommended that all forms issued to the public bearing the name of the CN be revised and made completely bilingual.

File No. 656—CP Telecommunications in Montreal and CN Telecommunications in Toronto

A French-speaking person alleged that the CNT in Toronto had not been able to telephone a telegram in French to a citizen living in the Toronto area. He added that, contrary to his request and that of the recipient, the telegram in question was never delivered.

In its answer to the Commissioner, the CN explained that this message had been received by the CP Telecommunications Office in

Montreal and relayed to the CNT in Toronto. According to the CN, the Canadian Pacific maintained that the sender had not requested to have the telegram delivered. Moreover, the CN stated that unfortunately the records concerning the sending of messages received by telephone for the month in which the incident occurred were no longer available. The CN had already issued directives requiring that all messages in French be forwarded by operators with a good knowledge of the language. It did appear, however, that this had not happened in the present case, and the CN apologized for the error.

In order to correct this situation, the Crown corporation reissued its directives concerning the sending of messages in French. It informed the Commissioner that it was going to use the Zenith system to make it possible for the CNT in Quebec City to telephone messages in French to people living in the Toronto area when the CNT staff in Toronto was not able to do so.

File No. 106—Language of Work

A Francophone sent the Commissioner a copy of a brief he had submitted to the Commission of Inquiry on the Position of the French Language and on Language Rights in Quebec (the Gendron Commission). Basing his observations on his experience as a CN employee, he expressed his opinion on the position of French as the language of work among the company's administrative staff.

The correspondent admitted that CN usually served members of the travelling public in the official language of their choice in stations and on trains in the Province of Quebec. In addition, the staff members he referred to had access to the following services: language, terminology, translation, monthly French-language publications and French-language courses. However the correspondent stated that although equal rights might exist in the CN, equal opportunity did not, and this inequality adversely affected French-speaking employees. He cited as an example the position of bilingualism in an administrative branch handling freight sales in Montreal, where the director was unilingual Anglophone and of 36 employees, 16 were bilingual and 20 unilingual Anglophones. He added that English was the language of communication, that it was used in the preparation of the majority of files and reports and in the conduct of meetings, although a good number of participants were Francophones.

Finally, the correspondent recommended the creation of a "French-Language Office" at CN. Its main function would be to prepare a policy designed to make French the language of work.

The Commissioner decided to consider these remarks as a complaint.

Like other federal institutions, CN is in the process of formulating its bilingualism objectives in order to meet the requirements of the Official Languages Act. While the Commissioner was studying this question, a change had already taken place in CN's policy concerning the overall situation revealed by the correspondent.

At the head office for the St. Lawrence region and for the Montreal, Champlain and Quebec City sectors, a large part of oral communication now takes place in French. Accordingly, weekly meetings of the regional staff are conducted almost exclusively in that language, providing English-speaking supervisory staff taking language courses with an excellent opportunity to express themselves in French.

A number of internal management meetings, as well as the great majority of discussions with planners and provincial and municipal officials, take place in French. In certain internal management meetings French and English are used interchangeably.

A directive entitled "CN Policy on Bilingualism: Application in the St. Lawrence Region" states that everyone is free to use the official language of his choice in internal management relations. Employees must use the language of the client for written communication; this requires a special effort on the part of those who have difficulty writing about technical matters in French. In addition, English-speaking employees are encouraged to use French increasingly in internal correspondence within the region.

As far as general organization is concerned, the St. Lawrence region consists of a regional head office in Montreal and four sectors, two of which have their head office in Montreal, one in Quebec City and one in Belleville, Ontario. Sixty-two per cent of non-union employees and middle and senior management are French-speaking. The percentage of these who are bilingual is 70, 80 and 76 respectively and a number of Anglophones in these categories are taking French language courses. In addition, CN has made considerable efforts to recruit Francophones. It seems therefore that there is a substantial degree of bilingualism at all levels of administration in the St. Lawrence region.

Freight sales staff in all offices in the region are able to serve the public in French or in English. All employees recruited since 1965 are bilingual; the only unilingual anglophone employees are those who have been working there for a good many years. The sales managers in all sectors are bilingual and two of the three remaining unilingual freight sales representatives are enrolled in advanced French-language courses. Fifty-four per cent of the freight sales employees are French-speaking and 81 per cent are bilingual; the latter figure rises to 86 if those taking French-language courses are included. At the regional level only two out of nine senior managers are unilingual Anglophones.

Because approximately 90 per cent of industrial traffic directors are unilingual Anglophones, the majority of sales reports by bilingual employees are written in English. However, salesmen may write their customer reports in the official language of their choice, except when a report is intended for an office outside the region. At sales meetings discussion is in either language.

As indicated in the preceding paragraphs there have been important changes concerning bilingualism at CN. However there is still much to be done. For his part, the Commissioner will continue to support the right of federal employees in Quebec to work in the official language of their choice, and will keep a close watch on the development of CN's language policy.

File No. 138—"Know Canada"

A complainant took exception to the unilingual English format of the publication "Know Canada" displayed in CN hotels.

"Know Canada" is a private publication, not a Canadian National publication. Since CN felt that the magazine had no promotional or goodwill value to CN hotels, its purpose being to encourage travel within Canada and to attract visitors from other countries, and as there was already a good deal of reading material distributed in the rooms, CN decided to withdraw the publication from circulation.

File No. 256—Collective Agreements

A francophone union member, who works for the CN, wrote to state he had been unable to obtain a French version of his union contract although he had tried for several years to do so. He had gone as far as requesting the assistance of the federal Minister of Labour.

Events revealed that it was the union itself that had the responsibility of providing its members with the French text, but that for administrative and translation reasons it had so far been unable to do so. Nevertheless, the Commissioner told the CN that he believed every employee of a federal government department or agency was entitled to receive a copy of a collective agreement in the official language of his choice and that it was the employer's responsibility to make it available.

CN replied that it was the corporation's policy to provide labour agreements in both official languages when there was a significant demand. However, the corporation pointed out that it did not distribute collective agreements to its employees, but rather to the labour organization. Where the labour organization was prepared to cooperate, translations were jointly prepared; otherwise, CN would have the agreement translated and would supply the labour organization with a copy.

CN's ability to produce translations quickly was substantially inhibited by the lack of suitable translators to handle the job, and by the time available to representatives to check the translations in the draft stages. Nevertheless, CN expected that the Commissioner's suggestion would be virtually implemented by the end of 1972.

The Commissioner found the policy to be in full compliance with the Act.

File No. 324—Queen Elizabeth Hotel

Four persons who had stayed in the Queen Elizabeth Hotel in Montreal reported that an English-language daily newspaper was left outside each room in the morning with a slip of paper on which the following words were written: "A French-language newspaper is available on request from the Bell Captain". The complainants objected to the fact that guests wishing to obtain a French-language newspaper were obliged to make a special request in order to receive a copy, while English-speaking guests received their newspaper automatically.

The Commissioner brought this question of the inequality of the two languages to the attention of CN authorities. The administration of CN hotels did not accept the Commissioner's suggestion to extend the existing service to both linguistic groups in the language indicated by clients on their registration; it preferred simply to stop automatic distribution of the newspaper in question at hotel-room doors. However, guests may still receive a free newspaper on request, a service which—despite the additional effort demanded of them—puts French-speaking and English-speaking visitors on an equal footing.

File No. 404—"What's On in Ottawa/Voici Ottawa"

The complainant noticed that the Chateau Laurier, a CN hotel, placed an advertisement in English only in the bilingual magazine "What's On in Ottawa".

CN undertook to rectify this oversight and to publish advertisements in a bilingual format in the very near future.

File No. 414—Report Forms

A French-speaking electrician employed by Canadian National in Montreal complained that he was not able to fill out report forms in French.

The Commissioner drew this matter to the attention of the CN management who told him that they could see no reason why an electrician could not be allowed to fill out his forms in French. The staff requiring this information was bilingual and the report forms would soon be available in both official languages.

File No. 475—Ferryboat

A French-speaking passenger on the CN ferryboat between North Sydney, Nova Scotia and Port aux Basques, Newfoundland reported that he could not obtain service in French.

CN replied that there are usually bilingual attendants at North Sydney who are able to serve the travelling public in both official languages. Unfortunately, when the complainant requested service, there was only a unilingual English-speaking attendant available. The Commissioner recommended that all necessary steps be taken to avoid the recurrence of such an incident.

File No. 520—Dismissal Notices

A person in Montreal sent the Commissioner a copy of an article which appeared in the *Journal de Montréal* on November 5, 1971, stating that French-speaking CN employees in the Montreal area had apparently received dismissal notices in English.

The investigation of the complaint revealed that CN had addressed these notices in English to French-speaking employees by accident. The corporation promised to take the necessary action to prevent such incidents from occurring in future.

File No. 544—Symington Marshalling Yard in Winnipeg

The complainant reported that all tours of the Symington marshalling yard in Winnipeg were organized in English only. She believed that this was an encroachment upon the language rights of French-speaking visitors.

CN informed the Commissioner that since the marshalling yard was set up five or six years ago, many groups had come to tour it, but there had never been any requests for a commentary in both official languages. It added that the staff was prepared to give the tour in French for French-speaking groups provided that they requested it when they made their appointment for the tour. The Commissioner then emphasized that the Crown corporation would better fulfil the requirements of the Act if it took the initiative to offer all visitors its services in either official language, or in both when necessary. CN acquiesced in this request.

File No. 553—Advertisements in French-Language Newspapers

A French-speaking person reproached CN with advertising only in English-language daily newspapers in Manitoba. He wanted to find out about the activities of federal agencies through French-language media, and he requested that in areas having no daily paper in French the agencies use the French-language weeklies.

As a result of the action taken by the Commissioner, CN decided to advertise periodically through French-language media in Western Canada.

File Nos. 604 and 777—CN Station in Edmonton

Two Francophones who wanted to buy tickets to Quebec were not able to find anyone who could serve them in French at the station in Edmonton. Another complainant criticized the lack of service in French at the wickets in this station and also pointed out that the signs were not all bilingual.

CN replied that until the middle of 1971 the Edmonton station had two bilingual clerks serving the public during office hours. During the summer, however, these employees had been given other duties which resulted in the discontinuance of service in French. CN observed that in 1971 it had handled twelve requests for service in French in Edmonton and answered six letters written in this language.

CN intended to review the postings of its staff with a view to giving the Edmonton station some bilingual capacity and was even considering language courses for its employees.

Concerning the signs, CN recognized that some were not bilingual and promised to replace them as soon as possible. It pointed out, however, that it leased its premises in the building and that it could not be held responsible for the unilingual signs of some other tenants.

File Nos. 654, 726, 745—Service to the Public on Trains

- The complainant stated that he had made the trip between Montreal and Lévis twice, and had not been able to obtain service in French in the club car.

CN informed the Commissioner that on December 10, there were only English-speaking waiters working in the club car and in the snack bar, but that on December 23, the steward working in the club car was bilingual. It expressed regret that the unilingual employees had not called upon their bilingual colleagues under the circumstances.

It is difficult to form crews which are able to provide service in both languages because of collective agreements which require that the seniority, the state of health and the abilities of the staff be taken into consideration. Despite these requirements, CN makes it a policy to have at least one waiter who can speak French in the dining car at all times. It has also issued a directive instructing employees to call upon their colleagues if they are not able to provide service in French themselves. Moreover, CN has organized French courses for its employees who deal with the public and it attempts to hire bilingual personnel when there are vacant positions.

- In an open letter which appeared in *Le Devoir* on February 24, 1972, a person from St-Jean, Québec, complained that the employees in Central Station in Montreal gave priority to English at the gate for the Montreal-Toronto train and that the service on the train was in English only.

A few days later, another complainant who had read this letter in *Le Devoir*, informed the Commissioner of a similar experience on a train going from Montmagny to Toronto via Montreal. Preference was given to English between Montmagny and Montreal, and from Montreal to Toronto there was no French service at all.

CN informed the Commissioner that most of the employees working on the trains in the St. Lawrence region are bilingual. It has issued directives requesting that French be given priority in this region in dealings with the public. It added that in Central Station in Montreal, all the personnel who serve the public are bilingual and that directives had already been issued requesting employees to address customers in French first, and to repeat the information in English if necessary. Since most of the people going to Toronto are Anglophones, the clerks at the gates and at the bottom of the stairs tend to use English first rather than French. CN has repeated its instructions and has made certain employees responsible for seeing that they are respected.

It seems more difficult to pin-point the problem regarding bilingual service on the Montreal-Toronto trains. Once again, difficulties result from the fact that crews are assigned according to seniority rights laid down in collective agreements. For this reason, the bilingualism requirements are not always respected. In an effort to improve the situation, CN is also providing French courses for its staff in Toronto who are assigned to the Toronto-Montreal run. Learning a second language requires a certain amount of time, but CN emphasized that the staff is enthusiastic about the courses.

The Commissioner told CN that its continued efforts towards providing French-language training for its employees and its hiring of bilingual personnel should enable it to meet the requirements of the Official Languages Act.

File No. 767—"English-Speaking League"

The Commissioner learned from a small item in a Moncton newspaper that a group of French-speaking employees working in the CN yards in Moncton had complained to the Société nationale des Acadiens (SNA) that attempts were being made to intimidate them by selling membership cards for an "English-Speaking League" during working hours.

Since he had not received an official complaint on the subject, the Commissioner asked the Société nationale des Acadiens for an explanation. It replied that it had approached CN and that CN had subsequently taken the necessary steps to prevent such incidents from recurring. Since there had been no other complaint, the SNA felt that the French-speaking employees must have been satisfied with the action taken by CN and that under the circumstances there were no grounds to lodge a complaint with the Commissioner.

CANADA PENSION COMMISSION

File No. 612—Competition Poster

A complainant stated his belief that a promotional competition for a private secretary to the chairman of the Canadian Pension Commission did not take due account of the purposes and provisions of the Official Languages Act. He declared that proficiency in both official languages rather than in the English language only should be an essential qualification for the position.

Since the personal staff of the Chairman was able to provide service to the public in the language of its choice, the Commissioner believed that due account had been taken of the purposes and provisions of the Official Languages Act.

CANADIAN RADIO-TELEVISION COMMISSION

File No. 194—English Programming

Several people complained of the high percentage of records in English in the programming of stations CKCH (Hull) and CJRC (Ottawa).

The Commissioner brought these complaints to the attention of the Canadian Radio-Television Commission which is presently studying the matter.

File No. 602—French Pronunciation

An English-speaking person raised questions about the pronunciation of French names on English-language radio stations.

The Canadian Radio-Television Commission informed the Commissioner that although this matter was not covered by CRTC regulations, the Commission, because of its interest in linguistic questions, had always attempted to enlist the co-operation of broadcasters in this area.

Following discussions between the management of the station mentioned by the complainant and the CRTC, the station has agreed to attempt to meet the requirements of its listeners in each official-language group.

OFFICE OF THE COMMISSIONER OF OFFICIAL LANGUAGES

File No. 496—Investigation to be Conducted in Private

A New Brunswick correspondent asked whether the correspondence directed to the Commissioner of Official Languages was regarded as strictly confidential. She stated that she had several complaints concerning the way in which bilingualism programs were being implemented in federal government departments. Before registering these complaints, she wished to be assured that her anonymity would be guaranteed.

The Commissioner advised her that Section 28(1) of the Official Languages Act provides that “every investigation by the Commissioner under this Act shall be conducted in private”, and Section 29(3) stipulates that “the Commissioner shall require every person employed in his Office who is directed by him to receive or obtain information relating to any investigation under this Act to comply with any security requirements applicable to, and to take any oath of secrecy required to be taken by, persons employed in any department or other institution concerned in the matter of the investigation”. The confidentiality of her inquiry and the protection of her anonymity as a complainant were accordingly guaranteed by law. There was no further correspondence and the Commissioner closed his file.

File No. 746—Publicity

An anglophone publisher in Manitoba wrote, through the intermediary of his Member of Parliament, to request that he receive a portion of federal government bilingual advertising. He would have liked his paper to carry for instance the Commissioner’s bilingual advertisement.

It was explained to the correspondent that the small experimental publicity campaign of the Office of the Commissioner of Official Languages had concentrated, on the particular occasion the publisher referred to, on the French-language press outside Quebec, both because it offered an opportunity to reach a public in particular need of the Commissioner’s assistance and because funds available for publicity were limited.

COMMUNICATIONS

File No. 101—Unilingual Sign

A correspondent asked the Commissioner to have a unilingual English sign of the Department in Ottawa made bilingual.

The Commissioner's office undertook a general study of signs in the National Capital Region. An account of this study and the resulting recommendations will be found in Chapter II of this report.

File No. 268—Personnel

The complainant alleged that she was prevented from accepting a position as secretary to a unilingual Anglophone because she was herself a unilingual Anglophone.

Formerly, the complainant was employed in the Department of National Defence as an ST-5; she was transferred to the Department of Communications in a casual position and was subsequently offered a transfer to a permanent ST-5 position as secretary to an officer at the CS-5 level on the understanding that both officer and secretary would undertake French-language training. Shortly after the complainant accepted this position, she was informed that the offer of employment had been withdrawn because the officer in question would require a bilingual secretary.

The complainant did not understand why she was not permitted to take French-language training, particularly in view of the fact that, in her opinion, most of the positions being classified as bilingual are at the secretarial level.

The complainant further alleged that a unilingual anglophone secretary cannot work for anyone who is likewise a unilingual Anglophone because such an officer is unable to translate correspondence which he may receive in French. Conversely, the same secretary cannot work for someone who is bilingual because he may wish to give her dictation in French. The complainant concluded that such a situation effectively blocked employment opportunities and rendered promotion impossible.

Recruitment and promotional procedures must, under Section 39(4) of the Act, take "due account" of the "purposes and provisions of this Act" when the positions in question include duties relating to the provision of service to the public. After studying the points raised by the complainant, the Commissioner concluded that there was no infraction of this section.

The position sought by the complainant was designated as bilingual, as was the supervisory position (CS-5). A unilingual Anglophone was named to the CS-5 position because the Department of Communications was unable to find a bilingual person who met all the requirements

for that post. The incumbent, however, agreed to take intensive language training in order to learn French as soon as possible. With regard to the secretarial position, the Department was able to recruit a qualified bilingual person.

There were 359 positions in the Administrative Support category of which 115 (32%) were designated bilingual and there were still many opportunities for unilingual secretaries to work for unilingual persons.

The complainant was informed of the results of the Commissioner's investigation.

File No. 435—Alleged Discrimination

An Ottawa Member of Parliament wrote to the Commissioner to ask him to investigate alleged linguistic and racial discrimination against an English-speaking public servant who was one of his constituents. The Commissioner subsequently interviewed the complainant and obtained details of his complaint concerning the Department of Communications.

After careful examination of the information with which the complainant furnished him, the Commissioner found no evidence that his position had been "red-circled" for linguistic reasons. In addition, ethnic rather than linguistic discrimination was being alleged, and as such, did not constitute an infraction of the Official Languages Act.

The Commissioner did, however, offer to refer the complainant's case to the Fair Employment Practices Branch of the Department of Labour for consideration. He also volunteered to speak to the Chairman of the Public Service Commission about the possibility of obtaining second-language courses for the complainant and to suggest that he be considered for employment outside the Department of Communications. The Public Service Commission advised the Commissioner that they had referred his correspondence to the Director General of Staffing who would ask his officials to investigate the possibility of employment for the complainant outside his present department. It was suggested that the complainant discuss with departmental officials the possibility of going on French courses.

File No. 464—Telephone Call to Toronto

The complainant dialed the number of the Toronto telephone information service set up under the Department. He asked in French for the number of a department; the switchboard operator did not understand, and the caller therefore had to speak English.

The Department informed the Commissioner that its Government Telecommunications Agency was responsible for meeting the telecommunications needs of all government departments. One of the duties

of this agency was, of course, to make sure that all telephone calls, whether they were made in English or French, were put through.

In exchanges where there were no bilingual switchboard operators, the Agency had made special technical modifications to its switchboards so that a unilingual switchboard operator could quickly refer a call made in French to a predetermined location where it could be dealt with. Moreover, if the operators were federal government employees, they were given access to the government language courses.

The operators were sometimes unilingual English-speaking federal employees who were beyond the age at which, according to the Department, they could benefit from language courses. To ensure that service was still provided in both languages, technical modifications had been made to the system in August 1971. The operators had also received specific instructions on this matter.

The Department does not normally keep a record of calls, but it said that although the rerouting procedure is not often required, it has been successfully used to put through a certain number of calls. With regard to the complainant's call, however, the Department was not able to ascertain why the operator had not complied with instructions. Each operator was asked to study carefully the directives, copies of which were posted in a conspicuous place at each work station on the switchboard.

In early 1972, the Government Telecommunications Agency performed tests, in the presence of one of the officials from the Commissioner's office, on the ability to put through calls in the following cities: Halifax, Toronto, London, Ottawa, Moncton, Winnipeg and Vancouver. Each test was conclusive with respect to service and length of delay.

The Commissioner, however, has since recommended to the Department that it take the following steps:

clearly instruct unilingual operators to refer calls made in French automatically to a bilingual colleague without the client's having to persist in French before his call is finally referred to the appropriate person;

urge unilingual English-speaking operators to refrain from speaking English to French-speaking clients, since service should be provided automatically in the client's official language;

pursue its efforts to set up a means of communication which would allow French-speaking clients to place their calls in their own language in all cities where the service is not yet bilingual;

make sure that the delay is as short as possible.

The Department accepted all these recommendations.

JOINT PARLIAMENTARY COMMITTEE ON THE CONSTITUTION

File No. 320—Language of Advertisement

An Edmonton resident complained that the Joint Parliamentary Committee on the Constitution had not advertised its public hearings in Edmonton in the city's French-language weekly.

The Chairman of the Joint Committee replied that the decision to restrict its advertisement to daily newspapers was taken because of the number and disparate nature of weekly newspapers. It was too late to place an advertisement in the weekly now since the Committee had completed its public hearings.

No further investigation or recommendation could be useful.

File No. 643—Conduct of Hearings

A complainant alleged that when he addressed the Joint Parliamentary Committee on the Constitution, no simultaneous translation was provided. The Commissioner, after consulting the Chairman of the Joint Committee, informed the complainant that simultaneous interpretation was available to those attending the Committee's hearings. However, a person standing at one of the floor microphones had to move to one of the equipped chairs to avail himself of the service. In the event that the equipment did not work properly, the Chairman would upon request provide a résumé in the other official language for the witness. Minutes of the proceedings of the session in question indicated that the complainant's comments had been translated.

There was no infraction of the Act.

CONSUMER AND CORPORATE AFFAIRS

File No. 565—Correspondence

A Francophone stated that following an interview conducted in French, he received a letter from the Department in English. In its reply to the Commissioner the Department indicated that its policy was to interview a candidate in French, English or both languages according to his choice. However when the position required a knowledge of English only, the Department usually sent the candidate his examination results in English.

Since this practice did not comply with the requirements of the Official Languages Act, the Commissioner recommended that the Department's correspondence be written in the language of the correspondent. The Commissioner stated that even if a candidate used both

official languages on forms, it was not too difficult to establish which was his mother tongue; his surname might provide another useful indication, although not always a reliable one.

File Nos. 617 and 650—The Consumer Packaging and Labelling Act

- A citizen of British Columbia was curious as to the application of the Consumer Packaging and Labelling Act. The Commissioner informed him that it was the responsibility of the Department of Consumer and Corporate Affairs to administer this Act.

- A citizen of Edmonton wondered if, under the terms of the aforementioned Act, he had to use packaging material with bilingual labelling for his merchandise. If this were the case he was opposed to doing so because none of his products were sent to Eastern Canada. The Commissioner referred this correspondent to the same Department.

File No. 695—Competition Bulletin and Resulting Eligible List

A federal public servant sent copies of a competition bulletin posted in the Department of Consumer and Corporate Affairs and the resulting eligible list. She ascertained that there were 148 candidates in this competition and pointed out in her letter that the first five successful candidates had French surnames. She expressed her surprise that there was not one English-speaking candidate with the desired qualifications and experience.

In reply, the Commissioner stated that his Office has two principal functions. First, it is responsible for ensuring that Canadians can deal with federal departments and institutions either in English or in French. To this end, his Office investigates grievances which may constitute infractions of the Official Languages Act. Secondly, the Office is concerned with the language of work in the federal public service. By intervening in exceptional circumstances where recruiting or promotional cases involve certain linguistic factors, the Office is able to assist both English-speaking and French-speaking public servants. The Commissioner emphasized, however, that the competition to which the complainant referred was a joint administrative responsibility of the Department of Consumer and Corporate Affairs and the Public Service Commission. The complaint was based on ethnic rather than linguistic considerations. In the absence of an apparent contravention of the Official Languages Act, the Commissioner was unable to be of direct assistance.

However, the Commissioner suggested that the complainant forward her comments to the Director of the Personnel Branch of the Department of Consumer and Corporate Affairs and to the Chairman of the Public Service Commission. He offered to make this referral on

the complainant's behalf but was subsequently advised that she had already referred the matter to the attention of the Chairman of the Public Service Commission who in turn conducted an investigation and forwarded the results to the complainant. She advised the Commissioner that she was satisfied with the outcome of this enquiry.

ENERGY, MINES AND RESOURCES

File No. 329—Dominion Observatory in Ottawa

The complainant charged that the Department did not offer services in French at the Dominion Observatory in Ottawa.

The Department admitted that the complaint was justified. In order to correct this situation, the scientific information officer was being given intensive instruction in French. In the meantime a bilingual guide had been hired to answer visitors' questions. The Department added that films in French and English on related scientific subjects had been provided for visitors who had to wait before entering the small room containing the telescope.

Before closing the file on this case, the Commissioner recommended that the Department in its advertising take account of the linguistic preferences of the French-speaking public at the Observatory.

Files Nos. 513 and 519—Language of Service

- A French-speaking person placed an order with the National Air Photo Library and received a confirmation form in English.

The Department informed the Commissioner that the form in question had been replaced by two forms, one in French and one in English.

