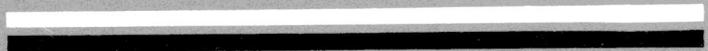
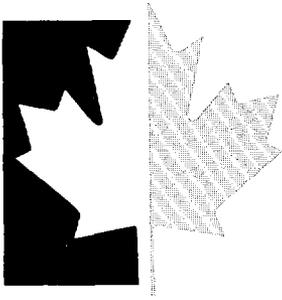


Commissioner  
of  
Official  
Languages

Fifth  
Annual  
Report

1975





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Annual  
Report

1975



COMMISSIONER OF OFFICIAL LANGUAGES  
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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 fifth annual statement relating to the discharge of my duties under this Act, covering the calendar year 1975.

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*

March 1976



The Speaker,  
House of Commons,  
Ottawa

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*Commissioner of Official Languages*

March 1976



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## Preface

A short report seemed apt this year. Our heavy tomes of earlier years did not get all that fully read. So, spurned as wordy scribblers, we thought it safer just to hit the highlights, leaving much tiresome detail for flashy exhumation, if required, in parliamentary committee.

Poking through the chicken entrails, one strains somewhat harder today than a year ago to spot omens of a more serene Canadian climate on language. On the surface, linguistic antagonisms abound, as does anguish real or bogus at the horrors awaiting a country trying to come to terms with its diverse reality. To hear some worthy people, bilingualism's to blame for *all* Canada's problems—from unemployment to unwed mothers, from hiccups to hurricanes.

But behind this counterpoint of stridency, one hears in both linguistic communities a plainsong of opinion that wants our country's languages used, not abused. Most Canadians wish and intend to stay open-minded. More and more, and though often dismayed by perceived waste or nonsense in its application, they accept the principle of linguistic equality as part of a sensible Canada. To say that Canadians are getting more realistic about their language heritage may not sound messianic enough to please some political poets. But realism is not a bad basis for any relationship, including one between groups.

Realism in the ways of government, indeed, is increasingly a condition of the public's acceptance of "bilingualism." That is why, hopping nimbly onto accelerating bandwagons, this report takes as its general themes in Chapter 1 two interlocking concerns: value for money and long-term investment in youth. These are, by all evidence, especially for English-speaking Canadians, preoccupations of recurring and paramount interest for the credibility of language reform.

My colleagues and I have not abandoned our immediate mandate: to prod along, and monitor for Parliament, serious progress toward federal fair play on language. Again, as we show specifically in Chapter II, the pace of change is nothing to write home about in any language. Yet it is steady. Indeed, thanks in part to constancy in every sector of Parliament, the reform seems generally humane, and is reaching closer to the irreversible: in the pivotal area of federal public service jobs, openings in 1971 for unilingual English-speakers were ten times more numerous than those for unilingual French-speakers; in 1975, the ratio fell to six to one.

This wary optimism justifies no euphoria. For most French-speaking Canadians, continued improvement does not excuse the Federal Government's still too-frequent inability to guarantee them service in the language they are taxed in. Were the shoe on the other foot, the average English-speaking Canadian would find such careless denials of his rights outrageous.

For those who persist in believing the Official Languages Act was a wise piece of legislation, the normal course in this business is to navigate between hope and despair. This year's tinge of hope rests partly on the impression, or illusion, that a few observations from our earlier reports may well be shared by more than our cosy coterie of fanatics. Perhaps even by a tiny legion of same.

The despairing might find solace in a little good-humoured stoicism. Our linguistic squabbles, after all, offer a pungent purge to national dullness. Indeed, as Socrates sighed of his stormy love for Xanthippe, they may make philosophers of us all.

The news follows.

K. S.

## Chapter I

### VALUE FOR MONEY: DOLLARS, SENSE AND PERHAPS A LITTLE NONSENSE

Canadians, as good North Americans, seldom blush at putting a price tag on anything. From diamonds to doggies in the window, we crave to know “how much?” In public affairs, this minor flaw of private taste becomes a democratic virtue: asking where our taxes go helps us judge better, when it comes time to vote, who is likely to spend them most wisely in our future interest.

Some may think it crass to speak in the same breath of money and of lofty principles such as linguistic equality. Perhaps they confuse philosophy and politics. A people may pursue zealously a principle of human decency, and spurn all assaults against its premises. But to move from principle to practice, they must stay open-eyed as well as open-hearted. They must weigh lucidly the costs and benefits of different ways of realizing their hopes. Failing this practical discipline, they risk ending up, many millions later, with more rhetoric than reform.

Trying to illuminate alternative means of achieving linguistic fair play (almost everyone’s at least lip-service goal) is not the only cause to look at money now. Other factors make this bias timely: our country’s joyful obsession with austerity; the public’s suspicion that bilingual boondoggles inflate already scary government spending; indeed the repeated, and broadly unsatisfied, queries of many private and public Canadians about how much “bilingualism” (that dreary and less than limpid code-word) is costing.

To these factors of climate, the Government might add a couple of its own reasons for digging out more data. Discussing more freely the price and payoff of linguistic reform might help substitute healthy debate for unchallenged rumour—rumour which now is hinting that all of us assorted language freaks, in or out of Government, may have something to hide. (We do, of course, but not so much profligacy as

illusions). The Government could gain too by publicly analyzing details of its normal budgetary review to show the interlocking advantages of the various elements of language reform: translation, language courses, "double-banking", recruitment and grants to the provinces' schools. More obvious coherence among these and other policy areas could only enhance the whole language programme's credibility. Finally, to be perversely optimistic, one could argue that better-informed debate on costs might well smoke out, as well as some inevitable waste and foul-ups, quite a surprising amount of good news. Elegant propaganda, you might say.

The perils of playing the cost-benefit accountant are daunting.

On one hand, most likely benefits of bilingualism are intangible: presumably, better inter-cultural relations, a stronger and more original Canadian identity, a French-speaking population less affronted by injustice, and an English-speaking one proud to have helped lessen injustice. Even the enhanced efficiency of letting federal employees work (and therefore think) in their preferred official language is hard to quantify; as is the closer rapport between governed and governors which may be imagined to come from letting citizens choose the language they are served in.

On the other hand, three or four months of persistent probing show that nailing down reliable estimates of costs is no cinch either. Since the many different aspects of language reform do not share a common code in our public accounts, we have no authoritative total figure either to attack or defend. When this office asked for all-inclusive figures in preparing parts of this chapter, often the answer came that no breakdown was available, checking primary records would be expensive, time-consuming and unproductive, and language costs are integrated (as they should be) in departments' and agencies' normal operating budgets.

No doubt these problems are real. There is no evidence whatever of deliberate stonewalling on such enquiries. And of course nit-picking (as some might think it) can cost money too. But surely there is merit in keeping more meaningful accounts. Without them, those dealing with language reform will have to continue waffling on the recurring question of costs—hearing, but being unable to contradict convincingly, such deliciously polemical estimates (usually proffered by hot-line chartered accountants) as "three billion dollars a year for bilingualism". It would seem more sensible to pull the whole lot of linguistic items together, specifying the purpose of each, tote up the terrifying sum, add on ten per cent for indirect or integrated costs, then publish and defend the thing as a high but necessary price for being Canadian. A price as normal, one might argue, as help for Western farmers or Atlantic fishermen, freight subsidies, or interprovincial equalization payments.

The bilingualism price tag might well turn out to be something like four or five hundred million dollars a year, if you worked it right down to signs in washrooms (naturally counting English lettering for half). But nobody really knows. And as long as nobody knows, and nobody passes along fuller information to the public, one fears that many who still support language reform will grow weary of the defensive. They may slip into the cynicism of those who do not cherish their bi-linguistic cause. At the very least, getting out reliable, comprehensive figures, broken down by function, would allow critics and defenders of the programme to look more precisely at possible cuts or reallocations.

All of this to excuse the very modest intent of this chapter. We cannot, lacking trustworthy cost figures and agreed definitions of quantifiable benefits, pretend to offer readers anything close to a "cost-benefit analysis". Only Parliament itself, helped perhaps by the sharp pencil of the Auditor General, could elicit the testimony, opinion and fact which might take us even near that notion.

This chapter seeks merely, whenever each topic allows, to do this year's impressionistic tour of the bilingual waterfront with half an eye on what some things are costing us and what they are giving us. In turn, we shall look at language training for public servants, working in French, bilingual districts, translation, and our favorite federal sin of urging better bilingualism for Canada's kids.

Even less than in earlier years does this review claim "scientific" accuracy. It simply has a go at worrying a little, with other taxpayer-citizens, about making sure that linguistic fair play is giving us fair value for our money.

#### *A. LANGUAGE TRAINING FOR PUBLIC SERVANTS: Teaching Old Dogs the New Trick of Obfuscation in Two Languages*

In one form or another, the Federal Government has been offering free language training to its employees, during working hours, since 1964. Since then, and not counting the Armed Forces or Crown corporations, some 58,000 public servants (about 50,000 of them Anglophones) would appear to have enjoyed or suffered some contact with this rather marvellous fringe benefit.<sup>1</sup> It may be worth reviewing some planning problems associated with such training and the use public servants make of it when back at their jobs.

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<sup>1</sup> In fact, these PSC figures, indicating enrolments only, are no doubt at least twice as high as the total number of persons having taken some training: any given student, for all anyone knows, may well have "enrolled" two, three or even four or more times at different stages of learning. This basic bookkeeping uncertainty is just one of several practical obstacles of meaningful cost-benefit analyses.

*1. At the Little Red Federal Schoolhouse: Getting There Was Half the Fun, But Was This Trip Really Necessary for So Many?*

On November 21, 1974, the President of the Treasury Board announced the creation of a research project led by recognized linguists to determine why some persons appear unable to learn a second language and whether, as a consequence, teaching methods could be improved. The study group, headed by Dr. Gilles Bibeau of the University of Montreal, set about examining all elements entering into provision of language training in the public service. Dr. Bibeau and his colleagues consulted teachers, students and administrators, gathering detailed data on all factors likely to explain the training programme's shortcomings and to promote successful second-language learning. Broadly speaking, they found many dedicated teachers and some imaginative methods. They also confirmed what the Board suspected and what Ottawa legend has long held true, if not dear: the set of rules governing both access to training and learning target levels bears distressingly little relation to on-the-job needs, except by distant and often disputable projection.

By the time the present report appears, the Bibeau Study's conclusions will probably be whispered (or choked) about over lunch in high government circles, and the Treasury Board and Public Service Commission will have to decide what to do with an initiative which has grown rather wildly from rare political qualities of courage, imagination and perseverance. Mini-scandals about language training wastage and "freebies"—those immersion sabbaticals in lush Second-Language Land, those meet-the-people walkabouts in posh hotels and choice resorts, and the "cocktail bilingualism" circuit—were bad news; but compared with Dr. Bibeau's bombshells about the political and administrative problems of language training and our own findings (to be unveiled below) about the use, or rather the disuse, to which such training is put on the job, these colourful capers may now seem somewhat pallid.

The purpose of language training, as defined chiefly by the Treasury Board, is to help meet the obligations imposed on federal institutions by the Official Languages Act. The Act requires that, as a general rule and subject to certain conditions, federal services be offered to the public in both French and English and public servants be able to work in the official language of their choice. Thus the Board, pursuant to the 1973 Parliamentary Resolution, established criteria for "identifying" and "designating" bilingual positions whose incumbents had to deal with a public including both language groups or supervise employees of both groups. To make these "designations" fit needs with realism and flexibility, the Board, in cooperation with the

Public Service Commission (PSC), issued directives to departments concerning variations in the level of linguistic ability demanded for each position, and concerning testing requirements.

One of Professor Bibeau's main conclusions is that many of the roughly 53,000 bilingual positions identified in 1973-74 were chosen without regard to any detailed evaluation of each department's specific needs. Indeed, levels of second-language ability required by various occupational categories for bilingual positions had been established in 1969 by the Public Service Commission in the following manner: supervisors, often unilingual, assessed through a linguistic behavioural scale the minimal second-language skills required for this or that bilingual position in their service or branch. On the other hand, norms of second-language knowledge for the different occupational categories were determined by means of a newly-developed Language Knowledge Examination (400A – French and English) given to incumbents of bilingual positions evaluated earlier by supervisors. The results were then correlated. The PSC established five levels of bilingualism—from high to low, 01, 02, 03, 04, and level 22 (listening and speaking only) for the operational category. Then it set corresponding minimal scores to be achieved in reading, writing, listening and speaking for each level or standard.

However, according to Dr. Bibeau, only 01 constitutes really functional bilingualism—that is, a level high enough to do any given job properly. Levels 02, 03, 04 and 22 are not equivalent, he believes, to what is now often called the “threshold” level of bilingualism. It is worth noting that, as a general rule, in the whole public service only Foreign Service Officers at the 4 and 5 levels (FS 4 and 5), Translators (TR), Welfare Program Officers (WP) and Architects (AR) are required to meet standard 01. One may question whether all public-contact jobs (e.g. those of receptionists or elevator operators) truly need this relatively high 01 fluency, even though one must respect Dr. Bibeau's wish to set a general standard notably above halting or tokenistic *franglais*.<sup>2</sup>

Whatever level of fluency should be taken as an acceptable minimum, Dr. Bibeau's conclusions confirm that the criteria for identifying bilingual positions do not take adequately into account actual need for the second language on the job. Levels of second-language knowledge required, moreover, are not determined in terms of specific duties to be performed. Accordingly, public service language training appears to pursue objectives which are to a large extent arbitrary, not realistically job-related.

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<sup>2</sup> The reader may wish to consult on this point a special study of the Public Service Commission (particularly recommendations 15 and 18) in our *Fourth Annual Report* (pp. 243-249).

The proof of the pudding is that scarcely 11 per cent of English-speaking public servants taking Language Bureau courses attain standard 01.<sup>3</sup> The other 89 per cent of these graduates, according to the Bibeau study, could not use their second official language on the job to a worthwhile degree unless their work environment were considerably to favour such use. This Office's 1975 study on graduates' use of an acquired language (summarized in pages following) shows, unfortunately, that Anglophone graduates—about 70.5 per cent of respondents—only rarely have access to such an environment.<sup>4</sup>

## 2. *Meanwhile, Back at the Departmental Ranch: the Use, or Disuse, of Learning*

Last year's report retrieved from the Government's computers some worrisome figures about on-the-job payoff from language training in 1973-74: of some 2,483 Anglophone graduates, 40 per cent apparently never used their acquired French at work, and another 51 per cent used it only occasionally. Using these raw data as both a benchmark and an alarm bell, this office decided to run a full-scale and much more probing survey of graduates' second-language use as of June-July 1975.<sup>5</sup>

With excellent cooperation from the Public Service Commission, the Treasury Board, the Department of Supply and Services, and some 4,300 graduates, the study team tried to turn up information allowing Parliament and public to form a rough idea of what they were getting for their money. A reliable cost-benefit analysis seemed hard to pull off: indirect costs of language training often lurk invisibly or remotely in budgets for such things as salaries lost or classroom acreage won. And benefits of training, often psychological, political or administrative, are tough to put into dollars. Still, by asking graduates some straightforward questions on language use, it was possible to shape some

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<sup>3</sup> These percentages are based on the results achieved by 2,955 graduates who took the PSC's Language Knowledge Examination between December 1, 1974 and September 1, 1975.

<sup>4</sup> In fairness to the Public Service Commission, one should note that in 1974 it introduced a revised Language Knowledge Examination (400B) which is said to be more perfected—even though, according to Dr. Bibeau, the test needs reworking. The Commission has never claimed, moreover, that one can become functionally bilingual in a government classroom. Some degree of immersion in a second-language work milieu, it well understands, is an essential complement to language training. For a persuasive, if isolated example of the value of immersion linked to strong personal motivation, see Appendix A.

<sup>5</sup> In the context of this section, *occasional use* means that graduates used their first language mostly; *extensive use* means they used their second language as often as, or more often than, their first language, or sometimes even all the time. The full results of this new study, including many tables, will be made available as soon as possible.

opinions on the programme's general effectiveness and, therefore, on ways to obtain better results.

Speaking of costs, very few people in the Government savour doing so. Peeling away costs for early and defensible mistakes, an average share of boondoggles and Parkinsonian bureaucracy, Government figures now permit a conservative (or liberal?) underestimate of \$9,150 for each Anglophone graduate and \$10,050 for each Francophone graduate. These figures include salaries for "double-banking" of some jobs, but do not include (among many other things) capital costs for building or buying language schools, or rentals of extra classrooms—items dispersed and disbursed through the Department of Public Works.

Persistent amateur sleuthing cannot this year track down all likely costs of language training. Only the Auditor General, no doubt, could exhume all the conceivable costs which must lurk somewhere in the government's files. No one seems able to tell us, for example, how much the government has spent on subcontracted language courses to private schools, and on renovating and refurbishing its own language schools. This means, to tell the embarrassing truth, that we can offer no reliable all-inclusive figure as of now on the cost of producing the government's roughly 12,000 certified graduates. Any plausible estimate, however, would probably land in a ballpark resembling the Olympic Stadium rather more than the Montreal Expos' home turf at Jarry Park.

What, now, are we getting for our money?

Not nearly as much as the average austerity-pressed taxpayer would hope. No doubt we should rejoice in an intangible improvement in attitudes reported by some graduates, especially Anglophones, toward the other language group's culture. This payoff, in terms of a more serene inter-cultural climate in the public service and the country at large should not be discounted. But the measurable utilitarian payoff of putting this expensive training to work on the job strains both optimism and pocketbook.

True, some of the new study's findings appear, in raw form, to show progress over last year's data; and thanks to our still massively English-speaking federal administration, Francophone graduates continue to find ample "opportunities" to use their acquired English at work. But mainly because of the same work environment, the very great majority of Anglophone graduates are not using their "federal French" to an extent most people would think worthwhile. In these narrow but practical terms, federal language training as currently offered—mainly as basic, not advanced, specialized or job-related training—is no bargain.

To pin-point the bad news and the good, we shall turn first to the new study's main findings. Then, we shall make a few suggestions for

squeezing more advantage from the still-necessary effort to use federal language training to help implement the Official Languages Act now. At the end of this chapter, we shall propose a deeper reordering of Canada's national priorities to emphasize much more the long-term linguistic and attitudinal payoff we might seek from the country's elementary and secondary schools.

The new study rests on a 48 question survey of all 4,700 PSC language graduates reachable in June and July 1975 through Government lists. The high return rate of usable questionnaires from two mailings (81 per cent, 6 per cent more arriving too late for processing) indicates, at very least, the graduates' encouraging interest in the language programme. Their candour in adding free comments confirms this interest, which ranges from unreserved enthusiasm to bitter cynicism.

Our key finding confirms the very low use of acquired French by Anglophone graduates—in spite of the hard and loyal efforts most of them put into learning it. The benchmark question asked two years before by the Treasury Board and repeated in our questionnaire shows an ostensibly encouraging drop in Anglophone graduates "never" using French (26 per cent instead of 40 per cent); the number of "occasional" users rose from 51 to 69 per cent, leaving only 5 instead of 9 per cent who make "extensive" use of French (see Appendix B, Table 1). But the imprecision both of these figures and of the question leading to them showed up starkly when the new study allowed graduates to break down their use of the second language into percentages of work time (see also Appendix B, Table 2). This far more meaningful measurement shows that only 13 per cent of Anglophone graduates never use French (a startling contrast to the answers to the Treasury Board question in the same survey which gave 26 per cent). Yet it shows the disquieting fact that 61 per cent of the Anglophone graduates use French on the job less than 10 per cent of the time and 83 per cent of them use it less than 20 per cent. Only 7 per cent of the Anglophones use French 30 per cent of their time or more. Worse still, more than half (53 per cent) of the Anglophones report that their skills in French, after they went back to their job, actually decreased. Without being fusty, we find that really too many, for the taxpayers' good, are getting rusty.

Even were one arbitrarily to take the one quarter of the Canadian population which is French-speaking as a rough-and-ready standard of the government's need to use French, the overwhelming majority of Anglophone graduates come nowhere near using French one quarter of their work time. The training system's apparent lack of linkage between on-the-job needs and the number of people sent on language training leaps into sharper focus when we look at positions allegedly requiring bilingual incumbents: the figures here as to non-use are

roughly similar to those for Anglophones in all types of positions combined: 11 per cent of Anglophones in “bilingual” positions never use French at work, 57 per cent of them use it less than 10 per cent of the time, and 81 per cent use it less than 20 per cent of the time (see Appendix B, Table 3). Unless we presume—and neither the survey nor our complaints files reveal this—that thousands of Anglophones are bloody-mindedly refusing to use French in the face of real needs, we must conclude one or more of the following: 1) there was no immediate need to send many of these Anglophones on language training in the first place; 2) we must drastically improve the possibilities for Anglophone graduates to work in a milieu where French is a credible and secure administrative language; or 3) Francophones themselves, for reasons of timidity, defeatism or a chaste horror of hearing Anglofederal *franglais*, are declining to use their own language.

The strikingly high on-the-job payoff of language training for Francophones suggests that the work environment is indeed the single most influential factor in assuring on-the-job use of acquired language skills. Only 2 per cent of the Francophone graduates never use English at work, and only 10 per cent of them use it less than 10 per cent of the time. Nearly four-fifths of them use English at least 20 per cent of the time, and nearly four out of ten use English 70 per cent of the time or more (see Appendix B, Table 2). Since Francophones comprise almost one third of all our respondents, it is not fair to say then, without nuances, that the whole language training programme has been a waste of money. Most Francophone trainees offer the taxpayers a relatively sound return on their money—although not necessarily as much as they could with better basic language instruction in elementary and secondary school. Now that Francophones make up only about 10 per cent of continuous language trainees, the one part of the programme which was offering taxpayers a decent payoff is assuming, however, considerably less importance.

Other questions confirm beyond doubt that the work environment outweighs any other consideration in determining the use made of acquired language skills. The type and extent of training taken count little, as do previous education, present job level or even age. To set to rest the nasty stereotype of language trainees as elder statesmen all six months from retirement, it is worth reporting that the average age of Anglophone respondents is that of Jack Benny (an evergreen 39) and the average age of their Francophone colleagues is that of Maurice Chevalier (at 35 one does begin to feel glad not to be young any more). Indeed, backtracking to the graduates’ ages at the time they entered training, we can almost reliably guesstimate that most trainees were then prepubescent infants of only 34 (Anglophones) and 29 (Francophones).

Respondents offered mixed reviews on the value of their language training. Francophones, not surprisingly, seem generally happier about it than Anglophones. Three quarters of the Francophones think their training was very or fairly worthwhile in terms of their present job, and nearly six out of ten Anglophones agreed. Somewhat fewer, however (60 per cent of the Francophones and 43 per cent of the Anglophones), consider their course to have been well or very well geared to their current job. Checking these impressions against the different kinds of courses taken over the past seven years shows that, in spite of a heavy investment in developing new techniques, the PSC language course has not become noticeably better-geared to government work. About half of both groups (58 per cent of the Anglophones, 46 per cent of the Francophones) think their course could have been made more suitable to their work. This belief in making training less academic and more job-related is the single most important change both Anglophone and Francophone graduates wish in training methods. None of this, it should be said, ought to overshadow the high opinion which a number of graduates expressed about the skills and devotion of their teachers.

For apologists of the low use rate cited above, the news on attitudinal changes offers some solace, though less than many would expect: roughly one third of both groups indicated some change in outlook. Anglophones most often said they got a better understanding of Francophones and their culture; Francophones said the training gave them, as one should hope, an improved ability to communicate with Anglophones. That still leaves two thirds of all trainees who report that the course in no way changed their attitude about the usefulness of knowing Canada's other official language.

What suggestions are in order to overcome the above weaknesses? As with all good things, one needs to consider the before, during and after. As for choosing future trainees, it is plain we must refine our selection methods to send on training only those who specifically need such training to do their job. That means, as Professor Bibeau's study also seems to say, reviewing the Treasury Board's splendidly symmetrical four-tiered priority system for access to language training, and indeed its very criteria for determining the language requirements of positions. That is a very big apple-cart to upset. But we shall have to either stop loading on so many apples or continue riding on top of an increasingly cumbersome and costly vehicle. We must also weed out more stringently the disastrously unmotivated, and the estimated 20 to 25 per cent who, after extremely fair diagnostic tests and after a fail-safe short try in the classroom, would prove beyond doubt that not even the PSC's ingenious pedagogues can force a little French down their throat.

The PSC, the first to show that the federal state has much to do in the classrooms if not the bedrooms of the nation, should review several points. First, the standards themselves, are obviously not related enough to individual jobs. Next, it might pay some attention to a simple little idea floated in November 1971 in the *First Annual Report* in this series: working with terminologists from the Translation Bureau and Ottawa's now existing computerized word bank, the PSC could "devise highly utilitarian vocabularies or lexicons for hundreds of job categories. A meteorologist or manpower specialist, for example, could thus become 'functionally bilingual' much more quickly, and eventually with greater enthusiasm . . . Such lexicons could also, by simplifying the content and methods of language training, save money on accelerated courses and reduce high dropout rates . . ." The PSC has already moved the cultural focus of its courses from France to Canada; now it needs to move their motivational focus from the tourist curiosities of Quebec City to the sometimes even more curious goings-on in Ottawa offices.

As for postgraduate activities, several changes appear useful. First, all retention courses should be scrapped as wasteful nonsense: if the second language were really needed for a job, we should not have to cook up ways of keeping grads from getting rusty; the job itself should do that. Second, and most vitally, Anglophone graduates should be offered immediately after leaving language school a voluntary three-to four-month stay in a strongly French-language work environment, preferably in their own field of work. The evidence indicates that this is the key factor in on-the-job use, and a brief postgraduate stay in a Unit Working in French (UWF) or similar milieu would remind graduates that French can be a useful administrative language as well as an academic exercise. Vocabulary, fluency, intercultural familiarity and motivation could thus all gain powerfully. Naturally, should UWFs be used for this purpose, the percentage of Anglophones could probably not exceed about 15 per cent without defeating the Units' *raison d'être*—being an administrative home for Francophones. Third, the Treasury Board and PSC should actively encourage Anglophones to use French on the job whenever circumstances allow it, not only when they feel shanghaied into using it as a forced and distasteful aberration. So what if this leads to still more widespread "lousy French" among Anglophones? Half a laugh is better than none.

All things considered, the evidence tells us that to serve better both public servants and taxpayers, we should be trying to get out of the business of basic academic language training for federal employees. We should be getting into the much smaller-scale, cheaper and more immediately profitable business of giving those federal employees who probably need a second language advanced, specialized language training geared as precisely as possible to each job.

Such a policy would leave basic language learning to the elementary and secondary schools, from which we must come to expect a far richer linguistic harvest. The why and how of this youth option may emerge from the ever so slightly polemical meditations of Section E at the end of this chapter.

*B. WORKING IN FRENCH: One Giant Leap for the Bureaucracy, One Small Step for the Francophone*

Past reports in this series have reviewed several aspects of French as a federal language of work. With more and more indigestible figures, they have tended to show that if legend holds that for many Anglophones federal employment is Hell, for most Francophones it is still linguistic limbo.

This year we shall seize an excellent chance to save both paper and tedium by not recycling the truisms of yesteryear. It seems more gallant to salute with tersely restrained enthusiasm the Government's new policy on language of work, which a breathless universe has been awaiting roughly since Eve discovered apples.

The policy emerged with faultless timing, on August 6, 1975, during the civil service summer doldrums. As minister responsible for implementing the Official Languages Act within the public service, the President of the Treasury Board outlined the Government's decisions in five areas.

First, he confirmed the Government's belated recognition, in June 1973, that the Act's principle of equal status for English and French included certain rights for federal employees to choose their language of work, as well as private citizens' rights to choose their language of service. This clear statement of the not always incandescently obvious should have buttressed the flagging faith of many Francophones. Most, indeed, had come to regard the Government's promises of a language of work policy with approximately the same cheerily doubting fatalism which we all feel about our chances of winning a million in the Olympic Lottery.

Second, the minister told of measures to help Francophone public servants use more French at work in the National Capital Region (the "NCR" ought not be confused, in spite of recent fascinating memos, with Ottawa, Queen Victoria's choice for the nation's capital). He noted that only 7 per cent of all employees in the NCR work mainly in French, 66 per cent mainly in English and 16 per cent in both languages—the other 11 per cent, one is sure, should not be thought to do no work at all but just to have missed their chance to get on

the Government's computer. He also showed that just one of every five Francophone public servants in the NCR could use mainly French in his work, while 28 per cent use mainly English. To staunch this trend to assimilation at the taxpayers' expense, the minister firmly committed the Government to a series of quite useful guarantees, including: auxiliary and support services (such as personnel matters and personal accounts in French), supervision in both languages, and bilingual work tools such as manuals, directives, internal notices and forms.

None of this should elicit unbridled gratitude on the part of Francophones. It is but an embarrassingly long-overdue, bare and normal minimum which Anglophones have never even had to fantasize about as a goal for themselves. Still, it means that, in simple technicalities of man- and woman-management, the Government has finally got off its Vic Tanny's exercycle and mounted a prudently pedalled bicycle built for two.

For outside the National Capital Region, the Government announced a third change. This comes close, though apparently without certain specified guarantees for the local language minority, to an idea cited in earlier reports in this series: the normal, but not exclusive, language of work for federal employees in Quebec should be French, and elsewhere mainly English. (None of this, of course, ought to compromise the public's overriding right to service in its preferred language.)

This principle, which reflects to some extent the territorial predominance of each language, does not, of course, cover national headquarters outside Ottawa (such as the CN in Montreal—not under Treasury Board authority anyway). These headquarters should welcome both languages of work more generously than most regional offices. Neither should this administrative formula bind all local minority-language federal employees to use only the locally predominant language. Acadians in Northern and Eastern New Brunswick, for example, Franco-Ontarians in Northern and Eastern Ontario, or Anglophones around Montreal and some other areas in Quebec should of course enjoy clearly defined guarantees to work in their tongue. But this plain statement that French should be the normal work language of federal regional offices in Quebec at least adds a degree of longer-term credibility to federal intentions—especially for those few (about 3 per cent) of Francophone Quebec federal employees who are still forced to work in English in our “French” province. It may also bring modest speculative satisfaction to the probably larger number of Francophones in Quebec who have to report in English through a unilingual Anglophone supervisor often using only English-language manuals.

A fourth point touches on communications between the National Capital Region and regional offices. Basically, the Government has accepted the obvious corollary of the third point, a corollary also outlined in earlier reports here: French should be the normal (but not exclusive) language of communication between Quebec regional offices and national headquarters, and elsewhere English should prevail. Again the Government will have to respect the reasonable rights of Anglophone employees in Quebec by letting them communicate freely in English with their headquarters; and the same should apply for Francophone employees outside Quebec. Both Anglophone and Francophone "local-minority" employees should therefore enjoy, with a little common sense and good-humoured give-and-take (determination one takes for granted), the same freedom of choice as to language as the law guarantees to private citizens. One ought only to quibble that the Government is postponing full application of this assurance until 1978: cynics are cynical to hint Hell's road is always paved with good intentions; what's sure is that bureaucratic deadlines tend to be met only when Hell freezes over.

A tougher nut to crack (and, for Anglophones, to swallow) is the concept of French-language (FLUs) Units—which, presumably for elegant variation, the Government has now rebaptized Units Working in French (UWF). The Government's new policy both strengthens and endangers this necessary approach to giving French-speaking Canadians a realistic chance to feel at home, and do their best work, in the capital area of "their" country's national government. It strengthens the units' potential impact on policy-making, as opposed to house-keeping, first by raising the number of participating employees from 3,500 to 8,000. This seems a worthwhile, though not empire-threatening change in the context of the 24,000 employees in the NCR surviving quite nicely within what amount to Units Working in English. Second, the Government is ensuring that at least 10 per cent of the officer positions in the NCR will be regrouped into Units Working in French in all four of the occupational groups with greatest influence on policy and on career development: Executive, Administrative and Foreign Service, Scientific and Professional, and Technical. In the four key central agencies (Finance, Privy Council, Public Service Commission and Treasury Board) the minimum target is 20 per cent. If the Government really makes this work, it may be able to abandon quite a few of its lingering, and sometimes understandable, complexes about telling federal fairy tales to Francophones.

Last fall, these changes evoked the dismay of some union leaders—a reaction sometimes offering a reliable standard for distinguishing window-dressing from the Government's will to reform. The Treasury Board's clarifications, though no doubt politically inevitable, scarcely

back up the units' purpose of getting the most intellectual and moral mileage out of Francophone employees. Examples of such clarifications which may please a few Anglophone employees while not greatly helping taxpayers of either language group: unilingual Anglophones may keep their jobs in UWFs (refusing transfers), choose not to take free (to them) language training, work only in English and demand supervision in English. If a UWF supervisor happens to be and wants to stay unilingual English, there may even occur a bizarre, but one trusts, rare, bit of nonsense: other unilingual Anglophones in the unit could get supervision in their language, but Francophones, in this supposed French-language citadel, could not.

One government clarification is sound, however, from every point of view: Anglophone bilinguals may apply to work in UWFs on the same terms as Francophones. This avoids the danger of an "ethnic" ghettoization repugnant to Canadian society, and allows strongly motivated Anglophones to develop further the language skills many have acquired at public expense.

Units Working in French deserve the understanding of English-speaking Canadians—perhaps, a little more than usual, by the old trick of trying on the shoes of their French-speaking compatriots. Easy slogans about ghettos do not really fit this practical opportunity for French-speaking citizens to contribute to their country's public service. For "contribution" is precisely the colouring one should put on this experience: it is usually quite wasteful, unless you are Joseph Conrad or Vladimir Nabokov, to think and write in somebody else's language. Because of Ottawa's all-pervasive English-language tradition, we have to develop some such concrete means of allowing French-speaking Canadians to give their best to a federal government which, in the past, has acted as though intelligence and originality could express themselves only in the legendary English of Jesus Christ. Dispersing Francophones in government as soon as they form groups of more than three, moreover, feels too much to many of them, in the bureaucratic Diaspora, like just a new, improved version of divide and rule.

No doubt there will still be foul-ups and anomalies until the UWF idea works itself into a significant reality. But keeping our hysteria about them down to screaming with our mouths shut would probably achieve a classically helpful Canadian compromise: upsetting the English enough to convince the French that things are moving, but not enough to provoke the English into throwing a spanner into the works of French as a language of work.

To get a fuller view of the situation of Francophones in Government, one would need to analyze figures on proportional public service representation and on French-language recruitment. Not to choke the reader on even more fastidious figures, it may suffice to say that progress

for Francophones over the past five years has been slow but encouragingly steady. By the arbitrary and risky standard of absolute numbers related to Canada's population, Francophones in the public service are now not far off their "fair" share of federal jobs—about one in four, even if proportionately they still tend to cluster near the bottom rungs. In the occupational category called Administrative and Foreign Service, the Francophone share of jobs has risen (dropping the decimals) from 16 per cent in 1971 to 21 per cent in 1975. In the Scientific and Professional category, their gain has taken them from 11 per cent in 1971 to almost 18 per cent in 1975. And, in the key Executive category, they have gone from 17 per cent in 1973 to 20 per cent in 1975.

Such gradual gains justify neither the cynicism of some Francophones about English plots to keep them all sweepers nor the paranoia of some Anglophones about a massive French takeover. Beyond the cries and whispers of these different mythologies of linguistic doom, there seems a solid if slow historic trend toward giving all Canadians a better chance to serve their country interestingly. No doubt there remains much sloth in the system in accommodating Francophones' talents. No doubt progress has been slowed too by prejudice, tradition and—it needs to be recalled—the still-recent failure, now being overcome, of French Canada's education régime to produce enough administrators, scientists and technicians who learned with mainly French textbooks and could truly function in French.

But the trend is clear and, in general, fairly positive. Indeed, if one insists on measuring civil rights in cost-benefit terms, continued progress for Francophones should give all Canadians a better payoff from more strongly motivated French-speaking public servants—or at least a few new administrators able, more quickly and lucidly, to attack or defend their favorite waste of tax dollars.

### *C. BILINGUAL DISTRICTS: When Others Complain, Let the Government Explain*

To claim that Canadians greeted tabling of the report of the Second Bilingual Districts Advisory Board in November 1975 with long-thwarted ecstasy might be to overstate the seductive appeal of such districts. Yet the report—a remarkably thorough and thoughtful document—marked a further important step in the unfolding of Parliament's wish to defend Canadians' language rights. The Official Languages Act devotes 7 of its 39 sections to prescribing how, in areas with at least a 10 per cent official-language minority, bilingual districts might help

protect citizens' free choice of the language each prefers to be served in by the Federal Government.

The Board recommended that the Cabinet proclaim thirty federal bilingual districts, at least one in every province except British Columbia. It urged bilingual services, though not formal districts, in certain other large urban centres as well as in all provincial capitals. For Quebec, the Board suggested only a few relatively secondary bilingual districts. This caution mirrored its understanding that French-speaking Quebecers commonly, if sometimes nebulously, consider bilingual districts as another federal trick to assimilate them. Thus, offering Montreal a rose as sweet by any other name, the Board said la Métropole should not really be a bilingual district as we all usually misunderstand the term but should, following tradition, continue to offer its residents federal services in both languages.

By law, the Federal Cabinet is obliged to wait at least ninety days before formally proclaiming, in proposed or modified form, any districts recommended. Somewhat surprisingly, the Government did not take advantage of this period of reflection to ponder two major policy decisions underlying any proclamation. At the moment it tabled the report as a basis for public discussion and parliamentary criticism, the Government committed itself firmly to the principle of proclaiming some districts, specifying further that it would treat Quebec as any other province by establishing there whatever bilingual districts the Board's pan-Canadian standards warranted.

Given these twin public commitments, it appears pointless to offer here additional gratuitous advice. The *Second Annual Report* in this series expressed reservations about the need for any bilingual districts, and the Board and the Government have given these reservations a fair hearing.<sup>1</sup> There seems no reason to attenuate the skepticism of these earlier views: the political and psychological disadvantages of bilingual districts still probably outweigh their symbolic value and their arguable administrative convenience. However, assuming that the Government's current, apparently agonizing, review of the district's concept does not lead it to drop its November commitment to the principle of having some districts, we can perhaps die with our boots on but as elegant losers. Declining both to flog dead horses and to feign unseemly enthusiasms, the realistic—indeed statutory—course now seems to urge an old college try at helping make bilingual districts work. Thereby coming down firmly on all sides of the question, we present one unpreachy word about the simple meaning of bilingual districts, then a

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<sup>1</sup> Anyone caring to give them another fair hearing and to review the reasons why some people want bilingual districts can find this brief review on pages 26 to 34 of that report.

couple of friendly warnings about pitfalls facing such districts in the current economic and political climate.

First, what do bilingual districts really mean? A bilingual district takes nothing from anyone. It imposes a duty only on federal institutions in their principal offices. This duty consists mainly of recognizing that, in choosing the *one* language each person wants to be served in, the citizen, not the Government, is nearly always right. Thus the rather thoughtless, and sometimes inadvertently demagogic, word “ghetto” hardly applies, except perhaps ironically to indicate that Canadians living in bilingual districts will enjoy more clearly protected language rights than their countrymen elsewhere. Far from reducing anyone’s rights, indeed, bilingual districts add a specific, administratively practical guideline for formally extending the local majority’s established federal language rights to the local minority—English-speakers in Quebec as well as French-speakers in other provinces.

A first warning touches on costs. At present, and in spite of the Government’s hopes to the contrary, it seems likely that bilingual districts and the Board’s other proposed bilingual areas will occasion significant new expense—mainly for language training, replacement salaries for language trainees, and signs. This is the ground on which those still unenthusiastic about districts will no doubt raise troublesome questions: for benefits in some cases largely symbolic, and perhaps with little net gain in better bilingual services, the Government would be seen notoriously to be spending more money on “bilingualism” at a time when cost-benefit credibility cries out for clear, concrete results at no new cost. Of course, the perception of benefit from bilingual districts varies greatly from a culturally secure French Quebecer to a culturally isolated French-speaker in Sudbury or Saint-Boniface. Probably for some remote or insecure official-language minorities, such districts are worth some investment in formal recognition of their identity. But in the national context, the Government, besieged with both economic woes and linguistic antagonisms, may find that precipitately proclaiming a lot of districts is a mistake by which it buys not bilingualism but budgetary backlash. Starting gradually with a few districts, where practical as well as symbolic benefits are plain and costs fairly modest, seems prudent.

Second, if the Government hopes to do more with its districts than foster cartographic fantasies, it must immediately map out a clear, imaginative information programme. Already the Government’s limp and lacklustre information efforts on bilingualism in general have allowed needless hostility to develop in many parts of English Canada, even while skepticism about Ottawa’s reformist firmness persists in French Canada. (This has given us, so to speak, the politico-linguistic equivalent of stagflation.) The Government’s astonishing refusal to

bother explaining bilingual districts to citizens directly affected has already encouraged a few small but noisy groups grotesquely to distort the districts concept. There really is neither basis nor excuse for nightmarish fears of linguistic ghettos or folkloric reservations, much less for those of imminent assaults upon the bastions of Britannia by phalanges of frenetic Francophones.

The job does not require a lyrical hard-sell. Just a straight, good-humoured explanation of the facts. Preferably, so that the districts won't do more harm than good, the Government should get ready to do this by the time it makes its first proclamations. Then, let's hope, those who now feel threatened, ridiculed or ghettoized by potential districts can rest assured that the borders of our linguistic New Jerusalem have been gerrymandered, after all, to their own quite innocent advantage.

#### *D. TRANSLATION: A Couple of Bilingual Bargains*

Translations, macho linguists used to giggle, resemble mistresses: if they are faithful they are not beautiful, if they are beautiful they are not faithful. Women might reply that translations also resemble lovers: if they are sensible they are not sensitive, if they are sensitive they are not sensible. How rare, then, and pleasant, to report that the Federal Government's Translation Bureau is showing a sensitive concern for good work at more sensible costs.

The challenge the Bureau faces is staggering. Its 1,400 translators must handle some 350 million words in 1976. This total, reflecting the government's duty to serve the public in both languages and to give public servants work instruments such as manuals and directives in each employee's preferred language, will probably rise by 1978 to about 500 million words a year. The Bureau's yearly budget (not including translation costs of Crown corporations) is scheduled to grow from \$33.3 million in 1975-76 to \$60 million in 1980. But recent administrative streamlining and two major technological developments should ensure that in future Canadians will be getting faster and more accurate translations at a cheaper cost per word. True, this escalating budget needed to guarantee expanded language rights is scary; but surely we may draw some joy, on our way to the bilingual poorhouse, in knowing that the busfare per mile to get there is somewhat cheaper.

#### *1. Gearing Up For Greater Glories*

In August 1975, the Government spelled out a scale of priorities for translating all government documents based, for the first time, on

the relative urgency of needs. Previously, departments tended to send texts for translation on a haphazard basis, more or less in response to crises, individual whim, or simply the thoughtless if well-meaning notion that everything should be translated *holus bolus*, and first come, first served. The new priorities, ranging in value from cosmic to Mickey Mouse, are: documents to inform or serve the public; documents of general interest needed for offering services within the government or for the operation of programmes; new work instruments; existing work instruments (those used in Quebec, then those for Units Working in French, then those used nationwide or abroad); and finally internal documents of limited interest. Henceforth, even though no self-respecting departmental lobbyist would wish to give up completely the pleading and brow-beating of more chaotic days to try for special treatment, now at least there are some sound guidelines to violate.

Second, in a significant strengthening of earlier policy, the Bureau is trying to attract and develop more and still better staff. For promising translators already in its ranks, the Bureau runs courses in advanced revision, using as tutors some of its own gifted senior revisers. Each year it sends five or six young translators to Paris for a six-month on-the-job training tour with the French Government. Its university training programme, begun in 1968, this year allows some 208 future translators to take specialized instruction on government scholarships in exchange for a commitment to work in the Bureau for two years following graduation. In November 1975, the Bureau started in-house training of some of its staff as conference interpreters. This training and upgrading programme, in addition to meeting the need to increase interpreting staff from 65 to at least 140 in 1979, should give many more Canadians a chance to develop as professionals in this rare and difficult specialization.

On this same theme, the Bureau's own training efforts, practical and enlightened as they are, again raise the question of creating a full-scale national school of translation and interpretation. At present, six universities, Laval, Montreal, Quebec (at Trois-Rivières), Ottawa, Moncton and Laurentian (Sudbury), offer valuable courses in translation. But for the kind of élite training needed to produce substantial numbers of world-class translators, revisers and interpreters, more concerted action seems in order. The Federal Government should seriously consider inviting the Governments of New Brunswick, Quebec and Ontario to help it subsidize and coordinate these six programmes into a single national three-year programme with a diploma whose authority could attract the best teachers and students from within and outside Canada. First and second year courses could be offered at all six universities, but advanced courses would be regrouped in Montreal and

Ottawa where government, academic and business specialists are readily at hand. Such a concentration and coordination would offer several advantages: it would give Canada a much better payoff from her now scattered resources, feed government and business a stream of top-flight ready-made translators, allow the best professional translators an easier chance to pass on their skills by part-time teaching, and allow students to develop in the many vocational specialties (such as legal or medical translation) which they can now work into only much later and much less systematically.

Such a six-campus school could also greatly facilitate certification of new translators according to nationally recognized norms. The translators' own national professional group could only rejoice at this. For the new school could ultimately let colleagues abroad know, as our graduates infiltrated international bodies as well, that to learn about translating between English and French, Canada might strangely enough be the best place in the world to go. As it ought to have been a very long time ago.

## 2. *Terminology: Of Lifts and Lorries*

An area of language where Canada is already the best place to be is that of computerized terminology. This is not an amusing little heresy devised by and for a handful of linguistic theologians. It is a hard-nosed technological reform of potentially massive impact designed to give Canadians better and faster translations at a more defensible cost per word.

Terminology—the science and art of finding the right word—lies at the heart of sound translation. Traditionally, in Canada as elsewhere, terminological research has engaged, on one hand, editors of dictionaries which, in scientific and technical fields, quickly became outdated or inadequate; and, on the other hand, each professional translator who, in his or her corner, worked up ad hoc personal archives for each new job. In a word, terminological research tended to be either too distant from technological change or too scattered to allow quick universal adoption of “normal” terms.

For some years it has become clear that the computer might help solve these two problems of “up-to-dateness” and worldwide sharing. Centralized automatic word banks or electronic dictionaries could ensure almost immediate normalization of proposed Canadian terminology with new words suggested elsewhere, and overlapping and scattering of word-finding efforts among translators around the globe could diminish. Such banks could head off the tendency of many departments and agencies in the Federal Government to set up contradicting lexicons.

They could speed catching up on the one- to five-year backlog in translating many important government publications, thereby also softening the acute shortage of competent translators the Bureau's long-term hiring and training programmes are meant to overcome. They could supply the new breeds of specialized scientific and administrative translators with the indispensable, but often changing, tools of their trade. And they could offer public servants uniform wordings for manuals and other work tools in different departments.

The *Second Annual Report* in this series argued for urgent, high-level Canadian leadership in this area both to capitalize on Canada's strong advance in developing automatic word banks and to ensure that Canada would become, as it should be, a key world centre in linking the English and French cultures. This plea was only the echo of views widely held among Canadian specialists who, by November 1974, moved the Federal Cabinet to order accelerated efforts to set up a computerized word bank in liaison with the Quebec Régie de la langue française, the University of Montreal and other interested bodies in Canada and abroad. With nearly 1.5 million index cards ready to be stored in the bank, the Bureau's Superintendent has already prepared a detailed plan for developing the new system to full operational status by 1978-79.

As early as May 1976, users in government departments and agencies will be able to question the Bureau's terminological information centre by telephone, remote terminal or telecopier. Then, over the following years, such service could be offered to business and government subscribers elsewhere in Canada and abroad. By 1983, users anywhere in the world should be able to call on this service via satellite for up-to-date normalized terminology of unprecedented freshness and accuracy—the latter to be assured by arrangements the Bureau is preparing mainly with European authorities.

For those who may worry about the cost of all this fancy hardware, there is good news. Of the \$27.4 million to be invested over the next eight years, about \$21.3 million (77.5 per cent) should be recovered in savings on old-style manual research, thus bringing about a notable increase of productivity for most translators. By 1983, the whole system should have paid for itself and begun to turn a modest profit from outside subscribers. Among the payoffs less easy to quantify one can cite: a generally higher quality in translations, as a result of the greater choice and accuracy of terms the computer offers; a drop in costs (roughly estimated as a saving of perhaps \$2.4 million by 1983) in preparing specialized bilingual glossaries for government departments; a greater usefulness of such glossaries for graduates of the government's language schools, possibly giving a more job-related benefit from the heavy investment in such training; almost total elimination of overlap-

ping in terminological research in various departments; and a practical opportunity to work with provincial and foreign governments to normalize quickly and authoritatively terms in both languages.

Looking a little further than one's nose on this, one can note that the necessary consultations or normalization will draw Canada into a useful cooperation with Europe in a field directly related to economics and science—fields where any Canadian presence can prove diplomatically interesting. Canada's work in terminology puts her right now in the vanguard along with France, Germany and the European Economic Community. By offering her leadership as a promoter of French as an international technical language, Canada can affirm delicately but strikingly that she intends to play, with France, her natural role as one of the pillars of the French-speaking world. This latter, admittedly nebulous, benefit may not seem a big turn-on for most English-speaking Canadians; but in a realistic diplomacy, which tries to develop lucidly all of our country's resources to its advantage in the outside world, this French connection could conceivably prove a useful, and fairly inexpensive, way of diversifying our external relations as sought by the Government's "Third Option".

At any rate, bargains in bilingualism are not a dime a dozen, and when we do uncover one, even an unnormalized word or two in its favour should cheer both taxpayer and politician.

### 3. *Automatic Translation: Computers Can't Be Unionized*

The Bureau's science fiction spooks are hoping to squeeze still greater savings in time and accuracy out of the computer. They have started practical development of technology to use computers for the translating process itself. Fed by specialized vocabularies, the computer of the Department of the Environment is now doing routine translations of meteorological bulletins which, at a speed and cost unapproachable by "human" translations, will be extended from Montreal and the Eastern region to the Western region by May 1976. In September 1975, the Bureau began a pilot project of potentially enormous scope by trying automatic translations of the Canadian Armed Forces Technical Orders. Recent reports showed that to catch up by traditional means on the backlog of military translations (mainly manuals and regulations indispensable to participation of French-speakers in the forces) would cost between one quarter and half a *billion* dollars and take up to fifteen years. Once programming of grammar, syntax and vocabulary is completed, the computer will be able to translate at a rate of about 1,000 pages per hour of computer time (roughly 250 pages per hour of "real time", including processing). At this rate, it would become

cheaper than human translation after some 166,000 pages and be able to clean up the military backlog in a much shorter time.

Naturally, computer translations do not convey the grace of Shakespeare's sonnets. But the Bureau's first efforts show a striking potential in the area of scientific and technical documents for which they are essentially designed. Like traditional translations they must be revised. But the big saving in man-hours (and many well-paid jobs) comes from sparing human translators constant recourse to their dictionaries for unusual words and to their aspirin bottles when the same expressions must be typed out by hand from a technical, and often very repetitive, text. It can even help in selecting texts of unknown usefulness for a more refined human translation, or merely for summary, by printing out a fast rough draft which gives the scientist or technician the article's gist.