- A French-speaking person tried to telephone a friend who worked in the Department and was annoyed by the discourteous attitude of the unilingual English-speaking person who took his call.

The Commissioner felt that the incident did not constitute a contravention of the Official Languages Act because it did not involve a service normally offered to the public.

ENVIRONMENT

File Nos. 147 and 580—Atmospheric Environment Service in Montreal

Two French-speaking employees stated that in Montreal, English was the language of the work in the Canadian Meteorological Centre (formerly the Central Analysis Office) and in the Weather Office of the Atmospheric Environment Service. They wanted the Department to

recognize the right of its employees to work in the official language of their choice.

The Department accepted the Commissioner's recommendation that employees of all weather offices in the province of Quebec be allowed to work in the official language of their choice, but stressed the difficulties this would create in certain offices.

The Department stated that in several weather offices in Quebec, for example those in Quebec City, Sept-Îles, Val d'Or and St-Hubert, as well as in stations providing meteorological information to the public, employees could work entirely in the official language of their choice, provided that anyone wishing to communicate with an office or station could do so in his own language. The majority of employees in these offices are bilingual French speakers and there is no language problem.

With reference to the Montreal Weather Office, the Department made it clear that while this office gave information to the public in the region, its main purpose was to issue weather reports and forecasts through the meteorological communications system to weather offices, news services and so on in Quebec and other regions of Canada where they are used to provide a service to the public. Accordingly, there are many requests for weather reports and forecasts, sometimes bilingual, sometimes in French or English only. The Department feels that if employees were allowed to work entirely in the official language of their choice at the present time, the various customers of the Montreal Weather Office would be upset and frustrated because they would receive weather reports and forecasts sometimes in one language and sometimes in the other. However, the Department has taken steps to ensure that weather reports and forecasts will be prepared in both languages twenty-four hours a day. This service will go into operation at the beginning of July 1972 and will be completely organized by the end of the year.

According to the Department, the Canadian Meteorological Centre is a branch of the head office of the Atmospheric Environment Service and is responsible for distributing weather charts to forecasting offices throughout Canada. Because of its national scope, the Centre recruits meteorologists from weather offices all over the country. For this reason, and because only a limited number of them are bilingual, a large portion of these meteorologists are unilingual English speakers and English is the language of work. The Atmospheric Environment Service undertook a study of the feasibility of introducing bilingualism in the Centre, thus allowing meteorologists to work in the official language of their choice. However, the Department pointed out to the Commissioner that the success of such a project would depend on the implementation of a language training program in the Canadian Meteorological Centre as

well as in offices where the latter might recruit staff, and that as a result, nothing could be expected for a few years.

After receiving another complaint from several French-speaking meteorologists in the Atmospheric Environment Service in Montreal at the end of the financial year concerning the status of the French language in their place of work, the Commissioner decided to investigate both complaints under the more general heading of the status of the French language within the Service. Although neither of these situations has yet been corrected, the Department has stated its intention to comply with the Official Languages Act as soon as possible.

Prompted by these two complaints, the Commissioner also made a special study of bilingualism in the Atmospheric Environment Service. A report on this study may be found in Chapter II.

File No. 311—Circular and Questionnaire

A student at the Town Planning Institute of the University of Montreal charged that he had received the circular "To Students Employed in National Advisory Committees on Water Resources Research" and questionnaires from the Department's research and policy co-ordination directorate in English only.

The Department stated that in actual fact, the English documents had been sent to the Town Planning Institute before the corresponding documents in French because the translation of the latter was not yet ready. It apologized to the Institute and promised to send the French versions as soon as they were finished. It also assured the Commissioner that steps would be taken to avoid a repetition of this incident.

File No. 418—Reply to Letters in French

A former employee alleged that letters in French sent to a division of the Department were thrown in the wastebasket.

Investigation revealed that letters in French sent to the division in question were answered in that language.

File Nos. 432 and 541—Native Trees of Canada

Two complainants charged that at the end of 1971 the Department had not published the French version of the text *Native Trees of Canada*, although the English text had been published in January 1970.

The Commissioner informed the Department that the lapse of such a period of time between the publication of the English and French versions of a text constituted a violation of the Official Languages Act and recommended that the French text be published as soon as possible.

The Department explained the reasons for this delay, referring in particular to the translation of scientific terms from English to French. According to them, French terminology in the field of silviculture in Canada had deteriorated to the point where some English terms were translated literally. Apparently considerable research had been necessary to determine the correct terms. It was the Department's intention to publish the French version in December 1972.

In order to correct the overall situation, the Department decided to issue directives regarding all its publications in both official languages.

File No. 486—Atmospheric Environment Service at Uplands

On two occasions a French-speaking citizen telephoned the Atmospheric Environment Service at Uplands and could not obtain an answer in French.

The Department informed the Commissioner that at the time these calls were taken there were eight technicians—one bilingual, two partially bilingual and five unilingual English—on duty. Since then, the personnel had been changed to include four bilingual technicians and five who spoke English only. The bilingual technicians in the Department have been assigned in such a way as to provide the best possible service during the five regular shifts, thus leaving only twenty to thirty per cent of the day and night shifts without service in French.

The Commissioner recommended that the Department arrange for continuous bilingual service.

EXTERNAL AFFAIRS

File Nos. 255 and 574—Passport

A Francophone could not obtain a passport application form in French from a Toronto post office; another upbraided the Department for having stamped three unilingual English notations on his passport.

In the case of application forms, the Department notified post-masters to take the necessary steps to see that forms would be available at all times in the two official languages; a spot-check of post offices in the Toronto, Montreal and Vancouver regions was undertaken to ensure that the directive was being respected.

With respect to unilingual stamps, they have not been used for several years, having been replaced by bilingual stamps at the time that passports were rendered entirely bilingual.

File Nos. 461, 599, 626—Overseas Service

- A Canadian residing in Chile could not obtain services in French from the Canadian Embassy in Santiago.

The Department admitted that the Embassy was for some time operating without staff capable of speaking both official languages; it informed the Commissioner that measures had been taken to correct the situation so that it would not recur.

- A student complained that the person to whom she made enquiries at the Canadian Embassy in Paris about renewing her passport could not speak English.

The Commissioner could not investigate this complaint since the complainant refused to provide him with the relevant information that would have allowed him to initiate an investigation. The Commissioner informed the complainant that his Office had conducted a thorough study of all aspects of bilingualism at a number of Canadian embassies abroad, and that the Department had already begun to implement the recommendations of the study.

- A Francophone pointed out to the Commissioner that at the Canadian Embassy in Paris the person who answered the telephone on January 1, 1972 at 11 o'clock a.m. could not speak French and requested the caller to express himself in English.

The Department notified the Commissioner that the person in question belonged to the corps of guards responsible for ensuring the Embassy's security. This person had passed the Public Service language test and was considered bilingual in accordance with the standards established for his category. Apart from this person, the Embassy has, henceforth, engaged four bilingual guards.

In addition, the Department notified the Commissioner that specific directives had been issued with a view to ensuring that services provided by receptionists, switchboard operators and guards are bilingual.

File No. 479—Training Course

The complainant, who did not wish to register a formal complaint, reproached the Passport Office for offering training programmes to francophone supervisors in English.

The Commissioner requested the Department to provide an explanation. The Department replied that the course was offered in English on an experimental and voluntary basis. It is, however, the Department's policy to ensure that courses are offered in both official languages to both Passport Office supervisors and personnel of other departments before they are posted overseas.

File No. 492—"Welcome to Canada"

The Canadian Consul and Trade Commissioner at Buffalo, N.Y., advised the Department that he had received a number of complaints concerning a bilingual "Welcome" sign on the Canadian side of the Peace Bridge between Buffalo and Fort Erie, Ontario. The languages used on the sign were English and Gaelic.

The Department of the Secretary of State brought the complaints to the Commissioner's attention. The Commissioner started negotiations to persuade the Peace Bridge Authority, a hybrid independent organization composed of both Canadians and Americans, to alter the sign to include French as one of the welcoming languages. The immediate vicinity of the bridge was then in a state of chaos because the Ontario Department of Highways was rerouting the approaches to the bridge from the Queen Elizabeth Highway and there were many temporary signs. The Authority promised that, as soon as construction was completed, it would erect a sign to welcome returning Canadians and others in at least our two official languages.

File No. 498—Language Courses

A communicator employed at a Canadian mission abroad complained that inadequate provision was made for him and his colleagues to receive second-language instruction during working hours.

The complainant was advised that the matter raised did not constitute an infraction of the Official Languages Act, because the Act imposed no duty on Departments to furnish language training.

File No. 501—"External" Affairs or "Foreign" Affairs

A Francophone protested against the use of the word "external" instead of the word "foreign" in the expression "Department of External Affairs".

Since this usage does not contravene the Official Languages Act, the Commissioner suggested to the correspondent that he write directly to the Department about this matter.

File No. 533—English Letter to a Francophone

A review of a book appearing in *Le Devoir* stressed that the Department sent a letter written in English to a francophone cousin of the book's author.

The Department transmitted to the Commissioner a copy of a letter written by the cousin. The cousin stated in this letter that correspondence between him and the Department was conducted in English

at his request so as to avoid possible delays due to translation. Thus, there was no question of the cousin registering a complaint about this matter. He dissociated himself from the unfavourable remarks made about the Department in both the book and in the review.

File No. 598—Inflammatory Speech in Lyons

At a dinner in Lyons, France, where he was the guest speaker, the Commissioner tried to explain the virtues and progress of bilingualism in Canada. After his talk, a distinguished lady listener gently handed him a booklet of matches provided for the occasion by the Canadian Embassy. The words "close cover before striking match" were in English only, to the Commissioner's bemused embarrassment.

The Undersecretary of State for External Affairs, asked if he could cast light on this minor but symbolic risk of not warning Francophones, as well as Anglophones, that they might get their fingers burned, readily undertook to have the offending booklets present a bilingual warning in future.

HOUSE OF COMMONS

File Nos. 449, 453, 466, 470—Security Guards

Three francophone security officers at the House of Commons complained that Anglophones always received priority for the most senior positions of the Security Service, and that the most recent appointments to the position of Chief and Deputy-Chief of the Service once again were given to unilingual Anglophones. A Francophone Member of Parliament also wrote to the Commissioner, on behalf of the security officers, reiterating their claims.

The security officers did not wish to formally contest the appointments made, but wanted to have the entire situation examined in the light of the Official Languages Act, with a view to future appointments.

An interview was arranged between the Sergeant-at-Arms of the House and an officer of the Complaints Service during which the entire procedure of appointments and promotions was discussed both for the Constabulary Service and the Detective Service. The main criteria for promotion are (1) the individual's general background (2) his present and past performance on the job (3) his general abilities as evaluated by 15 senior members of the protective staff (in the case of those holding the rank of corporal) (4) the state of his health (5) his linguistic ability in the two official languages and (6) seniority. These factors are not presented necessarily in the order of importance attached to them.

No competitions are held for promotions within the Security Service. Until 5 years ago there were competitions, but personnel of the protective staff itself requested that the practice be discontinued.

Neither seniority nor linguistic ability is the prime consideration. Nevertheless, the Sergeant-at-Arms affirmed his awareness of the greater importance of bilingualism in the evolving situation and stated that of the last 25 recruits to the Security staff, 22 were bilingual.

Furthermore, it was his intention to appoint a bilingual Franco-phone to the post of Chief of the Security Services upon the retirement of the incumbent in July 1972. As for the position of Chief of the Detective Service (as opposed to the Constabulary Service), this post had very little, if any, contact with the public, and consequently did not require bilingual capability.

It was recommended to the Speaker of the House of Commons that certain positions at the senior level be designated as bilingual. The Speaker replied that he would take the suggestion under advisement and discuss all these matters with the persons concerned.

A later personal meeting between the Speaker of the House and the Commissioner (accompanied by the Complaints officer) confirmed the interest of the Speaker in determining that the Security Services of the House of Commons should conform to the spirit and intent of the Official Languages Act.

The Member of Parliament wrote again to the Commissioner, raising some bicultural aspects of the case. In his reply, the Commissioner discussed the difference between language of service and language of work, and emphasized the principle of institutional bilingualism.

File No. 485—Interpretation Service

An Anglophone from Ottawa alleged that the simultaneous interpretation service in the House of Commons was useless, for all practical purposes, due to technical difficulties in the electronic system. He claimed this posed a serious problem for visitors to the public galleries, particularly unilingual Francophones.

As a result of a visit to the Clerk of the House, it was learned that during the period of installation of a new sound system, many technical problems had been encountered, and the system had not functioned properly for some weeks. However, by the end of September the system was functioning very well in all respects.

File No. 592—Admission Form

An anonymous complainant criticized the Security Service of the House of Commons because the heading of a form to be completed by

people wishing to see someone in the Parliament Buildings was in English only.

The complaint was founded, but the investigation revealed that the error had been unintentional. In future, the forms will have bilingual headings.

File No. 718—Submission of Briefs to Standing Committee

An Ontario correspondent wrote to the Commissioner concerning the submission of briefs to a House of Commons Standing Committee. The advertisement requesting that briefs be submitted stated that "if possible, forty copies in English and forty in French should be provided." The correspondent interpreted this as a requirement, and stated that it posed a problem for individuals or small groups not possessing a bilingual capability or facilities for duplicating copies of a brief.

The Commissioner advised the correspondent that he had spoken with the Clerk of the House of Commons and with the Clerk of the Standing Committee, and had received their assurance that they would welcome a brief submitted only in English, or only in French, even if it were a single copy.

The Commissioner subsequently reviewed with the Clerk of the House of Commons the rewording of requests for submissions so that the number of briefs submitted and the language of their preparation are clearly understood to be optional.

INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

File Nos. 190 and 197—Publications

- A buyer of crafts complained that the Department did not offer him a list of prices in French even though the list is available in both official languages under separate cover.

In order to avoid such misunderstandings the Department decided to publish the list in future in the two languages under the same cover.

- A public servant attached to the Department complained that certain departmental publications were not translated into French.

Since the Department was in the process of correcting this situation as a result of having received other complaints from outside, the original complaint was withdrawn.

File Nos. 295, 424, 428, 490—National Parks

The Commissioner received four complaints regarding the lack of French-language service in the National Parks.

At the Fundy National Park (N.B.) and at other localities in Nova Scotia and Prince Edward Island that come under federal jurisdiction, the officials in charge at the park entrances could not speak French and the explanatory folders were available in English only. In several national parks, particularly at Yoho, the poor quality of French is taken to task as well as the English unilingualism of certain signs.

A thorough study of the National Parks and Historic Sites Branch of the Department of Indian Affairs and Northern Development was undertaken by the Commissioner's office in co-operation with the Department. Details of this study are found in Chapter II.

File No. 551—Publicity

The complainant sent the Commissioner clippings of advertisements that appeared in Winnipeg English-language dailies. Several advertisements were placed by the Public Service Commission for the purpose of filling positions in the Department. Others, placed by the Department itself, comprised requests for tenders. The writer emphasized that this advertisement only appeared in the English-language press and wondered why it did not also appear in the French press.

The Public Service Commission and the Department pointed out that their advertisements are normally placed in the daily press, but since a daily French-language newspaper does not exist in Manitoba the advertisement in question only appeared in the English press. If there had been a French-language daily, the Department would have resorted to it as it normally does in areas where French-language dailies are printed.

As a result of this complaint, the Department assured the Commissioner that as far as possible in future, it will use French-language weeklies in Western Canada for placing advertisements concerning the National Parks and Historic Sites Branch.

INDUSTRY, TRADE AND COMMERCE

File Nos. 226, 312, 385—Office of Tourism

Two complaints were directed at the Office of Tourism situated on Kent Street in Ottawa. The first complainant said that his questions in French had been answered in English. He also complained that he had been unable to obtain the French version of a folder published by the Province of Quebec. The second complainant charged that this office was unable to provide the public with detailed documentation in French on any province except Quebec.

After investigating the first complaint, the Department replied that the office provided service in both official languages during office

hours and that publications from the Province of Quebec were generally available in both official languages. In this case the complainant had referred to an unusual situation which in no way reflected office policy in this area.

As for the second complaint, the Department explained that folders published by the Office and distributed by its Canadian branches were available in both official languages. A certain number of brochures from the provinces or from private organizations not subject to the provisions of the Official Languages Act were also available to the public. The complaint undoubtedly referred to these publications.

The third complaint concerned the Office's publication entitled "Adventure Tours of the Trans-Canada Highway". The complainant stated that this brochure had not been published in French. However investigation revealed that there was a French version under the title «A la découverte du Canada par la route trans-canadienne».

File No. 401—Book Exhibition in Dallas

The complainant said that during a visit to the book exhibition which was held in Dallas, Texas, in June 1971, during the American Library Association Congress, he noticed that the Department of Industry, Trade and Commerce, which was responsible for Canadian participation, did not convey the image of a bilingual country in that it identified itself only in English; also, the envelope and the cover of the catalogue of French books had inscriptions in English only.

In its explanations, the Department admitted that its name had appeared only in English on the stand, but said that its policy was to provide commercial information in the language of the clientele, but to print its name in English and in French on each publication and to display its name, when it was to appear on the stand, in both official languages.

The Commissioner recommended that, for all exhibitions, the name of the Department (or any official designation) be written in both official languages on signs and envelopes and on all advertising material. He also recommended that the address on the order forms always be written in both languages.

INFORMATION CANADA

File No. 266—Student Assistance Centre

A French-speaking correspondent went (summer 1971) to the student assistance centre set up in Information Canada's enquiries service, in Ottawa, and was not able to obtain information in French.

Information Canada admitted that such an incident could have occurred, since it took the agency a certain length of time to make its student assistance centre bilingual, for reasons beyond its control.

File No. 325—Advertising

A French-speaking correspondent pointed out to the Commissioner that Information Canada had advertised only in English in the bilingual publication "What's On in Ottawa/Voici Ottawa". Since this periodical is intended for inhabitants of and visitors to the National Capital Region, he wondered why Information Canada had not drafted its message in both official languages.

Information Canada apologized for this fact, and assured the Commissioner that special consideration would be given to this aspect of its advertising program.

File No. 360—In Toronto

An Anglophone protested that, when he telephoned Information Canada in Toronto, he received a bilingual greeting with the French portion first. He viewed the use of French in this context as superfluous and undesirable. Moreover, he objected to bilingual titles and captions on federal government writing paper and advertisements.

The investigation revealed that the telephone number listed for Toronto access to Information Canada was linked to the organization's central telephone exchange in Ottawa where services were, in accordance with the requirements of the Official Languages Act, provided both in English and in French. This information was forwarded to the complainant.

File No. 504—Quality of Language

A French-speaking correspondent brought to the Commissioner's attention several errors in the French text in one of Information Canada's bilingual publications.

The errors described were so trifling that the Commissioner decided not to investigate the complaint.

File Nos. 524 and 698—"Acadian Education in Nova Scotia"

A French-speaking association in Nova Scotia complained to the Commissioner that it was impossible to obtain the French version of the study *Acadian Education in Nova Scotia*, which was undertaken for the Royal Commission on Bilingualism and Biculturalism.

The Commissioner obtained the following information: the study in question was published only in English—there is no French version.

This situation is the result of a decision made by the Royal Commission on Bilingualism and Biculturalism, before the Official Languages Act was passed, to the effect that any research papers it decided to publish would appear only in the language of the author. Various criteria, of course, governed the choice of studies to be published, including the nature and importance of the subject, the quality of the work and professional and financial considerations.

In the present case, the Commissioner acknowledged that the study was of importance to French speakers in Nova Scotia, and, in a gesture of exceptional co-operation, the Secretary of State's Translation Bureau agreed to the Commissioner's request to translate it. The Commissioner sent several copies of the French translation of the study to the complainant.

JUSTICE

File No. 157— "Here Come de Judge"

A French-speaking correspondent complained that a unilingual English-speaking judge had been appointed to the county court in an area in New Brunswick where there is a large number of French speakers, and said that in the field of justice, every effort should be made to eliminate difficulties in communication.

The Department replied that the problem had many different aspects, both general and particular:

1. When this judge was appointed, consideration was given to the fact that the New Brunswick Legislative Assembly was going to make legislative changes. There was, in fact, agreement to this effect between the Attorney General of the province and the Minister of Justice. The Attorney General of New Brunswick tabled a bill aimed at establishing the office of chief justice and at giving the latter the authority to nominate a judge who could preside over a county court other than the one to which he had been appointed. Such a measure would make the system of county courts in New Brunswick more flexible by making it possible to appoint bilingual judges where necessary.
2. The judge's jurisdiction covers four counties which have different linguistic compositions and some of which have a low percentage of French speakers.
3. The appointment of a judge to a certain court is not in itself a solution to the language problems involved in the administration of justice. Several other factors are involved, including the language ability of the court staff and the lawyers pleading the case, the language in which the provincial statutes are written, the language used to teach

law in the province, and language ability in the courts of appeal. It seems, in fact, that the only satisfactory solution is simultaneous interpretation.

4. The essential element in this entire matter is obviously fair and equitable application of the law; consequently, the criterion of professional competence should have precedence over other criteria, including that of language ability.

5. In the administration of justice, provincial responsibilities are so important that the federal government, although responsible for appointing judges, would be ill-advised to violate in any particular the aims and objectives of the provincial authorities. It is for this reason, moreover, that several sections of the Official Languages Act, in particular section 11, were modified after the bill was introduced in the House of Commons in the autumn of 1968.

6. Finally, the judges appointed by the federal government have had access for the last two years to the Canadian government's language courses. A number of judges have taken these courses.

The Commissioner was without jurisdiction in this case, but expressed the opinion that the Department of Justice should have taken this opportunity to make a positive contribution to the improvement of the language situation in the field of justice.

File No. 406—Appointment of a Judge to the Federal Court

A citizen of Regina objected to the appointment of a certain judge to the Federal Court. According to the correspondent, the judge had an inadequate knowledge of French and had in the past, while performing official duties, displayed a hostile attitude towards French Canadians.

The Commissioner did not investigate the complaint because it involved no contravention of the Act. The provisions of the Official Languages Act do not require all judges of the Federal Court to be bilingual.

MANPOWER AND IMMIGRATION

File Nos. 103, 143, 182, 429, 463—Canada Manpower Centres

- A French-speaking complainant stated that the signs on the Manpower Centre on Yonge Street in Toronto were in English only.

During the summer of 1970, a luminous bilingual sign was installed on the facade. There was also a bilingual notice on the main entrance door stating the office hours. However, the other notices in the

Centre were in English only, but were to be changed shortly. It is possible, however, that the complainant confused the office in question with that of a private manpower agency located nearby.

- A French-speaking resident of Manitoba received an English letter from a French-speaking employee of a Manpower Centre.

The Management of the Centre in question took steps to revise its administrative procedures in order to provide all services in both official languages at all times.

- A French-speaking complainant alleged that the number of employees at the Manpower Centre in Ottawa who are able to speak French is inadequate, particularly at the higher levels.

The Department stated that 62 per cent of this Centre's employees were bilingual and that seven per cent had some knowledge of French. After examining the distribution of staff among the various sectors of activity, the Commissioner came to the conclusion that the office seemed to be capable of providing adequate services in both official languages.

- On two separate occasions, two complainants alleged that the receptionist/switchboard operator at the Canada Manpower Centre in Moncton was not sufficiently bilingual to receive calls in the French language.

The Department replied that steps had been taken to increase the bilingual capacity at the switchboard by appointing a fully bilingual operator.

File No. 108—Reception in Ottawa

A French-speaking complainant reported that he was challenged aggressively by the unilingual English-speaking commissionaire at the main entrance of the building where the Department's headquarters are located.

At the outset of the investigation of this complaint, the Department informed the Commissioner that it had, on its own initiative, brought about certain changes so that all guards who have contact with the public in the above-mentioned building are now bilingual. The commissionaire involved was transferred before the Commissioner completed his investigation, and the Commissioner obtained the Department's assurance that the commissionaire had not suffered and, following his transfer, would not suffer any decrease in salary or prestige because of the fact that he was unilingual.

File No. 422—Language Training

A complainant wrote to describe the difficulties he encountered in obtaining language training as a part of a manpower training program.

The complainant was informed that the Statute did not give the Commissioner jurisdiction over the teaching of second languages.

File No. 468—Retraining Courses

An English-speaking resident of the province of Quebec stated that his wife had applied to a regional Canada Manpower Centre for information on job retraining. She was allegedly informed that no retraining courses had been offered in English in the province of Quebec during the past two years and that she should go to Ontario to obtain instruction in English.

The Department stated to the Commissioner that its investigation disclosed that departmental policy is to purchase retraining courses whenever there is a sufficient need. In Quebec, where a sufficient number of English-speaking clients require courses, such instruction is provided in English. Where, however, the demand for courses in English is insufficient to warrant their purchase, English-speaking clients are enrolled in suitable courses at other locations, even, on occasion, outside their province of residence.

At the time of the Commissioner's investigation, fifteen courses in English, including basic training and specific trade training courses, were being conducted by the Department in the Montreal area.

The manager of the regional Manpower Centre involved did not recall the incident giving rise to this complaint, but the Department emphasized that it would consider such an incident a regrettable misunderstanding.

The complainant was so informed.

File No. 511—Halifax

The president of a French-language organization in New Brunswick recently received a reply in English from the Halifax office of the Department to a letter written in French.

The complaint was in connection with new programs set up to stimulate the labour market and create new jobs. These temporary programs were thus not part of the Department's usual activities, and had involved an excess of work and an increased volume of correspondence with the public.

Because of the large number of applications received, the importance of implementing the programs quickly and the desire to serve the public as rapidly as possible, a letter written in English was inadvertently sent to a French-speaking person.

To find out if the same mistake had been made in connection with other applications for local initiative projects, the regional repre-

sentatives in Halifax reviewed each of the files. They concluded that this had been an isolated case. The Department reminded the personnel in charge of running these programs of the importance of always providing the public with service in both languages.

File Nos. 516, 586—Publicity

Two French-speaking complainants accused the Department of publishing advertisements in Manitoba in English-language daily newspapers only. They wished to be able to be informed of federal agencies' activities through the French-language media, and requested that the agencies use French-language weekly newspapers in regions where there are no French-language daily newspapers.

The Department reported that these complaints and a previous recommendation made by the Commissioner had prompted it to review its policy on publicity. It promised to make use of French-language media in the future.

File No. 540—From St. John, N.B.

The president of a labour union local in St. John, N.B., wrote to the Commissioner to express his opposition to an article which appeared in the *St. John's Telegraph Journal*. In this article the Commissioner was quoted as indicating that the fears of unilingual Anglophone public servants in the face of the bilingual program are unjustified. The complainant stated that in the Atlantic Region, many in-service competitions are being held with the requirement that applicants be bilingual. He stated that when qualified bilingual candidates are not found within the Atlantic Region, the Department of Manpower and Immigration has gone outside the region in order to fill the positions. Personnel who applied for language training under government auspices as long as four years ago had allegedly not been offered such courses. The complainant also alleged that educational qualifications demanded for entry into the Public Service in 1966 had been lowered in some competitions where bilingual capability was a requirement. He further stated that there are regulations on record calling for at least 50% of personnel located in a designated area to be bilingual.

In reply, the Commissioner advised the complainant that he had discussed the matter of implementation of bilingualism policies in the Atlantic Region with officials of the Public Service Commission and had obtained a legal opinion as to whether access to language training is a right under the Official Languages Act.

This inquiry revealed that the duty to provide second-language training is not imposed on Departments by the Act. Accordingly, such training cannot be considered a right under the Act. The matter of

bilingual positions within the federal government service is the prerogative of the department concerned and the Commissioner could intervene only if the result of such designation led, in his opinion, to a contravention of the Act.

While the Commissioner appreciated the vital importance for all public servants of the points raised in the complainant's letter, he was obliged to conclude that none of these factors constituted an infraction of the Official Languages Act. Accordingly, he advised the complainant that his Office could not be of assistance to the members of his association on this occasion and suggested that the labour union members continue to indicate to their departmental personnel their desire for second-language training as soon as possible.

In his discussion with the Public Service Commission, the Commissioner had stressed the great importance which his Office places on the Public Service Commission considering with all possible sympathy every request for second-language training, even though under the Act federal employees cannot insist on access to such courses.

File No. 666—Hypothesis

An anonymous person consulted the government telephone directory for the National Capital Region and reported that, on the basis of the names listed therein, the Administration Division was English only.

The Commissioner did not investigate this complaint because it did not dispute that services were offered to the public in both languages.

File No. 667—In Moncton

An official of a labour union in Moncton, New Brunswick, wrote to the Commissioner of Official Languages objecting to what he called the speed and surreptitious manner with which the Department of Manpower and Immigration was acting to implement its bilingualism program. He stated that since the Moncton area had not even been designated a bilingual district, this action was a clear-cut and wilful contravention of the Official Languages Act.

In reply, the Commissioner stated that it is his duty under the Official Languages Act to take all actions and measures within his authority with a view to ensuring recognition of the status of each of the official languages and compliance with the spirit and intent of the Act in the administration of the affairs of the institutions of the Parliament and Government of Canada. In the circumstances to which the complainant referred, Section 39(4) of the Official Languages Act had to be taken into account.

The Commissioner consequently stated that appointment and promotion procedures are the responsibility of the Public Service Commission. He is merely obliged to ensure that the Public Service Commission, in discharging its duties, respects the spirit and intent of the Official Languages Act. Moreover, he is authorized to consider complaints forwarded from anyone who believes that he is being unjustly treated in a hiring or promotional competition by the Public Service Commission in the matter of appointment or advancement involving linguistic factors when the position in question involves provision of service to the public. The Commissioner added that since he was very concerned about the French and English climate in the federal Public Service and since there might be additional factors which the complainant wished to raise, he would be pleased to meet with him.

This meeting took place in Moncton and proved mutually informative. In subsequent correspondence, the Commissioner advised the complainant that he had repeatedly stressed to officials of the Public Service Commission the great importance which his Office placed on the Public Service Commission considering with all possible sympathy every request for second-language training, even though, under the Official Languages Act, federal public servants have no statutory right to such training.

NATIONAL CAPITAL COMMISSION

File No. 425—Lac Philippe: Concessionaires and Lifeguards

A Sunday visitor to Lac Philippe during the summer complained that concessionaires and lifeguards were unable to answer him in his own language and that most of the information was given out in English.

The National Capital Commission informed the Commissioner that it had paid special attention, following similar complaints, to the makeup of its staff. It provided him with a list of its employees working at Lac Philippe, with an indication of their ability to express themselves in either of the official languages. A representative of the Commissioner's Office visited the site and noted that the distribution of personnel was such that the staff was able to offer bilingual service. The Commissioner recommended that loud-speaker announcements be given in both official languages.

The NCC makes a distinction between announcements of public interest made over the loud-speaker in both official languages and those which a swimming instructor might make by megaphone to one or more people breaking the rules or whose behaviour would be considered unacceptable. In the latter case instructions are first given in one language and, if they are not obeyed, are repeated in the other language.

The NCC gave three reasons to justify this practice:

1. The lifeguards usually know the language of the offending group.
2. In this way, an attempt is made to reduce the length of the warnings as much as possible in order not to disturb the peace and quiet of other visitors.
3. When he takes time to speak to individual groups, the lifeguard has to interrupt his general surveillance. Thus there is a public safety factor involved.

The NCC promised to see that the choice of language used in giving instructions by megaphone is in accordance with the spirit of the Official Languages Act, while avoiding unnecessary noise and having regard to public safety.

File 737—Interpersonal Relations

An employee of the Parks and Grounds Division of the National Capital Commission complained of being unable to speak to his superiors in French, and claimed that immigrants were treated much better than French-speaking Canadians.

In a letter to the complainant, the Commissioner asked him to give specific examples of offences against the Official Languages Act. When the complainant failed to reply, the Commissioner closed the file.

NATIONAL DEFENCE

Introduction

While the total number of complaints involving the Canadian Armed Forces was small in relation to the size and complexity of the Department, the issues raised were important. In two instances, it was deemed advisable to proceed by way of a comprehensive on-site survey of military establishments located in Quebec and Ontario. The results of these and other investigations are summarized in subsequent paragraphs.

The Department has examined rigorously each complaint submitted and replies to enquiries or recommendations made have shown a firm desire to comply with the letter, spirit and intent of the Act. While the Canadian Forces suffer from a serious shortage of bilingual personnel and are not yet in a position to provide bilingual services at all locations where Francophones are present, the implementation of its comprehensive "Programme and Plan to Increase Bilingualism and Biculturalism in the Canadian Armed Forces", tabled in the House of Commons on February 26, 1971, is being actively pursued.

A. Bagotville

Background

Canadian Forces Base Bagotville is a major defence establishment, located in the Saguenay—Lac Saint-Jean area, some 135 miles north of Quebec City. It is the home station of three flying squadrons under the operational control of two separate major commands of the Canadian Forces, namely, Air Defence and Mobile Command with headquarters at North Bay, Ontario, and Saint-Hubert, Quebec.

It is also the location of a field technical training unit for the air element of the Canadian Armed Forces, as well as other auxiliary units. The Base itself is a subordinate element of Air Defence Command; it has a key role in the air defence of Canada in the context of the Canada-United States defence agreements. At the end of July 1971, CFB Bagotville had a strength of 1,369 military personnel and 375 civilian employees exclusive of allied forces personnel.

The linguistic posture of CFB Bagotville was significantly modified with the re-activation, in 1969, of 433 Squadron as a French-language unit of the Canadian Forces. This squadron, now known as "433^e Escadrille tactique de combat", is a lodger unit on the Base, and is itself a subordinate element of 10 Tactical Air Group of Mobile Command of the Canadian Forces.

The role of CFB Bagotville is to provide administrative support to its integral and lodger units, and to other designated elements of the Canadian Forces located in the Saguenay area. The Base itself is not engaged in the provision of direct services to the public at large. Its "public" consists, primarily, of members of the Canadian Forces, dependents of service members who either live on the Base or are authorized to make use of its facilities and civilian employees of the Base including auxiliary personnel such as teachers. In addition, the Base supply section and the Base Exchange increasingly deal with civilian firms for the procurement of goods and services on a contract or direct purchase basis. Several thousand civilian guests visit the Base annually.

In the last two years, the Commissioner of Official Languages has received complaints related to bilingualism at CFB Bagotville from both English- and French-speaking Canadians. From September 8 to 13, 1971, two members of the Complaints Service, with the full cooperation of the Department of National Defence, undertook a relatively comprehensive appraisal of the state of bilingualism in relation to the visual and non-visual aspects of the services provided by certain organizational elements at CFB Bagotville. They interviewed a number of officers, other ranks and civilians concerned with the management of personnel, or with the provision of services to members of the Canadian Forces,

their dependents, civilian employees and tradesmen; they also visited locations within the base where services were being provided. All interviews were conducted in private and all requests for information were met in a spirit of full cooperation.

Findings

CFB Bagotville is not a typical military establishment from the linguistic point of view. Indeed, it is neither an English-language nor a French-language unit. While Francophones form the majority, especially in the lower ranks, unilingual Anglophones hold several of the most important positions. This accounts for the generally English character of the Base. Nevertheless, all pertinent services to the public at large are offered in both official languages, as required under the Act. Our recommendations to the Department of National Defence were inspired mainly by a general concern for ensuring that both official languages possess and enjoy, within the Base, equality of status and equal rights and privileges as to their use as required under Section 2 of the Act. For this reason, it was deemed unnecessary to set target dates for the implementation of our recommendations; the Commissioner did stress, however, the need to bring about these changes without affecting in any way the accomplishment of the critical operational mission of the Base. The Department of National Defence has agreed in principle to all of our recommendations and the Commissioner is following closely, through progress reports, their implementation.

The Commissioner's recommendations were as follows:

Base Administration

that a detailed examination of each organizational element within the Base be undertaken to identify areas of services that should be provided or offered in both official languages, and that the Base formulate a plan and implement a programme with target dates for providing such services;

Base Bilingual Adviser

that a staff officer of senior rank be formally designated to act as Base Bilingual Adviser or Coordinator;

Translation Services

that CFB Bagotville be provided with an on-site and competent translation service;

Base General Library

that the Base Commander take appropriate measures to correct the present imbalance in the number of French books held in the Base library;

Base Exchange Theatre

that the practice of showing only English-language films in the Base Exchange Theatre be reviewed by the Base Commander with a view to including some French-language films;

Leave and Licence Agreements

that concession and leave and licence agreements entered into by the Base Commander with Francophones be issued in the French language;

Married Quarters and Mobile Home Park

that all documents pertaining to married quarters or mobile home sites be issued in the official language of the occupant;

Language training

that English-language instruction be made available on a voluntary basis at CFB Bagotville as is now the case for French-language training;

Base Newspaper

that the *Bagotville Phare-Beacon* take all possible measures to increase its French-language content;

Base Radio Station CKBG

that CFB Bagotville initiate action to review and, if appropriate, to change the licence under which CKBG operates so as to allow the use of French in its programming;

Civilian Personnel Administration

that the publications, forms and other documents required for the administration of civilian employees be issued in both official languages;

410 and 425 Squadrons (English-language Squadrons)

(i) that units of the Canadian Forces which include Francophone personnel keep a set of French-language administrative publications, forms and orders and,

(ii) that CFB Bagotville take measures to ensure that its administrative sector (now a French-language unit) is staffed with an adequate number of bilingual personnel in order to provide services to Anglophones in their own language;

433^e Escadrille tactique de combat

(i) that, since the squadron is a French-language unit, the posting of unilingual or insufficiently bilingual Anglophones to *433^e Escadrille tactique de combat* be on a voluntary basis, and that these Anglophones serving with the squadron be replaced as soon as members with the appropriate linguistic and technical skills become available;

(ii) that available services affecting personnel as individuals be provided to members of the squadron in the official language of their choice irrespective of their bilingual competence; and,

(iii) that the translation of technical publications and engineering orders required for the squadron be accelerated.

B. Trenton

Background

At the Commissioner's request, and with the full cooperation of DND, a member of the Complaints Service visited Canadian Forces Base Trenton, on March 13-14, 1972, to investigate a complaint concerning the availability of bilingual services to users of its air transport facilities (see File No. 73 below). The Commissioner's representative interviewed several officers concerned with the provision of services to authorized users, and examined installations where services are provided.

Findings

The main passenger air terminal of the Canadian Forces is located at CFB Trenton. Some 11,000 passengers pass through it each month. While no exact figure of the number of Francophone users could be obtained, it was estimated at between ten and fifteen percent. Demand for services in the French language usually comes from the wives and other dependents of Francophone members travelling separately.

Our investigation revealed that bilingual services provided by CFB Trenton did not meet fully the requirements of the Official Languages Act. The main weakness could be attributed to a shortage of bilingual personnel, both military and civilian, to staff all passenger-related services. The Department of National Defence agreed in principle to our recommendations and informed the Commissioner that the necessary steps were being taken to remedy the situation as quickly as possible:

The Commissioner's recommendations were as follows:

Main Gates

that the situation regarding the provision of bilingual services to visitors be reviewed, and that appropriate measures be taken to ensure the availability of efficient services in both official languages;

Yukon Lodge

that appropriate measures be taken to ensure that a bilingual capacity exist at all time at the reception desk;

that the display of flight information at the reception desk be in both official languages;

that menus in the restaurant be displayed in both official languages;

that the information placed in guest-rooms or posted in the laundry room be displayed side by side in English and French;

437 (Transport) Squadron

that the words "Canadian Armed Forces" and "Forces armées canadiennes" be affixed on each side of the CC137 aircraft;

that measures be taken to provide bilingual services on each passenger flight;

2 Air Movements Unit

that measures be taken to increase the number of bilingual personnel in 2 Air Movements Unit so that bilingual services are provided at all times to authorized passengers;

that the menu of the snack-bar in the passenger terminal be in both official languages; and that the concessionaire be invited to provide services in both official languages and that his operating contract be amended at the first opportunity to take this obligation into account;

that CFB Trenton take appropriate measures to ensure that French-language books and magazines are available at the news stand in the passenger terminal.

C. Specific complaints

Right of Members of Armed Forces to File Complaints

A French-speaking member of the Canadian Forces asked the Commissioner to look into a situation that he had touched on briefly in his First Annual Report (p. 29) concerning Section 19.38 of the Queen's Regulations and Orders which apparently had been interpreted as forbidding members of the Armed Forces to submit complaints to the Commissioner on questions involving language.

The Commissioner pointed out to the Department that any member of the Canadian Forces could lodge a complaint under Section 26(1) and (2) of the Official Languages Act, and that Section 36(3) of the Act specifically includes the Canadian Forces in the "institutions of the Parliament and Government of Canada".

On the basis of Section 31 of the Act, the Commissioner recommended that the Department amend Section 19.38 of the Queen's

Regulations and Orders and exclude his Office from its application. The Department accepted this recommendation; Section 19.38 now reads as follows:

19.38—COMMUNICATIONS WITH OTHER GOVERNMENT DEPARTMENTS

No officer or man shall enter into direct communication with any government department other than the Department of National Defence on subjects connected with the Canadian Forces or with his particular duties or future employment, unless he is authorized to do so by or under

- (a) a statute of Canada,
- (b) QR&O, or
- (c) instructions from Canadian Forces Headquarters.

(M) (25 Jun 71)

NOTES

(A) An example of a provision of a statute of Canada within the meaning of this article is subsection 26(2) of the *Official Languages Act* that authorizes officers and men to enter into direct communication with the Commissioner of Official Languages.

(M) (25 Jun 71)

File Nos. 74 and 275—Preponderance of English at CFB Bagotville

A complainant alleged that at Canadian Forces Base Bagotville, only English was used in administration and in providing services to the public. In a letter to the Prime Minister which was subsequently referred to the Commissioner, another complainant reported that the Government's intentions respecting bilingualism were being thwarted by officers of the Canadian Forces at Bagotville. He stated that bilingualism on the Base was a sham, and offered facts and figures in support of his contention.

The Commissioner's investigation showed that, on the whole, the Base authorities complied with the requirements of the Official Languages Act with respect to services to the general public. On the other hand, it revealed a number of shortcomings in the language of services offered to members of the Canadian Forces, their dependents and authorized users of Base installations.

The Department agreed in principle with the Commissioner's recommendations and promised to take the necessary remedial action.

File No. 378—Too much French at CFB Bagotville

A partially bilingual English-speaking member of the Canadian Forces serving in a French-language squadron at Bagotville questioned the wisdom of the Government's policy on bilingualism and its implementation throughout Canada. He cited instances where services in the

French language are being extended in overwhelmingly English-speaking areas of Canada while English speakers in the Saguenay-Lac Saint-Jean area benefit from no equivalent services in their own mother tongue. Specifically, he questioned the appropriateness, in terms of the Official Languages Act, of the linguistic situation prevailing in his squadron whereby:

- all internal signs are in French only;
- the routine orders of his squadron are issued in French only;
- internal written communications requiring action by, or of interest to, English speakers are issued in French only; and
- English speakers are posted to the French-language squadron against their wishes.

In an interim reply to a first letter from the same complainant (see File No. 6 in *First Annual Report, 1970-71*, page 33), the Commissioner promised to visit CFB Bagotville during a forthcoming tour of military bases, at which time he would invite him and his associates to set forth their problems in greater detail. While the Commissioner was unable to make such a visit himself, he arranged for two members of the Complaints Service to visit CFB Bagotville, to meet the complainant, to investigate a number of complaints he had received and to verify the implementation of the Official Languages Act as it applied to a military base in the Province of Quebec.

The subject matter of the communications from the complainant was deemed to be of fundamental importance. It raised for the first time the basic question of the consistency of the linguistic regime existing in designated French-language units with the spirit and intent of the Official Languages Act.

From the information submitted, it was noted that the posting of the complainant to this French-language squadron predated the coming into force of the Official Languages Act on September 7, 1969, and the publication on September 19, 1969, of Book III of the Report of the Royal Commission on Bilingualism and Biculturalism which first developed the concept of the French-language unit. The Commissioner informed the correspondent that it was clear that his involuntary posting to the squadron would be deemed, by the standard currently in effect, inconsistent with the spirit and intent of the French-language unit concept. He added that it was now generally accepted that any Anglophone posted to such units should be quite bilingual and wish to work in a French-language (not bilingual) unit.

The complainant was also informed that the Department sought to recognize this requirement and to comply with it as much as possible. The Department has stated that it was occasionally necessary to post Anglophones with a very limited knowledge of French to some

French-language units because there are not enough Francophones with the necessary skills to ensure efficient operation of the units. The Commissioner was further informed that most of the personnel were volunteers, the exceptions occurring only where failure to fill a vacancy in a critical skill area would directly influence the unit's ability to perform its role.

The Commissioner told the complainant that he had no doubt the working climate in a French-language unit of the Canadian Forces might present a somewhat difficult environment for an Anglophone. He was satisfied, however, that the concept of the French-language unit was consistent with the declaration of the equality of the two official languages and the spirit and intent of the Official Languages Act. The Commissioner was of the opinion, therefore, that there could be no objection under the Act to the internal signs, to the daily routine orders, or to the internal written communications being in French only. He indicated that the posting of unilingual or insufficiently bilingual Anglophones to French-language units against their wishes constituted, in his view, a basic violation of the French-language unit concept, and that he would touch on this subject in his report to the Department. Finally, the Commissioner indicated that if the complainant could not reconcile himself to conditions of service in the squadron and decided to apply for a transfer, he would be prepared to take up the matter with the Department should his commanding officer not support such a request.

File No. 627—Enquiry on Language Status at CFB Bagotville

An English-speaking correspondent enquired whether the use of the French language was forbidden in the operations of the Canadian Forces base at Bagotville and if so, why.

The Commissioner informed the correspondent that two representatives of the Complaints Service had visited the base in early September 1971 to verify the extent to which this important military installation met the requirements of the Official Languages Act. The reply indicated that there were three squadrons operating from the base. Two squadrons composed essentially of Anglophones use English as the language of administration, training and operations, and one squadron composed essentially of Francophones uses the French language.

The enquirer was also informed that the base was currently extending the use of French as a language of work and that to this end, in addition to the Francophone squadron, the Government had recently designated the Commander's office and the Base administrative sector as French-language units. While the use of French as a language of work, especially in the technical areas, was not yet general, sub-

stantial progress had been made in recent years. The correspondent was informed that the visit helped to identify various activities where further improvements were required, and that the Commissioner proposed in due course to make appropriate recommendations to the Department.

File No. 73—Services for Travellers at CFB Trenton

A complainant reported that the services provided to users of the military air terminal at Canadian Forces Base Trenton were in English only.

Investigation at the site revealed that the Base offered its travelling public a fairly complete range of bilingual services, particularly as regards documentation and written information for passengers. It did not, however, have sufficient bilingual staff to provide oral information at all times, and in this respect did not fully meet the requirements of the Official Languages Act governing bilingual services to travellers. In response to the Commissioner's recommendations, the Department gave its assurance that the required steps would be taken to serve users of the Base air services in both official languages.

File No. 186—French School at CFB Trenton

A French-speaking member of the Canadian Forces in Ottawa stated that his squadron of about 400 men, of whom 17 or 18 per cent were Francophones, would soon be transferred to Trenton where there was no French primary school. He pointed out to the Commissioner that he was anxious his children should continue their schooling in French, but did not want to send them to boarding school, even though an allowance is payable for this purpose.

Following the Commissioner's intervention, the Department agreed to set up a French primary school in Trenton; it would be able to accommodate pupils in grades 1 to 6 inclusively, beginning in September 1971. The Department also decided to undertake a study of the school situation at military bases and stations throughout Canada to ascertain what measures might be taken to enable French-speaking servicemen to have their children educated in French.

File No. 131—Psychiatric Services at Medical Centre

A member of the Royal Canadian Mounted Police, hospitalized in the National Defence Medical Centre in Ottawa, asked the Commissioner to intervene in order to guarantee that there would be a French-speaking psychiatrist on a medical board convened to examine him. Initially, the board was to consist of four physicians, all unilingual English-speaking.

The Department complied with the Commissioner's request, and when the examination took place in February 1971, a member of the Complaints Service was present to confirm that there was a French-speaking psychiatrist in attendance.

The complainant, who was released from the RCMP on medical grounds in March 1971, subsequently charged the Department with having failed to make the services of a French-speaking psychiatrist available to him in the fall of 1969. The treatment he had received at that time, in English only, had not produced the expected results because the psychiatrist and the patient had had difficulty in communicating, and he alleged this had been detrimental to his health.

The Commissioner informed the Department that, in order to respect the principle of the equality of status of English and French, psychiatric services in French ought to have been offered to the complainant without his having to request them. The Commissioner therefore recommended that, in future, the Department ensure that such services would be provided automatically in every case.

The Department accepted the recommendation and informed the Commissioner that thereafter, in order to avoid any misunderstanding, use would be made of a form on which the patient would state whether he wanted to be treated by an English- or a French-speaking physician, and the language to be used in connection with hospital treatment. The Department added that this practice would be followed both for patients from other medical services and for emergency cases treated in the hospital or the outpatient clinic of the department of psychiatry.

In the complainant's case, the Commissioner had asked the Department to consider the possibility of providing further psychiatric treatment under the direction of a French-speaking specialist. This suggestion was not accepted because the French-language psychiatrist who had examined the patient in April 1971 believed that no further treatment was necessary.

File No. 134—Library at Medical Centre

The complainant criticized the lack of French books in the Canadian Forces medical centre in Ottawa.

The Department confirmed that almost all the works available in the library were in English. After the Commissioner intervened, the Department decided to set aside \$1,000 for the purchase of French books out of its 1971 budget of \$1,500 for book purchasing, and thereafter to spend one quarter of its annual budget for this purpose. The Department also informed the Commissioner of a number of other measures designed to make the hospital more bilingual in accordance with the requirements of the Official Languages Act.

File No. 63—Teaching of French

A teacher of French as a second language at a military base school in one of the Western provinces alleged that there was resistance to his teaching of French. He complained about the principal's indifference if not open hostility and stated that other teachers shared the principal's opinions and lent him support. The Base Commander, who was also the Official Trustee of the School Board and the Chairman of the School Committee, tended to support the principal in the controversy that arose.

Disciplinary problems with certain students were also an issue in this conflict. The complainant alleged that a few difficult students were encouraged to disobey him and to disrupt French classes. The situation deteriorated to the point where the Official Trustee found it necessary to inform the complainant that his contract would not be renewed. The first reason for dismissal alleged the complainant was unable to exercise effective discipline in certain classes and on certain students, which resulted in a loss of control over students. The second reason given was that the complainant's repeated conflicts with the principal and other staff members created an unhappy situation among the members of the staff and resulted in poor morale. The complainant urged the Commissioner to investigate the situation that gave rise to his complaint.

After studying with great care the jurisdictional problems involved, the Commissioner determined that he should enquire about the status of French as an official language as it was taught at the school in question. On the basis of information the Commissioner had at the time, it was determined that the question of the termination of the complainant's employment was not within the Commissioner's jurisdiction. After preliminary discussions and exchanges of correspondence with the Department, the Commissioner authorized two members of the Complaints Service to act as observers at an informal enquiry the Department wished to conduct.

Accordingly, shortly after the beginning of the new school year, two members of the Department's staff and the two representatives of the Commissioner's Office proceeded to the base in question to carry out an investigation of the circumstances surrounding the employment and dismissal of the complainant as they related to the equality of status of French and English as official languages. Before this visit, responsible provincial educational authorities were consulted concerning particulars of the provincial School Act and details of French language instruction in the province. The school was visited and certain persons were interviewed: the Base Commander in his role as Official Trustee and Chairman of the School Committee, the principal, the teachers, the complainant and certain interested parents.