Even with the unrivalled word bank Canada has well underway, computers will not replace human translators. Texts of a non-technical nature, such as speeches, reports or inter-office billets-doux for bilingual love affairs, will always need the touch of translator poets. The computer will likely become a precious tool in the next five years for specialized translators, by making their work less mechanical and more professionally rewarding. And—who knows?—it might even help resolve the dilemma of our macho linguists: instead of having to choose between translations which, like mistresses, are either beautiful or faithful, they may be able to taste the higher fantasy of viewing all translations, like far too few mistresses, as both fast and inexpensive.

#### *E. TEACH THE KIDS: A Long-Term But Sound Investment*

Skeptics, adversaries and even some sympathizers of federal "bilingualism", mainly in English Canada, have long shared a plausible platitude: spending money teaching French to aging and recalcitrant bureaucrats is folly (senility, alas, beginning at age 40, recalcitrance somewhat earlier). Spend the cash bilingualizing the kids, they urge, and we'll save a bundle while "solving the problem".<sup>1</sup>

To this specious but potentially empire-crumbling argument, many of us with snouts in the trough of the federal language administration have been prone to reply a little condescendingly: "The theory is

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<sup>1</sup> Some parts of this section consider matters related particularly to the teaching of French to English-speaking Canadians. This preoccupation is not meant to minimize the importance of the very special cultural and pedagogical challenges facing French-speaking Canadians. It merely recognizes that, in the long run, practical guarantees of French-speakers' language rights will depend on a much better linguistic and attitudinal payoff from federal-provincial efforts to teach French in the schools of English Canada.

seductive. It reeks of the adman's wisdom that with kids and dogs you can sell anything—conceivably even bilingualism; worse still, it reeks of common sense. But it's not practical, it's too costly, education belongs to the provinces and, besides, our only job is to serve the federal taxpayers (meaning French-speakers) and protect federal public servants (meaning English-speakers)".

Each of these caricatured views contains, of course, some truth. Each also gives off a faint whiff of illusion or insincerity. A reasonable national policy must draw on both the provinces' duty to teach young people and Ottawa's to serve citizens in their preferred tongue. This means weighting, integrating and financing these twin responsibilities through federal-provincial cooperation to achieve the best and quickest total result for Canada, at a cost that will appear to most Canadians to be a sound investment. Plainly, if the Official Languages Act is to offer its full measure of justice at a pace acceptable to French-speaking Canadians, we must make it work now with all the honest instruments that urgency and fair play impose—including language training for public servants. We cannot simply tell French-speaking taxpayers that implementing the Act is too tough now, but if they'll come back in twenty years when the provincial schools may have pulled off a linguistic miracle, then Air Canada might sell them tickets, and the Post Office stamps, in their language.

On the other hand, it is unrealistic to continue, as some do, viewing language training for public servants as a permanent panacea. The real analogy for such training is the treadmill, and we should be trying to get off it. Somehow, we must manage to produce a massive linguistic and attitudinal payoff for our children, thereby making it possible to phase out, or severely limit, costly (and, in its on-the-job use, distressingly underexploited) public service language training. Then we shall be doing more than exporting our own dreary tensions and hangups to still another generation of Canadians . . . ad infinitum.

It makes sense, therefore, to look at Canada's linguistic landscape as a whole, in both its federal and provincial parts. Three aspects of the picture deserve a glance: the context for rethinking our priorities, the current state of second-language teaching in the provinces, and a new federal-provincial strategy which would make radical progress in such teaching the overriding goal of Canada's language efforts for the next generation.

### *1. Time for a Sober Second Thought . . . So As Not to Spend Like Drunken Sailors*

The first reason for re-examining our priorities rests on the "rough justice" of comparing possible payoffs in language and attitudes from

teaching public servants and teaching children. Our high schools and universities are still failing to offer the federal government, indeed, the provinces and the whole private sector, more than a fraction of the bilingual candidates it needs. As a result, Canadians are subsidizing, within the public service, an expensive vicious circle—not counting Crown and other independent agencies—at a cost of about \$82 million between 1968 and 1975.

Each year, the government hires, because of understandable political pressures (and, let us not be cynical, a wish for fair play), thousands of unilinguals who sooner or later must fill jobs requiring bilingual ability. These people must then be sent off, wave after wave, to take full-time second-language courses of up to a year on full pay, often while extra back-up staff are paid to cover off their jobs. When these certified bilinguals return to work, the administrative milieu is still so overwhelmingly English-speaking that most English-mother-tongue graduates quickly lose their skills in French. To this worrisome financial loss must be added a depressing cost in dissipated faith and goodwill—indeed, for the whole reform, in credibility.

On the other hand, the schools and universities could in theory manage to produce a much greater number of reasonably fluent bilinguals at a cost which would, at least, not include salaries for back-up staff. These graduates would probably also offer a good basic awareness of the other culture acquired at an age of lasting impressions. The additional federal outlay needed for the provinces to launch us seriously toward this goal by expanding three well-proven programmes, as outlined below, might require little, if any, increase in costs over what is now being spent on public servants; and it could prove an investment—not, in great part, as it is now, an endless subsidization of the temporary. For, most entrants to the public service (and a growing number of businesses) would no longer need costly basic language training; they could start work immediately and, if necessary, take a short, largely home-study refresher course stressing the specialized language of their job. And—who knows?—with their confident understanding of the other language and culture, they might pursue professional rivalries with colleagues of the second language group in a more relaxed vein—say, with merely the brotherly glee of two scorpions in a bottle.

A second reason to develop more bilingualism through the schools is the continuing doubt of most parents and older children about the present effectiveness of second-language teaching. In spite of heartening but isolated progress in the past five years, especially in the schools' teaching of French as a second language, taxpayers and students do not yet see a general breakthrough in graduates' fluency. Efforts toward bilingualism in the federal public service impress very little the parent

who sees his child, like himself thirty years earlier, being crippled in our other official language by ill-adapted teaching—or even by inspired teaching limited to token 20-minute periods. In many an English backlash “Angryphone” lurks a parent outraged to note that his kids will not, after all, get much farther than he beyond *la plume de ma tante*.

A third cause to take stock, paradoxically, is the far greater efforts of both federal and provincial governments since 1970 to give young people a sounder linguistic start. Playing a generous but gingerly detached role, Ottawa has primed the provincial pump for better bilingualism in the schools to the tune of some \$360 million, including formula payments and funds for fellowships, bursaries and exchanges, as well as half the cost of creative, locally initiated “Special Projects”. The provinces, for their part, have shown a new interest in cultivating more intensively the roots of intercultural understanding through regular language programmes and many innovative projects. To monitor and hasten their progress, for example, they worked together last year on a national study of second-language teaching. Now that federal and provincial initiatives have given us a rich array of experiences to compare, it seems wise, before considering a more concerted policy, to try to identify the benefits and drawbacks of some of the approaches tried.

## *2. Despair and Hope on the Linguistic Landscape: Even a Modest Miracle or Two Brings Cheer*

Earlier reports in this series, with escalating alarm, have dumped on the dismal performance of our schools in teaching children even fractured French and pidgin English. This year’s unwelcome sermon will eschew “disasters” and “catastrophes” and speak more serenely of spotty progress and of areas where greater boldness and imagination might not inevitably prove futile.

### *a) More or Less What’s Doing*

Uneven progress in the ten provinces shows up in enrolment figures, time allotted to second-language instruction, and in immersion experiments.

How many young Canadians are getting some chance in school to participate in a bilingual Canada? In Quebec, all kids are, in spite of more or less sincere fears elsewhere that Bill 22 has banned English except for stock market dealings and a few other typical acts between consenting Anglophones. Outside Quebec, one finds a lot of rock

throwers living in glass houses: only about 40 per cent of all students eligible for second-language instruction in elementary and secondary schools are studying French as a second language. True, as last year's report pointed out, things are getting noticeably, though not radically, better at the elementary level. Across Canada, over the past five years, enrolment in French as a second language in elementary schools has risen from 29 per cent to 37 per cent—largely as a result of federal-provincial “Special Projects” grants which allow school boards to offer French in earlier grades.

The big losers among the 60 per cent of English-speaking children not getting even token French are precisely those who, during the next five to ten years, will be entering a labour market in which some knowledge of the two languages will increasingly prove helpful: the high schoolers. In the same past five years, enrolment in French for these young future workers and professionals has not risen at all; it has *fallen* from 55 per cent to 42 per cent. This setback has happened since the adoption of the Official Languages Act. One would have thought the Act's passage should have made it clear that even some modest measure of personal bilingualism might make for a more fulfilling career for many of these graduates with Canada's largest single employer, the Federal Government. It has happened also during the time Ottawa was laddling out \$360 million to get more bilinguals from the provinces' schools.

Last year's report sketched out two of the reasons for this appalling national failure to mesh “federal” and “provincial” goals. First, too many grant-grubbing universities, elbowing each other aside to rope in what one candid recruiter termed “barely warm cadavers” to justify per capita aid, have dropped French and English as entrance prerequisites—indeed have sometimes dropped all pretence of university-level admission standards when it comes to even one language. To plead for reinstatement of some bilingual competence is not élitism or a vestige of Renaissance nostalgia; it is hard common sense in terms of a sensible development of Canada's linguistic resources, her national self-understanding, her participation in world affairs, and the graduates' own personal fulfilment. Second, the universities' cop-out has only aggravated the ill effect of the provinces' tolerance (now thinning, one hopes) for unlimited high school options—an exaggerated freedom for adolescents to choose the easiest or “sexiest” credits to make it over the universities' already low ivy-covered walls. In Ontario, whose large French-speaking population should remind all that the language of Molière and Guy Lafleur has a future, nearly 260,000 more high school students took science voluntarily last year than in 1971; at the same time, over 42,500 fewer kids enrolled in French. Granted, science

may not be easier than French; but if it's proving sexier than French, generations of cherished illusions may be threatened.

In fairness to the universities and some provincial departments of education, one must admit that the Federal Government has scarcely stiffened their backbones (and strengthened the kids' motivation) by declaring, in effect, that it is unnecessary to become bilingual on your own before trying out for an interesting federal job. Parliament's Resolution of June 1973 surely did not aim to discourage the study of second languages, but its impact, in putting unilingual and bilingual candidates for bilingual jobs on the same footing, does remove the immediate advantage which a bilingual, in most other multilingual countries, would plausibly enjoy. This accommodation of unilinguals seems fair, and politically unavoidable, for several more years. Yet the best of tactical intentions here seem to undermine the commanding strategy itself. Even though coherence and economy are not always grand obsessions of governments, we shall suggest later that some basic personal bilingualism might be required of all new officer-grade public servants, by stages, over the next five to ten years.

A second worry grows from the inadequate amount of teaching time allotted by most provinces to second-language instruction. A recent international study of eight countries (not including Canada) indicates that the average student needs about "six or seven years of instruction" of three to five hours a week to achieve "a useful and functional level of competence" in French as a second language. The same study concludes that, beyond considerations of age, the "primary factor in the attainment of proficiency in French (and presumably any foreign language) is the amount of instructional time provided".<sup>2</sup> Even if, in Canadian conditions, French as an official and national language would require deeper bilingual fluency and thus perhaps an earlier start, the amount of formal instruction is plainly a key factor .

How much time are we giving our children to learn French or English as second languages? Too often we are giving them a "core" programme of 20 minutes a day which, for a class of 30, means in theory (assuming the class starts on time and no one hogs the floor) that each child may get 40 seconds a day to practise the funny sounds his usually non-native teacher is trying, with varying authenticity, to convey to him. Such tokenism, and probably anything less than 50 minutes a day per class, is likely not only to be futile; it may be counter-productive, for the children's frustrated expectancy of becoming fluent in another language tends to turn them right off French or English either as subjects or languages.

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<sup>2</sup> John B. Carroll, *The Teaching of French as a Foreign Language in Eight Countries*, (Toronto, 1975), pp. 275-76.

In the past five years, only four provinces (Newfoundland, Quebec, Manitoba and British Columbia) have increased the average time allotted to second-language instruction at both elementary and secondary levels. And even in these provinces the average young person is getting at most half the time thought necessary to achieve the less obvious minimal needs of several unilingual countries. As a New Brunswick report pointed out in 1973, seven "years" of second-language study mean nothing unless the total number of minutes per day is high enough to take the student to a linguistic take-off point. This lesson is known to all provinces, but their shrinking budgets can do little, it seems, to correct the weakness. Until the time devoted to "core" second-language instruction, apart from special extended or immersion courses, is greatly increased (usually at least doubled or tripled), Canadian parents should not expect their children to attain any reasonable fluency in the second tongue. Even if cultural, as opposed to primarily linguistic goals, are deemed paramount in such teaching, the present frequently symbolic effort seems dangerous: no child can respect a culture, or wish to know better a cultural community, whose language is not more respected by his school authorities.

Against the sombre picture of low enrolment in French as a second language and of inadequate time to learn, one should place Canada's tentative, but very encouraging, experiments in immersion classes. No doubt the pilot immersion schemes spreading across the country raise some practical problems: long-term federal-provincial funding, development of new curricula for the years following kindergarten, mobility of students and teachers between school boards and even provinces, recruitment and training of teachers, and preparation of suitable motivational and instructional materials. For some French-speaking children in bilingual areas effectively dominated by the English language, immersion in English may also present the danger of accelerated assimilation.

But preliminary evidence suggests that immersion in the second language can offer valuable advantages. First, of course, it seems to produce children relatively devoid of cultural prejudice and with a fluency both useful and spontaneous. And for the young perhaps still more than the old, usefulness and a joyful naturalness seem crucial to motivation. Second, some researchers have found that bilingual children, when tested, show evidence of greater "cognitive flexibility" (a fancy term for playing Hamlet well?) than their unilingual peers. While awaiting further long-term research to confirm this, it is already clear that immersion in a second tongue does not usually harm a child's native language skills, impede his progress in subject areas such as mathematics or social studies, or retard the child's cognitive, social or

personality development. If French immersion starts in kindergarten, most English-speaking children seem to at least catch up with their unilingual English-speaking peers in English, and in English-language tests on other subjects, by the end of Grade 4.

During 1976, a number of significant studies will be published in Canada on this matter, notably on the large-scale three-year immersion experiment funded by the federal and Ontario governments in Ottawa. Yet already the enthusiasm of pupils, teachers and parents, as well as early academic results, suggest that immersion, where the first official language is secure outside the school, is one of the obvious patterns the provinces should develop and Ottawa fund more systematically. If we're going to tell the kids some day to sink or swim in a more bilingual labour market, we really ought to encourage them to get a little more than their feet wet right now.<sup>3</sup>

b) *A Few Things Nearly Everybody Would Like to Happen*

Both the weaknesses in enrolment and teaching time and early success in immersion point to three areas where intensified interprovincial and federal-provincial cooperation could pay off. Motivation, first, seems the single most decisive factor in a student's openness to learning—even more important, in some cases, than aptitude. We learn what we want to learn. Getting kids to want to learn another language means instilling in them a wish to communicate with members of the second-language community. It means convincing them that learning can be fun, and probably, if one may blaspheme against academe, explaining that the second language will prove useful.<sup>4</sup>

Teacher training also needs more attention. As the remarkable report of the Ministerial Committee on the Teaching of French in Ontario pointed out: there is "an immediate need for more teachers who are fluent in French. To integrate the Regular Program into the curriculum, dual qualifications are invaluable. To staff Extended and Immersion Programs, teachers will be required who are competent practitioners in areas such as mathematics, science or geography, and who

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<sup>3</sup> The Federal Government announced in February 1976 its decision to cease its already extended funding (from two to three years) of the immersion project in the national capital. Everyone concerned, however, seems to recognize that the pedagogical lessons and momentum of hope resulting from this project must not be lost in arguments over the constitutional plumbing.

<sup>4</sup> These are goals the provinces have already recognized in cooperating with this office in the creation and distribution of a bilingual adventure kit called *Oh! Canada*. Developed for elementary school children, the kit has gone out in 550,000 copies. The provinces are offering the same generous advice in the preparation of a more sophisticated follow-up kit for high school students.

can teach this subject in French as well as English.”<sup>5</sup> These, of course, are rare and difficult qualifications. But we might begin to meet them, for significant numbers of teachers, if the Council of Ministers of Education, Canada, considered, among other things, the following: an aggressive campaign to publicize the need for teachers able to teach French, and especially to teach other subjects in French; and much better interprovincial cooperation on teacher training and certification standards to make exchanges and transfers of teachers between provinces easier.

A third area where progress looks possible without breaking the bank is that of curriculum, teaching materials and evaluation. Even the passing observer of schools in different parts of Canada cannot fail to be dismayed at the compartmentalization of effort in these fields, not only between provinces but between school boards of individual provinces. In nearly every province, educators are making imaginative attempts to develop good programmes, methods and materials. All too often their neighbours are unaware of these discoveries, with the result that Canadian pedagogues spend enormous energies reinventing linguistic wheels: a splendid series of readers by the Edmonton Catholic School Board, just to take one of many fine examples, is apparently as unknown elsewhere as next year’s Grey Cup game plan of the Edmonton Eskimos. At very little cost, the new information centre on second-language teaching proposed, then dropped for budgetary reasons, by the Council of Ministers of Education, could allow teachers to share a wealth of learning aids to loosen the tongues of millions of kids. Let each of us pray, in the official language of his choice, that this centre will get off the ground and that those in charge will opt for activism over archivism.

### *3. Fear Not the Orwellian Rendezvous: a Bilingual New Deal Without Newspeak or Even New Money*

How can the Federal Government translate the lessons of recent years into a reform preventing instant, and constant, replays of Montreal-Toronto hockey hassles in the next generation’s public service? Massive new injections of money, the austerity-squeezed taxpayer may be relieved to hear, do not seem the answer. We should be able to score the right goals by making a gradual, accelerating shift in spending on public servants to heavier investment in school children broadly within the total federal bilingualism budget of today.

That will not of course delight those who see one dollar for bilingualism as three dollars too many; and it may not even reassure

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<sup>5</sup> This report is generally known as the Gillin Report, after its chairman Mr. Robert C. Gillin.

those who merely hope this worthy cause does not lead us all to bankruptcy. But it would show a more than perfunctory concern for the temper of our economic times. Indeed, with realistic planning, it could be done without demolishing the still-necessary short-term push to enable the government to respect, right now, citizen's rights under the Official Languages Act.

Such planning would seek to siphon off for the provincial schools substantial savings in federal pedagogical procedures: through toughening up "diagnostic" pre-screening (which at some stage should be fair to taxpayers as well as candidates) to exclude many of the 20 to 25 per cent of public servants who appear unable to learn a usable brand of the second language; through adopting cheaper, faster teaching methods now being developed; and through eliminating "double-banking" salaries for replacement staff in cases where full-time language training seems likely to be needed for less than six months. If the Government shows the Victoria Cross boldness needed to deny language training to the one in four of its employees who is demonstrably incapable of learning another language, and if its pedagogical whiz kids really do pull off time- and money-saving miracles, we should be able, just barely, to fund the scheme for the schools set out below within an urgent, but not grotesquely optimistic, time-table. Indeed in a long perspective, by screwing up its courage on this youth option, the Government has a fine, and possibly final, chance to avoid screwing up the credibility of "bilingualism" in general.

What we need still more than immediate money, however, is a clear policy for the next ten to twenty years. Such a policy should seek to invest our taxpayers' money much more in changing the human realities of 1986 and 1996 and less in accommodating, often in panic-stricken reaction, the human realities of 1976. It would rest on the already fruitful role played by the Department of the Secretary of State, and on intensified cooperation between that Department and the provinces, whose experience, goodwill and constitutional authority make their participation crucial.

A plan for the next generation might rest on four principles, and develop three well-tested federal-provincial programmes which respect both the provinces' and Ottawa's wish for better intercultural understanding and more fluent language learning.

The first principle is a deliberate shift from the short-term emphasis on more or less bilingualizing middle- and high-ranking civil servants to a long-term emphasis on giving basic training in the second language (and culture) to the next generation of federal employees before they leave high school. This might mean a gradual phasing out of basic language training for federal employees over the next five to ten years in favour of much shorter, cheaper job-related upgrading courses where

needed. The logical foundation for this cutback would be a reasonable minimum standard of individual bilingualism as a desirable goal (or if the taxpayers want it, a prerequisite) for all young graduating candidates for federal jobs stipulating a university degree after, say, 1986. Such a decision, which could start being implemented progressively as early as 1981 for diplomatic, trade and aid officer-candidates, would respect the rights of public servants having joined the Government even fifteen to twenty years after the April 1966 "Pearson pledge" of special protection for unilinguals. It would also add an element of utilitarian motivation now missing from federal hiring policy: high school students, and parents of elementary school pupils, would be served clear and ample notice that personal bilingualism would actually be useful.

Even now, five to ten years before making bilingualism a desirable goal (or a prerequisite) for those seeking officer-level government jobs, Ottawa, with the advice and help of the Council of Ministers of Education, should publicize widely in the universities and high schools the advantages, for students thinking of federal jobs, of gaining a sound basis in the second tongue. Such publicity could buttress the motivation of these young people, speed up Ottawa's bilingual reform, and possibly save the taxpayers worthwhile sums by offering self-made bilingual competition winners a once-only compensation of \$1,000 as a Language Training Compensation Bonus. This interim incentive would cost about one-tenth the price of adult basic training, and would be paid only until 1986 when the above-proposed bilingualism entry terms could become the practical incentive.

With these arrangements, taxpayers could get a much better payoff for their national investment in "bilingualism"; we could reduce, in time, the degree of linguistic prejudice still contaminating the public service; and Parliament's extremely generous, and necessary, concessions to unilinguals in its Resolution of June 1973 could be seen in their proper light of a transitional accommodation instead of a political and fiscal treadmill.

Second, the Federal Government, having made this decision to change from linguistic fireman to linguistic farmer, would make an irreversible ten-year commitment to back the provinces' emerging interest in realistic language training with high Canadian-culture content. At present, two of the most promising federal-provincial programmes, the Summer Language Bursary Programme and the Second-Language Monitor Programme, live a precarious year-to-year existence outside Ottawa's five-year general language grant programme. A third activity, the Special Projects scheme, although funded from this five-year budget, normally limits its 50-50 project funding to the duration of the current federal-provincial agreement on bilingualism. The provinces, once bitten, twice shy, recall shared-cost programmes in other areas where

Ottawa entered a provincial jurisdiction with bags of money only to depart leaving the provinces holding the bag of heightened public expectation. Consequently, most of the provinces are uneasy about the danger of federal "in-and-out" tactics whose results the provinces must defend to irate parents when popular programmes get cut. A ten-year commitment by Ottawa should reassure the provinces that it intends no longer to practise this unfulfilling art of constitutional love 'em and leave 'em. It might even make it easier for them to make parallel longer-term commitments.

A third principle favouring a stauncher federal leadership would call on the generosity, indeed political common sense, of the provinces. Not for gigantic new sums of money—although it would be consistent with the provinces' interest in better second-language teaching for them to match a longer federal commitment with more than rhetorical contributions. The two areas where the provinces could most easily make a longer commitment more feasible for Ottawa touch on political credit and pedagogical evaluation. Until now, most provinces, in omitting to tell their people that virtually all the extra money for bilingualism in the schools comes from the feds, are not sinning by a gross excess of fair play, or even of realism: no Secretary of State can be expected gleefully to advocate large new commitments if (politicians being politicians) the recipients of his largesse regularly forget to mention his department's or his government's name in local publicity. Moving from grandstanding to understanding, it would also seem helpful to any federal government, in defending before Parliament major reallocations of resources, to receive far more specific evaluations than the provinces now give Ottawa of the classroom impact of federal cash. Such assessments, preferably enabling interprovincial comparisons, need not usurp the provinces' exclusive powers in education; they could still be done unilaterally by each province. But more precise evaluations would give Ottawa more powerful ammunition to convince Parliament and federal taxpayers that its seed money is not, as villainous and uncontrollable legend has it, going to pave roads.

Perhaps, in developing such a smoother flow of publicity and data, the provinces would find merit in assigning a stronger executive role to the Secretariat of the interprovincial Council of Ministers of Education. No doubt the final word on any programme must rest with each province, but this small office in Toronto has proven itself a reliable and authoritative interlocutor for consultations on education matters, notably on different provincial approaches to bilingualism. Since the Ministers meet only two or three times a year, they could at least, in delegating a little more authority to their Council servants, be able to mau mau more constantly the federal bureaucrats they now

sometimes suspect of trying to run too much of the bilingualism business.

Finally, as a fourth guideline, Ottawa might recall that negative attitudes in its public service might be diminished over the long haul by backing the provinces' own hopes for improving cultural attitudes as much as language training. Thus the Federal Government should not hesitate to state its own preference for second-language instruction linked to exchanges. Earlier reports in this series have proposed or plagiarized many such schemes, from summer camps and job exchanges to cheaper travel, monitors and twinned classes of English- and French-speaking young people. As of now, we should begin to expand greatly, and for less money than current public service efforts for adults cost, the following three programmes cited earlier.

One of the biggest per-dollar payoffs in terms of opened minds and easier fluency comes from the Interprovincial Second-Language Monitor Programme. Now in its third "experimental" year, this programme allows post-secondary students to earn a year of university studies in another province by assisting elementary and secondary school students (in Quebec, and New Brunswick university students) in the host province with pronunciation and conversation for six to eight hours a week. This the monitors do under the direction of pedagogically qualified but not always fluent second-language teachers.

The programme has proven culturally mind-boggling for all concerned—students, teachers and monitors themselves—and a valuable aid to linguistic motivation. Yet in 1975, federal funding, albeit generous and farsighted to start with, was dramatically overtaken by demand, even though the programme is very modestly publicized: out of 2,800 applications, only 432 could be funded. Doubling this programme to 800 monitors in 1976-77 would require only \$2,400,000 in award costs. Thereafter, with some changes outlined below, the number of monitors could usefully be doubled year by year until it reaches at least 5,000 by 1980 at an award cost (variable with inflation, one sombrely guesses), of about \$15 million a year. Only with such numbers will we even be starting to take the measure of the challenge for our children. And we can do this readily without extra funding by transferring money saved from the suggested gradual phase-out of basic language training for public servants.

The following refinements in this programme, which the provinces all like, seem desirable: provision for monitor exchanges within the same province between English and French schools; openings in rural areas for monitors writing theses or doing supervised reading; room, without taking jobs from teachers, for full-time monitors; and a decision by Quebec and New Brunswick to allow monitors, on a reciprocal

basis, into schools below the university level. The last two changes would pose union problems, but in the children's interest it is probably time these were faced.

A second undeniable bargain is the long-established Summer Bursary Programme. This plan enables post-secondary students 16 years of age and over to take a six-week immersion course in their second official language, usually in another province. Again, demand wildly outstrips present funding in spite of poor publicity: in Quebec alone, the Department of Education received 8,000 applications last year for 1,800 places; and in the other provinces the story was similar if not quite as striking.

Even while holding the 1976 total of bursaries to last year's figure of 5,000 to respect the anti-inflation fight, it would be profitable to double the present basic yearly investment of \$3.4 million in 1977, and thereafter expand the programme by stages to reach at least 18,000 places by 1979-80. Without adding unpredictable inflation, a programme of this order would cost about \$13.5 million a year for award costs—just over one quarter the amount Ottawa allocated, in 1974-75, to “double-banking” money for public servants on language training. With opportunities on such a realistic scale, at least 155,000 potential public servants would have had a serious look at the other language and culture by 1985.

Not all of these, the taxpayers will hope, would join the Federal Government. But enough would to give quite a happier complexion to the whole generation of young federal employees after the next decade. When one thinks of the anguish and teeth-gnashing we have come to consider endemic to language matters in the public service, the savings in tranquilizers alone should convince at least the Minister of National Health and Welfare it was somehow worthwhile. As for those bursars who preferred to eschew Ottawa's bureaucratic *dolce vita*, one can merely trust that they would think of bilingualism more often in terms of payoff than of rip-off.<sup>6</sup>

The third programme to stress is the Special Projects scheme. Special projects are meant to stimulate creativity in second-language and minority-language learning, not indefinitely to fund established programmes. Projects proposed to the Secretary of State's Department must enjoy backing (normally 50 per cent funding) from the province's department of education, be innovative, and offer serious hope of permanent funding from within the province. This pump-priming ap-

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<sup>6</sup> Even while respecting, indeed pretending to follow, the Government's desire for thriftiness, one can still regret that such programmes as the Young Voyageurs have recently been cancelled. Likewise the rather slight increase in the coming year for the Summer Language Bursary and the Interprovincial Second-Language Monitor programmes does not lead one to rejoice at the Government's possibly penny-wise attitude towards the youth option.

proach by Ottawa gets federal taxpayers a high return in imaginative experiments for their children, with a built-in cut-off date. Further, it fully respects, indeed encourages, local initiative—often essential to developing well-adapted methods.

Any expansion in this programme would no doubt have to offer a proportionately higher federal contribution—perhaps up to 80 per cent—to poorer provinces. But the arrangement seems sound in principle, and even before an initial phase-out of basic language training for federal employees after 1979, this programme could profitably be doubled to about 22 million dollars. These extra costs would be roughly what the PSC language bureau could save each year by tightening up diagnostic tests and shortening teaching time.

\* \* \* \* \*

These, then, are a few ideas to help federal taxpayers become more and more linguistic investors and less and less linguistic spenders. Naturally, the precise finances, programme content and timing of such a shift in emphasis will need the tender attention of politician-planners in both Ottawa and the provinces.

Most of the preceding represents an exercise in stating the obvious. Thousands of “average” Canadians have been saying for years that the long-term answers to our public service language tensions lie mainly in the schools. In recognizing this popular wisdom far more in its already solid help to the provinces, the Government need not fear accusations of pursuing a caricatured Mackenzie King technique of leadership—determining which way the sheep are running, then dashing in front of them. Putting the language priority on our children instead of on public servants would merely be a nice little democratic admission that the people are not always wrong. And, perhaps a reminder it was a child who first saw through the emperor’s new clothes.

## Chapter II

### THE SUMMING UP: GOOD, BAD AND INDIFFERENT

Passing now from crude opinion to a raw fact or two, we delve here again into details of the Government's performance in making the Official Languages Act work. Not all those we criticize find such probings endearing. But knowing that whenever some fragile evidence allows we try to congratulate as well as condemn, a few whose toes feel trod upon may actually come to believe our propaganda: we wish to be fair. If not glimpsing fairness in some judgments, they will perceive at least an effort to respect the dignity of inevitable victims. Our ideal, some may have guessed, is to frame our fulminations in terms which let the wounded smile a little as the knife appears to turn, if only because it makes them scheme to shove the shiv to us.

One of last year's innovations was a comparative performance chart on some 35 institutions. We offer a second bash at these linguistic batting averages, showing at a glance which departments we think are playing ball and which are playing other games. This year, however, moving with the times, we shift from gastronomic to Olympic standards. The switch in imagery does little, no doubt, to authenticate the rather frantic concern for cost-benefit payoff stimulated in Chapter I. But surely gymnastics counteracts gourmandizing rather nicely, perhaps even obliquely meeting the public's hope to trim some fat from Government.

After the Olympics, the deluge . . . of data on department-by-department readouts. Again a pretentiously unpretentious "evaluation" of each of 32 departments' and agencies' progress appears in italics. In many cases there follows a drastically shortened, but probably revealing enough, summary of supporting evidence. The chapter ends with brief reports on 14 other institutions for which available information seemed too scanty to justify an assessment.

But first, a little gossip from our office's two operational services: Special Studies, which carries out the preventive medicine role squeezed from the notion of initiative; and Complaints, the ombudsman function.

## A. OUR WAYS OF APPEARING TO WORK

### 1. *Special Studies: The Blind Leading the Bland?*

Past reports in this series have outlined in depressing detail the purpose and methods of our "special studies." To avoid falling into the trap of reform by pin-pricks lasting a century or two, the Commissioner decided in 1970 to interpret in an activist "preventive medicine" way the word "initiative" dangled inoffensively before him in Section 25 of the Official Languages Act. Talks with the four political parties confirmed that this approach might save time and, eventually, money.

Since then, about two thirds of our officer staff have been helping departments through consultative reform. By working with department specialists to mesh the idea of linguistic equality realistically with the technical vocation of each department or agency, we have tried to deal with some 41 institutions in 71 distinct studies as non-partisan allies (a little impatient, of course) to achieve together Parliament's wishes. The resulting nuts-and-bolts blueprints have indeed not only helped many of these institutions to spell out in practical terms the Act's meaning for them, they have also offered Parliament a catalogue of fairly precise recommendations enabling Members and Senators to measure, in line with specific target dates and our annual follow-up reports, the progress or lethargy of individual institutions.

This year, since we hope our *modus operandi* is no longer a mystery—at least to our ally—"victims"—it may be enough to complain about one general weakness in the Government's reaction to our work. This weakness is the costly (in time, money and credibility) compartmentalization of the Government's efforts to understand and apply our recommendations, its apparent inability to ensure that one department can learn from another department's demonstrated mistakes or successes.

Our study teams bring to the 150 odd federal departments and agencies a simple and recurring message: soundly planned, practical linguistic reform is urgent and, if done with common sense and humanity, it can help the institution perform its primary vocational role more effectively. Some 41 organizations have been the happy, or unhappy, recipients of that message, conveyed not only verbally during interviews but in resulting reports and recommendations. Lurking within us for a long time was the hope, perhaps naive, that, in this age of easy communications, repetition of the message to so many people and institutions would cause it to spread to departments and agencies we had yet to contact. We hoped, then, that we could have to draw up

fewer of at least the obvious recommendations in successive studies, and record greater compliance.

We never cease to be amazed, however, at the almost total lack of evidence of any such carry-over from one department to another. Instead of increasingly running up against well-briefed bureaucrats who have learned that a zealous practicality makes good business sense for them, our teams keep getting the feeling that those they interview are hearing it all for the first time. While many of them have had brushes with the Treasury Board's numbingly detailed directives on bilingualism, few if any seem to have given thought to what the Official Languages Act really and comprehensively requires them to do. Frequently some activity has already taken place before we arrive on the scene, but this is usually limited to simple tangibles such as signs, forms and publications. Apart from that kind of near-tokenism, it often seems as though the Act had never existed.

This grumbling is not all the sour grapes of nitpickers whose tedious little monographs lie somewhere in well-deserved obscurity. Not only have study reports and recommendations gone out confidentially over the years to a large number of federal institutions; the recommendations resulting from all the studies have appeared verbatim in these published annual reports. From even cursory review of these public summaries one could, with little effort, distil coherent interpretations, principles and actions that could be applied and adopted by almost any Federal Government body. Where recommendations gave rise to doubt or perplexity, our staff would be flattered giddy to make available whatever knowledge and experience they could marshal from their contacts with dozens of other departments and agencies cleverly inventing or reinventing linguistic wheels in their usually undiscovered (worse, unimagined) corner.

There is no need for this wasteful passiveness in so many departments. The coordinating leadership, which the Privy Council Office took up briefly but usefully last spring, needs to be assumed far more vigorously by the Treasury Board. First, the Board could tell departments that it is certainly not ungentlemanly to read other gentlemen's mail as found in these reports. Second, the Board could no doubt do the taxpayers a favour by dusting off the copies of our 71 special study reports and using a few more of our roughly 2,500 recommendations as leverage to get their client-departments moving. It's not that these special studies are works of genius. They are, however, for lack of better, and with all their faults, about the most simple and practical stuff around—at least so say many departments.

Some may sense here the frustrations of would-be activist authors who realize their ingenious little heresies, as far as the Government's

central policy makers are concerned, are only going to garnish the shelves of the National Archives. Those guessing this would be perfectly right.

TABLE 1. Special Studies by the Office of the Commissioner of Official Languages

Study	Launched	Completion Date
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—Canadian Forces Base—Uplands	18/ 2/71	1971-72
Department of Public Works—Ottawa	8/ 3/71	1971-72
Department of Manpower and Immigration—Montreal	15/ 3/71	1971-72
Department of Public Works—Winnipeg	22/ 4/71	1971-72
Department of Manpower and Immigration—Winnipeg	22/ 4/71	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	Signs in National Capital Region 1971-72
National Research Council of Canada	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 Manpower and Immigration—Ottawa-Hull	2/ 5/71	1971-72
Department of External Affairs	12/ 5/71	1971-72
Department of Industry, Trade and Commerce	12/ 5/71	Canadian Representation Abroad 1971-72
Department of Manpower and Immigration	12/ 5/71	1971-72
Department of Indian Affairs and Northern Development (National and Historic Parks)	21/ 5/71	1971-72
Central Mortgage and Housing Corporation	26/ 6/71	1971-72
Air Canada—London and Paris	9/ 8/71	1971-72
Farm Credit Corporation	21/ 9/71	1971-72
Air Canada	19/12/71	1971-72
Department of the Environment (Atmospheric Environment Service)	12/ 1/71	1971-72
Department of National Revenue (Customs and Excise)	17/12/71	1972-73
Statistics Canada—1976 Census	27/ 3/72	1972-73
Canadian National Railways	30/ 3/72	1972-73
Office of the Chief Electoral Officer	21/ 4/72	1972-73
Department of Indian Affairs and Northern Development (Canals)	15/ 5/72	1972-73

TABLE 1. Special Studies by the Office of the Commissioner of Official Languages

Study	Launched	Completion Date
Department of National Revenue	12/ 6/72	} Moncton 1972-73
Post Office Department	12/ 6/72	
Unemployment Insurance Commission	12/ 6/72	
Department of Agriculture	12/ 6/72	
Department of the Environment	12/ 6/72	
Department of National Health and Welfare	12/ 6/72	
Department of Manpower and Immigration	13/ 6/72	
Air Canada	13/ 6/72	
Canadian National Railways	14/ 6/72	1972-73
Department of the Secretary of State— Translation Bureau	19/ 6/72	1972-73
Department of National Revenue (Taxation)	28/ 6/72	1972-73
Department of National Health and Welfare (Welfare Component)	25/10/72	1972-73
Post Office Department	27/10/72	1972-73
National Library	23/11/72	1972-73
National Arts Centre	6/12/72	1972-73
Treasury Board Secretariat	26/ 1/73	1972-73
Unemployment Insurance Commission	11/12/73	1973
Public Service Commission	3/ 3/73	1974
Department of Public Works	23/ 8/73	1974
Ministry of Transport—Canadian Air Transportation Administration	27/ 9/73	1974
Canadian Transport Commission	2/11/72	1974
Royal Canadian Mounted Police	26/11/73	1974
Department of National Health and Welfare (Health Component)	7/ 2/74	1974
National Energy Board	21/ 2/74	1974
St. Lawrence Seaway Authority	2/ 5/74	1975
Department of Consumer and Corporate Affairs	13/ 6/74	1975
Language Use Survey (preparatory phase)	11/ 7/74	1974
Canadian Broadcasting Corporation	12/ 7/74	1975
Department of Agriculture	14/ 8/74	1976
Department of Industry, Trade and Commerce	14/ 8/74	1975
Canadian International Development Agency	1/11/74	1975
Ministry of State for Science and Technology	17/ 3/75	1975
Language Use Survey (proper)	11/ 7/74	1975
Department of Communications	17/10/74	1976
Department of Justice	20/11/75	1976

## 2. *Complaints: Little Things Mean a Lot . . .*

For those who have not given up hope of one day seeing the principles embodied in the Official Languages Act become a reality, lodging a complaint is still one useful way of obtaining tangible reform. Although often the expression of quite understandable exasperation, complaints are nevertheless more than mere fleeting protests: in most

cases, they enable the departments and agencies cited to take lasting measures to promote the idea of equality of English and French in federal institutions.

“Increase in number of complaints received”, “Growing interest in language-of-work aspect”, “Official-language headache in Canadian skies”, “Battle stations taken in Ontario”—such might be the headlines for a year full of activity and budding with the promise of happier tomorrows . . . in both official languages.

a) *For Impatient Devotees: A Summarized but Unexpurgated Version*

Readers who used to pounce with morbid delight on our endless summaries of complaints may be disappointed this time: the *Psychopathia Sexualis* of bilingualism is limited, this year, to a few selected cases.

Our desire to take part—in our own small way—in the anti-inflation crusade does not alone explain this sudden taste for temperance. As a matter of fact, we wanted to eliminate from our collection of formulae for linguistic exorcism all those complaints which added nothing new to the files presented in our first four annual reports. It was inevitable that, from one year to the next, the situations brought to our attention would begin to show similarities. In this report, we thus outline only the most significant complaints—those meeting one or more of the following criteria:

- 1) the complaint revealed a new type of infringement;
- 2) in settling the complaint, a novel solution was found which might serve as an example for other federal departments or agencies;
- 3) on the contrary, the complaint brought to light certain difficulties in implementing the Act;
- 4) the complaint made it possible to settle an especially delicate situation directly involving the interests of an individual or a group;
- 5) following investigation of the complaint, it was necessary to formulate recommendations or suggestions that might clarify the interpretation of some point in the Act.

However, before dissecting—in the section following our Olympic, but not Olympian, classification of institutions—the fifty or so cases selected in this way (out of 830 files closed), let us review highlights of the activities of the Complaints Service during 1975.<sup>1</sup>

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<sup>1</sup> Members of Parliament and interested citizens may obtain on request information they might need concerning files closed during the year, except for complainants' names, which are privileged by law.

b) *A Never-ending Stream*

Sometimes torn but rarely tired, federal departments and agencies continue prolificly to find new ways of infringing the Official Languages Act. Nor were our complainants idle in 1975. During our first four years we received, on the average, close to 62 complaints a month. Last year this figure rose to 75.5 (Table 1).

TABLE 1. Files Opened, Closed and Still Active

	1970-74 (57 months)	1975	Total
Opened	3,524	906	4,430
Closed	3,151	830*	3,981
Still active on January 1, 1976			449**

\*Includes 512 of the 906 files opened in 1975 and 318 files opened previously.

\*\*Includes 394 of the 906 files opened in 1975 and 55 files opened previously.

However, for the twenty-one-month period covered by the *Fourth Annual Report*, the average was even higher—78 complaints a month. It is obviously too soon to be able to talk of reaching a ceiling, a possible preliminary indication of a decrease in the number of complaints, but we can hope (although this might force us to find another pretext to justify our existence) that in the long run, the more or less satisfactory progress made by federal institutions will bring about a gradual reduction in the number of complaints submitted to us.

Table 2 indicates that out of 906 complaints received in 1975, 761 concerned federal institutions. While our mandate is limited to these institutions, we usually try to lend a hand to those who think (sometimes rightly) they're getting a rough deal in linguistic service from a province, municipality, union, private enterprise or even foreign government. Although our intervention in these cases is unofficial (usually a simple referral to the appropriate authorities), complaints do often get results.

TABLE 2. Files Opened in 1975

Complaints concerning specific federal institutions	761	(84%)*
Complaints not concerning specific federal institutions	145	(16%)
	906	(100%)

\*Rounded percentages in this and subsequent tables.

TABLE 3. Language of Complainants

	1970-74 (57 months)		1975	
French	2,770	(79%)	786	(87%)
English	754	(21%)	120	(13%)
	3,524	(100%)	906	(100%)

Continuing a trend that was apparent in 1973 and 1974, the number of French-speaking complainants again rose in comparison with the number of Anglophones submitting complaints. This is, of course, no great surprise (Table 3).

TABLE 4. Methods of Submitting Complaints

	1970-74 (57 months)		1975	
By letter	2,614	(74%)	706	(78%)
By telephone	645	(18%)	148	(16%)
In person	91	(3%)	9	(1%)
By referral	98	(3%)	14	(2%)
Other means (telegram, newspaper, note, and so forth)	76	(2%)	29	(3%)
	3,524	(100%)	906	(100%)

TABLE 5. Origin of Complaints

	1970-74 (57 months)		1975		Total	
		%		%		%
Newfoundland	9	0.3	0	—	9	0.2
Prince Edward Island	20	0.6	0	—	20	0.5
Nova Scotia	64	1.8	9	1.0	73	1.7
New Brunswick	166	4.7	22	2.4	188	4.2
Quebec	913	25.9	314	34.7	1,227	27.7
Ontario	1,611	45.7	461	50.9	2,072	46.8
Manitoba	258	7.3	21	2.3	279	6.3
Saskatchewan	124	3.5	15	1.7	139	3.1
Alberta	246	7.0	36	3.9	282	6.4
British Columbia	85	2.4	20	2.2	105	2.3
Yukon and Northwest Territories	4	0.1	1	0.1	5	0.1
Other countries	24	0.7	7	0.8	31	0.7
	3,524	100.0	906	100.0	4,430	100.0

Although we continue to receive complaints from areas throughout the country and even from abroad, once again this year Ontario and Quebec furnished the largest contingents of complainants (more than 85 per cent of all cases brought to our attention came from these two provinces—which do, admittedly, harbour that serene little hotbed of bilingualism called the National Capital Region).

TABLE 6. Nature of Complaints Concerning Specific Federal Institutions—1975

Language of Service	578	(76%)
Language of Work	154	(20%)
Other	29*	(4%)
	761	(100%)

\* Complaints not formally investigated under the Official Languages Act.

While language of service still provides grist for the mills of most of our complainants (Table 6), it is possible to note a very clear upswing in the number of complaints concerning language of work or of internal communication (the percentage has almost doubled, going from 12 per cent to 20 per cent since last year). The increased interest shown by federal employees in this fundamental dimension of linguistic equality stems, no doubt, from the fact that many faithful servants of the state now have a better idea of what the concept of equal status for both official languages means in concrete terms in their own work setting. The stir caused by the Treasury Board's not always successful attempts to improve the status of French as a language of internal communication in the public service may also have attracted the attention of the public and especially of federal employees.

Our complainants' main "victims" (see Table 7) are the same from one year to the next. Air Canada, CN, the Public Service Commission, the Post Office Department, National Defence, Manpower and Immigration and the Ministry of Transport continue as the few who seem to owe so much to so many. We should remember, however, just to keep things in perspective, that the volume of complaints received depends in large part on, among other things, the frequency of each institution's contact with its clientele. The section of this report which pretends to assess the performance of some thirty federal institutions will have more to say on the not always frightful linguistic practices of these star offenders.

TABLE 7. Federal Institutions Cited in Complaints

	1970-74 (57 months)	1975	Total
Agriculture	29	18	47
Air Canada	226	63	289
Atomic Energy of Canada Ltd.	4	2	6
Auditor General	3	2	5
Bank of Canada	5	3	8
Canada Council	0	5	5
Canadian Broadcasting Corporation	252	22	274
Canadian Consumer Council	1	0	1
Canadian Film Development Corporation	1	0	1
Canadian Government Photo Centre	0	1	1
Canadian International Development Agency	12	4	16
Canadian Livestock Feed Board	1	0	1
Canadian National Railways	177	35	212
Canadian Overseas Telecommunications Corporation	1	0	1
Canadian Pension Commission	3	1	4
Canadian Radio-Television Commission	9	3	12
Canadian Transport Commission	5	1	6
Canadian Wheat Board	3	0	3
Central Mortgage and Housing Corporation	14	7	21
Chief Electoral Officer	35	0	35
Commissioner of Official Languages Communications	6	0	6
Company of Young Canadians	33	8	41
Consumer and Corporate Affairs	1	0	1
Crown Assets Disposal Corporation	23	5	28
Defence Construction (1951) Ltd.	2	3	5
Economic Council of Canada	3	0	3
Energy, Mines and Resources	2	0	2
Energy Supplies Allocation Board	25	7	32
Environment	0	1	1
External Affairs	65	18	83
Farm Credit Corporation	41	14	55
Federal Court	2	0	2
Federal Business Development Bank	3	0	3
Federal Electoral Boundaries Commission for Ontario	0	1	1
Finance	1	2	3
Food Prices Review Board	4	3	7
Governor General	1	2	3
Indian Affairs and Northern Development	2	1	3
Industry, Trade and Commerce	49	20	69
Information Canada	27	3	30
Insurance (Department of)	35	8	43
Joint Parliamentary Committee on the Constitution	3	0	3
Justice	2	0	2
Labour	8	5	13
Library of Parliament	9	8	17
Manpower and Immigration	0	2	2
Medical Research Council	253	40	293
Metric Commission	1	0	1
	2	2	4

TABLE 7. Federal Institutions Cited in Complaints

	1970-74 (57 months)	1975	Total
Ministers' Offices	1	0	1
National Arts Centre	15	3	18
National Capital Commission	42	14	56
National Defence	143	41	184
National Film Board	8	6	14
National Harbours Board	3	2	5
National Health and Welfare	63	20	83
Health Component		13	
Welfare Component		6	
Services shared by both components		1	
National Library	8	4	12
National Museums	30	12	42
National Research Council of Canada	25	4	29
National Revenue—Customs and Excise	74	29	103
National Revenue—Taxation	87	27	114
Northern Canada Power Commission	2	0	2
Northern Transportation Co. Ltd.	2	0	2
Northwest Territorial Government	0	1	1
Office of the Prime Minister (PMO)	1	0	1
Olympic Coins 1976	1	0	1
Parliament	43	11	54
Polymer (Polysar)	2	0	2
Post Office	262	64	326
Privy Council Office	2	1	3
Public Archives	8	2	10
Public Service Commission	145	31	176
Public Works	52	8	60
Regional Economic Expansion	18	2	20
Royal Canadian Mint	5	0	5
St. Lawrence Seaway Authority	3	0	3
Science Council of Canada	5	0	5
Science and Technology	2	0	2
Seaway International Bridge Corporation Limited	0	1	1
Secretary of State	71	28	99
Solicitor General	1	3	4
(1) Royal Canadian Mounted Police	63	8	71
(2) Canadian Penitentiary Service	24	0	24
(3) National Parole Board	11	1	12
Statistics Canada	98	11	109
Supply and Services	51	22	73
Supreme Court of Canada	1	2	3
Tax Review Board	1	2	3
Transport	123	43	166
Treasury Board	23	8	31
Unemployment Insurance Commission	66	23	89
Urban Affairs	3	3	6
Veterans Affairs	18	4	22
Yukon Territorial Government	2	0	2
	2,992	761	3,753

Without necessarily awarding an Oscar to the most complex complaint, we must say that bilingualism in air traffic control—involving the Ministry of Transport—was easily the toughest of the annual crop of crises-which-are-more-serious-than-all-the-others-put-together. Its multiple repercussions are related in detail on page 142.

In 1975, 69 of the complaints investigated led the Commissioner to formulate a total of 73 recommendations (57 on language of service and 16 on language of work). Generally, departments and agencies received these recommendations favourably. Only the Post Office Department and the Department of Manpower and Immigration saw fit not to implement two of our recommendations.

The relatively small number of recommendations (73 for 830 files closed) may seem surprising. This can be explained in large part by the encouraging habit adopted by a number of institutions of taking the initiative—and at the same time, the necessary corrective measures—without being asked, as soon as they were informed of a well-founded complaint. This is quite a positive, time- and paper-saving attitude. We hope it will spread to other institutions which still need a hassle or two to get them moving.

*c) A New Beginning at Queen's Park?*

Table 8 shows that of the 145 complaints not directed against federal institutions, 47 concerned the provincial sector. Of these, 38 affected Ontario alone. A third of the provincial complaints dealt with unilingual English summonses and traffic tickets, another third with the comments of a judge who considered that bilingualism, in Canada, really meant speaking English and . . . another language, and the last third covered various sources of discontent, including the way some provinces have administered the federal educational aid programme.