It became clear, as a result of these interviews, that a serious clash of personalities involving the principal and one of the teachers on the one hand, and the complainant on the other, had arisen. Attitudes towards the teaching of French at the school, it appeared, were less than positive. The investigation confirmed that certain factors which had a bearing on the reasons alleged for the complainant's dismissal had been overlooked. The Commissioner was able to recommend that the Department initiate the reforms necessary in the teaching of French at the school, in conformity with the curriculum established. For humanitarian reasons, the Commissioner suggested that the Department consider what it might rightfully do for the complainant. The Department replied stating that it had offered the complainant employment in the same capacity at another base school in the province but that the complainant had declined the offer. It added that it had taken steps to improve administrative procedures with regard to dependents' education. For example, the Department issued a directive forbidding plurality of offices. A member of the Canadian Forces can no longer be Official Trustee and Chairman of a School Committee at one and the same time. The Department also issued a reminder to all establishments concerning its bilingualism policy in general, including its policy governing signs.

File No. 116—Transit Insurance

A member of the Armed Forces complained that he could not deal with a government-designated insurance firm in French.

The Department assured the Commissioner that the insurance company had a bilingual capacity and that it was company policy to correspond in the official language of the client. In this instance, however, the company acknowledged its error.

The correspondent later lodged a second complaint against the same company, having received insurance forms in English once again. Investigation revealed that the company did, in fact, have the capacity to deal in both official languages, both as regards personnel and documentation. The problem appeared to arise from carelessness, rather than incapacity or ill-will.

The Commissioner offered to pursue the investigation if the correspondent would authorize him to reveal his name and the details of the latest transaction. The complainant did not reply.

File No. 162—CFB Uplands

The complainant alleged that the Third Air Movements Unit at the Canadian Forces Base, Uplands, was not able to offer bilingual services to the travelling public.

This complaint was considered in the context of a special study of services provided for the public at the Uplands base; the study showed that the Third Unit was indeed not in a position to offer services to the public in both official languages.

The Department decided to take the necessary steps to correct this situation. Directives were issued with a view to making the documentation for the passengers and the signs and building directories bilingual, and ensuring that someone capable of answering requests for information in either official language would always be on duty.

File No. 510—French-language Training

An officer in the Canadian Armed Forces stated that he applied unsuccessfully for French-language training. His application was approved and forwarded, but some months later he was advised that, since he had less than three years to serve until retirement, he was ineligible for French-language training. The complainant noted that, at the time of making his application for language training, he had more than three years' service remaining. Furthermore, he hoped, upon retirement from the Armed Forces, to find employment in another federal government department, where bilingual competence would likely be an asset.

The complainant was advised that the Official Languages Act does not oblige any government institution to provide second-language training for its employees. Accordingly, the situation described did not constitute an infraction of the Act, and the Commissioner could not take action.

File No. 593—Military Stores

The complainant stated that the signs and notices in official military stores in all Canadian Forces bases are in English only. The Rockcliffe and Uplands bases in the National Capital Region were cited as specific cases.

The Department replied that by February 1, 1972, all notices and signs in military stores in the National Capital Region had been changed to reflect the bilingual nature of the Canadian Forces. The Department had prepared a general directive defining the bilingualism policy to be followed by all military stores. This directive was to be distributed to all bases and stations before March 1, 1972. Finally, the Department outlined several measures already taken or to be taken in order to ensure that military stores conform to the requirements of the Official Languages Act in all their activities.

NATIONAL FILM BOARD

File No. 393—Communication and Brochure in English Only

A French-speaking person criticized the Hamilton office of the National Film Board for writing to him in English and not having the French version of a brochure on television broadcasting by cable.

The NFB's policy is to serve the public in both official languages at its head office, its main offices in bilingual regions and in other locations when it is possible and there is sufficient demand. The NFB regretted that the complainant had received correspondence in English from its Hamilton office and will ensure that in future correspondents receive replies from that office in the official language of their choice.

The brochure in question was an information bulletin published by the English section of the *Société Nouvelle/Challenge for Change* program. The French section had prepared its own information bulletin which included a complete translation of the text on television broadcasting by cable. Unfortunately, owing to circumstances beyond the NFB's control, the bulletin was four months late going to press. The complainant received a copy as soon as it was published.

NATIONAL GALLERY OF CANADA

File No. 413—Unilingual Services

A French-speaking person charged the National Gallery with failing to provide service to the public in both official languages. He alleged that neither the elevator operator nor the person he spoke to in the self-service cafeteria was able to answer him in French.

The National Gallery informed the Commissioner that the elevators and the self-service cafeteria were operated by concessionaires who, under the terms of their contracts, were supposed to provide service to the public in both languages. As for the attendants, sixty per cent were bilingual. As a general rule, the concessionaires see to it that only bilingual attendants man the elevators and that there is at least one bilingual attendant on duty on each floor. However, one of the substitute elevator operators was a unilingual English speaker. As for restaurant staff, the only unilingual English speaker was the manager.

The National Gallery regretted these incidents and promised to take any steps necessary to prevent their recurrence.

NATIONAL HEALTH AND WELFARE

File No. 188—Forms and Reply in English

A French-speaking correspondent criticized the Department's regional offices in Edmonton dealing with the Canada Pension Plan and Old Age Security for not having sent him forms in the language of his choice. He also criticized the regional office handling Old Age Security for having replied in English to a letter he had written in French.

At the Commissioner's request, the Department confirmed that the forms in question were bilingual. The Department also said that its general policy requires that letters in French be answered in that language. However, the complainant may have been the victim of an error. The Department offered to make further investigations, and requested the name of the complainant. The latter had not given the Commissioner authority to disclose his identity, and the enquiry was therefore suspended. The complainant said, however, that he was satisfied with the explanation given by the Department.

File No. 376—Questionnaire in English

The complainant criticized the Department for having sent a French-speaking association a questionnaire in English regarding a research project being carried out under the Fitness and Amateur Sport Branch.

The Department said that it had prepared questionnaires in both official languages, but that its regional co-ordinator had assumed that those who were to receive them were English-speaking. The Commissioner recommended that the necessary arrangements be made as soon as possible so that the public might be served in both official languages.

File No. 407—Letters in English

The complainant reproached the Department with having written letters in English to his French-speaking parents.

The Department said that it was very sorry for these errors, and said that it would take all necessary steps to ensure that this did not occur again.

File No. 456—Unilingual Label

A French-speaking correspondent reproached the Department with using unilingual English labels for sending parcels.

The Department replied that it would make the labels bilingual as soon as possible.

File No. 478—Application for Family Allowance

A French-speaking correspondent from Nova Scotia submitted to the Department an application for a family allowance she had filled out in French. The application was returned to her with a note indicating that the English side of the form should be filled out.

Confronted with this violation of the law, the Department replied that the clerk had not noticed that the complainant had filled out the form on the French side. The Nova Scotia office receives few forms filled out in French, but its staff nevertheless knows how to deal with them and would not send them back simply because the English side had not been filled out. The Department added that the complainant had sent in forms completed in English on several occasions since 1953, and that the computer would consequently have the data in English. It was this factor, together with the fact that the office had received many applications in September, which gave rise to the complaint.

The regional director reminded the members of his staff of their obligations, however, and the computer files and the information on the plate will in future contain the abbreviation *Mme* instead of "Mrs". The regional director also apologized to the complainant.

File No. 481—Information Services and Directory

A French-speaking correspondent pointed out to the Commissioner that it is impossible to obtain information in French from the Department's information services, and that the Department's directory is not published in both languages.

The Department said that its information services were equipped to answer requests in both languages, and that a bilingual employee was assigned to operate the switchboard of the services in question. The Department also issued directives requesting each branch to answer requests for information in both languages.

With regard to the directory, the Department admitted that there was only one version. It said, however, that a bilingual edition would be published in the near future.

File No. 526—Letter in English

A French-speaking correspondent from the Maritimes received a letter in English from the Department. However, the Department subsequently sent her information in French.

The Department contacted the correspondent to apologize for its inadvertent error.

File No. 562—Telephone Call

A French-speaking correspondent from Quebec City telephoned the Department's information service in French, and the operator was completely incapable of understanding a word he said.

The Department said that the necessary arrangements had been made to allocate a telephone line for use by persons wishing to obtain information concerning the Department's activities. The personnel service had been responsible for this but in future it would be the Director of Information Services. A bilingual operator was to be assigned to this line at all times.

File No. 607—Reply in English

A French-speaking correspondent reproached the Department's Edmonton Regional Office with having replied in English to a letter about family allowances she had written in French.

The Department admitted that such an error could occur, considering the large volume of work at certain times of the year. The Department informed the Commissioner that, following this complaint, directives had been issued reminding the employees in the Edmonton Office of the necessity of being particularly careful regarding the use of both official languages.

File No. 628—Application for Youth Allowance

A French-speaking correspondent from Nova Scotia said that after he had filled out in French an application form for a youth allowance, the regional director of family allowances sent back his form together with a note in English asking him to answer the questions marked with a red "x".

The Department said that a temporary employee had processed this application without noticing that the form had been filled out on the French side. The permanent clerks check more carefully and would not have sent back a form simply because the English side had not been filled out.

The regional director brought the incident to the attention of all permanent and temporary employees, and reminded them of their responsibilities under the Official Languages Act. He also wrote personally to the correspondent in French to explain the circumstances in which the incident had occurred.

NATIONAL LIBRARY

File No. 79—French-Language Publications

The complainant stated that he had had difficulty obtaining French-language publications in the social sciences from the National Library. Apparently, only 10 per cent of his requests had been filled.

The National Library informed the Commissioner that the funds it had received over the years were never sufficient to enable it to build up and catalogue a really large collection, with the result that its English collection and several areas of its French collection were still too limited to meet the needs of its users. The National Library added that only 30 per cent of its collection had been catalogued and estimated that there was still from 300,000 to 400,000 volumes which could not be made available to the public until there were sufficient staff to arrange and catalogue them.

The Government had agreed to allocate increased funds to the National Library in 1971 and 1972 to enable it to improve this situation. However the National Library had serious doubts about the possibility of cataloguing all its collections in less than a decade. It felt that it was not possible in one or two years to correct a situation that had been allowed to deteriorate to such a degree.

With regard to the purchasing of books, while he recognized this was subject to yearly fluctuations in the market, the Commissioner recommended that, as the necessary funds become available the National Library orient its general policy towards a more satisfactory balance between purchases of books in English and in French than had existed in the past, so that it would better reflect the linguistic duality of Canada.

File No. 430—Identification Card

A French-speaking employee of the National Library complained that his identification card had been filled out in English.

The National Library withdrew the identification cards of its French-speaking employees and replaced them with cards in the language of the employee. In addition, strict guidelines were issued to avoid a repetition of such complaints.

File No. 589—Unilingual Stamps and Slips

A complaint was lodged against the National Library for using a stamp marked "Do not remove" on cards sent to the University of Montreal and for making entries on the English side of slips.

The National Library admitted that the stamp in question was not bilingual and replaced it.

As for slips, the Commissioner recommended that the National Library assure that the due date be always marked in the language of the borrower in the appropriate space on the slip.

NATIONAL MUSEUMS OF CANADA

File No. 276—Guides

A French-speaking complainant objected to the poor quality of French spoken by guides at the War Museum and the National Museum of Science and Technology, both of which come under the jurisdiction of the National Museums of Canada.

During the 1970-71 fiscal year, the National Museums were the subject of a special study by the Commissioner's office. This study covered the points raised by the complainant. An account of the study and recommendations appears on pages 77-79 of the Commissioner's *First Annual Report*.

The National Museums pointed out that the War Museum has no official guides: signs, legends and notices are used instead. The commissionnaires on duty can express themselves in both languages. Their real role, however, is to ensure the security of the collections and that of visitors in case of emergency.

With respect to guides in the Museum of Science and Technology, the National Museums stated that this museum now has the capacity to provide guide services in both official languages.

File No. 403—Advertisement in Magazine

The complainant noticed that the National Museum of Science and Technology placed an advertisement in English only in the bilingual magazine *What's on in Ottawa/Voici Ottawa*.

The Commissioner recommended that the Museum's publicity in that magazine reflect the equal status of French and English as official languages.

NATIONAL RESEARCH COUNCIL OF CANADA

File No. 94—Publications

The complainant reproached the NRC for publishing its scientific journals in English only.

The NRC was already aware of the problem. As of 1973, therefore, the general presentation of the journals will be bilingual. Each

will bear the title *Journal canadien de . . .*, except the geotechnical journal, which has always been entitled *Revue*.

References, however, pose a more complex problem. It is important for all scientific publications to use the same form for references in order to eliminate the possibility of errors in bibliographies and to prevent difficulties in data processing. This code, which cannot be translated, will appear on the back of the journal, on the first page of each article and in the running title. The title will appear everywhere in both official languages. The changes will conform to the international recommendations made at The Hague (1954) concerning standardization in the field of documentation.

With regard to the summaries of each article, it appears that the NRC's policy is to try to present them in both languages; it is having trouble, however, finding perfectly bilingual specialists prepared to translate the texts. It must therefore have recourse to the services of university professors. Half the publications considered (that is, five journals out of ten) use bilingual summaries. The summaries in the other publications are bilingual also, or will be in the near future.

File No. 493—International Chemistry and Physics Symposium

A French-speaking complainant said that the invitations to the International Chemistry and Physics Symposium in Ottawa were not bilingual, even though this event received considerable financial support from the NRC and was under the auspices of the Royal Society of Canada.

The NRC informed the Commissioner that the amount of its subsidy was not even a tenth of the estimated expenses. It pointed out, however, that the organization committee had decided at a meeting held on October 7, 1971, to publish its brochure in both languages.

After the Commissioner had intervened, the NRC prepared a text asking the organizations which receive its assistance to take the provisions of the Official Languages Act into account when organizing conferences. In order to widen the scope of its guiding principle, the Commissioner suggested to the NRC that it request all the organizations which receive supporting or operating grants to provide documentation and services related to the conference, such as simultaneous interpretation, in both official languages.

File No. 606—Code de classification des domaines de recherches, 1972-1973

A French-speaking mathematician stated that the Code de classification des domaines de recherches, 1972-1973, issued by the NRC,

was deficient with regard not only to good language usage but also to the accuracy of its mathematical terminology.

The NRC informed the Commissioner that the code had not been revised for several years. They were going to start work on it when the new scientific data information centre went into operation; the centre will keep a record by subject of all research projects funded by federal departments and agencies. Before making changes in terminology, the NRC planned to seek the opinion of French-speaking scientists. However, in consideration of the points outlined by the complainant, and as a temporary measure, the Council promised to correct the use of uppercase letters in the next issue.

File No. 613—Unilingual Questionnaire

A Francophone stated that he had received a unilingual English questionnaire from the University of Ottawa in connection with a tripartite survey (by the National Research Council of Canada, the Medical Research Council and the Canada Council) of graduate students in Canadian universities in 1971-1972.

The NRC informed the Commissioner that this questionnaire, as well as other documents connected with the survey, had been sent simultaneously in both official languages to the University of Ottawa, whose responsibility it was to distribute them to its various departments. In addition, the NRC provided the Commissioner with French and English copies of this questionnaire and of other documents used during the survey.

File No. 651—Canadian Building Digest

The complainant stated that the NRC did not have a French version of folder No. CBD 100 on the metric system published in April 1968.

The Division of Building Research is responsible for the preparation of the Canadian Building Digest (folder No. CBD 100). These documents were first published in 1960 and have appeared monthly since then. The Division decided to translate this popular series of technical documents into French, rather than continue its practice of providing only extracts in the case of scientific and technical documents.

For various reasons there was a slowdown in translation of the Canadian Building Digest early in 1969. Since the situation showed no signs of improving, the NRC decided to retain the services of a translation agency in Montreal.

Canadian Building Digest No. 100, the subject of the complaint, was written in English in April 1968, sent for translation in September 1971, and went to the printer two months later; it has been available in both official languages since February 14, 1972.

To emphasize the progress under way, the NRC informed the Commissioner that it was currently having ten other Canadian Building Digests translated.

Since the excessively long time-lag between the appearance of English and French versions of documents published by the NRC constituted a contravention of the Official Languages Act, the Commissioner recommended that, where possible, the NRC publish simultaneously in both official languages documents intended for the public or make certain the French version was available within a reasonable period of time.

NATIONAL REVENUE — Customs & Excise

A number of complaints that persons could not, or did not, receive service in French in various ways at eight customs ports were received. The investigation disclosed that most of the complaints were justified. The following ports were the source of difficulties.

1. Rock Island, Quebec	File No. 87
2. Winnipeg Airport	File No. 213
3. Moncton Airport & Moncton Office	File No. 391
4. Prescott, Ontario	File No. 438
5. Niagara Falls	File No. 458
6. Regina	File No. 535
7. Toronto	File No. 684
8. Sudbury	File No. 499

• At Rock Island, the complainant could not fill out the customs declaration form in French. The Department claimed that no request for service in French had been made. The Commissioner pointed out to the Department that the fact of addressing a customs officer in French was an implicit request to be served in French. The Department accepted this view and issued directives to its personnel always to ascertain the official language in which the traveller desired to be served, and to provide service in that language without delay.

• At Winnipeg Airport, Moncton Airport and Moncton Customs Office, Prescott, Niagara Falls, Regina and Toronto the complainants all professed to be unable to receive service in French from customs officers. The Department issued instructions to its personnel to enquire of its clients in which language they wished to be served.

• At Moncton, the Department stated it had three bilingual employees out of a total of twelve and believed it could provide the public

with service in both official languages. Nevertheless, it added two more bilingual employees to its staff for a total of five bilinguals, three of whom were assigned to the Moncton Airport, with a fourth on call as needed.

- At Prescott, the Department agreed to make all signs bilingual, to provide all necessary bilingual forms, to increase the number of bilingual customs officers, and to instruct the unilingual anglophone officers to say, "Un instant s'il vous plaît" to a Francophone who addresses them in French and immediately obtain the help of a French-speaking customs officer.

- At Niagara Falls, the Department stated there was not sufficient demand to maintain bilingual staff on a 24-hour basis at the three entry points. The local staff indicated to the Department that only three persons out of a total of 6,000,000 had used French and had been served in that language. This could not be accepted by the Commissioner as conclusive of potential demand. Other factors such as never offering service over the years had to be considered. The Department issued instructions to all its staff to proceed in a uniform and efficient way in ascertaining the official language in which the public wished to be served. The Commissioner informed the complainant that his office was undertaking a special study on the provision of service in both official languages at customs ports.

- At Regina, the Department admitted it had a limited capacity to communicate in French with the public, but was increasing its capacity to the best of its ability. Additionally, all signs were in the process of being made bilingual.

- At Toronto, the Department could not verify the incident complained of, since it had occurred more than a year ago and the customs declaration forms which had formed part of the complaint were destroyed after one year. Moreover, the Department issued instructions that its personnel fill out declaration forms in the official language of the person being served. The Department further added that its bilingual personnel at Toronto Airport was normally able to provide services in French at all times.

- At Sudbury, the complainant failed to provide additional necessary information and the matter was not pursued.

Other complaints, concerning Customs and Excise and covering a variety of subjects, follow.

File No. 45—Language of Work

A French-speaking employee of the Department (District of Montreal West) stated that he was allowed to write his reports in French

but that he was obliged to write in English letters and reports intended for departmental inspectors working in other regions of Canada. He added: "If my writing (in English) to my English-speaking colleagues simply constitutes a gesture of politeness, these same colleagues should in turn write to me in French. This has never happened." He therefore asked that the Department authorize its employees in Montreal to communicate in French, if they so desired, with their colleagues in the same Department working outside Quebec.

At the Commissioner's suggestion, the Department (Customs and Excise) on September 1, 1971, issued directives to all its staff concerning bilingualism. Under the heading of internal communications it was stated in the directives that each staff member could choose the official language in which he would draw up correspondence and internal reports in the National Capital Region, in the proposed bilingual districts and to the extent that it was possible and convenient to do so in all offices.

On November 15, 1971, the Excise Tax Office of the District of Montreal West became a French-language unit. At the end of the fiscal year, the complainant informed the Commissioner that according to the directives issued when the unit was created, he could write in French letters and reports intended for his English-speaking colleagues in the other provinces, but that these documents were then translated into English at the Montreal Regional Office. He added that it was highly probable that only the English versions of such documents were sent to his colleagues in the other provinces. In addition, he stated that some pressure had been brought to bear on him and other employees in the French-language unit to prepare such documents henceforth in English in order to keep the number of translations to a minimum. In view of these allegations, the Commissioner decided to continue his investigation and charged one of his representatives with carrying out an enquiry at the office. On March 31, the investigation was still in progress.

File No. 114 — Competition

An employee of the Department alleged that a person had been appointed through a competition to a bilingual position involving service to the public, although the successful candidate was unable to meet the language requirements mentioned in the competition notice.

An investigation revealed that the complainant and the other three candidates who entered the competition passed the second-language examination in accordance with the criteria which the Department itself had established and in compliance with the procedures used by all departments. The competition was therefore held and the appointment made in accordance with standard procedures. The Commissioner ob-

tained the Department's assurance that the staff in this office was able to serve the public in both languages.

File No. 308 — Bilingualism in B.C.

A public servant in British Columbia wanted to receive information regarding French courses offered by the federal government. He also wanted to know whether it was thought that the interior of B.C. was an area where a bilingual officer would be warranted in the field of Customs and Excise.

With regard to the request for information, the Commissioner suggested that he communicate with his regional director of personnel in Vancouver.

The second question, whether an area officer with bilingual capability would be warranted for the Department in the interior of British Columbia, raised a more complex problem. The answer depends mainly upon whether federal institutions are required to provide services in both official languages to the public in this area. According to the Official Languages Act, federal institutions are obliged to provide bilingual services to the public in the National Capital Region, at their headquarters, and in designated bilingual districts, once they are established. This obligation also exists elsewhere in Canada where there is a significant demand for such services and to the extent that it is feasible to provide them.

In addition, under the Act, federal institutions serving the travelling public must ensure that their services can be provided or made available in both official languages everywhere in Canada, except where there is no significant demand or where it is so irregular as not to warrant providing bilingual services.

The Commissioner informed the complainant that in the case of services to the travelling public in British Columbia, these must be bilingual unless there is no significant demand or unless the demand is irregular in the Act's terms.

File No. 352 — Forms in English

A French-speaking customs official in Quebec stated that in the performance of his duties he was required to complete forms in English. The number of each of the forms in question was given in the attachments to his letter.

The Department stated that since the Official Languages Act had come into force, it had given top priority to the publication of all its forms in both official languages. Progress was being made as rapidly as the procedures involved permitted.

The Department was sparing no effort to make its forms bilingual. If a draft bilingual form did not seem to be very clear or could be misunderstood by one or other of the language groups, another bilingual form, this time with the English on one side and the French on the other, would be tested. If neither format was acceptable, separate forms were used, one in English and the other in French.

The Department observed that in the preparation of forms, there were a number of stages which might each take several days. These were consultation with agencies, translation, preparation of the draft for the printer, pertinent decisions, type-setting, photography, correction of the proof, preparation of plates, and finally dispatch to the eight printing services responsible for satisfying the Department's requirements. Customs and Excise has 621 forms which must pass through all these stages.

The Department first went about reissuing the 204 forms intended for the public. Then, it turned its attention to the most commonly used internal forms. At this point, 154 of the 417 internal forms were available in both languages.

Work was to be completed before the end of 1971 but available resources were not sufficient. Additional funds were therefore sought from Treasury Board so that all forms would be available in both languages before the end of June 1972.

As to the forms the complainant was particularly concerned about, the Department informed the Commissioner that they were now available in bilingual form. Two other forms he also mentioned were to be combined and published in both languages as soon as possible.

File No. 427—Publications

The Language Department of the Faculty of Arts, Laval University, brought to the Commissioner's attention the translation of Customs' form E-46. Instead of *formule d'appréciation* for "appraisal note", it suggested the expressions *formule d'évaluation* or *formule d'estimation*.

The matter was referred to departmental translators who pointed to definitions in several dictionaries justifying use of the term *appréciation*.

File No. 440—Promotion

An English-speaking person employed by the Department for over 18 years informed the Commissioner that for several years his position had been very precarious as a result of decentralization of the activities of his former office. In view of a staff surplus, he had to accept a trans-

fer within his Department where the opportunities for promotion were almost non-existent. He entered a number of Public Service competitions but without success. He submitted several documents regarding his applications for more remunerative employment within the Public Service, and requested an interview.

The Commissioner was unable to investigate the complaint since it had nothing to do with the application of the Official Languages Act. He informed the complainant that the Act did not authorize him to intervene in connection with the recruitment and promotion of staff by the Public Service Commission unless the Commission had neglected to take into account the purposes and provisions of the Official Languages Act. If, however, the complainant had additional matters to bring to his attention, he would willingly agree to an interview.

Since the complainant wrote in a subsequent letter that he intended to specify his grievances, the Commissioner granted him an interview. The interview, however, revealed no infraction of the Official Languages Act nor a situation contrary to the spirit or intention of the legislator.

File No. 661—Competition Posters

A Francophone complained that the Department had displayed competition posters in English only at the Port of Ottawa (Postal Customs Office). The posters in question are distributed from the regional office in Toronto.

Of the 37 posters distributed from the Toronto office since the beginning of 1971, two were bilingual. The Department noted that this was in accordance with the provisions of Section 18 (b) of chapter I of the Public Service Commission Staffing Manual. The Department had, however, decided to arrange for all competition posters to be distributed in bilingual form in the region as soon as translation services became available to it in Toronto.

The Commissioner felt that the provisions of Section 18 (b) of chapter I of the Staffing Manual were contrary to the spirit of the Official Languages Act. Acting under Section 31 of the Act, he accordingly recommended that the Public Service Commission make the necessary amendments to the Manual.

File No. 810—Denial of Promotion Due to Unilingualism

The president of a federal public service union forwarded to the Commissioner a letter which he had received from an anglophone employee of the Department in Montreal. The correspondent alleged that he was being denied promotion because he was unilingual. French language courses to which he had been assigned were subsequently cancelled for lack of funds. The union president stated that he believed

this was a case which would have benefited by the implementation of the thoughts he and the Commissioner had had that employees otherwise eligible for promotion, and who had some reasonable claim to be within the area of competition, should be eligible for a promotion on the understanding that they would obtain the necessary bilingual qualifications within a prescribed period of time.