TABLE 8. Complaints Not Concerning Specific Federal Institutions—1975

Foreign governments	2
Members of Parliament	2
Municipal governments	4
Private enterprise	75
Provincial governments	47
Public service unions and associations	5
Telephone companies	10
	145

While pointing out that we did not have jurisdiction in such matters, we did bring these complaints—revealing serious situations met with by the large French-speaking minority in Ontario—to the attention of provincial authorities. We stressed that these regrettable situations, and the spectacular gestures to which they occasionally gave rise (such as choosing to go to jail rather than answer a summons written in English only), were not likely to foster a climate of harmony between Franco-Ontarians and their English-speaking fellow citizens. We also expressed the fear that the Ontario Government's delay in introducing some minor, inexpensive and easily implemented reforms (such as the translation of certain forms) would, in the long run, undermine the credibility of a number of praiseworthy initiatives taken at both the provincial and federal levels to do both languages justice.

Initial reaction from the Ontario Government—particularly the Attorney-General's open-mindedness—leads us to hope that Queen's Park may soon give more effect to its commendable promises of 1971. If it does, many will be glad that Franco-Ontarian taxpayers will no longer have to go behind bars to obtain certain everyday provincial services in their own language.

## *B. WHO'S DOING WHAT HOW WELL AND WHY*

### *1. The 1976 Olympic Standings in Bilingualism (So It Won't All Seem Greek to You)*

With the laser-lit Olympic flame soon to burn brightly above the unfinished symphony of Taillibert's stadium, it seems fitting to recall the reassuring words of Pierre de Fredi, Baron de Coubertin: "The important thing . . . is not winning, but taking part". Moving from weight watchers to weight lifters, we thus spurn last year's rather fancy pub crawl to offer federal departments and agencies a chance to compete in the linguistic Olympics.<sup>1</sup> However, fond as we are of historic sayings, we find it difficult to echo the words of the first marathon runner: "Rejoice, you are all victors!" For although there are, among the feds, brilliant runners-up (who we hope are not eternal also-rans), once again no institution was able to pull off a first place.

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<sup>1</sup>The diligent reader will remember that last year the six categories in our Bilingual Baedeker were: three stars, two stars, one star, bottle of Vichy, hot dog and fetid old bone. The six Olympic categories for this year can be readily matched with the equivalent gastronomic categories. An arrow indicates the direction of movement, if any.



*Gold Medal: Citius, Altius, Fortius pleads the Olympic motto: swifter, higher, stronger. The souls of those who win this high distinction in official languages may find their final resting place, like the heart of the modern Games' founder, in Olympia . . . or perhaps Utopia.*

*(This space reserved for potential champions)*



*Silver Medal: a Sterling silver decoration in coin of the realm, struck especially to commemorate the very encouraging success of big-time linguistic weight lifters. If austerity chops too much off their bilingualism budgets, this priceless souvenir can be converted at any time into post-Olympic lottery tickets.*

Central Mortgage and Housing Corporation ↔  
 Chief Electoral Officer ↑  
 National Arts Centre ↔  
 National Capital Commission ↔  
 National Defence ↔  
 National Revenue (Taxation) ↑  
 Public Service Commission ↔  
 Secretary of State ↔



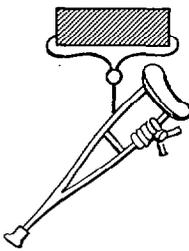
*Bronze Medal: in absolutely guaranteed base coinage, awarded to worthy bilingualism middleweights. The alchemy of hard work might well turn this into a more precious metal next year.*

External Affairs ↑  
 National Museums of Canada ↔  
 Treasury Board ↑  
 Unemployment Insurance Commission ↑



*Eleventh-hour Rosette (or Aesop Prize): for fabled hares and tortoises who have not yet crossed the finish line. Cynics will no doubt say, "better never than late".*

Agriculture ↔  
Air Canada ↑  
Canadian Broadcasting Corporation ↑  
Canadian National Railways ↑  
Environment ↔  
Indian Affairs and Northern Development ↓  
Industry, Trade and Commerce ↑  
Manpower and Immigration ↓  
National Health and Welfare ↑  
(Welfare Component)  
Royal Canadian Mounted Police ↑  
Statistics Canada ↑



*Knick-knack for the Halt and Lame: makeshift crutch awarded to wheezy, limping stragglers of the official languages decathlon. Prescription: a motorized wheel chair.*

National Health and Welfare ↔  
(Health Component)  
Parliament ↓  
Supply and Services ↓  
Transport ↑



*Status-seeking Spectators' Stein: for armchair athletes whose only exercise is bending their elbows and who, far from having ants in their pants, are quite content to park their posteriors on well-padded stadium seats (at last Reverend Spooner's "beery wenches" for "weary benches" may have proved prophetic).*

Canadian Transport Commission  
National Energy Board  
National Revenue (Customs and Excise) ↓  
Post Office ↔  
Public Works ↔

## 2. *The Not Always Sordid Details*

a) *The Book Fair: Slim Volumes of Verse and Other Titillating Tomes (Departments and Agencies "Evaluated")*

### AGRICULTURE—*Animal Farm*

#### EVALUATION

*In 1975, the public made 18 complaints against the Department on such matters as unilingual English publications and memoranda, delays in translation, and competitions for bilingual positions. The Department settled most of these with reasonable speed and care, and was gracious enough not to greet our recommendations as a farmer welcomes locusts.*

*Last year in Kingston, the Department held an innovative information session on bilingualism for managers and employees, and hopes to repeat such initiatives. Results of our current special study and follow-up on how the Department carries out the ensuing recommendations should allow, next year, our first panoramic view of the Department's sprawling linguistic home on the range.*

#### COMPLAINTS

##### *File No. 3330—Wheat and Thistles*

A French-speaker complained that *Information Bulletin* No. 38F of October 4, 1974, distributed by Information Canada, offers two Department of Agriculture publications in English only: *Guide to Federal Agricultural Services* and *Winter Wheat Production in Western Canada*.

The Department replied that the first publication cited was available in both official languages. Its French title is *Aperçu des services agricoles fédéraux*. As for *Winter Wheat Production in Western Canada*, the Department stated that it was currently being translated into French and that this version would come out shortly.

The Commissioner, being of the opinion that the two versions should be available simultaneously, recommended that:

1) in future, departmental publications for public distribution should be printed in French and English, preferably under the same cover; and

2) if insurmountable difficulties made it impossible to print these publications in a single bilingual edition, the French and English versions should be made available to the public at the same time.

The Department stated that, in most cases, it made the French and English versions of its publications available to the public at the same time. It nevertheless expressed reservations concerning certain technical documents whose translation raised serious difficulties. When the translation would not be ready for several months, the Department published the original text without waiting. Moreover, the difference in the size of the demand in English and French was such that the Department felt it would not be economical in many cases to put out publications for general use in French and English, in a single volume. The Department justified its position by pointing out the shortage of both human and physical resources. It also sent the Commissioner a voluminous English-language publication entitled *The Thistles of Canada*, indicating that it would take a year to get a French translation of this scientific document.

After studying the Department's reply, the Commissioner asked why the Department had waited so long to have a French translation done for *Winter Wheat Production in Western Canada*, which was first published in English in 1959. As for *The Thistles of Canada*, while the Commissioner understood the difficulties posed by its translation, he expressed the opinion that the translation should have been undertaken chapter by chapter as the volume was being written.

In accordance with the commitments made by the Department, the brochure *Winter Wheat Production in Western Canada* was finally published in French during 1975 under the title *Blé d'hiver—production dans l'ouest Canadien* (sic). However, the problem of specialized translation—as in the case of *The Thistles of Canada*—had not, at the time of the investigation, been resolved. While thanking the Department for its co-operation, the Commissioner indicated that the special study by his Office would consider this point more carefully.

#### *File No. 3489—Restricted Internal Correspondence*

A complainant sent the Commissioner photocopies of two memoranda which had been circulated in the Ottawa-Hull area in English only by a director of the Department.

The Department explained that the memoranda were addressed to Section Heads of the Animal Diseases Research Institute. It believed that the nature of the communications was in accord with objective 5 of its policy on bilingualism which stated that “in the case of internal communications, the author has the option of using either official language, except for correspondence from French Language Units”. It also believed that there had been no contravention of objective 6

of its policy which required that communications of general interest be issued in both official languages.

The Commissioner concluded that objectives 5 and 6 of the Department's policy on bilingualism seemed to be contradictory, if taken within the same context. Viewed separately, objective 5 appeared to concern language of work and to apply to internal communications of a person-to-person nature or of limited distribution. Objective 6, on the other hand, clearly dealt with communications of general interest and for general circulation. The Commissioner feared that objective 5 could be used by managers to justify the circulation of memoranda of general interest in one official language only, as was done in the present case. The Commissioner therefore recommended that objective 5 be reworded to indicate clearly that it did not apply to internal communications of general interest, and to remove any possible ambiguity regarding the interpretation of objective 6.

The Department accepted the Commissioner's recommendation and reworded objective 5 as follows: ". . . in the case of limited internal correspondence, the author has the option of using either official language, except for correspondence with French Language Units".

The Commissioner agreed that the new wording eliminated doubt as to the meaning of objective 5. He assumed that the amended objective would be brought to the attention of all concerned so as to eliminate complaints of this nature.

*File No. 3568—Livestock Markets*

A Franco-Ontarian, who operated several livestock markets, asked for a bilingual Primary Product Inspector to be sent to Embrun and Greely, in Ontario. French-speakers made up 85% of the clientele of the Embrun market and 50% of the one in Greely. Having to work with unilingual English-speaking technicians complicated transactions with the French-speaking stock breeders who came to sell their livestock at these locations.

In its reply, the Department indicated that the officer in charge of the inspection service had, following the complainant's request, designated bilingual inspectors to look after testing at the Embrun and Greely markets. It added that the officer-in-charge of the Ottawa Sub-District Office, who is bilingual, attended the sales at Navan and Embrun and that another veterinarian, who was a unilingual English-speaker, attended those in Greely. Given the shortage of veterinarians and the great demand for brucellosis testing, the Department expressed the opinion that it was not reasonable to take French-speaking or bilingual veterinarians away from disease-control duties in their districts and assign them to the livestock markets.

During his investigation, the Commissioner learned that the bilingual inspectors referred to by the Department were two officers hired on a contract basis to take blood samples from the animals when the workload was more than staff in the Sub-District Office could handle. He also learned that in the Ottawa Office there were three unfilled inspector positions, for which a knowledge of English only was deemed essential.

The Commissioner felt that the language factor and disease control were not necessarily incompatible and that the existence of three unfilled positions in the Ottawa Sub-District provided a good opportunity to increase the bilingual capabilities of inspection personnel by identifying some or all of these positions as bilingual. He therefore recommended that:

- 1) since there was a great demand for services in French in the Ottawa Sub-District Office of the Health of Animals Branch, some or all of the three unfilled inspector positions be identified as bilingual and that they be so designated as soon as possible; and
- 2) members of the public be served automatically in the official language of their choice, without having to make a specific request.

In reply, the Department submitted to the Commissioner its plan for making the Ottawa Sub-District Office bilingual: the position of officer-in-charge would be designated bilingual immediately; as for the other two veterinarian positions, one would be designated unilingual English and the other identified as bilingual and designated as such before March 31, 1976; as for the three inspector positions, two of them would be designated bilingual immediately and the third would require knowledge of English or French; in addition, the clerk position would be identified as bilingual and designated as such on March 31, 1977.

AIR CANADA—*Fear of Flying*

#### EVALUATION

*If complaints are any indication, Air Canada must have served its clients better in 1975. Travellers lodged 63 complaints against it in 1975 as compared with 101 in 1974—although the long postal strike may explain a bit of this improvement. Common complaints touched on unilingual English flight announcements and lack of person-to-person service in French. Air Canada's information shows that often passengers were denied such service even when bilingual staff was present: the*

*inevitable result of weak directives poorly explained and monitored. The following excerpt from a letter published in the press is fairly typical of the high degree of patriotic symbolism aggrieved passengers attach to oversights by this major Crown agency:*

*“ . . . the afternoon of November 20, 1975, I awaited the . . . boarding call for Air Canada flight . . . (Ottawa-Montreal). At about 17:40, the Company announced that due to reasons beyond its control, certain flights would not land at Montreal and that buses were being made available for passengers wishing to go to Dorval. Five minutes later another announcement . . . was also made in the official language of Ontario only . . .*

*As far as I'm concerned and with regard to Canada as a whole, I've thrown in the towel and don't care much about federal public servants studying French as I once studied classical Greek. However, in so far as the national capital is concerned, I'll pester them in French as much as I can as long as they're spending my tax dollars.*

*As for Air Canada, it is simply gross and its crassness is a measure of its importance.”*

*Naturally Air Canada deplores such incidents. But its repeated apologies do not always convince complainants that, six years after the Official Languages Act was passed, contrition can replace reform.*

*This Office made 56 recommendations to Air Canada as a result of three special studies. Fifteen of these seem to be implemented, the rest are in various stages of implementation. Recommendations which might help prevent the recurrence of complaints have yet to be put into effect fully, and the recommendations acted on require closer application and monitoring to produce more concrete results. Air Canada's well-thought-out bilingualism policy might produce more changes with a detailed plan of action, a precise timetable and clear, unapocalyptic information to staff about their obligations to clients.*

*The Company has increased its bilingual strength among passenger agents and flight personnel (43% of the former and 59% of the latter are bilingual). During the first nine months of 1975, 108 employees received immersion language training at Jonquière (Quebec) and 98 completed the course successfully. In total, Air Canada provided 55,824 hours of various types of language training in 1975.*

*Although a few problems persist, Air Canada has done a great deal of work since 1972 to render signs and publications bilingual. Also, Air Canada is experimenting with the use of tapes for bilingual public announcements on flights and at airports, while encouraging its employees to show more initiative in this regard. The Company believes*

*(though we remain a little skeptical) that existing announcements "more than adequately convey to [its] customers the offer of bilingual services". Furthermore, since the autumn of 1975, Air Canada has listed separate numbers in the telephone directories of some cities to ensure that travellers have access to information in the official language of their choice. These numbers are also printed on ticket envelopes. What's more, in a sensible initiative other departments should emulate, Air Canada has placed counter cards at airports and city ticket offices to advise the public that it will be pleased to serve them in the official language of their choice.*

*With so many positive measures in the works, it is difficult to understand why Air Canada cannot nearly always assure bilingual service to its clients. Management and unions should develop further the pride Air Canada's employees ought to feel in making our national airline mirror happily Canada's linguistic duality. Then, perhaps, getting there will finally be "half the fun" for French-speaking as well as English-speaking passengers.*

## COMPLAINTS

### *File No. 2863—Empire Hotel*

In April 1974, a French-speaker drew the Commissioner's attention to the following facts. At the Air Canada counter in the Empire Hotel in North Bay

- 1) all posters and notices behind the counter were in English only;
- 2) out of approximately 150 folders and pamphlets available to customers, only two were in French; and
- 3) the employee at the counter could not speak French.

At first, Air Canada replied that at its sales office in the Empire Hotel there were only two signs—one in French and the other in English—indicating business hours. Any other notices or posters were of a promotional nature and directed to a region where customers were mainly English-speaking. French folders were available as samples, however, and the employees could order more upon request.

Air Canada informed the Commissioner that the customer service officer, who had been working in that position since 1965, was a unilingual English-speaker but that, if necessary, she could get assistance by telephoning the bilingual employees in Timmins who looked after reservations for the region. Since she was a union member, this employee could not be transferred for linguistic reasons. Air Canada added that the volume of business did not justify employing another

passenger agent in this office. The only solution appeared to be language training and the corporation intended to draw this to the attention of the District Manager. Air Canada asked the Commissioner to apologize to the complainant on its behalf for not having served him in French.

To Air Canada's statement that all advertising in the North Bay office was directed to English-speaking customers in the region, the Commissioner replied that what was involved were not advertising campaigns but services to the public under sections 9 and 10 of the Official Languages Act. He added that he believed Air Canada had enough folders and posters for more suitably balanced displays in this office. The Commissioner also stated that customer services should be bilingual.

Consequently, the Commissioner recommended that:

- 1) Air Canada take the necessary steps to respect the equality of status and equal rights and privileges of the two official languages in the display of promotional folders and posters in the North Bay office; and
- 2) ensure counter services in both official languages by providing suitable language training for the employee in question as soon as possible.

Air Canada informed the Commissioner that all its promotional folders and pamphlets were displayed in English and in French and that they were kept in stock locally. However, some printed matter prepared by promoters of organized tours or by the provincial governments was apparently not available in both official languages.

The Commissioner suggested that Air Canada ask these advertisers to provide folders in French if they were available.

To mitigate the problem of the unilingualism of the customer service officer, Air Canada planned to create an additional part-time position which would be filled on May 1, 1975.

The Commissioner, calling attention to the fact that 17.4% of the total population of North Bay is French-speaking, said he felt that the additional position required should be created much sooner than this. He asked Air Canada to encourage the unilingual employee to enrol in language courses.

Air Canada told the Commissioner that for budgetary reasons it would be unable to hire a bilingual person before May 1, 1975 and that the present employee refused to enrol in language courses since she did not plan to work for Air Canada much longer.

While understanding the Corporation's budgetary considerations, the Commissioner made a point of reminding Air Canada that he would have to investigate any new complaint submitted to him from

now until a new bilingual employee was recruited, since service in French would not be guaranteed at all times.

In March 1975, Air Canada wrote to the Commissioner once more informing him that due to a reduction in the workload at this location, the hiring of a bilingual employee would be postponed until an additional position was economically justified—probably in 1976.

*File No. 3201—Ottawa International Airport*

A French-speaker, who had already had occasion to complain about the absence of French in the services provided by Air Canada at Ottawa International Airport, reported to the Commissioner that when he addressed the ticket agent at that location in French, she merely said to him: “There’s nobody that speaks French here”. The complainant had to insist that the employee go and get a French-speaking colleague.

The Corporation informed the Commissioner that it had investigated the incident but had been unable to identify the employee involved. However, the employee’s attitude was entirely inexcusable. The reply given the customer was all the more unjustified because eight of the twelve passenger service agents were bilingual.

Since 50% of the employees at this airport were able to speak French, there was no reason for such incidents to occur. The authorities were going to review the matter with all staff concerned in order to avoid a repetition in future.

The Commissioner informed Air Canada that it was inconceivable that he should again be forced to remind the authorities of directives that Ottawa International Airport employees should know by heart. In fact, numerous complaints by French-speakers had already caused him to point out to Air Canada that service in both official languages at the airport in the National Capital Region left something to be desired.

He assured the complainant that he was following very closely the application of previous recommendations made following a special study carried out in 1970 and on which Air Canada must submit a detailed report each year.

*File No. 3276—Disappointing Experiences*

A French-speaker said that she had had disappointing experiences with Air Canada employees on domestic flights: they had been unable to communicate with her on board and at counters and they had been

arrogant and rude. She gave details of one Winnipeg-Ottawa flight where:

- 1) a unilingual English-speaking agent at the Winnipeg airport counter told her brusquely that he did not speak French and asked why she did not continue speaking English since she spoke it well;
- 2) his French-speaking colleague made a disparaging remark and gave her the information she sought but in an accent that was not French;
- 3) the in-flight announcements were read in very poor French by a unilingual English-speaking attendant on orders from the pilot;
- 4) there were no French-language newspapers on board and she was unable to order a soft drink in French.

Air Canada told the Commissioner that its inquiry had been inconclusive because three months had elapsed between the incident and the complaint. There had been staff changes in that time and temporary personnel might have been involved. However, the attitude described by the complainant was unjustifiable and her right to service in her language should not have been questioned, even tacitly.

Directives concerning in-flight announcements explicitly required that the most qualified person repeat them in the other language. This had evidently not been the case and the proper authorities would be informed so that the directives would be followed in future.

The complainant should have had no difficulty getting service in French since two of the four attendants were bilingual.

Air Canada's language courses took into consideration the problem of accent but since phonetic aptitude varied greatly from person to person, what was important was the employee's desire to learn the other language and the initiative he showed in using it.

The question of newspapers had been raised before. French-language newspapers were put on board only in cities where they were published, except on a few routes, such as Montreal-Miami, on which a stock of newspapers was carried for distribution on the return flight. This service was necessarily limited because of the technical and economic problems it involved. However, French magazines had been available on the flight.

The Corporation recognized that its personnel had evidently not acted properly towards the complainant and it asked the Commissioner to convey to her its apologies.

The Commissioner told Air Canada he was disappointed that it had not been able to verify the complaint. He took note of the steps taken to prevent a recurrence of such incidents but did not understand why a unilingual English-speaker had had to read the French in-flight announcements since there were two bilingual attendants on board and Air Canada's directives required that the most qualified person repeat

announcements in the other language. Because of the possible importance to travellers of these announcements, he recommended that Air Canada apply strictly its own policy so that announcements were always made in both official languages by the flight attendants most fluent in each language.

Air Canada replied that its present objective was to make sure that there was constant service in both official languages on board its planes. Later on—no doubt beginning in 1976—it would seek to correct “bad” accents in both English and French, whether they were foreign or merely regional. Nevertheless, the Corporation considered that its English-speaking employees who had taken French courses, especially immersion courses at Jonquière, were well qualified to make announcements over the microphone if no French-speaking colleague was on board.

The Commissioner told Air Canada he was concluding that it accepted the principle of his recommendation.

*File No. 3511—Edmonton International Airport*

The complainant alleged that he could not get service in French at the Air Canada ticket counter at Edmonton International Airport.

Air Canada said that at the time of the reported incident there were nine passenger agents on duty at the airport, three of them bilingual. One of the latter was at the boarding station and the other two were attending to registration. The complainant could therefore have received service in French on request.

The Commissioner told Air Canada he found its conclusion unacceptable: the customer should have been served in his language automatically and the unilingual agent whom he addressed should have called on a colleague for assistance after saying to the traveller: “Un instant, s’il vous plaît”. The Commissioner pointed out that he had already made several recommendations to Air Canada along these lines and said he felt it was time the airline saw to it that incidents of the kind were not repeated. He recommended that Air Canada take the necessary steps to ensure that at Edmonton International Airport the public was served automatically in the official language of the individual’s choice.

Air Canada told the Commissioner that it was quite aware of its responsibility to serve the public automatically in the official language of the individual’s choice and had issued directives to this effect. A meeting with the appropriate bilingualism co-ordinators in the regions had been called to study all possible ways of offering service automatically in the customer’s official language. However, the airline could not guarantee that these discussions would give immediate results

but it would seek a practical and effective solution to the problem and would keep the Commissioner informed.

The Commissioner told Air Canada that he was dissatisfied with its reply which recognized the lack of success of the Corporation's bilingualism programme and at the same time rejected the only remedy that seemed likely to work. However, he looked forward to a report of the meeting that was to study the question.

*(To be followed up)*

## CANADIAN BROADCASTING CORPORATION—*Understanding Media*

### *EVALUATION*

*Viewers and listeners (not all deprived of U.S. stations on cable-vision) recorded 22 complaints against the CBC last year. Among points of contention were such matters as forms and letters sent in the wrong language and shortcomings in the Accelerated Coverage Plan—an ingenious, if perhaps theoretically imperfect, scheme to serve each Canadian in the language of his choice, conceivably even within his lifetime. In this light, the CBC settled most complaints “satisfactorily.”*

*This Office's special study (summary below) confirmed CBC as “among the very first federal bodies to make institutional bilingualism a reality.” The next couple of years should tell whether the Corporation intends to sit on its laurels or stand up for further progress.*

### *SPECIAL STUDY*

#### *Preamble*

Over the past forty years, the CBC has consistently taken a conscientious approach to its mandate as laid down by the Broadcasting Act. The Commissioner and his staff were sensitive to this fact and recognized from the very beginning of the present study that the underlying philosophies of the Broadcasting Act and the Official Languages Act have many similar or complementary goals. Indeed, the CBC was among the very first federal bodies to make institutional bilingualism a reality.

The manner chosen by the CBC to carry out these responsibilities lies fundamentally in the operation of two large networks, one English, the other French. In terms of its programmes, each network functions

as a unilingual entity, but together, the two contribute greatly to the creation of a truly bilingual Crown Corporation. This form of institutional bilingualism plainly and logically means not one service in two languages but two parallel networks, each trying to answer the needs of the language community it is meant to mirror.

This study and the ensuing recommendations are restricted to questions relating to implementation of the Official Languages Act and are conceived in a spirit of assisting the CBC to comply as realistically and as imaginatively with that Act as it does with the Broadcasting Act. Some of the CBC's plans (such as the Accelerated Coverage Plan) which are no doubt justified for managerial or budgetary reasons, do not however, in our view, fully meet the requirements of the Official Languages Act, and these deficiencies are spelled out in the recommendations below.

Although these recommendations tend, by their very nature, to be negative in tone, they should not be viewed as derogating from the CBC's impressive record of accomplishment in serving the Canadian public in both official languages.

### *Summary*

In December 1975, the Office completed a special study of the CBC. The study, which was of national scope, sought to determine the extent to which the Corporation was meeting the requirements of the Official Languages Act with respect to language of service and language of work.

In the course of the study, the team conducted approximately 225 interviews with CBC personnel. About two-thirds of these interviews were conducted at the headquarters of the main administrative components of the Corporation<sup>1</sup>, and the remainder at production centres in Halifax, Moncton, Windsor, Winnipeg, Regina, Edmonton and Vancouver.

In the early stages of the study, the team examined the administrative structures developed by the CBC to carry out its mandate, as contained in the Broadcasting Act. It found that the CBC had developed a highly decentralized organization, based essentially on divisional and regional concepts. In order to carry out one of its responsibilities, that of providing a national broadcasting service in English and in French, the CBC had created the English Services

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<sup>1</sup>The main administrative components of the CBC and the location of their respective headquarters are as follows: Ottawa—Head Office, the Ottawa Area, the Special Services Division (including Radio Canada International, the Northern and Armed Forces Services and CBC offices abroad); Toronto—the English Services Division; Montreal—the French Services Division, the Engineering Division and the Olympics Radio and Television Organization (ORTO).

Division (ESD) and the French Services Division (FSD), commonly known as the English and French networks. In terms of programme production and broadcasting, the two networks function essentially as two large unilingual entities, although each must also provide certain services, both to the public and to other CBC personnel, in the two official languages. All other administrative components of the Corporation (see footnote) are required to function, to varying degrees, as bilingual entities.

Examination of the CBC's corporate official languages policy, entitled *Staff Requirements for Official Languages Policy*, revealed a number of weaknesses. Although the policy document gave expression to the basic principles of language of service to the public and language of work, it contained a number of exceptions which, if pursued to their logical conclusion, could lead to contraventions of the Official Languages Act. More serious, however, was the CBC's failure to develop a clear and comprehensive bilingualism policy going beyond the question of staff requirements and dealing with the many diverse elements of language of service and language of work. The formulation of such a policy, complemented by a staff information programme containing details regarding the policy's implementation, are almost indispensable as means to enable an organization as large and as complex as the CBC to achieve compliance with the Official Languages Act.

The team approached the concept of language of service to the public from two angles. First, it studied various types of written and verbal services, including signs, publications, printed matter of all kinds, reception and telephone services, and so on. Secondly, it examined certain elements of what could be termed broadcasting services proper, at all times restricting itself to services subject to the provisions of the Official Languages Act.

Data gathered at the time of the study revealed a number of instances in which the CBC failed to comply with the Act in the provision of written and verbal services. Recommendations were therefore formulated with respect to forms, publications and other printed material, signs, telephone and reception services, and a number of other related matters. Failure to respect the Act in these service areas was considerably less prevalent in the French Services Division than elsewhere in the Corporation, but all components of the CBC needed to take steps to ensure that, throughout Canada and at its offices abroad, French-speaking and English-speaking members of the public should be able to receive services in the language of their choice.

The team learned that the CBC marketed certain by-products of broadcasting, such as records, books and tape recordings. It also provided specialized technical services to outside organizations, both

domestic and foreign. Examination of these services, which were usually of a commercial nature, indicated that the CBC should ensure that both official language groups had access to approximately equivalent services of this type.

The study team ventured, with some trepidation, into the technical waters swirling around the Corporation's accelerated coverage plan and other matters related to the transmitting and receiving of radio and television broadcasts. Restricting itself mainly to an examination of the dual themes of equal availability of broadcast services and equal quality of reception in both official languages, the team was able to identify a number of examples where one of the two languages did not enjoy equality of status with the other. In some instances, the accelerated coverage plan did not include communities meeting its complex formula based on factors such as population and language; in others, certain minority official language groups were obliged to have FM and UHF receivers in order to receive CBC broadcasts, whereas their majority official language counterparts could receive these services on universally available AM or VHF receivers; in still other cases, the lack of adequate transmitting power resulted in poor reception for one group, whereas powerful transmitters assured the other group of good reception. Once again, the CBC was urged to take the necessary steps to ensure that the equal status of the two languages is fully respected.

The team touched upon the thorny question of programme content only with regard to the principle that the Corporation should try to satisfy the needs and aspirations of Canada's two official language communities on an equitable basis. In examining the CBC's application of this principle, the team found that certain commercial agreements between the Corporation and private bodies sometimes had the result of denying one or other language group equal access to programmes of general interest, such as certain sporting events. The CBC was therefore urged to ensure that future contracts of a similar nature would not result in such situations being repeated.

The study data also revealed some imbalance in the status of English and French in the services provided by Radio Canada International and the Northern and Armed Forces Services, in terms of both programming and broadcast by-products, such as records and tape recordings. Without in any way derogating from the customary rights and privileges enjoyed by foreign and native languages, the CBC should henceforth ensure that English and French have equal status as regards the services provided by these components of the Special Services Division.

In its study of the language of work question within the CBC, the team again perceived the need for a clear policy and action plan

to translate into practical terms the principle that employees should normally be able to work in the official language of their choice. While it is clear that the normal language of work within ESD and FSD should be English and French respectively, certain key areas in both networks nevertheless require bilingual capability, for the public must, when necessary, be served in both official languages, as must CBC employees working at the interface between the two networks. The interface occurs whenever the two networks have production facilities in the same location (Montreal, Toronto, Windsor, Moncton, Winnipeg, Regina, Edmonton and Vancouver at the time of the study); this administrative arrangement known as the "host-guest" concept, requires that the "host" network provide facilities, such as physical plant and various administrative services, to the "guest" network. The team found that, while relatively few problems of a linguistic order were encountered by ESD personnel working as "guests" of FSD in Montreal, FSD personnel working as "guests" in the other centres listed above were, on numerous occasions, unable to obtain internal services in French.

The team learned that, although the other components of the CBC (Head Office, Ottawa Area, Special Services Division and the Engineering Division) were considered to be bilingual entities and employed both anglophones and francophones, it was virtually impossible for a unilingual francophone to work in these components; unilingual anglophones could, however, work exclusively in English. A number of recommendations were formulated with a view to affording equal status to French and English as languages of work in these components.

The team also gave considerable attention to questions such as work instruments, recruitment of personnel and other staffing matters, translation, training and development, the identification and designation of the language requirements of positions and language training.

The team found that, in order to afford francophones a greater opportunity to work in French, the CBC should take steps to ensure availability in French of work instruments, such as technical manuals; this could be achieved both by making formal requests to suppliers of technical equipment, and through the use of translation facilities.

As regards staffing matters, the CBC could intensify its drive to recruit bilingual and unilingual francophone personnel, particularly for key areas such as the Engineering Division. This, together with an accelerated language training programme, could do much to improve the bilingual capability of many CBC components. Furthermore, in order to ensure equality of status for French and English in staffing matters, the CBC should designate not only bilingual positions but also

unilingual French and English positions, especially in components other than the two networks.

In the light of these findings, the Commissioner recommended that the CBC:

#### *GENERAL POLICY AND IMPLEMENTATION*

(1) by June 30, 1976,

(a) revise its present bilingualism "policy for the selection, training and promotion" of personnel and draw up a comprehensive bilingualism policy that takes account of the recommendations that follow and that identifies in all their ramifications the obligations of the Corporation and of its various components<sup>1</sup> towards its clientele and its employees under the Official Languages Act;

(b) set out the means adopted to fulfil those obligations, i.e. action plans, together with monitoring and evaluation programmes;

(c) appoint the managers and coordinators responsible for these plans and programmes;

(d) establish the applicable priorities, administrative objectives and deadlines;

(2) by August 31, 1976, set up an information programme, with the express support of the Canadian Broadcasting Corporation's top management, designed to:

(a) sensitize employees, in particular the managerial staff, of the Canadian Broadcasting Corporation at Head Office as well as in the other components of the Corporation, and even more particularly in production centres where both networks co-exist within the host-guest administrative framework, and in CBC offices abroad, to the obligation the Corporation is under, in order to comply with the Official Languages Act:

(i) to see that the public is fully aware of its right to receive services from the Corporation in the official language of that public's choice;

(ii) to ensure that the choice of such services is offered fully and automatically wherever both networks are present and in all the other components of the Corporation, and not merely upon specific request;

(iii) when an employee is unable to reply to any request for service made verbally or in writing in the other official language, to transfer such a request to another employee competent in that other language;

(b) have the Corporation's management at Head Office, in centres where both networks co-exist within the host-guest administrative framework and in the other components of the Corporation, recognize the employees' reasonable expectations concerning language of work and the measures taken or proposed by the Corporation to comply with the Act in that regard;

(c) notify all employees of what they can reasonably expect concerning language of work and the measures the Corporation has taken or intends to adopt to ensure compliance with the Official Languages Act from the

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<sup>1</sup>The components of the Canadian Broadcasting Corporation are as follows: Head Office, the Engineering Division, the Ottawa Area, the Special Services Division (Radio Canada International, the Northern and Armed Forces Services, and CBC offices abroad), the French Services Division, the English Services Division and the Olympics Radio and Television Organization (ORTO).

standpoint of internal use of English and French in accordance with the principle of equality of status expressed in the Act;

(3) in order to ensure unified, consistent and effective implementation of the Official Languages Act throughout the Corporation, give serious consideration to the possibility of:

(a) having central responsibility for planning, programming and monitoring compliance with the Act, to whomever entrusted, linked directly, for reporting purposes, to the office of the President or the Executive Vice-President, and

(b) setting up a network of divisional bilingualism co-ordinators who would report directly to the highest administrative level in their respective divisions, as does the present coordinator for the English Services Division; furthermore, these coordinators engage in this work on a full-time basis until the CBC's bilingualism objectives are fully implemented;

### *LANGUAGE OF SERVICE*

#### *General Recommendations: All Components of the Canadian Broadcasting Corporation*

(4) ensure that when the name of the Canadian Broadcasting Corporation is used verbally or in writing for identification purposes, except where the Corporation is identified over the air by the two networks, the Corporation is henceforth identified in both official languages (e.g. on the telephone, on printed matter, on buildings, etc.) in writing everywhere, and verbally in the National Capital Region, at each of its principal offices in a federal bilingual district established under the Official Languages Act and in all other locations to the extent that it is feasible for the Corporation to do so and where there is a significant demand for such service in both official languages; the French Services Division (FSD) will give precedence<sup>2</sup> to identification in French and the English Services Division (ESD) will do the inverse; as for all other components of the Canadian Broadcasting Corporation, precedence will be shared equitably by English and French on an alternating basis so as to avoid system-wide precedence of only one of the official languages and to accord equality of status to the two official languages;

(5) (a) take whatever steps are necessary so that henceforth, in all centres where both networks have listeners or viewers and in the case of all other administrative components of the Corporation, including CBC offices abroad, employees responsible for receiving telephone calls can answer suitably in both official languages and, until such time as all such employees are bilingual, make sure that unilingual employees, after identifying the Corporation in both languages, use some simple and courteous phrase in the other language (such as "One moment, please") before transferring the call to a fellow-employee able to provide the service required in the appropriate language;

(b) ensure that henceforth, whenever, in those localities referred to in Recommendation 5(a), the Canadian Broadcasting Corporation uses the

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<sup>2</sup>By precedence is meant one language preceding the other; in the written word, there is both left/right and top/bottom precedence.

services of a private enterprise to answer telephone calls after normal business hours, such private enterprises provide service in both official languages, and that present and future contracts with such enterprises contain a clause to that effect;

(c) undertake immediately all necessary measures so that all entries relating to the Canadian Broadcasting Corporation or to its components appear in both languages in telephone directories in Canada and abroad the next time the latter are reissued;

(6) ensure that by October 31, 1976, all directional signs, directory boards and other forms of internal and external signage on Canadian Broadcasting Corporation premises in all centres where the two networks co-exist and for all other components of the Corporation respect the equality of status of the two official languages, and that the CBC departments responsible for these matters review, at regular intervals, the extent to which this recommendation is being implemented, due account being taken of the provisions of Recommendation 4 on language precedence;

(7) ensure that by December 31, 1976, all forms of the Corporation and of its components for use by the two official language groups are available in both official languages and, wherever possible, in a single document with priority given to forms for use by outside customers and to those used in centres where employees of both networks are located and with due account being taken of Recommendation 4 regarding language precedence; in the case of all those forms which cannot be produced in single bilingual format, ensure that the two unilingual versions are available at all times;

(8) take all necessary steps to ensure that all printed matter and other public documents, except for those connected directly with programme content for the two networks, are available in the two official languages and in a single bilingual version wherever possible, by December 31, 1976; when production in a single, bilingual format is not possible, ensure that two unilingual versions are available at all times;

(9) (a) ensure that henceforth reception services for the public on Corporation premises everywhere in Canada and abroad are able to receive and guide visitors in both official languages;

(b) take all necessary steps to ensure that henceforth all press releases of interest to both language groups prepared by the Corporation or by any of its components are issued simultaneously in both official languages;

(10) ensure that, in all centres where both networks co-exist, and in the case of all other components of the Corporation, general services provided by firms whether as a result of a contract with the Corporation or not, such as security, parking lot and cafeteria services, etc., are available, at least to an adequate minimum degree, in the two official languages, care being taken to incorporate a clause to that effect if and when present contracts are renewed, and new contracts signed;

*Both Networks and the Ottawa Area*

(11) (a) state that, given the Corporation's obligations under the Broadcasting Act, the CBC's long-term objective in relation to coverage is to offer its broadcasting services in both official languages to all Canadians as

public funds become available, and consider its Accelerated Coverage Plan and its other coverage plans as medium-term instrumentalities towards that end;

(b) in the spirit of Recommendation 11 (a) and in recognition of the significant concentrations of French- and English-speaking population groups in New Brunswick and Ontario, ensure that by December 31, 1978, all population centres in those two provinces receiving radio or television services from one network will also receive radio or television services from the other network;

(c) not later than January 31, 1977, draw up as a supplement to the coverage plans already in existence a further coverage plan designed to meet the Corporation's long-term objective of offering its broadcasting services in both official languages to all Canadians as public funds become available;

(d) take the necessary steps to ensure that the few locations in Quebec which, according to the Accelerated Coverage Plan, will be served only by the English network will also be served by the French network;

(12) take the necessary steps to ensure that FM services of the French network are available to the widest possible audience in Quebec as well as in the Maritimes and Ontario and, in the long term, to the rest of the country, subject to feasibility and significant demand;

(13) subject to Recommendation 11 (a), take the necessary steps to ensure that, in areas where the CBC offers a full broadcasting service on one network and a partial service through affiliate stations on the other network, it replaces such affiliate stations when the service they offer is substantially below that offered by the full CBC service;

(14) ensure that, whenever the Corporation offers its broadcasting services to the official language minority in an area,

(a) choice of the mode of transmission (AM or FM for radio and UHF or VHF for television) continues to be made first and foremost on the basis of offering at least the same quality of coverage and of reception as the mode of transmission used by the other network already broadcasting in the area, and

(b) the transmitting power of stations of one network is the same as that of stations of the other network if they both serve approximately the same areas; if this is found not to be possible, to take advantage of all available technology so that coverage and the quality of reception are of as equal as possible a standard in those areas;

(15) continue to make strong representations to the appropriate authorities (Canadian Radio-Television Commission, Department of Communications, Department of Industry, Trade and Commerce, etc. . . .) so that, as is the case in certain countries including the United States, all radio receiving sets, starting at a certain minimum price, are capable of receiving both AM and FM broadcasts; these would not, of course, include sets made for or by hobbyists or ham radio operators;

(16) intensify its efforts to ensure that in localities where both networks broadcast, hotels offer travellers the opportunity of receiving programmes from both networks; in some cases, a promotional campaign directed at

hotels perhaps stressing tourist and other commercial advantages, would be sufficient to overcome any lack of complete service, while in other cases, representations would have to be made to the CRTC and the Department of Communications so that their organizations would require cable distributors of all kinds and hotels to offer AM-FM radio and UHF-VHF television services, whenever available;

(17) ensure that henceforth, in the localities to which Recommendation 16 applies, both networks' promotional efforts through public relations and advertising be co-ordinated in order to achieve a fair balance of public awareness of the services offered by both networks;

(18) ensure that henceforth the Corporation, when entering into agreements with private concerns or other organizations, attempts to avoid contractual obligations which would inhibit its duty to provide the same fullness of service in French and English;

(19) take the necessary measures, including a continuous monitoring system if necessary, so that in centres where both networks co-exist and where the principles of the "host-guest" concept apply, the CBC ensures that the "guest" network continues to share, on an equitable basis, physical plant, technical equipment and other essential resources; in this manner, the CBC ensure a comparable quality of broadcast services even if the quantity and the type of programmes produced in these centres are different for the two networks; the CBC also ensure, in programming terms, that audiences in those areas receive a certain minimum of programming related to their particular interests;

(20) see that henceforth greater account is taken of regional differences when broadcasting network programmes, particularly with regard to time-zone variations, meteorological conditions and other physical realities, both on radio and on television; furthermore that the necessary arrangements are made to adopt technical measures for the French network similar to those introduced by the English network, such as pre-release for the national news in the Maritimes, so that the French network's audience in that area is not penalized by reason of its earlier time zone;

(21) (a) immediately take all necessary measures to ensure that graphics used on television reflect the established language of the network, and establish effective means of controlling the quality of that language in both its oral and visual expression;

(b) in centres where both networks co-exist, take an inventory of all graphics and classify them according to the appropriate language, correct all defects or deficiencies revealed by the inventory, and henceforth use only tables, cards, abbreviations, etc., that respect the established language of the network;

(22) (a) take whatever steps are necessary to ensure that henceforth the publishing services of both networks always acquire the right to translate into both official languages any texts they produce alone or jointly, so that such texts may be offered in both of the official languages where warranted by demand;

(b) ensure that henceforth all material for sale or otherwise made available to the public, with the exception of material the content of which is generally unilingual and related to a broadcast, but including ailingual musical

recordings, catalogues and accompanying written material, is prepared and made available in both official languages;

(23) ensure that henceforth, whenever the Canadian Broadcasting Corporation organizes or sponsors events such as concerts open or directed to the general public (for example, the Camp Fortune and CBC Festival series) in centres where both networks co-exist, oral and written programme announcements not intended for broadcasting but addressed to the general public who attend or may attend the event are made in both official languages;

#### *Other Components of the CBC*

(24) see that henceforth all public documents prepared or made available by the Corporation's Head Office, the Special Services Division, (including components of the latter), the Engineering Division and the Ottawa Area are simultaneously and in their entirety made available in both official languages;

(25) (a) see that henceforth the Research Service of the Corporation does not, in the interest of uniform methodology, automatically place outside the range of its surveys the audience of the French network stations far removed from the Province of Quebec, but rather develops a versatile methodology, if necessary, so that those stations may also make use of certain "objective" data to improve their services in the same way as the stations receiving the benefit of such research surveys;

(b) ensure that henceforth when the Research Service, or other bodies acting on its behalf, conduct "nation-wide" or other surveys for audience or other rating purposes, the language of communication, whether written or oral, used to conduct such surveys, is the official language of those interviewed rather than that of the Service or the agency responsible for conducting the surveys;

(26) see to it that henceforth all standard leases and contracts binding the Corporation or one of its components are available in the two official languages and expressly notify all firms, be they tenderers or not, of such availability; explore the feasibility of using automatic translation techniques for the translation of legal and technical texts, where applicable;

(27) ensure that in cases where invitations to tender appear in regular publications or trade journals, every precaution is taken so that all potential tenderers of both official language groups are notified in their respective languages of such invitations to tender, regardless of the administrative region involved;

(28) henceforth make all plans, specifications and other similar documents available simultaneously in English and in French in cases where invitations to tender have gone out across the country or to regions in which firms doing business in the two official languages are located, and clearly notify tenderers that they may obtain such documents, etc., in either of the official languages;

(29) take all necessary steps to ensure that whenever the Engineering Division of the CBC is called upon to provide expertise or other similar specialized services to governmental or private organizations, such services are available in the official language or languages of the latter's choice, and that interested parties are notified explicitly of that fact;

(30) (a) ensure that, whenever Radio Canada International (RCI) beams broadcasts in one official language to a foreign country or part of a continent (including countries sharing one of our official languages), a broadcasting service of the same quality is made equally available in the other official language, as is currently the case for most broadcasts beamed to Europe and the United States;

(b) take all necessary measures, whenever RCI enters into agreement with foreign radio broadcasters to relay in Canada short-wave broadcasts in one of the official languages of Canada, to ensure that such agreements take into account Canada's two official languages, either by making such foreign broadcasters aware of the linguistic situation in this country or by negotiating agreements with other broadcasters that will have the effect of guaranteeing the availability of broadcasting services in both official languages;

(31) ascertain, by March 31, 1976, whether or not the number of spoken-word broadcast transcriptions produced or co-produced by Radio Canada International and available in the French language enables the Corporation to offer the same services as does the number of such transcriptions available in the English language (excluding transcriptions of musical broadcasts), and determine the steps that will be taken if the results disclose any significant imbalance in the services available in the two official languages;

(32) ensure that all display, promotional or other material accompanying transcriptions or other related items, including catalogues, are in single bilingual format rather than separately in each of the two official languages, and that, where the transcription's content is in one language only, that fact be suitably indicated in both official languages. (All material accompanying a transcription that is in a language other than the two official languages is excluded from this recommendation unless one of the two official languages is used to whatever extent);

(33) immediately take a complete inventory, by language, of all printed matter for distribution to the public by the Northern and Armed Forces Services and immediately thereafter make all necessary arrangements so that henceforth such matter, including transcriptions of broadcasts in the Indian and Eskimo languages, is available in both official languages and those interested are at the same time notified of its availability;

(34) immediately restate its approach to the use of both official languages in northern broadcasts so as to ensure the availability of equivalent broadcasting services in both official languages to the Northern Service's audience subject to feasibility and significant demand, and review with the Commissioner's Office from time to time the determination of significant demand for individual service areas and for overall service; such availability of service should not derogate in any way from broadcasts in the Indian and Eskimo tongues which should continue, of course, to receive very high priority;

(35) immediately re-examine its policy on short-wave broadcasts beamed to members of the Armed Forces and their families so as to ensure that equivalent services are available in the French and English languages and that both language groups enjoy the same air time scheduled over an equitable broadcasting timetable;

(36) inform those in charge of CBC offices abroad that they should observe and apply, in accordance with the Official Languages Act, the same language

requirements as apply within this country and that, as a result, the conduct of their regular business must reflect equality of status of the two official languages;

## *LANGUAGE OF WORK*

### *Policy*

(37) in revising its official languages policy in the manner described in Recommendation 1 above, and by extending the principle recognized in the introductory paragraph of its staff requirements for official languages policy, give clear and unequivocal expression in its revised policy document(s) to the principle that the normal language of work within the English Services Division shall be English, within the French Services Division shall be French, and within other administrative components of the Corporation shall be either English or French, according to the employee's choice, subject only to the overriding right of each component's public to be served in that public's preferred language;

(38) while in no way derogating from the general language of work principle expressed in the foregoing recommendation, further note in its revised policy document(s) that:

(a) incumbents of designated bilingual positions shall be required to perform certain duties in both official languages as the need arises, and

(b) notwithstanding that the CBC Moncton location reports administratively to the English Services Division's Maritime regional headquarters in Halifax, CBC employees in Moncton shall be free to work in the language of their choice, subject to the provisions contained in Recommendation 38 (a); *Identification and Designation Exercise*

(39) by May 30, 1976, revise its exercise of identifying and designating the language requirements of positions so as to:

(a) include not only the designation of bilingual positions, but also the designation of unilingual English and unilingual French positions, in particular at Head Office, in the Ottawa Area, the Special Services Division and the Engineering Division; in so doing, ensure that the equal status of the two official languages is at all times fully respected;

(b) ensure that such requirements are assessed on the basis not only of the current but also of the projected needs of the Corporation, such needs relating both to internal and to external communications;

(c) ensure that, throughout the Corporation, the assessment made of the level of bilingual competence required of the incumbents of designated bilingual positions adequately reflects the current and projected duties of the incumbents with regard to the use of the two official languages;

(40) (a) maintain and review, on a regular and systematic basis, data on the language requirements of positions and the linguistic capability of personnel in order to determine the extent to which this capability corresponds to the language requirements for service to the public and for internal communications and, in so doing, pay special attention to the impact of staff attrition and rotation as well as to the distribution of language skills according to managerial responsibilities and employment categories;

(b) take whatever interim measures are necessary to meet the requirements of the Official Languages Act with respect to those bilingual positions whose incumbents are unilingual or which become vacant, so that services to the public and to staff members can be provided in both official languages;

*Language Tests and Training*

(41) (a) ensure that it dispenses with the currently used method of assessing language knowledge in those instances where unilingual supervisors make personal judgments of an employee's bilingual competence; take the necessary steps to avoid such situations, and correct existing assessments where necessary;

(b) immediately undertake an accelerated language training programme designed to allow the Corporation to achieve, by December 31, 1978, the necessary levels of individual and institutional bilingualism among its personnel;

(c) supplement such a programme with, or incorporate within it, existing specialized second language training courses adapted to specific technical and professional requirements;

*Recruiting*

(42) (a) ensure that all administrative components of the CBC, consistent with the corporate policy which considers bilingual capability as a determining factor in the selection of candidates of equal competence for designated bilingual positions, henceforth increase their recruiting efforts in those parts of Canada most likely to yield qualified bilingual applicants, as well as in bilingual universities and through advertising in minority-language weeklies;

(b) intensify its contacts with French-language institutions and professional associations with a view to attracting qualified French-speaking specialists in those sectors and for those divisions, particularly the Engineering Division, where it has not to date had sufficient French language capability to guarantee the equality of status of both official languages as languages of service and of internal communication;

*LANGUAGE OF INTERNAL COMMUNICATIONS*

*Head Office, Engineering Division, Special Services Division, Ottawa Area and ORTO*

(43) ensure that all corporate components henceforth actively foster and promote the use of French as a language of work among their employees, in order that French may attain a status equal to that enjoyed by English at all levels of the Corporation;

(44) have all corporate components immediately carry out inventories of internally generated work instruments, establish their linguistic status and lay down clear priorities and time-frames to ensure that all work instruments are available in both official languages by December 31, 1977, and that, by July 31, 1976, all future work instruments and all amendments are automatically and simultaneously issued in French and in English;

(45) have all corporate components henceforth ensure that whenever they obtain manuals or other work instruments from outside institutions, whether

governmental or private, they formally and systematically request copies in both official languages, and make the appropriate edition or editions available to their employees;