In reply, the Commissioner agreed but was obliged to advise the union president that he had examined this case carefully and had concluded, as the president understood, that it involved no contravention of the Official Languages Act.

NATIONAL REVENUE—Taxation

A number of complaints against the Department of National Revenue—Taxation, were related to the unavailability of income tax forms in French at various post offices in Canada. This state of affairs apparently existed at Toronto; St-Norbert, Man.; Hull; Fredericton; and Cheticamp, N.S.

At Toronto, the Department decided to change its system of distribution of income tax forms in co-operation with the Post Office Department. Heretofore, the postmasters of the various post offices had indicated the number of forms they wanted to receive in both official languages (which explains why some post offices had forms in only one language); henceforth, a sufficient supply of forms in both official languages would automatically and systematically be sent to all post offices.

As a result of the St-Norbert incident the Post Office Department, at the behest of the National Revenue Department, issued a circular to all its regional directors to remind the postmasters that supplies of income tax forms would be obtained in both official languages from the Department of National Revenue.

In the Hull situation, the Department admitted there had been delays, as a result of changes made to the 1971 forms, but by the end of January 1972 supplies of the forms had been provided to the Hull Post Office.

In Fredericton, twelve francophone citizens had been advised to obtain French forms at the Taxation Office in Saint John, N.B. The Department stated it had provided all Fredericton post offices with the necessary forms, but promptly sent an additional supply since the original shipment appeared to have been used up.

In Cheticamp, the Department again sent additional French forms since the original supply had been exhausted.

Other complaints involving the Taxation Division follow.

File No. 133—Reply in English to a Request in French

A Francophone in Winnipeg sent the Commissioner a copy of a letter about tax arrears that he had sent to the Department's Winnipeg office. In the letter, he stated that the Department had written to him in English despite the fact that he had insisted on obtaining service in French.

The Commissioner wrote to the complainant to ask for further details on the Department's reluctance to communicate with him in French. Some time later, the complainant replied to the Commissioner that he had subsequently obtained service in French and that the question of the tax arrears had been quickly resolved to his satisfaction.

File No. 150—Allegation of Linguistic Discrimination Against Anglophones in Montreal Office

A Montreal Member of Parliament wrote to the Commissioner enclosing a letter he had received from one of his constituents alleging that unilingual anglophone public servants in Montreal were the victims of linguistic discrimination.

The complainant was invited to submit additional details concerning linguistic difficulties encountered by anglophone employees of the Department in Montreal. However, he declined to furnish more information since he had recently succeeded in being assigned to second-language training under government auspices.

File No. 243—English Form Sent to a Francophone

The complainant, a woman whose name was unmistakably French, objected that she had received her personalized income tax form for the year 1970 in English, and requested the Commissioner to see that she receive tax forms in French.

However, the woman admitted she had filled out the previous year's (1969) tax form in English, and must have anticipated the Department would use that fact as the rationale for sending her English forms in 1970. However this merely added to her sense of frustration since, in 1969, she had not been able to obtain French income tax forms at her local post office.

An unusual feature of this complaint was that the correspondent's letter was dated February 28 and requested that she receive new forms by April 15, but the envelope itself bore the postal date-stamp of May 5 and was received at the Office on May 10.

Strictly speaking the writer had no genuine cause for complaint, as she herself suspected, since it is Federal Government policy to reply to a correspondent in the official language used by that person. Since

the woman had used an English tax form in 1969, the Department had sent her an English tax form in 1970.

The Commissioner sent the complainant a French tax form, at the same time indicating that her tax return was overdue, and he hoped, if she had not already completed one, she would do so at once.

File Nos. 263 and 339—Letters in English to Francophones

In reply to a letter to the Department in French, a Francophone in Toronto received a communication in English.

A Francophone in St. Boniface made out his tax return in French. The Department's regional office in Winnipeg wrote to him in English to obtain further information.

The Department stated that its principle was to communicate with members of the public in the official language of their choice. The volume of correspondence increased considerably in April and May. Since it received thousands of similar letters, it had made a practice in recent years of using form letters to reply to enquiries. In the cases in question, English form letters had been selected inadvertently instead of French ones. The Department sincerely regretted these deviations from the requirements of the Act, and revised its procedures in order to prevent any recurrence. The Commissioner passed this information on to the complainants.

File No. 333—Commissioner's Intervention Sought to Settle Income Tax Matter

An Anglophone in Quebec had a tax question to settle with the Department and wanted the Commissioner to investigate the matter.

The Commissioner could not carry out the investigation of the complaint because the matter raised was not a question under the Act.

File Nos. 448 and 459—Ottawa

• An Ottawa Francophone who had had to call at the counter in the Jackson Building a number of times to pay a tax instalment complained that he had not always been served in French.

The Department informed the Commissioner that two French-speaking clerks were on duty at the counter. However, it had been unable to establish whether there had been a departure from its practice of serving members of the public in the official language of their choice when the complainant came to the counter.

• An Ottawa Francophone went to the Department's offices in the Jackson Building to obtain fairly detailed information about his taxes.

He claimed that although the clerks were bilingual, they were unable to provide answers to his questions, which were of a complex nature. They accordingly referred him to more senior officers in the Assessing Division who would be able to assist him. The officers in question, however, were unilingual Anglophones. The complainant insisted on being served in French. There was one expert who could express himself in French, but he could be consulted only by appointment. The claimant was therefore compelled to conduct his business in English.

The Department informed the Commissioner that the Assessing Division had a staff of 48, including 17 bilingual Francophones and five partially bilingual Anglophones who were taking French courses. The Department was trying to raise the level of bilingualism in the Division through language courses and the hiring of bilingual staff. Although more than one-third of the staff of the Division were competent in French, it could happen that they would all be absent during the lunch hour. The Department nevertheless assured the Commissioner that it would endeavour to provide the Canadian public with the service it was entitled to expect, and asked the director of the Ottawa District Office to ensure that such service was available at all times in both official languages.

File No. 543—An Anglophone Could Not Obtain Answers Concerning 1971 Income Tax and Was Sent to Wrong Offices

An English-speaking woman from Montreal complained that the federal taxation office in that city could not answer her questions concerning her personal income tax for 1971 and kept sending her to the wrong offices to obtain some TP-3 Summary forms.

The several inconveniences which arose were due to misdirection to wrong offices and were not of a linguistic nature. The complaint was referred to the Department.

File No. 601—A Disappointed Francophone

A Montreal Francophone complained that he had received T3 forms from the Department in English only. The Commissioner telephoned the Department and asked that forms in French be sent to the complainant at once. Meanwhile, the complainant had applied to the Department instructing it to send him the forms, and received them (probably from the Montreal office) accompanied by the original of his letter, which bore comments of a high-handed, not to say insolent, nature.

The complainant reported this further insult to the Department, and called upon it and the Commissioner's Office to conduct an inquiry into this unexpected response to his original complaint. At the Com-

missioner's suggestion, the Department sent the complainant a written apology. He accepted it, and asked the Department to inform him of the results of the inquiry it had agreed to make into the matter.

File Nos. 629 and 685—The Corporate Sector

A Francophone complained that the Department had failed to grant equal status to the two official languages in a bilingual brochure entitled *Valuation Day Prices of Publicly Traded Shares—Prix au jour de l'évaluation des actions émis dans le public*. The complainant noted that the French title seemed to be a literal translation of the English one, and that it contained an error. Furthermore, the list of companies was not arranged in the alphabetical order of their French titles.

Another Francophone made the same comment respecting alphabetical order.

The Commissioner recommended that the Department take steps to avoid any recurrence of errors like the one that had appeared in the French title of the brochure. The Department published a correction, and an appropriate sticker was affixed to copies for distribution in Quebec and the National Capital Region. It was unable to send the correction to all those who had received copies, however, as it did not have a distribution list.

Of the companies listed, only 189 had French names registered with the Department of Consumer and Corporate Affairs. French translations of the English names of the remainder would have had no legal validity. Moreover, some names appeared in French only. For the convenience of dealers and others wishing to consult the list, it had been prepared in the same order as the Canadian Press index published in English- and French-language newspapers. The index was based on key words. The Commissioner believed that the two official languages had been accorded equal status in this case.

File No. 640—A Surprised Taxpayer

A Francophone telephoned the Ottawa regional office for information. A unilingual English-speaking employee took his call and passed the receiver to a bilingual colleague. The complainant alleged that the latter answered in French, but instead of offering to help him, lectured him on the increased workload and expense resulting from the fact that Francophones demanded service in French. The complainant was surprised by these remarks.

The Department stated that it received few complaints, although its contacts with taxpayers were frequent. In the complainant's case it was unable to track down the employee responsible for the incident which had prompted the complaint. It would have been able to pursue

its investigation if it had been given additional information or if the complainant had been willing to reveal his name. The latter did not respond to the Commissioner's invitation to do so.

The Department informed the Commissioner that its staff was aware of bilingualism requirements and that it was paying particular attention to the services it offered in the Ottawa regional office. In addition it had asked the regional director to review methods used in his office so that incidents like the one which had been the subject of this complaint would not recur. The Deputy Minister asked the Commissioner to apologize to the complainant on his behalf and on behalf of the Department.

File No. 657—The Telephone

A Francophone telephoned the Ottawa regional office for information. The unilingual Anglophone who took his call said that there was no one immediately available to speak to him in French. She suggested he call back later or explain the reason for his call in English.

The Department explained that its policy was to provide service to all citizens in the language of their choice. In the Ottawa district office ten clerks take calls at the general information switchboard. The two unilingual English-speaking clerks must refer calls from Francophones to bilingual officers. It is likely that the call in question came on one of those rare occasions when all eight bilingual employees were busy. The Commissioner recommended that the Department utilize its manpower more efficiently so that any person dialling this number could obtain information immediately in the official language of his choice.

File No. 748—Edmonton

A French-speaking person claimed he had gone to the Edmonton office and had been unable to obtain the information he needed on taxation in French from the ten employees on duty. Apparently someone who did not work in that department had been called to help him.

The Department stated that the reception area in the Edmonton office where all taxpayers are directed is located on the ground floor. Anyone wishing to discuss problems in French is directed to the first floor where a hostess who has been notified of his arrival sees to it that he is looked after by a bilingual employee. A qualified counsellor deals with most of the inquiries expressed in French. Investigation by the director revealed that she had conducted an interview at the ground floor counter on one occasion only at the beginning of February. An auditor in the corporate tax section also conducted interviews and assured his director that he had provided all the information requested by the five Francophones who spoke to him between February 16 and March 23.

According to the Department, the director of the office pays special attention to the quality of service provided to the public by his information clerks. To investigate this complaint further, the Department would have needed more exact information. In view of the fact that this office has nine employees who can deal with questions on taxation in French, it was hard put to explain why the employee who spoke to the complainant had been unable to provide the required information.

In order to be able to determine who was responsible for this incident, the Department would have liked to know the name of the complainant, the date and time of his visit, the nature of the information requested and the amount of time that passed before a bilingual employee came to deal with him. The complainant did not comply with the Department's request.

Nevertheless, in order to eliminate all possibility of misunderstanding, the Commissioner recommended that the Department see that bilingual staff are assigned to the office in question in such a way that French-speaking taxpayers are always able to obtain any assistance necessary without delay and in their own language.

POST OFFICE

File No. 652—Campbellton

A French-speaking person visited the Campbellton post office where he observed that service was not provided in both official languages. In his opinion the post office should provide bilingual services since the town has a large percentage of French-speaking inhabitants and is also visited by many Quebecers.

The Department stated that this situation resulted from poor distribution of staff since more than half the office's employees were bilingual and when they were properly assigned services could be provided in both official languages. In order to avoid a recurrence of such a situation the Department asked the postmaster to ensure that his office was always able to provide services in both languages.

File No. 152—Moncton

A French-speaking person complained that the Post Office Department had sent out a unilingual English circular in the R.R. No. 5 region of Moncton, whereas most of the residents in this area are French-speaking. A letter on this matter addressed to the Department's local representatives was never answered.

The Department indicated that the incident occurred on October 10, 1970, at a time when the office of postmaster was vacant. The new

incumbent informed the Department that he had no correspondence on file concerning the matter but that the person responsible for mail distribution in R.R. No. 5 had acknowledged that a number of circulars had been returned with comments such as: "Why not in French?". The postmaster therefore decided to send the circular out again in both official languages. It was to be distributed during the first week of April 1971.

The Department confirmed that measures had been taken to avoid a repetition of similar incidents in the future.

File No. 811—Quebec City

An English-speaking resident of Quebec City complained that a local post office clerk was unable to serve the public in English.

The Commissioner requested that the complainant provide the address of the post office concerned and the date and time of the alleged incident. In the absence of a reply from the complainant, the Commissioner was unable to proceed with an investigation, and the case was closed.

File No. 321—Montreal

A French-speaking person complained that she had difficulty obtaining service in French at a post office in a shopping centre in West Montreal. She was obliged to wait until the attendant, a unilingual English-speaking woman, could find a bilingual person to help her.

The Department explained that the manager of the store was also the postmaster, who did his best to ensure that services were made available at all times in both languages.

The Commissioner reminded the Department that it was its duty to ensure that the post office in question provide constant service in both official languages, without customers being subjected to undue delays. At the same time, he pointed out that this did not mean that all post office employees had to be bilingual. The Commissioner suggested to the Department that in order to provide at least a partial remedy for situations of this kind, a bilingual vocabulary be prepared for use by post office employees who have to serve the public and who have an inadequate knowledge of one of the two official languages.

File No. 387—Hudson

A French-speaking person alleged that the two employees at a post office in Hudson, P.Q., who deal with the public speak only English.

In its reply the Department indicated that a report from its regional office concluded that it was always possible to obtain service in French at the post office in question. Indeed, the postmaster and his assistant are French-speaking. According to the Department it is possible that the complainant spoke to an English-speaking part-time employee and did not ask to be served in French.

The Commissioner recommended that the Department ensure that its services to the public are available in both official languages.

File Nos. 46, 179, 265, 346, 384, 507—Ottawa

- The complainant stated that she was unable to obtain service in French at a post office located in a pharmacy at an Ottawa shopping centre and at the Besserer Street post office.

The Department stated that there was an employee who could provide service in French at the shopping centre post office. The Besserer Street office also had sufficient bilingual staff to meet the requirements of bilingualism in serving the public.

- A French-speaking resident of Ottawa complained that the Department sent him a circular on the use of postal codes and an amendment sheet to the postal code directory written only in English.

The Department explained to the Commissioner that the documents in question had been mailed on March 26 to meet the deadline for the implementation of the new postal code. The Department had, however, only received the documents on March 25 and they were all in English. It was impossible to have them translated and printed in bilingual form without missing the deadline. This was the reason why on this occasion the documents were distributed only in English.

The Commissioner requested the Department to abide by the requirements of the Official Languages Act concerning the distribution of documents to the public in the National Capital Region, in possible bilingual districts and areas where demand justified it. The Department replied that it would take the necessary steps to meet these requirements.

- When a French-speaking customer at an Ottawa sub-post office asked a clerk for some six-cent stamps, the clerk translated his order into English. The complainant then asked for information about international coupons; the clerk did not understand and asked the customer whether he knew English. The customer asked the clerk to call on the assistance of the director, a French-speaking person who came forward to give the desired information. The complainant added that this had occurred on several occasions.

Two checks revealed that on each occasion the English-speaking clerk had lost no time in calling on his French-speaking supervisor. The

Commissioner concluded that the Act had not been violated since service was provided promptly in French.

- A French-speaking person stated that an Ottawa sub-post office was not respecting the status of both official languages because some of its signs were in English only.

The Commissioner did not investigate this complaint since the office in question has been closed.

- A French-speaking person stated that the services provided by the Department in French were not as good as those offered in English at the post office located at the corner of Sparks and Elgin Streets in Ottawa. When she spoke to the clerk in French she was told, "I don't speak French, go to the next counter, he might understand you." She was therefore obliged to go to another wicket and wait her turn a second time.

The Department informed the Commissioner that it regretted the incident and stated that the postmaster had issued directives so as to ensure that equal services are provided to all clients.

- A French-speaking customer visited the main Ottawa post office in Alta Vista one Wednesday in October 1971 at about 5:45 p.m. and was unable to obtain service in French. There were only three English-speaking clerks at the counters.

The Department admitted that although four of the seven clerks on duty that day were bilingual, none of them, for reasons which it considered valid, was present at that particular time to provide service in French.

The Department nevertheless deplored this lack and was of the opinion that the office in question ought to have organized its services in such a way as to meet language requirements. Directives on the subject were brought to the attention of those responsible so as to avoid a repetition of such an incident.

File No. 75—Toronto

A French-speaking Torontonion complained that the Post Office often changes the address on his mail when it is written in French.

The Department explained that the sorters responsible for routing his mail were not familiar with the French style of addressing a letter and hastily read only "3555 avenue". Since this address did not exist, the mail was sent to the Directory Service and readdressed. The Department assured the Commissioner that the changes were made in good faith and that the Post Office was carrying out its primary task, which is to deliver the mail. However, to correct the situation, appropriate directives were issued.

File Nos. 172, 547, 577—Winnipeg

- A Post Office employee in Winnipeg stated that the Department assigns him extra work because he is bilingual, but without increasing his salary.

The Commissioner replied that questions of salary were outside his jurisdiction. The complainant authorized the Commissioner to forward his file to the Department.

- A French-speaking person reported that there was no French-speaking clerk at the main post office in Winnipeg, Manitoba. She added that the public cannot obtain information in French about the new postal code.

- A French-speaking Manitoban telephoned Winnipeg for information on the new postal code. She was unable to obtain a reply in French.

The Department stated that for several years there had been a bilingual clerk on duty in the main post office, and sometimes two or even more. The present situation has resulted from a reduction in the number of staff assigned to wickets, and from retirements. Measures have been taken to have a bilingual clerk serving the public.

The Department told the Commissioner that it had hired seven unilingual English-speaking employees to answer requests for information about the new postal code being used in Metropolitan Winnipeg, and that calls in French had to be directed to the provincial or regional director, a step which members of the French-speaking public had taken only three times since the service was set up.

Not satisfied with this expedient, the Commissioner pointed out to the Department that the Official Languages Act was not being complied with if the information services were not able to deal with calls by French-speaking persons without the latter having to indicate that they wished to obtain a reply in French. He also pointed out that a French-speaking person may give up trying to get service in French if he is habitually answered only in English.

The Commissioner recommended that the Department take into consideration the requirements of the Act in recruiting and assigning its staff in order to correct these shortcomings.

File Nos. 90, 341, 659—Regina

- A Francophone stated that a letter to Newfoundland mailed in Regina was returned to him marked "For better direction" because the name of the province was written in French. The complainant then went to the Regina post office in person to send his letter and it was refused because he would not substitute "Newfoundland" for "Terre-Neuve".

The Department was not able to determine the truth of the matter. It informed the Commissioner that directives had been issued on June

20, 1969, ordering all employees to accept mail addressed in a language other than English as it was and never to return it to the sender. However, after the Commissioner's intervention, the Department repeated its directives as a precaution.

- A Francophone reported to the Commissioner the difficulty she had had in obtaining information from the main post office in Regina by telephone in French. She also claimed she had been insulted by an employee of the office who muttered: "Is that all she wanted, the bitch?"

The Department informed the Commissioner that the reception given the complainant had certainly not been consistent with the courteous treatment generally given all customers. It added that its Regina office was able to provide services to the public in both official languages and it assured the Commissioner that incidents of this type would not occur again.

- A French-speaking association in Saskatchewan received a circular about the new postal code from the Department in English only. The association's representative believed that the circular should have been written in both official languages.

The Department observed that interpretation and enforcement of the Official Languages Act posed particular problems in Saskatchewan because it was difficult to estimate the demand for services in French. According to the Department, the demand was small and would not have justified setting up a translation service.

The Department made it clear that its practice was to communicate with individuals in the language which they used. In the case of organizations, it had decided to make a survey so that, as far as possible, communication with them would be in the language of their choice.

The Commissioner stressed that the presence of the French-speaking element in Saskatchewan should prompt a federal body as large as the Post Office Department to attach real symbolic importance to the requests of this language group. He also noted that it should be possible and desirable to write a circular for general distribution in both languages.

File No. 394—Edmonton

A French-speaking Albertan believed that postmen refuse to deliver letters because they are addressed in French, and as supporting evidence, he sent an envelope addressed in French which had apparently been returned to him, marked "no such address".

The Department assured the Commissioner that the complaint resulted from an inadvertent error. The Department stated that it would take all necessary measures to avoid a recurrence of similar incidents.

File Nos. 264 and 419—Stamps

- An Anglophone suggested that the placing of the French word “Postes” on Canadian stamps before (that is, to the left of) the English word “Postage” should be reversed, since the majority of Canadians are English-speaking, and read from left to right.

The investigation revealed that there was no infringement of the letter or the spirit of the Official Languages Act since the equality of status of both official languages was properly respected. Actually, both words can be seen simultaneously, at a glance, and do not involve any “reading” as such.

- An Anglophone alleged that the word “Confederation” appeared only in French on the British Columbia Centennial postage stamp and took exception to the fact the Post Office Department printed the name of that province in both languages.

The Department replied that the principles applied to the use of the two official languages in postage stamp design are (a) to demonstrate the bilingual nature of Canada and (b) to reproduce all text in the two official languages.

As with any postage stamps, the size of the British Columbia Centennial stamp and the general requirement for readability limited the options in the choice of text. The official translators serving the Department confirmed that “British Columbia” was translatable and, if used, would require translation to be acceptable in form and principle. The basic letter forms of “CONFEDERATION”, which are common to the two official languages, were used and French accents were employed clearly but lightly so that the normal visual response to the word of both Anglophones and Francophones would be produced.

The complaint and its investigation did not disclose a contravention of the Official Languages Act.

- An Anglophone questioned the use of the word “Aerogramme” and the expression “Air Mail” on the Canadian aerogramme (air letter). He added that the word “cents” should follow the figure 15.

The Commissioner did not pursue these complaints with the Post Office Department because they did not involve a violation of the Act.

“Aerogramme” and “Air Mail” are correct and, as regards the suggestion to add the word “cents”, the Commissioner considered this to be an administrative decision within the Department’s prerogative and not covered by the Act.

File Nos. 296, 370, 608, 677—Postal Material

- In December 1970, a French-speaking person asked for bilingual labels for routing mail during the holiday season. He ordered labels for Winnipeg, Toronto and Vancouver but was unable to obtain them.

Winnipeg and other centres had labels printed in French. However, Vancouver and Toronto did not. The Department had left it to postmasters to order the type and quantity of labels that they thought were required to meet the demand. According to the Department, postmasters would be in a better position than anyone else to assess the local situation. On this point, the Commissioner reminded the Department that, under the Act, it had to offer the public postal services in both languages where there was a sufficient demand.

The Department added that it would be difficult to make the labels now in use bilingual because the large number of words on one side would spoil the appearance and would make it difficult to read. Consequently, it planned to reduce the variety of labels and ensure that those used would be bilingual with French on one side and English on the other.

The Commissioner recommended to the Post Office Department that it make all its public documents available to the parties concerned in both official languages.

- A French-speaking person was surprised that only the word “June” appeared on one of the cancellation stamps of the Post Office Department in Ottawa.

For some years now the Department has been replacing unilingual cancellation stamps, as they are used up, by stamps bearing Roman numerals. These changes are being made gradually, starting in the bilingual regions. It appears that one cancellation stamp in the Ottawa Post Office had not been replaced. The Department promised to replace it without delay. The Department further reminded its regional officers to ensure that old stamps would be replaced as soon as possible.

- An English-speaking person objected to stamp cancellation slogans that appeared in English only.

The Department indicated that such slogans, which are used mainly by charitable and public service organizations, are paid for by these organizations. It is the Department’s policy to gradually replace unilingual cancellation slogans with bilingual ones. Less than forty unilingual cancellation slogans were still in use, and these were to be replaced within a few months.

File Nos. 336 and 400—Quality of French

- The complainant drew the Commissioner’s attention to a spelling error in a Post Office delivery notice.

- A French-speaking person complained of the poor quality of French in a Post Office circular concerning changes in postal rates.

The Department decided to recruit an editor-reviser to attend to the quality of the language.

File No. 399—Language Training and Promotion

An Anglophone stated that he had applied for, and had not received, second-language training. Despite the fact that he took such French courses on his own time, his second-language competence was limited. For this reason, he was excluded from a promotional competition for a senior Post Office position. Since he had satisfactorily performed the duties of this position in an acting capacity for sixteen months, the complainant felt that his exclusion from the competition was unjust.

The Commissioner informed the complainant that no government department or institution is required by the Official Languages Act to provide second-language training. Accordingly, such training cannot be considered a right under the Act. He stressed the great importance which his Office placed on the Public Service Commission considering with all possible sympathy every request for second-language training, even though under the Act federal employees could not insist on access to such courses.

File No. 489—Returned Letters

A French-speaking person in St. Catharines, Ontario, complained to the Department that letters addressed to him in French had been returned to the sender.

The Department assured the complainant that his complaint had resulted from an inadvertent error because a part of the address had been omitted. The Department promised to take all necessary measures to avoid a recurrence of similar incidents.

File Nos. 554 and 587—Advertising

- Two French-speaking persons reproached the Department for having announced its new postal code in Manitoba in English-language dailies only. They would like to be informed of the activities of federal agencies through the French-language media, and asked that such agencies use French-language weeklies in the regions where there were no dailies in that language.

The Department informed the Commissioner that it usually employed all the media. For example, with regard to publicity on the new postal code, the Department pointed out that the following media had been used in both the English and French communities: dailies, weeklies, radio, television and agricultural publications. Furthermore, a bilingual letter and pamphlet had been sent to all Manitoba households. Therefore there were no grounds for the complaints. However, in order to avoid any misunderstanding, the Commissioner recommended to the Department that if it had to do any advertising for reasons other than

the postal code, it use the weeklies in those regions where there were no dailies in one of the official languages.