(46) have all corporate components henceforth ensure that neither official language is neglected in the drafting of policy documents for internal and interdepartmental circulation and that these documents reflect accurately the equality of status of both official languages;

(47) have all corporate components take immediate steps to ensure that, by October 31, 1976, all financial services (accounting, financial analysis and controls, etc.), and administrative services (travel, material, contracts, etc.), whether written or oral, provided to their employees are available in French as well as in English;

(48) have all corporate components henceforth make certain that all staffing procedures, staff relations or other personnel services, including person-to-person communications, fully respect the known or anticipated language preferences of employees and that, in particular, job descriptions, notices of competition, appeal notices and other such matters of interest to employees of both language groups are made available simultaneously in both official languages;

(49) have all corporate components henceforth ensure that their personnel are informed of all training and development courses for which they may apply, and indicate in which language or languages the courses are to be given; furthermore, make every effort to ensure that, to the extent possible, comparable course offerings are made equally accessible to employees in English and in French;

(50) ensure that the Engineering Division and all other administrative components of the Corporation, including the two networks, henceforth make every effort to obtain both French and English editions of technical manuals and similar documents from Canadian and non-Canadian suppliers of technical equipment, so as to increase the opportunities for the Corporation's technical staff to work in French as well as in English;

#### *Engineering Division*

(51) henceforth ensure that the normal language of written and verbal communications between the Engineering Division and the French Services Division is French;

(52) ensure that French is accorded its proper place as a language of work within the Engineering Division, particularly in projects commissioned by or directly involving the French Services Division;

(53) ensure that by December 31, 1977, all training and development courses offered directly or indirectly by the Engineering Division are equally available to employees in both official languages;

#### *"Host-guest" Locations*

(54) in all production centres where the English and French Services Divisions co-exist within the "host-guest" administrative framework (presently Montreal, Toronto, Windsor, Winnipeg, Regina, Edmonton and Vancouver), have the "host" network ensure that:

- (a) starting immediately but in no event later than December 31, 1978, adequate bilingual capability exists among personnel providing internal services to the "guest" network, particularly with regard to administrative support areas such as personnel, financial and library services, and all other areas engaging in verbal and/or written job- or work-related communications with employees of both networks;
  - (b) all memoranda, directives, and other work instruments of the type listed as examples in Appendix B prepared by the "host" network for distribution to employees of both the "host" and the "guest" network, are henceforth at all times issued in bilingual format or simultaneously in separate French and English versions;
  - (c) every possible effort is made to make available to the "guest" network, as soon as possible but in any event no later than December 31, 1978, an adequate number of bilingual technical support staff for all services associated with radio and television production and broadcasting;
  - (d) henceforth, every effort is made to inform the "guest" network employees of all training and development courses available in English and/or in French;
- (55) ensure that henceforth, the English and French Services Divisions coordinate their efforts to provide training and development courses to their respective employees, so as to avoid, to the extent possible, situations in which certain employees, because of factors such as location, are unable to take such courses;

#### *Moncton/Halifax*

- (56) ensure that, for as long as the CBC Moncton location reports administratively to the English Services Division's Maritime regional headquarters in Halifax:
- (a) administrative support areas, such as personnel and financial services, and all other areas engaging in verbal and/or written job- or work-related communications with CBC employees in Moncton, have sufficient bilingual capability as soon as possible but in any event no later than December 31, 1978, to perform such duties in both official languages;
  - (b) all memoranda, directives and other work instruments of the type listed as examples in Appendix B prepared for distribution to employees located in Moncton are henceforth issued at all times in bilingual format, or simultaneously in separate French and English versions, in order that employees may have the opportunity to perform their duties in the official language of their choice;
  - (c) employees located in Moncton are informed of training and development courses available to them in English and in French and that the possibility is fully explored of offering Francophone employees in Moncton the opportunity to attend training and development courses given in French by the French Services Division, other corporate components and private and public institutions;

#### *Libraries*

- (57) ensure that, throughout the Corporation, all libraries, including record libraries, which serve both Anglophone and Francophone employees;

- (a) are as soon as possible, but in any event no later than December 31, 1978, staffed by an adequate complement of bilingual personnel, and
- (b) contain acquisitions which adequately reflect the needs of both Anglophone and Francophone employees;

### *Translation*

- (58) (a) by June 30, 1976, assess its current and projected translation needs throughout the Corporation, establish a specific policy and guidelines for translation and determine the most effective means by which such a policy can be implemented;
- (b) give serious consideration to establishing an in-house translation capability at the Toronto headquarters of the English Services Division, and in other centres where the translation requirements are sufficient to warrant the engagement of one or more part-time or full-time translators;
- (c) in order to avoid possible violations of the equality of status requirement of the Official Languages Act in that the English and French versions of a text may be of unequal quality, ensure that its employees, other than professional translators, are not normally called upon to perform translation duties;

### *OTHER RECOMMENDATIONS*

(59) ascertain, from all employees, by March 31, 1976, their language preference (English, French or both) for "personal communications" (for example most communications emanating from Human Resources offices) between the Corporation and its personnel, pass the information of language preference to all services likely to issue such communications, including those responsible for the CBC Employees' Pension Fund, and take all necessary steps so that henceforth all employees, regardless of the part of the organization to which they belong, receive those communications in the appropriate language unless the communications are issued bilingually in a single document;

(60) take all necessary measures including issuance of an administrative directive, so that henceforth, during hiring, promotion, training and/or other types of personal interviews, the language(s) used fully respect the choice of the employee being interviewed and not that of the person or persons doing the interviewing;

(61) take all necessary steps so that henceforth all collective agreements and other documents of a similar nature signed by the Canadian Broadcasting Corporation are available in their entirety in both official languages, including agreements with non-union employees; furthermore, a clause be henceforth added to all such agreements so that, in any interpretation of the texts, both official language versions are equally authentic, in accordance with the spirit of Section 8 of the Official Languages Act;

(62) where applicable, maintain close liaison and consultation with its employees' unions and staff associations in implementing the preceding recommendations;

(63) avoid jeopardizing the job security or career opportunities of its personnel in implementing the recommendations listed in this report;

(64) deal with complaints taken up with the Corporation by the Commissioner of Official Languages in his role as ombudsman and take corrective action in the shortest possible time, notwithstanding any action taken by the Corporation with respect to the recommendations contained in this report or for any other purposes, and regardless of any target dates specified in these recommendations;

## COMPLAINTS

### *File Nos. 2512 and 2513—“Mac Talla an Eilean”*

Two members of Parliament complained to the Commissioner that CBI Sydney was taking the Gaelic programme “Mac Talla an Eilean” off the air. They asked him to examine the situation in the light of Section 38 of the Official Languages Act.

At about the same time, the matter was referred to the Standing Committee on Broadcasting, Films and Assistance to the Arts, where it developed into a broad examination of the use of non-official languages on radio and television.

The Commissioner met with CBC executives and discussed with them both the Gaelic programme and the use of non-official languages on the air. The Corporation subsequently told him that the Gaelic programme was being retained until a study group (which would include representatives of the CRTC, the CBC, the Secretary of State and the Minister of State for Multiculturalism) had reported its findings. The task of the study group would be to determine a formula for third language broadcasting in a way that would not diminish the status of the two official languages of Canada.

The Commissioner told the Members that he believed it would be premature for him to make a pronouncement before the study group had examined the issues.

At the end of the year the study group had not yet completed its work.

### *File No. 3259—English-Language Television in Chicoutimi*

On behalf of a group of citizens, the complainant sought the Commissioner’s assistance in getting English-language television service for the Saguenay-Lac St-Jean region.

The CBC informed the Commissioner that it had filed an intervention and, later, a formal application with the CRTC in the spring

of 1974 in order to try and secure VHF channel 10 for its English outlet. The intervention expressed the CBC's fears that the channel might be awarded to a private broadcaster who planned to make use of it through a retransmitter situated at Chambord, Quebec. The application advocated use of channel 10 by a Chicoutimi English-language television station, as this channel was infinitely superior to the others from the standpoint of the Corporation's national plan for the expansion of services. On October 18, 1974, the CRTC had announced that the channel was being awarded to a private French-language station and had suggested that the CBC use the UHF band for English-language service. The CBC would consider filing a new application.

After learning of the CRTC's decision, the complainant sent a telegram to the Commissioner asking him to intervene on the CBC's behalf. He also visited the Commissioner and related his group's efforts to get English-language television for his region.

The Commissioner sent a copy of the correspondence to the CRTC for appropriate action especially should the CBC file a new application.

The CRTC sent the Commissioner a copy of its public notice approving the establishment of a television relay transmitter on channel 10 in Chambord and pointed out that this decision allocated the last available VHF channel in the Saguenay-Lac St-Jean area to a second French-language television service in the region. Under present circumstances, the CRTC felt that the UHF band was the best, and perhaps the only, way to provide the Chicoutimi and Lac St-Jean region with English-language television service. The CRTC and the CBC had used this means before to try to meet the needs of minority groups in other provinces: in Toronto, for example, the CBC used the UHF band to relay its French-language programmes, and a similar situation existed in Windsor, Chatham, London and Kitchener. The CBC was now in a position to submit an application to provide English-language television service in the Saguenay-Lac St-Jean area. The CRTC had written assuring the complainant that it would consider any such application as soon as possible.

The Commissioner later learned that the CRTC heard a CBC application for UHF channel 58 in December 1975 but had not yet decided on it.

*File No. 3384—French-Language Radio and Television in Nova Scotia*

In a letter addressed to the Secretary of State, a complainant criticized the deficiencies in the radio and television services that the CBC provides to French-speaking Canadians in Nova Scotia.

The complaint focussed on the Crown corporation's accelerated coverage expansion plan, which had already been dealt with in the special study of the CBC's activities conducted by the Office of the Commissioner during the year (see summary of the study above).

In this particular case, the Corporation sent the Commissioner a copy of the detailed reply it had sent to the complainant.

In its reply the Corporation explained that with regard to broadcasting, the Accelerated Coverage Expansion Plan, which had been approved in the spring of 1974 by the federal government and was already being implemented, applied to Nova Scotia. Through this expansion program, the Corporation expected that within five years it would be able to provide national programs to people who were without such service. It planned to do this by installing more than 500 relay transmitters in approximately 300 communities of over 500 people, in various parts of Canada.

Among the areas which met the criteria relating to population and lack of radio services were Halifax, Sydney, New Glasgow, Middleton and Mulgrave. For television, the list included Digby, Middleton and New Glasgow. According to the schedule the Engineering Department had established for completing the task within the prescribed time, all the work in Nova Scotia would be completed in the third year of the five-year plan with the exception of Halifax, where the radio transmitter could be installed one year earlier.

The Corporation said that statistics it had gathered in 1972 showed that 93% of the Acadians in Nova Scotia were able to receive programs from the French television network, and that this percentage would be increased appreciably once the three new stations were set up. Moreover, the range of the relay transmitter in Halifax met the expectations of the engineers. Everything indicated that the antennas provided coverage within a radius of twenty-five miles, so that the areas where the majority of French-speaking or bilingual persons lived would in fact be given adequate service.

As for the deficiencies mentioned in the radio coverage in the Pointe-de-l'Église area, the Corporation proposed to correct them as soon as possible by adding a new relay transmitter to the existing network in the southwestern part of the province. The purpose of the low-powered relay transmitters used in this network was to reach an audience that was concentrated in a specific area. However, in order to alleviate the inevitable reception difficulties that arose with a forty-watt AM transmitter broadcasting over such a wide area, the Engineering Department recommended using a more powerful FM station that would nevertheless carry the AM program from CBAF.

Moreover, with regard to television, the CBC said that service to the communities along the shore of the Bay of Fundy would be distinctly improved once the Digby and Middleton stations began broadcasting. It was also possible that improvements could be made later to the coverage capacity of the Yarmouth transmitter if technical surveys revealed that there were serious deficiencies in some areas.

Finally, the Corporation noted the complainant's observations on the regional production of CBAFT in Moncton, which he considered to be inadequate. According to Program Management it was only a lack of financial resources that was delaying the implementation of a large-scale project for increasing production. Plans had been made to double the amount of air time for public affairs programs produced in Moncton, to add a quarter of an hour of local news to the daily schedule and to add a weekly program on current affairs in the Atlantic Provinces. The Corporation later indicated that CBAFT was also producing a variety program.

As for equipment, the Corporation announced that it was going to make gradual changes, such as converting for colour production and setting up another studio, in the production facilities in Moncton. According to the latest information provided by the CBC at the beginning of 1976, local programs were already being produced in colour and the construction of a new studio was still being planned.

The Commissioner, although he commented on the whole accelerated coverage expansion plan in the report made following the special study on the CBC, also indicated to the president of the Corporation, with reference specifically to the investigation of this complaint, that the projects planned for Nova Scotia not only clearly established the priorities to be respected, but also gave reason to hope for a notable improvement in French-language radio and television services in this region.

## CANADIAN NATIONAL RAILWAYS—*Murder on the Orient Express*

### *EVALUATION*

*Itinerant Canadians lodged 35 complaints last year against the CN. These concerned such matters as the lack of bilingual service at hotels, restaurants, telegraph offices and ferry terminals, and the lack of bilingual forms and signs. Except in four cases, the Company resolved these problems quickly and resourcefully.*

*In many interesting ways, the CN chugged along quite well on its own steam. It ensured that its Express Service customers in small*

towns, where bilingual service was not available, could receive service in the official language of their choice by telephone. The Company informed its regular and potential clients of this through advertisements. The CN hopes this telephone service will also enable it to measure the demand for bilingual services in these areas.

The CN now ensures that telegrams can be sent and delivered in French across Canada by using the toll-free INWATS telephone system (except in the province of Quebec and the National Capital Region, where bilingual services are supposed to be always available on the spot). A similar system for information and reservations is being introduced in CN's Passenger Service offices: it is now used in Halifax and Moncton for the Atlantic provinces and in Toronto for Ontario, and will be available in the four Western provinces before the end of 1976. This service is advertised in local newspapers and entered in telephone directories. It is also made available to customers at CN offices where no bilingual capability exists.

The CN reports that 21 of the 33 recommendations this Office made—as a result of a “national” special study in 1973—are substantially implemented, and that the 7 recommendations of our Moncton special study are fully implemented. The CN is plainly trying to move forward and its plan of action is producing results. Its efforts centre on informing employees of their obligations to serve customers in their preferred official language, on providing language training and on hiring full-time and seasonal bilingual employees. The Company has also placed 38 bilingual Passenger Service Assistants on board main-line trains to help meet travellers' needs. Its signs conversion programme is going well. In much of this whole reform, the CN's decision to hire regional coordinators to support the programme has tangibly paid off.

The CN has made substantial progress in equipping its hotels to provide service in both languages. At least six of its own seven hotels have notable bilingual strength; and signs and printed material appear generally to be bilingual. On the basis of fewer complaints and some random observations, as well as on the basis of the CN's own detailed information and assurances, it seems that bilingual services are broadly available in most CN hotels. Bilingual services on most trains, except for the persistent and unacceptable example of the Toronto-Montreal run, are apparently improving.

The CN is a first-class example of what a large corporation can do—when its wheels do start to turn—to improve bilingual service even while bound by union agreements and heavy responsibilities to long-service employees. It still has far to go to give full effect to the Official Languages Act. But linguistically speaking, it is solidly on the rails.

## COMPLAINTS

### *File No. 2900—Good Reporting*

A journalist from *Le Devoir* reported that the story of a woman who was “a victim of English-speaking public servants at the head office of Canadian National Railways” should be added to the Commissioner’s *Third Annual Report (1972-1973)*. According to the journalist this woman, the widow of a former CN employee, had tried unsuccessfully to settle the question of her pension. It was only on her fourth visit to the company’s head office in Montreal that she was finally able to meet with a French-speaking employee. The woman alleged that she had been treated unfairly because of her language.

The CN replied to the Commissioner that after having consulted its files and questioned its employees, it was in a position to affirm that the woman and her son had always been served in French by employees who were perfectly bilingual. Furthermore, the correspondence addressed to this woman had been written in French. Consequently the CN was at a loss to explain the statements which appeared in the article, since the woman had thanked the Pension Department for the way it had taken care of her.

The Commissioner sent the CN’s explanations to the complainant so that she could comment on them. After denying the version of the facts provided by the CN, the complainant supplied the following details:

- 1) the written communications from the CN had in fact always been in French, but during her three meetings with one of the employees in the CN Pension Department in Montreal, she had found it impossible to explain her problem in French even though a bilingual receptionist had acted as interpreter;
- 2) during her last visit to this office, she had raised her voice and insisted on speaking to a French-speaking employee. Her request was granted. After a brief examination of the various documents, this employee stated that the pension should have begun on November 30, 1970 instead of on July 1, 1971 and this resolved the point at issue; and
- 3) the English-speaking employee with whom she had dealt earlier had misinterpreted the documents in the file. These documents were probably written in French, since they had come from the CN personnel Department in Quebec City.

The CN, informed by the Commissioner of the complainant’s comments, stated that the bilingual receptionist in the Pension Department had provided the complainant with explanations in French. It added

that it was unusual that the receptionist was called upon since twelve of the nineteen information officers were bilingual. The CN admitted that the woman had not received the services to which she was entitled and apologized for this.

The Commissioner expressed his dissatisfaction with the fact that a French-speaking person had been unable to discuss her problem directly with a French-speaking or bilingual employee, but had had to go through an interpreter. He felt that on this occasion the spirit of the Official Languages Act had not been respected and, consequently, he recommended that from now on the CN make sure that its clients (including its employees and their dependants) were served directly in the official language of their choice, and not through interpreters, whenever bilingual staff was available.

The CN replied that the Pension Department was making every effort to ensure good relations with employees, widows and pensioners and that to this end, its staff had been instructed to use the official language chosen by the client in so far as possible. Nevertheless, it could happen that on rare occasions—vacations, illness or transfers—an interpreter would be called upon. This was an exceptional measure which CN was trying to avoid using. It added that this was the first time anyone had had to complain about not being able to deal with the Pension Department in the language of his choice.

*File No. 3614—Work Instruments*

A French-speaking maintenance technician working for CN-Telecommunications in the Province of Quebec complained to the Commissioner that he was obliged to make out his supplies requisitions in English. He also said that although the equipment he was working with was made in Montreal, CN-T had ordered only the English maintenance manuals. He believed that he should get a bilingualism bonus if he had to use both official languages in his work.

The Commissioner explained the current practice within the Public Service proper of giving a 7% bonus only to secretarial staff who used their second official language for at least 10% of their time and who had reached a certain level of fluency in the language.

The Commissioner then took up with the Corporation the complainant's problems with requisitions and manuals. The Corporation replied that the CN-T stores in Toronto had had instructions that requisitions filled out in French were to be honoured. Evidently, some employees were not following those instructions; new directives would be issued to ensure their compliance. Failing to order French manuals was likewise a breach of the Corporation's guidelines which stipulated that maintenance manuals were to be obtained in both English and

French with all purchases of equipment that was to be used in Quebec and every other place where the main language was French. The CN had now ordered French copies of the manuals.

The Commissioner replied that he advocated that the CN provide manufacturer's maintenance manuals to employees in their preferred official language and that he believed that this was particularly important in the case of technicians working alone or in small teams. He also asked the Corporation if it would elaborate on what it meant by "every other place where the main language was French". The Corporation in reply said it would ask its suppliers to provide instruction manuals in French and English in Quebec and everywhere else where it seemed probable that the employees' first official language was French.

#### CANADIAN TRANSPORT COMMISSION—*A Streetcar Named Desire*

##### EVALUATION

*The Canadian Transport Commission deserves a raspberry for its lack of zeal in implementing the recommendations made in our special study last year. Its response to our follow-up queries was evasive and incomplete; progress reported was slight. For example, the CTC has not implemented recommendations aimed at increasing the use of French as a language of work, saying that it must first deal with Treasury Board directives on that subject—a clear case of not being able to walk and chew gum at the same time. However, on the positive side, the CTC has assigned responsibility for its official languages programme to a senior official, translated some printed materials, and examined (though not yet solved) the problem of providing simultaneous translation. In sum, the CTC seems to consider speed a virtue in every area except linguistic reform. This impression is sombre, but the evidence the Commission itself has supplied this Office can leave no other.*

#### CENTRAL MORTGAGE AND HOUSING CORPORATION—*The House Beautiful*

##### EVALUATION

*In our last report, we indicated that CMHC has implemented all the recommendations made as a result of our 1971 special study. This*

year the Corporation kindly sent us a short follow-up report which expressed its commitment "to keep progressing towards a truly bilingual institution."

The Corporation announced that its Official Languages Bureau now includes a translation department and a terminology centre and that in-house, job-oriented language training has been stepped up. Furthermore, in a brisk and businesslike information booklet, CMHC's president invited, ever so gently, all employees to help him implement the Official Languages Act. In spite of a few ambiguities which might usefully be clarified, the document explains to administrators in simple language the Act's basic principle, linguistic equality. Whatever the prime lending rate, 'tis a consummation devoutly to be wished.

CHIEF ELECTORAL OFFICER—*Two Cheers for Democracy*

## EVALUATION

Since 1975 was not an election year, this agency received no "votes" from our complainants. Indeed, the office of this important officer of Parliament has tried with energy and imagination to mirror Parliament's linguistic wishes.

There remain, however, some disappointments. The Chief Electoral Officer has been unable to implement fully any of our nine special study recommendations outstanding since last year. This failure does not constitute a rejection of the principles embodied in the Official Languages Act; it can be explained rather by the small size of the Chief Electoral Officer's permanent staff and by his lack of direct control over the 200,000 persons—returning officers, enumerators, revising officers and deputy revising officers appointed by the various political parties. Also, the Standing Committee on Privileges and Elections has yet to back up the Chief Electoral Officer's good intentions by amending the Canada Elections Act to require better service in both languages.

Nevertheless, the Chief Electoral Officer is doing significant work in bilingualizing forms for public use. Further, as a temporary measure, he is looking into using special telephone lines to meet the demand for services in French in areas where Francophones are scattered. During the relative lull before the next elections, perhaps he will be able to resolve the few remaining problems so that still more voters can support their favorites and defeat their bêtes noires in the official language of their choice.

## ENVIRONMENT—*The Silent Spring*

### EVALUATION

*In general the Department was prompt to look into the 18 complaints against it, and found satisfactory solutions. It has implemented 39 of the 54 recommendations this Office made to the Department's Atmospheric Environment Service in Toronto and to the Fisheries Branch in Moncton.*

*The Department has also taken initiatives in several areas : for example, a special programme to attract French-speakers into its various services, and cassettes in English or French, as required, for tourists taking self-guided tours of the forestry experimentation station in Petawawa.*

*On the other hand, some smog still hangs over its otherwise clear skies. Four years' efforts later, its internal newsletter Zephyr is not yet fully bilingual. Another nit-picking failure is the technically, if not, it seems, politically easy-to-settle detail of unilingual shoulder flashes in Moncton's Fisheries Branch. Also, the Department's monitoring of the implementation of this Office's recommendations on Atmospheric Environment Service in the regions, particularly Toronto, appears hesitant and uneven. One hopes that more systematic zeal will clear up this year's rather minor blemishes and the Department's linguistic performance will be free of all pollution.*

*One heavy cloud does remain : language of work, notably at the Hull headquarters. Creating conditions where Francophones can work and advance more easily in French should be the Department's number one linguistic priority.*

### COMPLAINTS

#### *File No. 3121—Nautical Maps*

A French-speaker complained that maps published by the Department's Hydrographic Service did not have bilingual legends.

The Department said that it had more than 1,000 nautical maps in circulation and that this figure would increase to 1,500 within 20 years. Only 26 maps were bilingual and, without additional resources from the Treasury Board, it would be 1990 before most of these maps, new ones as well as reissues, were bilingual and used the metric system and the format recognized internationally. Additional resources of \$182,000 and seven man-years would be required annually for all of the Hydrographic Service's publications to be bilingual in 1980. The Department requested the Commissioner's support in getting the Treasury

Board to approve the necessary funds. Finally, the Department said that the 132 natural resources maps in circulation would be made bilingual when they were reissued and that new ones and those in production would all be bilingual.

The Commissioner regretted that it would be inappropriate for him to attempt the intervention suggested by the Department since an alternative solution might well lie in a revision of priorities. He was of the opinion that the Department's plans for making the natural resources maps bilingual were reasonable and acceptable and that similar plans should be adopted respecting the nautical maps. He recommended that all new maps of the Department's Hydrographic Service, including nautical maps, be made bilingual when they are revised owing to metric conversion or for any other reason.

The Department accepted the principle of the Commissioner's recommendation and said that, provided the Treasury Board approved the funds and as the human resources became available, it would publish new nautical maps, as well as reissues, in both English and French. It would also publish the "Nautical Instructions" series in both official languages as the necessary funds became available.

#### EXTERNAL AFFAIRS—*Down and Out in Paris and London*

#### EVALUATION

*Diplomats are not invariably Fabians. This year External handled 14 complaints with even greater dispatch than before and, in most instances, it found helpful solutions. The Department also made a number of tangible reforms: its advertisements and publications in local languages are now identified in both of Canada's official languages, the Manual of Procedures cited in last year's annual report is complete, and it has issued copies of this how-to-do-it handbook to administrative posts abroad, along with bilingual internal forms and other work instruments. The Under-Secretary lent a personal hand by inviting other departments and agencies to ensure that not only their own publications for posts abroad are bilingual, but that pretty well everything else they send to Canada missions overseas projects Canada's bilingual image. In addition, the Department tries realistically to take into account its staff's linguistic skills while sending officers abroad.*

*Although the Department has put into effect many of this Office's recommendations, it has been strangely sluggish in implementing the few that remain, some of which should be relatively easy to tidy up.*

*Finally, the Department's information system on bilingualism seems a little unilluminating. Could it cast a bit more light, no doubt few could cast aspersions.*

## COMPLAINTS

*File No. 3883—Confidential Files*

At a meeting of the House of Commons Standing Committee on Miscellaneous Estimates, a Member of Parliament said he had learned that the Department kept confidential files on employees who were not interested in becoming bilingual. His informant, an employee of the Department who had refused to take language training, had been characterized by one of the Department's language officers as "one of our most consistent enemies".