PUBLIC ARCHIVES OF CANADA

File No. 193—Dürer Exhibition

A correspondent who visited the exhibition of Dürer's work held in Ottawa under the auspices of the Public Archives noted that the explanatory texts and captions for the paintings were in English and German. The complainant found it unacceptable that there was no documentation in French available to French-speaking visitors.

The Public Archives said that its own exhibitions are always presented in both languages and that the posters, captions, catalogues and opening ceremonies are always bilingual. An embassy had been responsible for the exhibition mentioned above. The Public Archives said that it was fully aware of the Official Languages Act and asked the Commissioner to comment on its bilingualism practices with regard to exhibitions. The Commissioner gave the following particulars:

1. All exhibitions which are the responsibility of a department or agency of the federal government must be completely bilingual. Both official languages must be used in posters, captions, catalogues, advertising and opening ceremonies.
2. Embassies and ethnic associations wishing to organize exhibitions should be advised of Section 2 of the Official Languages Act. In general, exhibitions are organized well in advance, and when they are to be shown in Canada, it is completely natural to take the linguistic realities of the country into account.
3. With regard to exhibitions organized for particular ethnic groups, no effort should be spared in convincing the organizers of the importance and value of intercultural relations in a bilingual country. A poster in both French and English giving the name of the organization responsible for the exhibition would constitute a welcome initiative.

The Commissioner believed that it was necessary to take steps to ensure that exhibitions conform to the requirements of the Official Languages Act.

File No. 509—Telephone Answering Service and Information Personnel

The complainant alleged that the telephone answering service at the library of the Public Archives was in French only, and that the information personnel did not appear to understand his request in English.

The complaint was investigated and the Dominion Archivist issued instructions that telephone service be provided in both official languages at all times.

PUBLIC SERVICE COMMISSION

File Nos. 97, 207, 392, 532 and 610—Language of Service

- The complainant stated that in December 1970 and at the beginning of March 1971 he had difficulty communicating in French over the telephone with officials of the Commission's Social and Economic Program.

Investigation of this complaint revealed that officials of the Social and Economic Program were able to communicate with the public over the telephone in both official languages.

- A Francophone lodged a complaint against the Commission for having called him to an interview which was conducted in English.

This complaint had already been brought to the attention of the Commission and was being dealt with when the Commissioner heard about it. The Commission decided to ignore the results of the first interview and to call the complainant to a second interview, to be conducted in French.

The Commissioner informed the Commission that, in his view, its action was in accordance with the provisions of the Official Languages Act.

- The complaint alleged that he had received a letter in English from the Commission in reply to a form filled out in French.

Investigation of the complaint revealed that the complainant had initially filled out a bilingual form in English and had replied in English to the first letter that the Commission sent him. The Commission had thus not departed from its policy of replying to correspondents in the official language of their choice.

- A Francophone alleged that a telephone receptionist in the Commission's regional office in Ottawa answered only in English and did not apologize for her inability to answer the telephone in both languages. The complainant had to wait a while before obtaining information in his own language.

The call had indeed been taken by a unilingual Anglophone. The Commission pointed out, however, that the office in question was able to offer service in French. In any case the Commission was going to install a new telephone system—CENTREX—by means of which all calls would be directed to a person able to answer in the language of the

caller. The Commissioner recommended that all unilingual anglophone telephone receptionists be instructed to automatically refer any call made in French to a bilingual colleague, without forcing a caller to persist in French, to refrain from speaking English to Francophones—in view of the fact that service should be provided automatically in the official language of the caller—and to see that delays were kept as short as possible.

- A francophone employee enrolled in the career assignment program (CAP) administered by the Commission and received documentation entirely in English.

The Commission admitted that the complaint was justified, and blamed translation problems for the delay in providing documentation in both languages. It wished to assure the Commissioner that the incident should not be interpreted as a sign of indifference towards Francophones and repeated its firm intention to provide Francophones with documentation in their own language.

File No. 145—Advertising

The complainant charged the Commission with having published an advertisement in French in an English daily newspaper in Winnipeg and with failing to publish it in the French-language press.

After investigation the Commissioner informed the complainant that the advertisement in question had also been published in the French-language press.

File Nos. 200, 379, 707—Language Tests

- The complainant took exception to the results he had achieved in the Commission's language examination F400A. He was surprised to learn that there was no readily accessible form of redress or appeal available to persons who believed that their language skills had been inaccurately assessed.

- An English-speaking employee in a Quebec office of the Department of National Revenue (Taxation) complained that, although he had performed the duties of his position satisfactorily in both official languages for nearly twenty-five years, he failed the Commission's F400A test. He felt that as a result he would be considered unilingual and unqualified as a candidate in a forthcoming competition for the position he was currently occupying in an acting capacity. In fact he was subsequently excluded from this competition on the grounds that he failed the said language test. His appeal to the Public Service Appeal Board was dismissed and he turned to the Commissioner.

The Commissioner discussed these complaints with officials of the Commission. As a result of his enquiries, the Commission established,

in September 1971, a Review Committee composed of three linguistic experts to interview public servants who believed that, after having taken test E400A or F400A, their second-language capabilities had been inaccurately assessed. Primary consideration was given by the Committee to candidates whose scores would crucially affect their career or where a clear discrepancy existed between different sub-test scores. Between September 1971 and March 1972, the Committee reviewed 146 cases. The Committee interviewed 81 candidates in person and revised the score of 66. Of 65 persons interviewed by telephone 61 had their scores revised.

- An Anglophone complainant wrote to the Commissioner concerning his exclusion from language training courses on the grounds of a hearing disability. He believed that some accommodation should be made for people in that situation.

The Commissioner was obliged to conclude that he could not assist him officially since language training cannot be considered a clear right under the Official Languages Act because the duty to provide second-language training is not imposed on any government department or institution. The Commissioner did propose, however, two unofficial steps he could take to help the complainant. He would support the complainant's request to be medically examined by specialists to determine whether in fact he did have a hearing defect. Then if his disqualification from language training proved to be for a medically invalid reason, he would bring the complainant's case to the attention of the Review Committee established by the Public Service Commission to interview public servants who believe that their second-language skills had been inaccurately assessed. The complainant subsequently learned that he was to be posted abroad and stated that it was unnecessary to pursue the matter further for the time being.

File Nos. 354 and 423—Recording of Language Test Results

- An official of the Department of Energy, Mines and Resources stated that it seemed a waste of time to conduct a separate test to determine the degrees of bilingualism for individuals enrolled in Public Service Commission language courses. He complained that no official cognizance was taken of test results. The complainant stated further that, in July 1970, all employees of his Department were asked to take a Public Service Commission language test to determine the level of bilingualism they had currently achieved. No warning was given that test results would be recorded for evaluation of individuals, although this was subsequently done. Test results were, in addition, classified according to form standards, the specifications of which were not outlined. Finally, the complainant expressed objections to the conditions under which tests are administered and the confusion which they might cause.

- The complainant charged the Commission with failing to enter the results of his E400A test in Data Stream.

While acknowledging that it was outside his jurisdiction, the Commissioner nevertheless discussed the matter unofficially with representatives of the Commission. Technically, Data Stream was able to enter the results of language tests automatically. However, because of certain administrative problems this would not be done until the beginning of 1972, when entries would probably be in percentiles.

As for the results of the tests, they could not be used as search criteria in staffing because this would discriminate against employees who, in spite of their wish to do so, had not yet taken the test.

File Nos. 335, 343, 382, 420, 480 and 538—Language Qualifications in Appointments and Promotions

- A correspondent informed the Commissioner of the difficulties he had experienced in finding a position with the Public Service of Canada because his knowledge of English was insufficient.

The Commissioner agreed to bring this case to the attention of the Commission, which assured him that it was keeping the correspondent's application for employment in its inventory and that it would be considered when there were openings for which he might qualify.

- The complainant, who was employed in the federal Public Service as a PE 3 on a casual basis, wished to become permanently employed in that classification. She had been informed that only bilingual personnel could fill the available vacancies. She could not take the examination to establish her bilingual capacity until she had become a full-time public servant and was thus effectively blocked from obtaining a position for which she believed herself qualified.

Before this situation could be fully investigated, the complainant obtained a satisfactory position and the case was closed.

- An Alberta resident wrote to the Commissioner to protest against alleged linguistic requirements for Public Service employment in the Province of Quebec. Her husband, who was a member of the Canadian Armed Forces, was soon to be transferred to the Province of Quebec and the complainant wished to obtain a position there. However, she was not bilingual, and when she wrote to the Public Service Commission, they advised her that she must first speak French in order to qualify for a position there.

The Commissioner's investigation disclosed that administrative support positions with the Department of National Defence in the Province of Quebec had been designated as bilingual and that as there had been no difficulty in filling them, the policy seemed to be justified. In other areas, although some positions are designated as bilingual, it

is not always possible to find qualified bilingual persons and in that event, consideration is given to unilingual applicants. The complainant was so informed and advised that there was, in the Commissioner's opinion, no infraction of the Act.

- A Member of Parliament wrote to the Commissioner requesting information about the federal government's language policy in hiring public servants in the Atlantic region. He enclosed a letter from one of his constituents who objected to the bilingualism requirement for Manpower Counsellors' positions in the Atlantic provinces. The recruiting advertisement for Manpower counsellors gave the impression, in the Member of Parliament's opinion, that the Department of Manpower and Immigration's policy was to hire only bilingual personnel in certain categories and that everyone seeking employment in the federal Public Service must be bilingual.

The Commissioner's investigation disclosed no infraction of the Act but he offered to forward the Member of Parliament's enquiry to the Chairman of the Public Service Commission and to the Deputy Minister of Manpower and Immigration. The Member of Parliament stated in reply that he had received a letter from the Chairman of the Commission which answered his questions regarding the legal propriety of the competition advertisement concerned.

- The Chairman of a Public Service union wrote to the Commissioner to express his concern at the manner in which the second language proficiency requirement was being applied in Public Service employment and promotional competitions. He cited the case of a federal public servant who, aspiring to a promotion, requested French-language training. The public servant was advised that such training was unnecessary since the position he sought was not senior enough to require bilingual capability. However, the position was subsequently advertised with bilingualism as an essential qualification. The rating board awarded this individual a high mark in the competition but denied him promotion to this position on the ground that he was unilingual. A Public Service Appeal Board subsequently concluded that he had, despite his unilingualism, satisfactorily fulfilled the requirements of the position on an acting basis for four years.

The Commissioner discussed this case with officers of the Public Service Commission and also obtained a legal opinion as to whether access to language training is a right under the Official Languages Act. The opinion was that since no government department or institution is required explicitly by the Official Languages Act to provide second-language training, such training cannot be considered a legal right under the statute. Also, the Commissioner concluded that in the first instance the designation of bilingual positions within the federal Public

Service is the prerogative of the Department concerned and that he would intervene only if the result of such designation led, in his opinion, to a contravention of the Act.

In the absence of an infraction of the Official Languages Act, the Commissioner was unable to take official action in this case. However, in discussions with the Public Service Commission, he stressed the importance he placed on the Commission considering with all possible sympathy every request for second-language training.

- A correspondent wrote to the Commissioner because he had been informed that he did not meet the requirements to be a teacher of French as a second language to public servants in a western Canadian city.

The Commissioner informed the complainant that in his opinion there had been no infraction of the Act in this case but offered to forward his letter to the Public Service Commission if authorized to do so. The complainant gave his authorization and his letter was duly forwarded.

File Nos. 350 and 398—Alleged Ethnic Prejudice

- An English-speaking applicant for a position as a departmental bilingualism adviser alleged that, although he was successful in being placed on an eligible list for such positions, no Department subsequently offered him employment. He stated that his qualifications were impeccable and attributed his failure to receive a position to prejudice against Anglophones in the federal Public Service.

The Commissioner invited the complainant on two separate occasions to come to his office and discuss the details of his complaint. No reply was received and the file on this case was accordingly closed.

- A federal employee reported that at a summer camp in Quebec French-speaking children had apparently maltreated the children of English-speaking senior government officials.

This matter did not come under the jurisdiction of the Commissioner and was not pursued.

File Nos. 747 and 925—Personnel Matters

- An employee in the Department of the Solicitor General charged the Commission's Bureau of Staff Development and Training with having published a circular concerning changes in its course directory in English only.

Investigation revealed that the complaint was justified. The Commissioner recommended that steps be taken to avoid a repetition of the incident.

- A wireless operator employed in the Ministry of Transport wrote the Commissioner about the bilingualism bonus paid to employees.

This inquiry concerned the application of pay regulations in accordance with the Commission's Staffing Manual. Although this matter did not come under his jurisdiction, the Commissioner informed the correspondent that the seven per cent bonus for using a second official language was only applicable to certain categories of employees, such as secretaries, stenographers and typists.

File No. 755—Translator without a Dictionary

The complainant reported that a notice advising her of an examination to be held for the position of translator had failed to mention that candidates must bring their own dictionaries.

The Commissioner referred this complaint to the Public Service Commission and told the complainant that this matter was not within his competence. The Commission later informed the Commissioner that the complainant had passed the examination.

File No. 780—Dialogue Canada

An individual reported to the Commissioner that the Commission had refused to supply one of its French teachers with the recording of its new course entitled "Dialogue Canada".

After investigation the Commissioner reported that there had been no refusal, but simply a notice indicating that the material requested was not yet available.

PUBLIC WORKS

File No. 161—Unilingual Contract Documents

An English-speaking contractor residing in the Province of Quebec took exception to the issuance in February 1971 by the Department of contract documents (plans and specifications) in French only.

The Department's policy was to issue such documents in both official languages in its Quebec region. However, the documents mentioned by the complainant dealt with urgent projects undertaken under the Economic Stimulation Program in the Province of Quebec and were therefore issued in the working languages of the majority of those concerned with their preparation. English-speaking contractors were informed that assistance was available in relation to translation or interpretation of the projects.

The Commissioner recommended that plans and instructions to contracting tradesmen be issued in the two official languages in the

Province of Quebec as well as in other provinces. The Department decided to prepare in French and English a clause by clause standardization of the specifications with computerized means of assembling the standard clauses into a package for any given subject. The preparation of the master specification was to be ready by early Fall 1971.

File No. 566—Public Archives and National Library Canteen

The complainant drew attention to the absence of French on the menus and in the services provided by the canteen on the fifth floor of the building housing the Public Archives and the National Library. He added that he should not be compelled to express himself in English in the national capital.

The Department took the necessary steps to ensure that menus were drawn up in French and English. It also instructed the Canadian National Institute for the Blind, the organization operating the canteen, to provide service in both official languages.

File No. 636—Advertisement in a Newspaper

An Anglophone from Regina complained about a Department's advertisement published in French only in the *Regina Leader-Post*. He stated that such a publication in French only of what he believed to be a competition announcement discriminated against English-speaking candidates.

In reply to the Commissioner's inquiry, the Department stated that an advertisement calling for proposals from developers for the leasing of Crown property was placed in the *Leader-Post* on December 23, 1971, by its Saskatoon office. While the English version specified that proposals might be received until noon on February 9, 1972, the French version quoted May 1, 1972, as the final receiving date. On December 31, 1971, the Department published a notice in French only in order to correct the error in the French version. Unfortunately the correction also contained the wrong date. The entire French version was subsequently published in its correct form. In the final result there was no infraction of the Act.

File No. 693—Elevators and Cafeteria in Tower "A", Place de Ville, Ottawa

A French-speaking person complained about the absence of French in the elevators and in the cafeteria of the building occupied by the Public Service Commission in Ottawa (Tower "A", Place de Ville). He claimed that in the locations mentioned all directions were in English only, and added that it was impossible to get service in French in the cafeteria. According to the complainant, such a situation

prevails in most of the buildings rented by the Federal Government in the National Capital Region. He suggested that in future, whenever the Government rents a building or part of a building, it require the lessor to put up directories, signs and notices in both official languages, and that all concessionaires provide services in English and French.

The Department, the only body responsible for renting buildings for the Federal Government, informed the Commissioner that its policy was to display signs, notices and directory boards in both official languages if a leased building was fully occupied by the Government. It also installed bilingual signs in any part of a building rented by the Government. Moreover, the Department expressed its intention to include a provision in future leases that would require landlords to use bilingual signs in any premises they lease to the Government.

As far as the elevators in Tower "A" of Place de Ville are concerned, the Department informed the Commissioner that the installation of bilingual signboards was part of a current programme under which existing signboards would be gradually changed to meet the requirements of the Official Languages Act. It stated that it could do nothing about the cafeteria since this was a commercial operation by a private firm. It pointed out, however, that in cafeterias, canteens and dining rooms under the Department's administration, services were provided in both official languages wherever necessary.

REGIONAL ECONOMIC EXPANSION

File No. 177—Library

A French-speaking person who went to the departmental library in Ottawa could not obtain service in French.

While the Commissioner was beginning his investigation of the complaint, the Department had already taken steps to correct the situation. A bilingual librarian was to begin work and two bilingual people were being trained to fill support positions. In addition, one other librarian was asked to enroll immediately in French-language courses.

ROYAL CANADIAN MINT

File No. 334—Guides

A French-speaking complainant objected to the poor quality of French used by the guides at the Mint.

The Royal Canadian Mint stated that it had no specific language requirements for its guides, who were all commissionaires of French-Canadian origin.

It seems that the difficulties reported resulted not so much from the quality of language spoken but rather from the nature of the premises, which are noisy and uncomfortable. The explanations would have been as difficult to understand in English.

A new Mint will very likely be built in the near future, and observation windows will be installed for visitors, who will be able to follow the various stages of production by listening to tape recordings in both languages. In the meantime, the Royal Canadian Mint will install descriptive notices in both languages on its principal machines.

File No. 575—Internal Administration and Service to the Public

A French-speaking employee of the Royal Canadian Mint complained about difficulties he encountered in promotion, personnel directives and memoranda generally issued in English only, and inadequate service to the public.

The Commissioner invited the complainant to provide him with more specific information. Since the complainant failed to do so, the Commissioner was unable to investigate the complaint.

SECRETARY OF STATE

File Nos. 91 and 310—Citizenship Registration Service

- A Francophone in Regina complained that, contrary to his request, the Secretary of State's Department prepared his certificate of Canadian citizenship in English.

The Department stated that it had indeed sent the complainant a citizenship certificate written in English rather than French in July 1969, about two months before the Official Languages Act came into effect. To correct this error the Citizenship Registrar took the necessary steps to replace the complainant's certificate with a certificate in French. The Department also assured the Commissioner that it would see to it that in future errors of this nature were avoided.

- A Francophone in Montreal wrote the Citizenship Registration Service in French and received a reply in English.

The Department informed the Commissioner that its practice was to reply to communications received by it in the language of the correspondent. It expressed regret for this error and assured the Commissioner that it would take the necessary steps so that correspondents would receive letters in their own language.

File Nos. 421, 444, 450, 465, 717 and 722—Opportunities for Youth Program

- Eight Francophones in New Brunswick complained of having received documents in English (form letters and applications for funds).

The Department stated that Opportunities for Youth generally used the official language of its correspondents. Because of the quantity of mail received, Opportunities for Youth was often forced to use form letters in order to speed up replies. The letters in English were undoubtedly sent to the complainants inadvertently, the Department said. It regretted these errors and had requested Opportunities for Youth to take the necessary action so that they did not recur.

- A Francophone deplored the fact that the July 7 edition of *En Route*, published by the Secretary of State's Department, devoted very little space to French text. He also noted that its page-setting worked against French, by relegating it to the last two pages.

In reply the Department stated that *En Route* was not an official publication, but was the result of a youth communication and publicity program for those taking part in Opportunities for Youth, and of a program aimed at transient youth in the summer of 1971. Its publication was assigned to a group of young persons working under the supervision of a professional journalist. The publication was, therefore, one which received financial aid from the Department of the Secretary of State, but retained a great deal of autonomy and could not be described as an official publication.

The Department noted, on the other hand, that the paper *En Route* had been designed as a publication which would meet the expectations of its anglophone and francophone readers. To do this it was to contain a satisfactory quantity and quality of original articles in French, as well as translations of official information included in it.

The July 7 edition did not satisfy the Department on account of the relatively limited space devoted to French material. The group in charge of its publication was informed of this, and subsequent editions of the journal showed progress in this area.

- Three Francophones reported that the Secretary of State's Department had hired four unilingual anglophone representatives for its Opportunities for Youth programme in Nova Scotia.

In response to the suggestion of the Commissioner that a person able to handle the needs of the French-speaking population be appointed, the Secretary of State's Department stated that this responsibility had been entrusted to one of the bilingual representatives located in New Brunswick. It added that it was aware that the relationship between participants and officers throughout the period of the projects was an important aspect of the program, and that it was essential that participants should receive the moral or technical support necessary for completion of their projects. For this reason it had decided to hire a French-speaking project officer who would spend the summer in Nova Scotia.

File No. 189—Quality of French

A student complained of the quality of the French on a form distributed to university students by the Department of the Secretary of State. She considered that the French text could not be understood without reference to the English version.

Inspection of the French text showed that the wording had been chosen so as to make the meaning of the questionnaire as precise as possible. The Commissioner felt that, though far from perfect, the text could be regarded as acceptable.

File No. 199—Information Officer

A Francophone complained of being unable to obtain information on human rights in French when he telephoned the Research and Documentation Division of the Citizenship Branch, because the employee did not have a sufficient knowledge of French.

The Department advised the Commissioner that there was in fact a period in which the information officer could not express herself fluently in French. It added that from mid-April 1971 onwards the Division was able to handle requests for information in French.

File No. 395—Note in English Sent to Francophone

A Francophone received a note written in English attached to material from the Secretary of State's Department.

The Department regretted this error due to an oversight, and took steps to see that such a situation would not happen again.

File No. 716—"Cultural" versus "Ethnic"

An Anglophone objected to a statement made by the Honourable Gérard Pelletier that the Secretary of State's Department would prefer the word "cultural" to the word "ethnic" in communications.

The Commissioner decided that this complaint did not involve a failure to respect the equality of status of English and French as official languages and was not an infraction of the Act.

File No. 740—Unilingual News Release

The management of a weekly French-language newspaper complained of receiving a news release from the Secretary of State's Department written in English.

The Department explained that there had been an unfortunate mistake, and this was not the usual practice. News releases were usually addressed mechanically with each plate indicating the language of the

addressee. In the case in question, the Department said, distribution had been handled locally; the material was addressed by hand and the employee had simply failed to include the code indicating that the addressee should receive a copy of the document in French. The Department assured the Commissioner that its Information Services had taken the necessary measures to eliminate such mistakes in future.

File No. 826—Canada World Youth

A Francophone received a form letter in English from Canada World Youth, an organization subsidized by the Secretary of State's Department.

The Department explained that the contract between the Government of Canada and Canada World Youth stipulated that the organization would provide bilingual services. The Department accordingly forwarded the complaint.

THE SENATE

File No. 534—Poverty in Canada

A French-speaking person criticized Information Canada in Montreal for not having any French copies of the Special Senate Committee report entitled *Poverty in Canada*, while the English version was already available.

The Committee stressed that both the English and French versions were published at the same time, that both versions were tabled in the Senate by the Chairman of the Committee on November 10, 1971, and that copies had been distributed to members of the press.

The Committee added, however, that there was a delay in putting the French version on sale. After tabling the report, the Chairman of the Committee had been informed of the dubious quality of the French version and had quickly made the necessary changes.

The Commissioner recommended that the Speaker of the Senate urge all committees under his authority to take the appropriate steps to ensure that such an incident not recur in future.

File No. 560—Greetings at Main Entrance

A French-speaking journalist alleged that he was always addressed in English when he presented himself at the main entrance to the Senate, and the guard always asked in English what he wanted, or if he was a journalist. The complainant believed he visited the Senate sufficiently for the guards to know him by sight, and to know that he was French-speaking.

Investigation disclosed that no instructions had ever been issued that visitors were to be greeted in English only. Steps were taken to correct the situation by issuing a directive that all visitors to the Senate were to be greeted with a brief phrase in both official languages.

Only seven of the 23 constables are unilingually English and these seven have been provided with a simple lexicon of French phrases to use in their contacts with unilingual Francophones. All new recruits to the Service must be bilingual.

SOLICITOR GENERAL

There are three agencies under this Department: The Royal Canadian Mounted Police, the Canadian Penitentiary Service and the National Parole Board. Each of these agencies came to the Commissioner's attention during the fiscal year. The Royal Canadian Mounted Police in particular, because it is located throughout Canada, was the subject of complaints concerning the language of service. Its present bilingual staff is not sufficient to enable it to provide bilingual service throughout Canada, although the agency has made marked progress in this direction, particularly in the National Capital Region. Furthermore, the presence of French-speaking prisoners in penitentiaries located in predominantly English-speaking areas creates a thorny problem which the Commissioner brought to the attention of the Canadian Penitentiary Service. A great deal of imagination will be required to implement a practical solution to this problem. In short, the implementation of the Official Languages Act within the Department of the Solicitor General raises special problems which the agencies and senior administration of the Department will have to tackle with determination.

ROYAL CANADIAN MOUNTED POLICE

File No. 89—In the Prairies

In a brief submitted to the Special Joint Committee on the Constitution of Canada, a French-speaking person from Saskatchewan complained of the lack of importance accorded to the promotion of the Canadian Government's bilingualism policy by a federal agency. In his statement, he deplored the fact that most members of the Royal Canadian Mounted Police in the Western provinces could neither understand nor speak French. He added it was a well-known fact that a knowledge of French was not required of English-speaking recruits, either when they join or during their training. He pointed out that documents such

as summonses and arrest warrants used by the RCMP in Saskatchewan were in English only, even though issued in the name of Her Majesty the Queen, the Sovereign of a bilingual country. The complainant quoted from a paragraph which appeared in the 1968 edition of the Canada Year Book stating that, "the Royal Canadian Mounted Police is responsible for enforcing federal laws throughout Canada", and said he was of the opinion that this role transcended the mandate which the RCMP received by agreement with the provinces (to enforce provincial laws in all provinces except Ontario and Quebec), and felt that the former role implied the necessity for the members to know both official languages. With the complainant's permission, the Commissioner followed up the questions he had raised.

After certain meetings with the Commissioner of the RCMP and a special study of its services undertaken at the request of the RCMP, the Commissioner declared that he was satisfied that the RCMP had assigned priority to the obligation of communicating with the public and providing service in accordance with the requirements of the Official Languages Act. The RCMP had adopted several measures designed to increase its bilingual capability, and other measures were being studied at the present time. Of course, the practical results were more obvious at the central administrative level in Ottawa and in the services that were provided for the public in the National Capital Region. Moreover, for the past several years, most of the members of the RCMP working in Quebec had been bilingual.

The investigation revealed that the RCMP was aware that it would be required to increase considerably its bilingual capacity in other regions of Canada if bilingual districts were created. Since only about ten per cent of its staff was bilingual and since its language training programs had so far not made it possible to fill all the positions requiring a knowledge of both official languages, there was a large gap between the demand for service in French and the agency's capacity to meet the demand with skilled personnel.

By agreement, several provinces or municipalities relied on the RCMP for their police service. Although it remained an agency of the Canadian Government, the RCMP, in carrying out this specific mandate, came under the exclusive control of the provincial or municipal authorities in charge, and, when necessary, had to comply with the language system in the areas concerned. This situation applied in the case of several documents issued by the RCMP in Saskatchewan, such as the summonses and arrest warrants mentioned in the report.

The Commissioner stated that he was convinced the complaint raised complex questions and that the RCMP intended to offer concrete solutions by implementing suitable programmes. He assured the complainant that he would pay close attention to the establishment and

expansion of institutional bilingualism within the RCMP so that the services provided for the public were in accordance with the Official Languages Act in all respects.

File No. 405—In the National Capital

A French-speaking person complained that he was unable to receive service in French from the RCMP when he was stopped for exceeding the speed limit on the Ottawa River Parkway, and that the summons he received from this federal police force was in English only. He asked the Commissioner to intervene immediately because he had no intention of paying the fine until the summons was written in French.

The Commissioner informed the complainant that the subpoena he received as a result of this incident was from the legal authorities of the Province of Ontario, Ottawa-Carleton Division, not from the RCMP. Since the date on which the complainant was to have paid the fine specified in the summons, or else appear in Provincial Court (criminal division), was close, the Commissioner, in an effort to spare this individual further problems, brought the complaint to the attention of an official in the office of the Clerk of the Court. The official said that he would have a summons in French drawn up for the complainant and that he would have the date for his appearance postponed for one week.

Moreover, the RCMP acknowledged that the complainant was entitled to receive service in French and that its officer, in view of the complainant's wish to speak French, should have called upon one of the bilingual officers on duty. The RCMP attributed its officer's lapse to an oversight and assured the Commissioner that steps had been taken to prevent such complaints from occurring in future.

File No. 483—Governor General's Residence

A Francophone claimed that he was unable to obtain information in French from two members of the RCMP on duty at the Governor General's residence in Ottawa.

Inquiry showed that at the time indicated by the complainant, neither of the two policemen on duty was bilingual. In spite of having insufficient bilingual members, the detachment on duty had provided bilingual service for sixteen hours out of twenty-four on the day in question. Since then, the bilingual strength of the detachment has increased from 14 to 64 per cent. The RCMP should now be able to provide service to visitors in both official languages at all times.

File No. 548—Winnipeg

A Manitoba cultural society brought to the attention of the Commissioner a complaint against the Winnipeg Division of the RCMP. In

this regard, it submitted an article published in a Montreal French-language daily according to which the federal agency had asked a City of Montreal police station to communicate with it in English, because the division did not employ translators.

RCMP headquarters was aware of this incident even before being notified by the Commissioner. Its inquiry showed that the request of its Winnipeg office was completely unwarranted and contrary to its administrative policy. According to the RCMP, this division was able to reply in French to requests for information made in that language. The RCMP assured the Commissioner that strong measures had been taken to prevent a repetition of such contravention of the Official Languages Act.

File No. 549—Telephone

A Francophone complained that RCMP headquarters in Ottawa did not serve the public in the language of its choice. On four occasions, he was unable to obtain an answer in French to his telephone calls to an information number.

The investigation showed that there were two bilingual members on duty to receive visitors and answer telephone calls at the times when the complainant telephoned. However, the Force admitted the possibility that one or both may have been momentarily occupied with other duties and that a unilingual person may have answered the calls. The Commissioner recommended that the RCMP take the necessary steps to ensure that any person calling for information at any time receives service in the official language of his choice.

File No. 616—Automobiles

A Saskatchewan cultural association noted that the cars used by the RCMP in Regina to give driver training to recruits are marked "Driver Training", in English only.

Investigation revealed that the Force has drawn up a program to make all notices and signs at the Regina centre bilingual. Steps have been taken to change the offending sign immediately.

File No. 759—Bonnyville

A French-speaking person from Bonnyville claimed that the six members of the RCMP stationed in the town, which is partially French-speaking, are unilingual English speakers.

The Commissioner asked the RCMP to consider the need for stationing enough bilingual officers there to meet the demand. The RCMP replied that it had decided to transfer a bilingual officer to Bonnyville.

CANADIAN PENITENTIARY SERVICE

File Nos. 646 and 691—Bilingual Services for Inmates of Dorchester, N.B. and Springhill, N.S.

A cultural association complained to the Commissioner that the French-speaking inmates of the Dorchester penitentiary were victims of discrimination. At approximately the same time, a group of students deplored the absence of recreational, educational and information services in French for French-speaking inmates of the Dorchester and Springhill institutions, and also asked the Commissioner to investigate the matter.

Because of the special nature of the inquiry, the Commissioner visited Dorchester in person. Immediately following this preliminary investigation, an officer of the Complaints Service and the Adviser on Bilingualism of the Canadian Penitentiary Service visited the institutions concerned.

After obtaining all relevant data, including information provided by a group of French-speaking inmates at Dorchester, the Commissioner concluded that he should bring to the attention of the Commissioner of the Canadian Penitentiary Service the ways in which the services offered to inmates by the Dorchester and Springhill institutions failed to meet the linguistic requirements of the French-speaking minority.

These shortcomings were attributable in part to the fact that the senior administration of the institutions had not been informed of the Department's overall bilingualism policy concerning correction and rehabilitation services as well as social services. It was also attributable to the fact that the Department of the Solicitor General had not felt it advisable to establish a policy on bilingualism until the Governor in Council issued a proclamation establishing bilingual districts. Moreover, the French-speaking inmates themselves had not insisted that French-language services be provided, since the detention system was hardly conducive to linguistic activism.

The Commissioner of the Canadian Penitentiary Service stated that he agreed in principle with the thirteen recommendations submitted to him following the investigation. He informed the Commissioner of Official Languages that the Canadian Penitentiary Service was striving to set up a program which would enable it to provide bilingual services to inmates in all institutions where there was a significant demand therefor and to the extent that it was feasible for it to do so. Appropriate measures had already been taken and others were under study in order to ensure that inmates would benefit as soon as possible from a language system in accordance with the letter and spirit of the Official Languages Act.

The Commissioner of Official Languages made the following recommendations:

1. that the Department of the Solicitor General provide bilingual services to the inmates of the Dorchester and Springhill penitentiaries;
2. that the admission or reception services of the Dorchester and Springhill institutions be staffed by bilingual personnel so that inmates can be admitted in the official language of their choice, and that administrative forms be bilingual and filled out in the official language of the inmate;
3. that the Canadian Penitentiary Service take all necessary measures to ensure that the services of specialists are provided to French-speaking inmates at Dorchester and Springhill in the official language of their choice;
4. that, if the need arises, steps be taken to ensure that French-speaking inmates can receive medical care in French;
5. that French-speaking inmates receive psychiatric treatment in their own language;
6. that steps be taken to ensure that French-speaking inmates who so desire can have access, within the institutions, to educational programs under the same conditions as English-speaking inmates;
7. that, when designating new bilingual positions, the Department ensure that there is at least one bilingual instructor in each specialized workshop;
8. that the directors of the Dorchester and Springhill institutions take steps to increase the percentage of French books so that the French-speaking minority will have a wider choice of reading material, and that the Commissioner of the Canadian Penitentiary Service study the possibility of allocating to the Dorchester and Springhill institutions respectively a sum of \$1,000.00 for the purchase of French books to balance as rapidly as possible the present percentage of French and English books in the library;
9. that the Commissioner of the Canadian Penitentiary Service take the necessary steps to ensure that inmates of Dorchester and Springhill have access to French-language radio and television programs;
10. that each shift of the security and supervisory service at the Dorchester and Springhill institutions include at least one bilingual member;
11. that linguistic considerations be taken into account before a French-speaking inmate is transferred to the Dorchester penitentiary;

12. that the directors of the Dorchester and Springhill institutions ensure that the recommendations of inmate committees take duly into account the equality of the French and English languages, as recognized by the Official Languages Act;

13. that the rehabilitation and training committees include one bilingual member whenever applications made in French are under study, and that French-speaking inmates be given the right to express themselves in French before any disciplinary board.

File Nos. 637, 641, 648 and 660—Bilingual Shoulder Flashes

The introduction of bilingual shoulder flashes for uniformed personnel of the Canadian Penitentiary Service, with a design calling for the words "SOLLICITEUR GÉNÉRAL" to appear above "SOLICITOR GENERAL", gave rise to these complaints. Following the promulgation of his implementing directive, the Commissioner of Penitentiaries received a number of communications from union leaders objecting to the adoption of the new shoulder flashes. The controversy received prominent mention in the media. Two Manitoba residents objected to either wearing or using the flashes, one viewing the policy as part of the federal government promotion of bilingualism and contending that such measures were unnecessary in Western Canada. Similar objections were raised by an Albertan who also expressed her opposition to all aspects of the Government's bilingualism policy.

The Commissioner of Penitentiaries requested the opinion of the Commissioner of Official Languages concerning this matter and was advised that the adoption of bilingual shoulder flashes was held to be consistent with the spirit of the Act. The complainants were informed that the Official Languages Act created for the English and French languages equality of status and of rights and privileges as to their use in all the institutions of the Parliament and Government of Canada, the Canadian Penitentiary Service being one such institution. The objections to the adoption of the bilingual shoulder flashes did not involve a contravention of, or failure to comply with, the spirit and intent of the Act. The Commissioner further informed the complainants that his Office is particularly concerned with institutional bilingualism, which means that, so far as language of service is concerned, each federal department or agency must have a sufficient number of bilingual employees to ensure the provision of services to its public in both official languages as required by the Act. Such a policy, he added, does not, of course, necessitate all public servants at every level being or becoming bilingual, nor is there in law an obligation for any private citizen in Canada to become bilingual.

NATIONAL PAROLE BOARD

File No. 521—Annual Report

A French-speaking judge claimed that the National Parole Board sent him an English report called *Canada's Parole System*, and that he immediately returned it to the department concerned.

The Board stressed that it usually sends documents in the language used by the person requesting them, and it sent the Commissioner a copy of the French and English versions of the report. The Board added, however, that when it sends documents to a judge living in Western Canada, it usually sends an English copy unless it has reason to believe that the French version is desired.

An investigation revealed that the complaint was justified. The Commissioner informed the Board that the fact that a person has a French name, even though he may live in a largely English-speaking community, was sufficient reason for the Board to send any document to him in French. The only sure way of determining a client's preferred language, of course, is to ask him or her.

File No. 739—News Release in English

The editor of a French-language weekly newspaper in Alberta complained that the Board had sent him for publication a news release written in English.

The Department of the Solicitor General stated that this was a case of pure oversight and that steps had been taken to ensure that in future all documents would be distributed to the public simultaneously in both official languages.

STATISTICS CANADA

The 1971 Census and the Special Report to Parliament

The 1971 Census questionnaire was distributed throughout Canada during the latter part of May and had to be completed and returned to Statistics Canada (then called The Dominion Bureau of Statistics—DBS) by June 1st, 1971.

During the census period, the Office of the Commissioner of Official Languages received complaints in ever-increasing numbers concerning language aspects of census procedures. The complaints were nearly all from Francophones and fell into the following categories:

1. unilingual English questionnaires distributed in many French-speaking homes;

2. unilingual English telephone service in the early stages of the Census;
3. unilingual English census representatives sent into French-speaking districts.

In all, there were 63 complaints from individuals, officially-recognized province-wide French-language associations and group spokesmen. By means of repeated checking and careful telephone verifications over several days, the Commissioner's office estimated that about 60,000 households, obviously representing many more individuals, had been affected and had their language rights in some way overlooked.

In the face of this evidence, the Commissioner considered that his statutory duty to protect language rights was clearly at stake. He was particularly concerned that penalties under the Statistics Act for non-response, despite the best efforts of the Chief Statistician and his reporting minister to reassure the public, might intimidate many citizens into renouncing in fact their language rights. He also believed that inaction on his own part might imperil the basic credibility of the Official Languages Act.

Consequently, the Commissioner decided to make a Special Report to Parliament on the taking of the 1971 Census. It was presented to Parliament on June 21, 1971, and contained, in addition to an explanatory text and exchange of correspondence between the Chief Statistician of Canada and the Commissioner, three specific recommendations:

1. that, for as long as persons still have not filled out and returned the census questionnaire, for a reason related to the status of equality of the official languages, these persons not be prosecuted under Section 29 of the Statistics Act;
2. that in future the appointment of census commissioners and the hiring and training of census representatives be carried out through procedures able to ensure that members of the public will be served in the official language of their choice;
3. that questionnaires for the decennial census and for any similar surveys be prepared in both official languages, and that a copy in English and a copy in French (or one bilingual copy) be left with each respondent so that he may choose the questionnaire he wishes to complete.

Subsequently, the Chief Statistician sent the Commissioner a detailed critique strongly contesting the aptness, timing and procedures of the Special Report to Parliament. The Commissioner found some of the Chief Statistician's comments very helpful for his future work, coming as they did from a public administrator of widely recognized experience. During this same time, the Chief Statistician and the Commissioner agreed that the Commissioner's Office should undertake, in close consultation with Statistics Canada, a special study to assist the latter in meeting the linguistic challenge of the 1976 census.

Action on recommendation (2) is not the responsibility of the Chief Statistician. Under the Statistics Act it directly concerns the Minister of Industry, Trade and Commerce, and the Commissioner hopes that he and Parliament will see to its implementation.

File No. 253—Distribution of Anti-Quebec Literature

An anonymous complaint was received from an employee of the Dominion Bureau of Statistics, to the effect that a Section Head was distributing to his personnel a book which the complainant believed disparaged French-Canadian aspirations and slandered the province of Quebec.

The complaint did not come within the Commissioner's jurisdiction since it did not bear any relation to the Official Languages Act.

File No. 306—Complaints concerning the 1971 Census

A Ukrainian complainant stated that Section 38 of the Official Languages Act had been contravened in the Federal Government census form, 1971, since the Ukrainian language had been dropped from the list of unofficial languages mentioned on the form; it had been included in the list in previous decennial census forms. The argument advanced by the complainant was that the 1971 census form abrogated the "customary right and privilege" acquired and enjoyed by the Ukrainian language in Canada in the 1961 census and those of previous decades.

The Commissioner found that the question raised did not constitute a contravention of Section 38 of the Official Languages Act, which states that: "Nothing in this Act shall be construed as derogating from or diminishing in any way any legal or customary right or privilege acquired or enjoyed either before or after the coming into force of this Act with respect to any language that is not an official language". In this case the Act was not being used to derogate the "right" referred to. The Dominion Bureau of Statistics stated that space limitations imposed by the computer input device used in processing of the questionnaires necessitated the restriction of separate marking positions to four. The four numerically largest groups in Canada at the census date—English, French, German and Italian—were therefore selected. Italian had displaced Ukrainian as the fourth largest linguistic group since the 1961 census.

Moreover, the questionnaire clearly indicated: "other: specify". Thus, persons with mother-tongues other than the four indicated on the form might report their specific language in the space provided. Such "write-in" entries would be coded and the results would be the same as if one had filled in a circle, as in the case of the four largest

linguistic groups. Separate statistics would be provided for "write-in" entries in the 1971 census publications.

The complainant was informed of the above facts. Subsequently, he wrote again to state he found the Commissioner's reply disappointing—outlining in detail his reasons for maintaining that Section 38 of the Official Languages Act had been contravened. The Commissioner replied that Section 38 had not been contravened, since the action taken by Statistics Canada was not based on the Official Languages Act. Later, the Commissioner met with the complainant at the Congress of the Canadian Ukrainian Committee in Winnipeg and exchanged views. Finally, the complainant wrote to state he was discontinuing the discussion concerning the Census of 1971 and hoped to deal with the problem in a different context.

File No. 331—Translation

A Francophone from Montreal had recently applied for a position as translator with the Federal Public Service and had been informed he failed the written tests. He accepted the verdict philosophically, having no reason to doubt that others had proven more qualified than he.

Consequently he was very surprised at the quality of the French translation of the folder concerning the census entitled *Le jour du recensement approche*. He considered the translation to be a very "free" version of the English and not a "faithful" rendering of the English text, which latter quality had been emphasized as a necessary ability to qualify for the position of translator.

Upon examination, the Commissioner could not find evidence of contravention of the Official Languages Act.

File No. 383—France

An editorial in a French-language newspaper supported a complaint of one of its readers concerning question 11 on the long census form. Question 11 omitted France as a country of origin of a person not born in Canada.

The Commissioner spoke to the editorialist by phone to explain that question 15 complemented question 11, and that when both were considered together an accurate profile was obtained of the French fact in Canada. He therefore found there was no infraction of the Act.

File No. 396—In Vancouver

An Anglophone from Quebec wrote the Commissioner concerning the provisions of the Official Languages Act and questioned minority language rights in Vancouver in the context of the decennial census.

The Commissioner replied that the decennial census is an exceptional event. It is one of the few times that the Government of Canada communicates directly with the population at large. For this reason, the mode of communication adopted is of real and symbolic importance. The Commissioner stated to the complainant his belief that, in the case of the decennial census, there was both feasibility and a significant demand for services in French at the Vancouver Office of Statistics Canada, in particular with regard to regional telephone assistance and to distribution of French-language questionnaires in well-known French-speaking areas such as nearby Maillardville.

File No. 546—Telephone Answering Service in Winnipeg

A Francophone alleged it was not possible to obtain service in French by telephone from the Information Office of Statistics Canada in Winnipeg.

Statistics Canada replied there were two French-speaking members on staff, but that in a small office it might not be feasible to provide service in both official languages at every moment. Nevertheless, the Chief Statistician had issued instructions to all staff answering telephones that if they received an enquiry in French to which they were unable to reply, they were to say, "Un moment, s'il vous plaît", and locate a French-speaking member of the staff.

File No. 594—Memo Concerning Translation

An anonymous employee of the Merchandising and Services Division of Statistics Canada forwarded to the Commissioner a copy of an internal memorandum exchanged between branch officials expressing the opinion of one official that editing instructions should not be translated into French.

Statistics Canada stated that the memorandum in question should in no way be taken to represent the linguistic policies and practices of the Merchandising and Services Division. It represented the personal views of the author on matters over which he had no administrative control. The Director General of the Economic Statistics Branch had discussed the memorandum at length with the author who agreed that in his concern with the immediate matter of resources he had not paid sufficient attention to the broader aspects of institutional bilingualism. The recommendations contained in the memorandum had not been followed by the Division.

File No. 822—Bilingualism Policy

An official of Statistics Canada in Ottawa wrote to the Commissioner of Official Languages to request his assistance in replying to a

letter received from a crop correspondent in Saskatchewan. The crop correspondent objected to being obliged to fill in bilingual forms and expressed his opposition to all aspects of bilingualism policy.

In reply, the Commissioner advised Statistics Canada that upon receipt of complaints of this kind, his Office's policy was to remind correspondents that the Official Languages Act, which came into force on September 7, 1969, created for the English and French languages equality of status and rights and privileges as to their use in all the institutions of the Parliament and Government of Canada. He emphasized that his Office is particularly concerned with institutional bilingualism. This means that, so far as language of service is concerned, each federal government office must have a sufficient number of bilingual employees to ensure the provision of service to its public in both official languages as required by the Act. Such a policy does not, of course, necessitate all public servants at every level being or becoming bilingual. Similarly, there is no federal law which obliges any private citizen in Canada to become bilingual.

SUPPLY AND SERVICES

File No. 93—"Optimum"

The complainant pointed out that the brochure advertising the magazine *Optimum* of the Bureau of Management Consulting was not completely bilingual.

The investigation revealed that this error was the result of a misunderstanding concerning the translation and printing of the pamphlet. Since the brochure was no longer being used, the Commissioner decided not to pursue his inquiry.

File No. 175—Systems and Data Processing Branch

A French-speaking correspondent criticized the Systems and Data Processing Branch for not being able to answer telephone calls in French and for not issuing memoranda in this language.

The Department emphasized that there had been a misunderstanding about the regulations concerning translation and that these difficulties had been ironed out. Bilingual switchboard operators answer telephone calls and refer them to employees capable of answering in the language of the person requesting the information.

File No. 178—Translation of a Manual

A French-speaking correspondent pointed out that there is no French version of the "Treasury Manual of Financial Authorities and

Procedures” and stated that if French-speaking public servants are to be placed on a more equal footing with their English-speaking colleagues, there was an urgent need for this publication to be available in French.

The Department admitted that such was the case and approached the Secretary of State’s Department to have the manual translated. All the amendments published since October 1970 have been translated, and the translation of the entire manual—more than 2,000 pages—was to have been finished sometime in 1972.

File No. 228—A Bilingual Proofreader?

The complainant alleged that he was “rejected from a position” at the Printing Bureau seemingly because he was not fully bilingual. He maintained that the position for which he applied, that of proofreader, should not be bilingual, because of the inherent loss of quality when a person proofreads copy in his second language.

Investigation disclosed that the position applied for had been advertised in various French and English newspapers by the Public Service Commission. Ninety-eight applications for the proofreader competition were submitted, of which 76 were rejected for various reasons, such as not possessing the necessary qualifications or not possessing them to a sufficient degree. Each candidate was examined in the language of his choice and applicants were evaluated on the basis of criteria which had nothing to do with bilingualism as none of the positions being filled had been declared as bilingual positions. The complainant was so advised.

File No. 573—Central Travel Service

A Francophone alleged that he had been unable to obtain service in French from the Government Central Travel Service in Ottawa, even though he attempted more than once during the afternoon to speak to a bilingual or francophone operator. Either the bilingual operators were all busy or otherwise unavailable.

The Department replied that it handled approximately 600 requests every day and it was the first time it had ever received such a complaint. The Department requested additional information in order to be able to take whatever corrective measures might be needed. The complainant did not see fit to comply with the request for more precise details and the case was closed.

File No. 597—Reply in English to a Letter in French

A French-speaking Quebecer criticized the Department for having replied in English to a letter he had written in French.

The Department stated that it followed the principle of replying to every correspondent in the language he used, and that this instance was the result of an administrative error. The Department apologized to the complainant in writing and told him that it had taken the necessary steps to ensure that such an incident would not occur again.

TRANSPORT

File No. 47—Cruise Boats

A complainant stated that English was the only language used on the cruise boats operated in Ottawa by Paul's Boat Lines Ltd., and that both the information given to tourists and the posters were in English only.

The Commissioner brought this matter to the attention of the Ministry, from which the company leases a mooring on the east bank of the Rideau Canal, where passengers embark. The lease does not contain a clause covering bilingualism, but Article 3 does specify that the lessee should abide by municipal or other laws and regulations which might apply to the premises leased.

The Ministry therefore discussed the problem with the Company's representatives, who agreed to ensure that in future posters and brochures would be printed in the two official languages and that information given to the public by guides would be in both English and French. Posters will be used to inform the public that they have a choice. Passengers need only indicate their language preference when embarking. The Ministry also informed the Commissioner of its decision to include a clause on the need to provide services in both official languages when the company's lease comes up for renewal in 1974.

File No. 107—Winnipeg Airport

The complainant sent a "letter to the editor" clipping that had appeared in the *Winnipeg Free Press*. The letter referred to the very poor quality of French heard over the loudspeakers at Winnipeg International Airport. The Commissioner's Office conducted a special study which produced the following information:

1. Public announcements at Winnipeg Airport are made by individual airlines, except for the rare announcements of the Ministry of Transport.
2. The persons making announcements are not federal public servants, but personnel of Air Canada, a Crown corporation, subject to the Official Languages Act.

3. Most public announcements are made in English and French by the same person at Air Canada. All other airlines make announcements in English only. Not all announcements by Air Canada are made in both languages.

4. The calibre of French was generally good.

5. There was no appreciable delay between announcements in English and French.

No further action was taken concerning this matter pending a more exhaustive study of MOT Airports throughout Canada.

File No. 185—Dorval Airport

The complainant alleged that on several occasions he had to oblige the chauffeurs of the Murray Hill Limousine Service Ltd. in Montreal to speak French, and that on one occasion he was told he was a separatist and was threatened with expulsion from the limousine for refusing to deal with the chauffeur in English concerning the fare.

The Ministry and the President of Murray Hill Limousine Service Ltd. wanted more details of the alleged incidents in order to be able to identify the chauffeurs concerned and take the necessary disciplinary action.

Despite several attempts to obtain the required information from the complainant, no reply was forthcoming. The file was therefore closed.

File No. 221—Radio Operator Training Centre

A former student of the Radio Operator Training Centre at Uplands complained that the school's sole language of instruction is English. The school is part of the Air Services Training School, operated by the Ministry of Transport.

Investigation of the complaint revealed that courses were given in English, examinations held in English and documentation relative to courses was available only in English, except in the case of meteorology, though a knowledge of English was also required for admittance to the latter course.

The Commissioner pointed out to the Ministry that this situation ran counter to the provisions and spirit of the Act and that the principle of equal status for both official languages was not being observed. In view of the fact that radio operators generally work in English and that it was therefore desirable for French-speaking students to have a thorough knowledge of their profession in English, the Commissioner made the following recommendations to the Ministry:

1. that documentation relative to courses be made available to students in both official languages;

2. that explanations about courses given in English be made available in French;
3. that examinations be held in both languages and that students be permitted to answer in the language of their choice;
4. that the possibility be studied of recruiting unilingual French-speaking students, who would then be taught English.

The Ministry considered the Commissioner's recommendations and several months later submitted to him the following progress report :

1. The manual on meteorological observations was now available in French. Translation of the other reference manuals, lecture notes and various brochures was under way, but progress in this area had been slower than expected because of the need to revise the original text so as to include technological advances. The translation had to be done by the teachers themselves and not by the Translation Bureau. Additional funds had therefore been obtained from Treasury Board in order to hire two persons to help complete the project.
2. At the time of writing two of the seven teachers were bilingual; two other bilingual teachers had been hired and were to take up their appointments, one on April 1, the other shortly after.
3. All examination questions on meteorology were now available in both official languages. The questions on the other subjects were now being revised and it was hoped that they would soon be ready for presentation to students in bilingual form.
4. The Ministry believed that it would not be very practical to recruit unilingual French-speaking students because the school only had a limited bilingual capacity and because the duration of the radio operators' course was too short for language courses to be given at the same time. It added that in addition to the English course for French-speaking persons there should be a corresponding French programme for English-speaking persons which would require expenditures that it could not consider at the time. The Commissioner answered this assertion by stating that as far as the school's entrance requirements were concerned, the two official languages were not on an equal footing and that English courses for French-speaking persons were needed only because of the school's "limited bilingual capacity", in order to enable French students to take courses that were offered only in English. It remained to be seen why English courses for French-speaking persons should necessarily involve the establishment of French courses for English-speaking persons. The Commissioner therefore invited the Ministry to review its decision on the matter and to consider the possibility of recruiting unilingual French-speaking students and giving them courses in English.

The Ministry replied to the Commissioner that in view of this recommendation the possibility of providing English courses for French-speaking persons would be given further study.

File No. 231—Competition Poster

The complainant stated that a competition circular for a position made no mention of language knowledge necessary for the post. He believed the position required the knowledge and use of the two official languages in order to deal with the public, and stated that such knowledge should have been included as an "essential qualification".

The Ministry explained that before advertising the position the question of language requirements had been considered and the decision made that, because the duties of the position were unique and the public to be served consisted mainly of national and international agencies in which the main language is English, proficiency in the use of the English language only would be required. Additionally, if there was an occasional need for the use of French, the Ministry felt it could be met from existing bilingual capacity within the organizations involved. In any case, since the circular was silent on language requirements, bilingual candidates could apply as freely as others.

This case was a matter of the Ministry exercising its legal prerogative to determine the linguistic requirements of each position, and deciding that in the field of aviation the predominant language of work is English. The complainant was so informed.

Some time later the complainant wrote again to state his disagreement with the Ministry's explanation. He continued to believe firmly the position should have been designated as bilingual because of the nature of the work and its contact with the public. Consequently, an interview took place with the Director of Personnel for Air to obtain more precise details and review the situation. The complainant had himself been in direct communication with the Ministry.

It was ascertained that the position was of a unique character, located at headquarters in Ottawa, and that the incumbent dealt only with national and international organizations that did not require contacts with the public on either an individual or regional basis.

The Commissioner concluded there had been no infraction of the Official Languages Act.

File No. 261—Halifax Office

The director of a continuing education service in Quebec City responsible for navigation courses administered by the Ministry which come under the jurisdiction of the Halifax regional office, complained

that he was unable to communicate with that office in French. He also reproached the office with not providing the services of an examiner who could speak French.

The Ministry replied that there was a bilingual examiner at the Montreal office who visited the regions twice a year. He was able to question students in both official languages. The documentation needed for the exams was also available in English and French.

As a result of the Commissioner's intervention and in order to ensure the provision of bilingual services, thus alleviating the difficulties encountered by the complainant, the Ministry decided that in future the Montreal regional office would administer examinations for captains and officers in the region concerned, and informed the complainant of this decision.

File No. 319—Registry of Shipping

The complainant drew the Commissioner's attention to the fact that Form No. 9 for the registration of ships was not available in French.

The Ministry explained to the Commissioner that under the terms of the present maritime transport agreement between Commonwealth countries, the registration of ships was a matter of interest to the entire Commonwealth. The Canadian authorities had responsibilities towards member countries, and particularly to the British Shipping Registry, to which copies of Canadian certificates were sent. Indeed, the documents should be designated as Commonwealth, rather than Canadian.

Ten years ago the Ministry decided to print all its registration and licensing forms in both official languages. The only exception was Form No. 9, since, according to the Ministry, ship owners did not require it, and also because it was not intended for use by the public. Nevertheless, the Ministry reviewed the matter and decided to have the form printed in both official languages.

File No. 474—Language Courses

A French-speaking public servant in Montreal complained that the Ministry did not allow him to take English courses offered by the Public Service Commission.

The Commissioner informed the complainant that he had no authority to deal with the selection of candidates for language courses. He referred the complainant to the Ministry's bilingualism adviser.

File Nos. 377 and 488—Letters in English

A French-speaking person received a form letter and a card in English from the Ministry's Marine Transportation Administration. A

French-speaking resident of the Magdalen Islands received a letter and a statement of account written in English.

The Ministry regretted these errors and took appropriate steps to ensure that such incidents would not happen again.

File No. 505—Offer of Employment

An offer of employment by the Department, published in *La Presse* on October 26 and headed SHIP'S PILOT, contained a number of errors.

The Department told the Commissioner that because of the insufficient number of pilots on the St. Lawrence Seaway and the Great Lakes, the movement of ships had reached saturation point. As a result it had decided to hire additional pilots and, pressed by events, had acted hurriedly. The Department would make an effort to ensure that such texts were of high quality in future.

The Commissioner conveyed this information to the complainant.

File No. 523—Saskatoon Airport

A Francophone alleged that all Ministry of Transport signs at the Saskatoon Airport were in English only and he considered this "inconceivable" in a country where the French fact (according to federal government policy) should be recognized from ocean to ocean, and not merely in Eastern Canada.

The Commissioner nevertheless recommended that all signs identifying Saskatoon Airport, whether outside or inside the building, do so in both official languages.

File No. 527—Moncton Airport

The complainant stated that on his arrival at Moncton Airport he was astonished to see a sign bearing the inscription "*FUMER INTER-DIT*". He asked the Commissioner whether special attention could not be paid to signs of this type to improve the quality of the French.

The Department reported that three such signs existed at Moncton and that the necessary steps had been taken to replace them with new ones bearing the words: DÉFENSE DE FUMER.

File No. 550—Advertising in French-Language Newspapers

The complainant sent the Commissioner clippings of advertisements published by the Department in a Winnipeg English-language daily. He claimed that these advertisements had appeared in Winnipeg English-

language newspapers only and that apparently it was necessary to subscribe to an English-language newspaper in order to keep informed of the activities of federal institutions.

In response to this complaint, the Department issued new instructions requiring that advertisements concerning contracts—which were the example cited by the complainant—be published in French-language weeklies in regions where there were no dailies. Since, from time to time, the Department may have occasion to publish announcements for other purposes, the Commissioner recommended that this principle be applied to notices of all types.

File No. 559—“Transport Canada”

Two Montrealers drew attention to the poor quality of the French in the September/October, 1971, issue of *Transport Canada*.

The Department informed the Commissioner that it attached great importance to the general presentation of this publication and assured him that it would make every possible effort to improve the quality of the articles written in French.

File No. 579—Student Pilot's Permit

A French-speaking Montrealer complained that the Department had issued him a student pilot's permit in English.

The Commissioner reminded the Department of its obligation under the Official Languages Act in regard to the provision of services to the public. The Department admitted that not only was the permit in question not available in French, but that the same situation prevailed for the 38 forms concerning pilots' licences. However, translation was in progress and in future the forms would appear in a bilingual format or in two versions. Priority had been given to the permit which was the subject of the complaint.

File No. 595—Sept-Îles

An anglophone employee of the Ministry at Sept-Îles, Quebec, complained that he and two other employees of the Marine/Aeradio operation were English-speaking only, and therefore could not provide service to all vessels, some of them being manned by unilingual French-speaking crews. The complainant had requested French-language courses but had been refused.

The station at Sept-Îles was manned by 11 persons, 8 of whom were fluently bilingual and all of the shifts included at least one bilin-

gual member so that there was bilingual capability at all times. Moreover, three additional employees, all bilingual, were shortly to be added to the Sept-Îles station.

No government language course, or government-approved course, was available at Sept-Îles, and the Official Languages Act does not deal directly with language training. However, the Ministry, at the urging of the Commissioner, decided to investigate the possibility of making arrangements with a major corporation in the area of Sept-Îles, so that the three unilingual employees might receive language training.

File No. 611—Commissionaires

The complainant stated that the commissionaires employed by the Department were not bilingual and could not provide service in French.

The Department pointed out that it employed twelve full-time commissionaires. Six of these were bilingual and two others had a sufficient knowledge of French to be able to answer questions put to them in French. The Department stressed that difficulties were caused by vacations, sick leave and recruiting problems experienced by the Corps of Commissionaires. However, despite these complications, it would insist that there always be at least one bilingual commissionaire at the reception desk.

The Commissioner transmitted this information to the complainant.

File Nos. 699 and 700—Board of Steamship Inspection

The Commissioner requested that the Chairman of the Board of Steamship Inspection advise him of complaints received by the Department. The Chairman subsequently forwarded two complaints which he had received concerning the circulation of unilingual French documents to the public, and copies of his replies. Actually, he had distributed separate English and French versions to the companies concerned, with only a two-week time-lapse between the two versions. Moreover, the English version had been dispatched first.

The Commissioner advised the Chairman that his policy of issuing all documents in separate versions in both official languages conformed to the requirements of the Official Languages Act.

File No. 734—Competition Notice

The complainant criticized the Department for requiring a knowledge of English only for the position of specialist, Air Carrier Inspection, Civil Aeronautics Branch. He also claimed that the competition notice was available only in English.

The Department explained that because of the nature of the position, the Civil Aeronautics Branch had initially not required a knowledge of French as a basic qualification for the competition in question. The successful candidates had to undergo a training period of at least a year in Ottawa and be prepared for assignment to one of the six regional offices. Since some candidates could be appointed to the Quebec regional office, where they would need to have a good knowledge of French, the Civil Aeronautics Branch had reversed its decision and had decided to make knowledge of both official languages a prerequisite for certain positions. It had had the competition notice, originally drawn up in English only, translated, and had set a new deadline for the submission of applications.

The Commissioner recommended that the Department post its competition notices in French and English in the National Capital Region, in bilingual districts when declared, and in other areas where it was possible to do so and where there was a significant demand.

TREASURY BOARD

File No. 530—Legality of Bilingual Publication

The complainant objected to Treasury Board printing a booklet entitled "How YOUR Tax Dollar is Spent", in both English and French. He considered this procedure to be a waste of money and effort, and to be illegal.

The Commissioner advised the complainant that the Official Languages Act had never been held to be "illegal" and that federal government departments had to comply with its provisions. The Treasury Board was clearly doing so in this case.

The Commissioner also sent a copy of his annual report to assist the complainant in understanding the spirit, intent and implementation of the Act.

UNEMPLOYMENT INSURANCE COMMISSION

File No. 375—Memorandum in English

A public servant stated that the Unemployment Insurance Commission had issued a memorandum for its employees in English only.

The Commission had published the memorandum in both languages, using the "tumble" format. However, only the English version had been copied and distributed. The Commission regretted the error and promised to rectify the situation.

File No. 415—Personnel

Solicitors from New Westminster, B.C., sent us a copy of their letter to the Unemployment Insurance Commission concerning the dismissal of one of its employees.

A lady, employed in the Records Department, was laid off from her job and was advised by her Supervisor that she was not suitable because of her French-Canadian accent, if she had to answer the telephone.

Before an investigation was launched, the Commission rehired the lady.

File No. 426—Winnipeg

A French-speaking person stated that no one at the Unemployment Insurance Commission office in Winnipeg was able to answer the telephone or give information in French.

When the complainant had telephoned, there were two vacancies in the information service in the Commission's Winnipeg office. Moreover, proclamation of the new Unemployment Insurance Act had necessitated a great many administrative changes which may have hindered the efficiency of the service. The Commissioner recommended that the necessary steps be taken so that the public using the office may be served in both official languages at all times in accordance with the requirements of the Official Languages Act.

File No. 487—Bathurst

The complainant criticized the Bathurst Unemployment Insurance Commission office for sending him a questionnaire written in English only. The purpose of this document was to test the effectiveness of an advertisement published in August in *Weekend Magazine* and the *Star Weekly*

The Commission informed the Commissioner that its Bathurst office had ten employees, nine of whom were bilingual. The problem arose at another level—the Public Relations Service, Atlantic Region, in Moncton. In order to remedy the situation the Commission decided to create a position of bilingual assistant to the Regional Director of Public Relations. Finally, it assured the Commissioner that in future any distribution of questionnaires would be in accordance with the requirements of the Official Languages Act.

File No. 514—Publicity

A Francophone criticized the Unemployment Insurance Commission for advertising in Manitoba in English-language daily newspapers

only. He wanted to be able to obtain information on the activities of federal agencies through the French-language media and requested that, in regions in which there are no French-language dailies, the agencies use the French-language weeklies.

The Commission informed the Commissioner that, following his intervention, it had informed the French-language media in Manitoba of its intention to advertise through them, beginning in January 1972.

File No. 682—Saint-Boniface

The complainant reproached the Unemployment Insurance Office in Saint-Boniface with not serving the public in the official language of their choice.

The Unemployment Insurance Commission informed the Commissioner that the office in question had been closed to the general public since June 1971 and that it had not judged it necessary to have an employee available at all times who could provide service in both official languages. However, since the employees who worked there could be required on occasion to serve the public, the Commissioner reminded the Commission of its obligation to provide such service in both official languages. The Commission therefore decided to appoint a bilingual employee capable of handling all requests for information.

VETERANS AFFAIRS

File No. 619—Annual Report

A French-speaking veteran received an annual report in English from the Department of Veterans' Affairs.

Since the Department possessed little information about the complaint, it could not provide an explanation. However, it assured the Commissioner that its practice is to send documents in the official language of the correspondent. The Commissioner sent a copy of the French-language version of the report to the complainant.

2. Complaints not Admissible

BILINGUALISM POLICY

During the year, the Commissioner received a large number of communications concerning different aspects of the Government's bilingualism policy. Many correspondents voiced complaints of a very general nature, or were simply opposed to any extension of the use of French. Some argued that bilingualism was impractical in the West,

maintaining that those who learnt French soon forgot it as they seldom had occasion to speak the language. Others objected to any measures which seemed likely to threaten the position of English in the business world.

In his replies, the Commissioner advised each one that the Official Languages Act, which came into force on September 7, 1969, created for the English and French languages equality of status and of rights and privileges as to their use in all the institutions of the Parliament and Government of Canada. He went on to explain that his Office was particularly interested in the progress of *institutional* bilingualism, which means that, so far as language of service is concerned, the Federal Government must ensure provision of service to the public in both official languages as required by the Act. Such a policy does not necessitate all public servants at all levels being or becoming bilingual. Nor is there any federal statute obliging a private citizen in Canada to become bilingual.

Requests for Advice and Assistance

The Commissioner received a number of specific requests for advice and assistance. A pharmaceutical firm in Ontario asked for help in standardizing English spelling. Although this did not fall within the Commissioner's jurisdiction, he was able to provide the information that there was no universally accepted standard for English orthography in Canada and to send the enquirer a note from a Canadian dictionary summarizing preferred practices. On another occasion, he offered to help an association for the advancement of French by forwarding its request for assistance to the appropriate provincial authorities, if authorized in writing to do so. The Commissioner passed on requests for more televised language courses to the competent authorities, namely the Secretary of State and the President of the CBC.

Language Precedence

Asked which language should have precedence in bilingual texts, the Commissioner pointed out that the Act stipulated that federal government publications directed to the public must be available in both English and French. It is for the Government to devise bilingual formats which conform with the Act. The use of bilingual labels by private firms and their internal language policies do not come within the jurisdiction of the Official Languages Commissioner.

Language of Work

Several complaints alleging discrimination in hiring practices in the Public Service were outside the scope of the Act or were anonymous

and could not be followed up. In his replies, the Commissioner emphasized that the Act was concerned with bilingualism of institutions, not individuals. At the time, the initial determination of linguistic requirements for federal Public Service positions was the joint responsibility of the Public Service Commission and of the department involved. (It is now the joint responsibility of the Treasury Board and the department involved.) The Commissioner has on a number of occasions privately and publicly urged that full account be taken of the human factor in formulating staffing policies to meet the requirements of the Official Languages Act.

Language of Service

The Commissioner received complaints that some anglophone members of the public were sent government forms in French, that public servants in Quebec had been directed to correspond with Ottawa entirely in French, that a Member of Parliament sent his constituents a pamphlet in Italian. These turned out to be misunderstandings or minor administrative errors which could be readily corrected. Other correspondents suggested ways of improving services in French in the Maritimes or took issue with the Commissioner's insistence that there should be bilingual services at Toronto International Airport. These suggestions and expressions of opinion did not constitute formal complaints.

EDUCATION

The Commissioner received several complaints and enquiries dealing with second-language teaching or some other aspect of education. Although he could not take official action since education is a provincial responsibility, he was able to refer correspondents to the proper authorities or help on an informal basis.

Typical examples of such enquiries are a request for assistance in providing second-language education facilities in the correspondents' locality; a student wanting a grant to do a French course abroad; an official in the Saskatchewan Department of Public Health seeking funds to provide libraries with books on psychiatry in French, and a Saskatchewan Francophone at a Manitoba university asking for federal assistance as he failed to meet residence requirements for a scholarship in either province. In each of these cases, the Commissioner advised the correspondents to write to the provincial Minister of Education.

Other correspondence concerned the curriculum and teachers of courses taught in French in Alberta schools; the lack of bilingual staff

in a Toronto training school to which unilingual French-speaking children had been assigned, and the difficulty which a Toronto resident said she had in enrolling her English-speaking children in French-speaking schools in Toronto and Montreal.

A number of correspondents wanted information on the distribution of federal funds for second-language teaching. They were advised to write to the provincial Minister of Education or the Director of the Language Administration Branch of the Department of the Secretary of State in Ottawa.

PRIVATE FIRMS

During 1971-72 the Commissioner received several complaints involving private firms. The Official Languages Act does not give him power to investigate such complaints, except those dealing with certain firms holding concessions or contracts with the Federal Government. He informed the correspondents of this fact, reminding them that his activities were limited to the federal sector. Nevertheless, whenever he considered it useful and possible, the Commissioner with the written permission of the complainants brought these complaints unofficially to the attention of the authorities concerned.

The largest category of these complaints dealt with lack of service and of signs and notices in French, or with the quality of the French used. For example, a French-speaking Quebecer wishing to buy a book from a private company in his province was not able to make his request in French as the sales clerk spoke only English. In this and similar cases, the Quebec Language Commissioner was able to provide valuable assistance. In Manitoba, a French-speaking person who wrote to a local newspaper in French received a discourteous reply in German. A Toronto moving company required a French-speaking client to submit his claims in English. A French-speaker who got paint on her coat and gloves raised the matter of English only "Wet Paint" signs. An Edmonton hockey fan was upset that the national anthem is sung in both official languages only in the Montreal Forum. English speakers complained of cases where services in English were lacking: an Ottawa resident stated that when his daughter wrote to a Quebec French-language university, she received information material entirely in French; a newcomer to Ottawa was surprised to find that some English or French films were shown in local cinemas with no subtitles.

The Commissioner also received complaints about product labelling. Complaints from Quebec were relayed to the Service de la loyauté des ventes (Fair Sales Practices Service), 200, chemin Sainte-Foy,

Quebec City, and those from other provinces were sent to the Consumer Services Branch of the Consumer and Corporate Affairs Department, 219 Laurier Avenue West, Ottawa.

PROVINCES

The Commissioner received a number of complaints against provincial institutions or services. As the questions raised were not within his jurisdiction, he brought them to the attention of the provincial authorities when an opportunity presented itself.

New Brunswick—File Nos. 431 and 889

- A French-speaking visitor to Parlee Beach in Shediac was given a leaflet containing information and advice on safety which was in English only.

- A delegation of French-speakers from Moncton invited the Commissioner during his visit there to help the city's French-speaking population to obtain municipal services in French.

Quebec—File Nos. 201, 299, 457, 581, 645, 724, 732

- A French-speaking lady from Montreal told the Commissioner that she had received a summons in English from the Provincial Court in Montreal. A court employee had told her that there was not enough time for him to send her a French copy of the summons.

- An Anglophone from the Province of Quebec sent a form, having considerable writing on both sides, which was unilingually French. The form was issued by the Department of Transport of the Quebec Government, and only the stub end stated in English, "Defensive Driving Courses available in English. Please use this return card." The complainant could not read French and wondered if those two lines in English could outline what the form contained.

- An English-speaking person expressed her disapproval of the fact that the signs located at the entrance of a small town in the Gaspé peninsula had been changed from Black Cape to Cap Noir.

- An employee of the Quebec Government complained that he had been unable to obtain application for employment forms in English from the Quebec Civil Service Department.

- An Anglophone complained that he had received answers in French to correspondence in English addressed to members of the Quebec Government. He also took exception to the printing of instructions in French by a toy manufacturer in Quebec.

- An anglophone lady who moved to Quebec in 1969 complained of the anti-English attitude that she encountered in many areas in her daily outings—in the shops in the suburbs, with mail order clerks, etc.

- An English-speaking Manitoban voiced his objection to a 1970 Quebec law which requires that non-Canadians seeking admission to professional corporations in the province of Quebec must have a working knowledge of the French language. The complainant believed that any person coming to Canada should have a free choice of the official language in which he wished to work.

The Commissioner was able to refer most of these complaints to the Commissioner of Languages for Quebec, Mr. Ernest Pallascio-Morin, 212 St. Lawrence Blvd., Montreal 125.

Ontario—File Nos. 205, 409, 506, 576, 614, 918—Summonses

Since the opening of his office, the Commissioner has received several complaints decrying the practice whereby summonses issued to Francophones by the judicial services of the Province of Ontario in Ottawa, resulting from contraventions of traffic or property trespass regulations of the Federal Government or other federal institutions or agencies, are delivered exclusively in the English language. Because it is usually the agency which issues summonses, the Royal Canadian Mounted Police is often accused of following a practice which is allegedly contrary to the spirit and intent of the Official Languages Act.

Since the administration of justice in Canada comes under provincial jurisdiction, the Commissioner brought the matter of the issuance of such summonses in the Ottawa area to the attention of the appropriate official of the Government of Ontario. In reply, he was informed that, at present, all writs, pleadings and proceedings must be in the English language according to Section 127 of the *Judicature Act* (RSO 1970). Nonetheless, as a means of ensuring that French-speaking residents of the province are made aware of the content of the summonses served on them, these are now issued in the united counties of Prescott and Russell with a French-language information sticker attached. The Commissioner was further informed that this practice is to be extended to the National Capital Region in the summer of 1972 and progressively to other major areas of French-speaking population in Ontario.

File Nos. 433 and 885

- A French speaker expressed his surprise at receiving from the Ontario Department of Labour a letter in French accompanied by documentation in English.

- A French-speaking correspondent from Welland asked the Commissioner if she could obtain service in French at the city's motor vehicles licence bureau.

Saskatchewan—File No. 348

A French speaker deplored the fact that the tourist centre at Gardiner Dam, Diefenbaker Lake, does not offer services in French to tourists.

Alberta—File No. 837

A French-speaking Albertan criticized the province's government agencies for not providing services in both official languages.

British Columbia—File No. 725

A French-speaking resident of Vancouver stated that he had failed his driving licence examination because he did not understand English well enough.

Trans-Canada Highway—File No. 192

An Anglophone from the Province of Quebec asked if the Official Languages Act could be used to impose the erection of signs in both official languages, for the benefit of the travelling public, along the Trans-Canada Highway; he cited Quebec and New Brunswick as examples of provinces where bilingual signs would be useful.

While it is true that over fifty per cent of the cost of construction of the Trans-Canada Highway is borne by the Federal Government, the agreement provides that the responsibility for directional signs belongs specifically to each province.

PUBLIC SERVICE ALLIANCE

File Nos. 374 and 518—Distribution of Publications

- A Francophone received an English-language version of a pamphlet issued by the Public Service Alliance.

- An anglophone public servant asked the Public Service Alliance for five English-language copies of the collective agreement for the ST category. The correspondant's Alliance representative allegedly provided only one copy, stating that additional copies in English were not available.

In each of these cases the Commissioner advised the correspondent that since the Public Service Alliance is not an institution of the Parlia-

ment or Government of Canada he had no authority to take any official action. He did however draw these questions to the attention of the Alliance's management on an unofficial basis. The Alliance took appropriate corrective action in all cases.

TELEPHONE SERVICES

A number of correspondents complained of being unable to obtain telephone services in French.

Some complaints concerned the fact that in some telephone directories government agencies are listed in English only. The Commissioner asked the agencies concerned to have these entries made bilingual.

Other cases involved telephone companies. The Commissioner is not authorized to investigate these complaints; where possible he sent them on to the appropriate authorities.

- For example, a French-speaking resident of New Brunswick was not able to obtain information services in French from the New Brunswick Telephone Company. The complainant had also sent copies of his letter to the Ombudsman and to the telephone company; the Commissioner suggested that it might be useful to communicate with the province's public utilities commission.

- An Anglophone from Oakville (Ontario) alleged that he was unable to obtain telephone service in French in Sudbury. The Commissioner brought this case to the attention of Bell Canada.

- Two French-speaking Albertans complained that Alberta Government Telephones offers service only in English. The Commissioner transferred these complaints to the Alberta Ombudsman.

- A Francophone from Vancouver complained that he could not obtain service in French from the British Columbia Telephone Company. The Commissioner offered to refer this matter to the President of the B.C. Telephone Company, but the complainant did not avail himself of this offer.

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Above lie more details than most might wish to know,
But from such humble matters some reforms may grow;
At least, the discontents of each aggrieved voice
Seem best expressed in "Stately" language of one's choice . . .