The Department said that its investigation of the matter did not appear to substantiate the allegations. Confirming the Commissioner's own remarks at the time the charges were made, the Department acknowledged that, along with other federal institutions, it asked employees to fill out certain forms, prescribed by the Treasury Board and the Public Service Commission, that were designed to give a linguistic profile of its personnel. Rotational employees were required to complete an additional form of its own. It sent the Commissioner copies of all of these forms.

The Department pointed out that the record it kept of the linguistic profile of its employees was not limited to those who were not interested in becoming bilingual; such information would be useless since the Department's aim was not to eliminate unilingual employees but to increase the number of bilingual ones.

The Department added that none of its officers who had dealings with employees in connection with any aspect of its bilingualism programme could remember making the alleged statement concerning a co-worker; moreover, the remark was out of keeping with the usual language of its officers and with the Department's attitude towards bilingualism.

Finally, the Department expressed interest in having further details that would help it get to the bottom of what it considered a serious accusation.

The Commissioner passed the above information on to the Member of Parliament and said that he was satisfied that the Department had not violated any section of the Official Languages Act in seeking to establish a linguistic profile of its employees. He offered to transmit to the Department any further details the M.P. or his informant could supply.

INDIAN AFFAIRS AND NORTHERN DEVELOPMENT—*Far From the Madding Crowd*

EVALUATION

*The Department deserves one or two huzzas for the imaginative way in which it has responded to the 20 complaints lodged against it this year and for the initiative it has shown in avoiding contraventions of the Act.*

*It has, for example, published an impressive signs manual for national parks which makes extensive use of pictograms; it likewise makes certain that signs in parks are checked for correct grammar and usage. French-speaking visitors to Point Pelée National Park (many of whom are students) are invited to participate in a "Jour de la francophonie". Also, in western Canada, the department hired some bilingual students to help in information sessions held for French-speakers visiting Interpretation Centres in various parks. During the 1976 season, it will also offer most written communications to the travelling public in both languages.*

*In spite of these examples of progress, there remain a number of areas where improvement seems urgent. The Department needs an effective recruitment programme to provide bilingual seasonal help, especially in parks in western Canada. Also, though new contracts with concessionaires contain a bilingual service clause, existing contracts are being left untouched: indeed, two years of pleading and cajolery have failed to convince the owner of Madame Tussaud's Wax Museum, in Banff, to melt down a little of his curious reluctance to greet that park's many French-speaking tourists in the language of his founder.*

*Progress in converting historic markers and commemorative plaques has been slow. The deadline for completion has been set back from June 1975 to June 1977.*

*The Canals Division, for its part, has done little to ensure that services are made available in both official languages to the travelling public. Its target date for completion of its sign conversion programme is set back every year with unfailing consistency. For example, only 50 out of some 600 signs along the Rideau Canal are displayed in a proper bilingual format: because such changes are so easy, it is not easy to forgive the Division's failure to make them.*

COMPLAINTS

*Files Nos. 3049, 3473 and 3549—Jasper National Park*

Three complainants reported to the Commissioner that they had been unable to obtain service in French at several locations in Jasper

National Park on June 3 and December 7, 1974, and on January 2, 1975.

The Department informed the Commissioner that it regretted that the complainants had been unable to obtain the desired service in French. It added that the state of institutional bilingualism in Jasper National Park had been the subject of a recent study by the National Parks Branch's Bilingualism Adviser and it forwarded a copy of his report.

The Commissioner informed the Department that the report showed, on the positive side, that the bilingual signage programme for Jasper National Park was well underway. On the other hand, it indicated how limited was the Park's capability to extend services spontaneously and on a year-round basis to French-speaking visitors, more than five years after promulgation of the Official Languages Act.

Regarding Jasper National Park's present capability to provide bilingual services, the Commissioner said that the situation described in the report seemed inconsistent with the requirements of the Official Languages Act and that it also appeared that Jasper National Park had not yet fully accepted the Department's early recognition of its responsibility under Section 10 of the Act to offer bilingual services at all times to the travelling public. The Commissioner moreover expressed the opinion that the plans outlined in the report hardly seemed adequate to meet the immediate bilingual service requirements of the Park and to fully implement Recommendation 44 (a) which he made in 1972 after a special study of the National Parks and Historic Sites.

The Commissioner recommended that the Department:

- 1) accept the existence of regular demand for bilingual services from the travelling public in Jasper National Park;
- 2) determine the actual demand for bilingual service by offering it, by publicizing the location where such service is available, and by using tools, such as a questionnaire-survey conducted this summer [1975];
- 3) use interim measures, such as telephone link-up with offices and/or facilities where bilingual capability exists, to ensure the availability of bilingual services at all times at the east and west gates of the Park, in the Administrative Building and at other key public-contact points;
- 4) accelerate the necessary measures, such as hiring bilinguals and/or suitably deploying English- and French-speaking unilinguals, to meet

the demands of those positions identified as requiring bilingual competence.

The Department reported that it conducted a Bilingual User Survey at the Jasper Park Townsite Information Bureau and the Columbia Icefields Information Bureau during the period of August 19-27, 1975. Of the 1,194 visitors interviewed, 44 indicated that they wished to be served in French.

The Department assured the Commissioner that each position in Jasper National Park had been carefully reviewed as to identification and designation. There would be no advantage in increasing the number of positions identified as bilingual since the absence of full bilingual services to the public was due to a lack of qualified bilingual people to fill the existing positions.

The Department was considering a suggestion to install a "hot-line" telephone which two or three qualified employees could man, on a shift basis, to provide French-language assistance. Additional seasonal positions would be required and incumbents could be recruited from elsewhere in Canada if no suitable Alberta residents came forward. Such arrangements would enable the Park to meet its obligations under the Act until present recruiting and training procedures met a practical bilingual standard.

The Commissioner pointed out that the problem of the lack of qualified people to fill the existing permanent and seasonal bilingual positions must be somehow resolved if further complaints were to be avoided. He asked that special attention be paid to the Job Order placed with the Jasper Branch of the Edson Canada Manpower Centre to ensure that it specified clearly those seasonal positions identified as requiring knowledge and use of both official languages. This would enable the CMC to broaden the search for qualified bilingual employees. The Commissioner also suggested that it might prove useful to advertise the availability of such jobs early at the Collège St. Jean, in *Le Franco-Albertain* and on CHFA and CBXFT. The CMCs serving the St. Paul, Bonnyville and Peace River districts could also be a potential source of qualified bilingual seasonal employees.

The Commissioner concluded by saying that the investigation of these complaints had helped to focus attention on the need of the Department to develop, as quickly as possible, an adequate year-round bilingual capability at Jasper National Park. This objective should be resolutely pursued and monitoring arrangements instituted if the travelling public was to receive, as a matter of right, Parks Canada's service in the official language of its choice, in accordance with Section 10 of the Official Languages Act.

## EVALUATION

*The Department, following the best traditions of the fast trackers of the corporate marketplace, reports that it has moved towards implementing nearly all of our remaining special study recommendations concerning its offices abroad—those dealing with telephone greetings at tourism offices, forms, signs and printed material, statistics on language composition of staff, appointment of Trade Commissioners and assessment of language capabilities.*

*IT&C has also done a number of praiseworthy things on its own initiative. For example, at headquarters, some 100 employees who answer the telephone have received one-hour lessons on taking calls in the appropriate official language, and flash-cards giving stock telephone phrases in both languages have been distributed widely in the Department. Also, in many instances, bilinguals cover off routinely for unilingual colleagues. Work instruments in Quebec are now bilingual; translation of unilingual work instruments elsewhere should be completed by April 1976. Business courses in French, equivalent to those given in English, have also been provided.*

*In short, it appears that the Department has turned a new leaf, although it is still too early to tell whether directives will always be translated into action and whether progress will be monitored effectively. Still, IT&C may take heart in realizing that, although it is not yet in the winners' circle, it has made a better showing this year than before. Its response to the recommendations resulting from this year's comprehensive special study (see below) should provide a good yardstick for measuring the Department's performance next year.*

## SPECIAL STUDY

A previous study of the Department's offices in North America and Western Europe was carried out in the spring and summer of 1972. The study, which was reported on in the Commissioner's *Second Annual Report*, bore mainly on the language of service to the public. The present study, which in no way duplicates the previous study report in either its scope or its detail, has not excluded the Department's offices abroad in considering the steps taken and results achieved by departmental headquarters in bringing its organization as a whole into line with the Official Languages Act. The present study examined all aspects of language of service to the public and certain basic aspects of language of work. In general terms, the study looked at accomplishments and plans

at the headquarters and in regional offices in Canada. Approximately 60 interviews were conducted between November, 1974, and February, 1975.

The Departmental Policy on Bilingualism, published in September, 1974, was issued to each and every employee within Industry, Trade and Commerce (IT&C). Its issuance, however, was not accompanied by any directives or amplifying instructions. Information gathered during the study revealed a lack of any follow-up measures (consistent with a staff information programme) to ensure that all employees were thoroughly familiar with the Department's policy on official languages.

A number of vague phrases such as "if possible", "generally will be" and so forth, form an integral part of the Department's policy on official languages. Such expressions leave interpretation of what should be done entirely up to the reader of the document. This inevitably invites exceptions and /or misinterpretations that can easily lead to contraventions of the Official Languages Act.

Although the Department had not fully developed a comprehensive, systematic and well monitored implementation programme with its inherent feedback mechanisms, target dates, milestones, etc., it had introduced a certain number of useful measures to fulfil, in part at least, its obligations under the Official Languages Act. One of the main weaknesses or shortcomings with the present programme, which should be corrected as soon as possible, is that it lacks effective coordination of and control over the basic elements involved.

The use of both official languages in publications, on forms and on printed matter is well under way in IT&C. Slightly over 80% of the Department's publications were reported to have been rendered bilingual either on the same copy or in separate versions. However, on some separate versions the Department did not mention the existence of an equivalent edition in the other official language nor the place where it could be obtained. Special efforts still need to be made to comply fully with the Act, particularly in regard to such items as signs and telephone directories (at the regional level) which were not all bilingual at the time of the study.

The extent of 'in-house' translation being performed by regular employees both at the headquarters and regional levels (with particular emphasis on the Quebec regional office) seems significant enough to warrant special departmental attention. The translations involved are generally performed by bilingual Francophones in an attempt to provide, in the appropriate language, efficient and expeditious service to the Department's clientèle. However, the documents the staff have to use in dealing with their clients should be rendered bilingual at headquarters.

The study also showed that there were shortcomings in the area of oral communication. For example, telephones were usually answered in

English only, a practice which could only serve to project a unilingual image of the Department and inhibit French-speaking callers. This practice undoubtedly stems from the fact that the Department has a high proportion of unilingual English-speaking staff. Measures have been introduced recently, however, to alleviate some of these shortcomings. The problems, of course, need to be eliminated entirely. The Department is conducting a ten-hour 'in-house' training course to assist those responsible for answering the telephone to identify their respective offices in both official languages or to enable them to inform the caller that he or she will be referred to another person capable of providing the required service. Services in direct contact with the public were not always staffed with personnel sufficiently bilingual to ensure service in both official languages; this was particularly evident in some of the divisions at headquarters and in most regional offices with the exception of the Quebec regional office.

The bulk of correspondence originating within the Department, both for internal and external purposes, is drafted in English. If the communication is directed to French-speaking persons, it will generally (if complex in nature) be passed to the Translation Unit. The invariable result is delay in handling French-language communications. Appropriate measures are required to ensure that such delay is not inconsistent with equality of service.

During the study, departmental staff often expressed the opinion that demand for service in French was considered for all intents and purposes to be non-existent and, accordingly, the provision of services in both official languages was really unnecessary. This opinion was also expressed by personnel in regions such as New Brunswick, Ontario and Manitoba where there is a significant French-speaking community.

Although approximately 10% of the staff is French-speaking, less than 5% of all departmental activities and functions in the National Capital Region were performed in the French language. Meetings and seminars are held almost exclusively in English, except where a group is composed entirely of French-speakers.

At the time of the study, the Department had three French language units: one in Paris, and two in Ottawa. It was quite apparent that the units located in Ottawa were not really functioning as French-language units. In one such unit, for example, the staff worked in English half of the time. It is essential that appropriate measures be adopted forthwith to enable these units to work in French.

Although the team was informed that sufficient bilingual capability existed to provide auxiliary services in both official languages, most of the requests for such services, even from French-speaking employees, are in English only. Furthermore, although work instruments (with the ex-

ception of certain printed information of a scientific and technical nature) are available in both languages, the majority of French-speakers carry out their daily tasks primarily in the English language because of the English work environment.

Analysis of data on the linguistic profile of the five major functional units within the Department reveals that for nine positions (less than 1% of the total number of positions) knowledge of French is sufficient. Eighty-seven positions (3.5% of the total number of positions) required a knowledge of either English or French.

The study also revealed that some 45% of the positions at headquarters were identified as bilingual. Approximately 27% of positions in the nine regional offices were identified as bilingual and were all situated in Ontario, Quebec, New Brunswick and Prince Edward Island. In all the regional offices no positions have been identified as unilingual French, or English or French. The present linguistic capability of personnel at these offices casts serious doubt about the extent to which the equality of status of the official languages could be respected with regard to language of service and language of internal communication.

Although the Department's language retention programme appeared to possess the essential ingredients required to enhance second-language skills, the basic needs of participants in the programme apparently were not being satisfied. An in-depth review to ascertain departmental requirements in this regard would be in order. Also, there is a very real need for a programme of remedial language training for French-speaking employees who are no longer confident of their ability to work in French as a result of working and living in an English-speaking environment. Finally, a programme should be developed to encourage a greater use of second-language skills.

The staff development programme provided by the Department offers a variety of 'in-house' courses designed to familiarize employees with their working environment, to develop essential analytical and information-gathering skills and to improve the general quality of the work produced. Approximately 40% of such courses, however, are still being offered in the English language only.

Contacts with the media were reported to be made primarily by means of press releases. The study showed that while the Department's distribution list for news items included various wire services and television networks, no use was being made of weekly papers in provinces or areas where dailies are published in only one of the official languages.

Although recruitment was viewed by those interviewed to be an essential vehicle for changing the work environment and for introducing new elements into the organization, opinions regarding the approach to

recruitment were somewhat divided. Most newly recruited employees are from Quebec and Ontario, with the majority coming from Ontario. Furthermore, it was suggested that managers were in the best position to indicate to the Public Service Commission where and in what papers to advertise, should the Department have recourse to "open" competitions to satisfy its demand. One wonders, however, whether this method of recruitment is always equitable. An effort should be made to correct a serious imbalance in the number of French-speakers in the Department and of positions where knowledge of the French language is sufficient.

Some persons interviewed believed that not enough effort was being made to recruit in the French-language universities and colleges which, in their opinion, could meet the demand. On the other hand, some few espoused the view that recruitment advertisements need only to be placed in *The Globe and Mail* as anyone interested in working for the Department of Industry, Trade and Commerce, be they English- or French-speaking, would naturally read this particular paper. In conclusion, the Department should explore more fully all possible sources of supply of candidates from both linguistic groups, including those from English-speaking and French-speaking universities and colleges, so as not to neglect any portion of the available market.

Finally, in spite of the fact that the Department has taken a number of useful measures to ensure compliance with the Official Languages Act, the study revealed acts or omissions which constituted, or could constitute, a contravention of the Act. Accordingly, in order to correct this situation and to help the Department meet its obligations, the Commissioner recommended that the Department of Industry, Trade and Commerce:

#### *POLICY AND IMPLEMENTATION PROGRAMME*

- (1) (a) use the findings, suggestions and recommendations of this study as a general, but not necessarily exclusive, guide for revising its policy statement on official languages, and integrate them into the implementation programme whenever appropriate;
- (b) develop by June 30, 1976, and carry out as soon as possible thereafter an implementation programme including short- and long-term objectives to give effect to the Official Languages Act and the Department's policy on official languages, indicating target dates and designating centres of responsibility for each stage or activity;
- (c) distribute its revised policy statement on official languages in bilingual format to every member of its staff and to all new employees;
- (d) enlarge its staff information programme to include in the programme the findings, suggestions and recommendations of this study, and practical

ways and means of complying with the Act, noting that the Commissioner and his staff are always prepared to take part in meetings which may further understanding and implementation of the Official Languages Act;

(2) ensure that henceforth the staff member bearing administrative responsibility for the proper implementation and coordination of the Department's policy on official languages:

(a) oversee the establishment of objectives and the planning and implementation of consequent programme activities, accompanied whenever appropriate by implementation dates; and

(b) supervise and monitor all activity relative to the different aspects of the implementation programme;

### *LANGUAGE TRAINING AND RETENTION*

(3) (a) keep personnel continually informed concerning opportunities for language training which exist outside prescribed working hours (Treasury Board Circular, 1974-91 dated May 29, 1974);

(b) encourage its staff who are most likely to use it after language training is complete to participate in such programmes;

(c) provide, on a voluntary basis, administrative-writing assistance to those employees who, as a result of working in a more or less unilingual milieu, are no longer confident of their ability to write in their own language;

(4) ensure that the investment in language training is fully protected by:

(a) actively encouraging personnel to use their newly-acquired language skills in internal and external communications;

(b) encouraging employees who have acquired an adequate base in their second official language to take some of their professional or technical courses (whether these are given by the Department, Public Service Commission or by private institutions) in that language;

(c) evaluating and, where necessary, modifying existing language-retention programmes so as to increase their effectiveness and the number of employees from both language groups to whom they are available;

(d) supplementing these programmes, where necessary, with specialized second language training courses adapted to the specific technical and professional requirements of the work milieu;

### *TRANSLATION*

(5) make periodic evaluations of present and future translation needs in light of the requirements of the Official Languages Act in order to determine whether the Translation Bureau at the Secretary of State Department should be asked to assign more translators to the Department's translation service, or whether some other measures should be adopted;

(6) take without delay measures to ensure that bilingual personnel at the Head Office or in the regional offices are not involved in carrying out translation duties as the performance of such tasks could, if the translation were not of equal quality, constitute a violation of the Official Languages Act;

## *LANGUAGE OF SERVICE*

### *Telephone and Reception Services*

(7) (a) implement consistently its policy of providing bilingual telephone answering and reception services in the National Capital Region and in all offices serving both official language groups;

(b) ensure, henceforth, that unilingual employees answering the telephone can at least identify their units in both official languages and refer the call with simple courteous phrases such as "Un instant S.V.P." or "One moment please" in the caller's language, to another employee capable of providing service promptly and fully in the official language of the caller;

(c) make sure that precedence is always given to the main official language used by the public being served;

### *Service of Equal Quality in Both Languages*

(8) (a) undertake appropriate measures by September 30, 1976, to ensure that, at headquarters and elsewhere, the staff coming or likely to come into contact and communication with the English- or French-speaking public (including members of other federal institutions such as CIDA, the Department of External Affairs, and so on) is able to provide services of equal quality in both official languages;

(b) remind without delay its senior officials and its officers or representatives abroad that in the course of their contacts with the public (whatever the nature of these contacts: meetings, lectures, international trade fairs and so on), they should take appropriate measures so that in all circumstances the equal status of Canada's two official languages is recognized and taken into account while paying the attention they consider necessary in the circumstances to other languages;

### *Publications*

(9) (a) ensure that all present or future publications, including folders, pamphlets, posters, manuals, books, and so on, it prepares and/or distributes to a public comprising persons from both linguistic groups are bilingual, preferably in one document;

(b) ensure that where it is not possible to comply fully with recommendation 9(a), the Department indicate in any unilingual editions the existence of equivalent versions in the other official language and the place where they can be obtained;

(c) examine its distribution of publications printed separately in the two languages in order to ensure that addressees receive the appropriate edition and that where applicable, for example in the case of Canadian embassies and consulates, they receive both editions simultaneously;

(d) ensure that employees responsible for distributing publications have sufficient stocks in both languages;

### *Correspondence*

(10) ensure that the Department's policy of answering mail in the language of the addressee continues to be observed and that all efforts are made to encourage employees with the necessary competence to originate correspondence in the official language used by its various clients; avoid undue delays (inconsistent with equality of service) and ensure that texts are of equal quality in both languages;

### *Recruitment*

(11) (a) intensify its contacts with French-language academic institutions and professional associations with a view to attracting qualified French-speaking specialists in those sectors and for those divisions where it has not to date had sufficient French-language capability to guarantee the equality of status of both official languages as languages of service and of internal communication;

(b) arrange with the Public Service Commission to have employment advertisements placed in papers in Quebec and in papers in other provinces likely to be read by Francophones who might be suitable candidates for the positions involved; this requires that weekly newspapers be used in regions or provinces where daily newspapers are available in only one of the official languages;

### *Signs, Telephone Directories and So On*

(12) (a) ensure that by June 30, 1976, all signs, inscriptions, notices on bulletin boards and other written and visual materials at the headquarters and in all offices in the regions are bilingual and respect the equal status of the two official languages;

(b) take steps without delay to ensure that all telephone listings for the Halifax, Toronto, Winnipeg and Edmonton offices appear henceforth in both official languages in the directories of these regions;

(c) ensure by March 31, 1976, that all remaining forms and rubber stamps, including date stamps bear equivalent inscriptions in both languages and where applicable that inscriptions on rubber stamps and dating stamps follow the international dating system;

### *Use of Media*

(13) ensure that, henceforth, the choice of communications media really enables it to provide information and service to the country's two linguistic communities; this necessitates, among other things, the use of weekly papers as substitutes in provinces or areas where dailies are published in only one of the official languages;

## *IDENTIFICATION OF POSITIONS AND LINGUISTIC PROFILE OF PERSONNEL*

(14) re-evaluate the identification of positions and the linguistic profile of personnel at the regional offices in order to determine the extent to which the linguistic capability of personnel at these offices corresponds to the language requirements for service to the public and for internal communication;

## *LANGUAGE OF INTERNAL COMMUNICATIONS*

### *Work Instruments*

(15) (a) complete its inventory of internally generated and required technical and procedural manuals, handbooks, and so on, establish their linguistic status, lay down clear priorities and time-frames and take such other steps as are required to ensure that, by the earliest possible date, all such manuals and works are available in both official languages and all amendments thereto are automatically and simultaneously issued in French and in English;

(b) ensure that, whenever it obtains manuals, guidelines, and forms, which are issued in separate English and French versions by other institutions, copies in both languages are requested, and that the appropriate editions are subsequently made available;

### *Training and Development*

(16) ensure that by December 31, 1976, employees of both language groups have equal access (as to location, subject matter, resources, and incidence of courses) to training of equivalent quality in their preferred official language;

### *Auxiliary Services*

(17) initiate steps to ensure that, by June 30, 1976, all administrative and personnel services, library services, and so on, whether written or oral, provided to branches or units comprising employees of both official language groups are provided automatically in the user's language;

### *Internal Use of Both Official Languages*

(18) take appropriate measures to ensure that, henceforth, all internal communications of a general nature such as directives, memoranda, notices on bulletin boards, and so on, are issued in both official languages simultaneously;

(19) develop immediately (to correct the present imbalance between the use of the two official languages in the planning and carrying out of the Department's responsibilities and in internal communications) a programme that will foster the use of French and make it easier for employees who choose to do so to use that language, thereby ensuring that the use of the two official languages reflects their equal status;

- (a) by conforming to its own policy statement on the official languages which requires that as a general rule every employee should be able to work in the official language of his choice;
- (b) by examining the possibility of establishing administrative structures such as units or groups at every level in the headquarters organization which would primarily work in French and do so on a regular basis;
- (c) by examining the possibility of increasing the number of positions at headquarters that require a knowledge of French;
- (d) by making it possible to use French in meetings, seminars and conferences and in communications with the regions;
- (e) by encouraging Francophones and their Anglophone colleagues to extend, in every possible way, the functional use of French in verbal and written internal communications, particularly at meetings of a technical or professional nature, in the preparation of reports and in work related to information programmes;

#### *French-language Units*

- (20) ensure that the Department's French-language units or units working in French are really able to work in French by (a) clarifying, for the benefit of the units in contact with French-language units as well as for the French-language units themselves, terms of reference for internal operational and administrative communications and (b) clearly articulating for those units any long- and short-range plans for their operation;

#### *CONSULTATION*

- (21) maintain close liaison and consultation with its employees' unions and staff associations in those cases where the implementation of the preceding recommendations requires it;

#### *JOB SECURITY AND PROMOTION*

- (22) avoid jeopardizing the job security or career opportunities of its personnel in implementing the recommendations listed in this report;

#### *HANDLING OF COMPLAINTS*

- (23) deal with complaints taken up with the Department by the Commissioner of Official Languages in his role as ombudsman and take corrective action in the shortest possible time, and this notwithstanding any action taken by the Department with respect to the recommendations contained in this report or for any other purpose, and regardless of any target dates specified in these recommendations.

## MANPOWER AND IMMIGRATION—Exodus

### EVALUATION

*The Department seems to be taking care in matching its internal language resources to actual needs across Canada, and has accepted the basic principles of the Official Languages Act. It provides bilingual service automatically at some Canada Manpower Centres, though elsewhere can give service in French only upon request. In settling the 40 complaints lodged against it, the Department has been quick, cooperative and efficient, and has generally succeeded in finding satisfactory solutions.*

*Of the 17 recommendations this Office made following a special study of the Metropolitan Winnipeg area in 1971, the Department has fully implemented 13. In Metropolitan Winnipeg, the Department has a central telephone number which gives a client access to the services of Canada Manpower Centres in his or her preferred official language. For example, in cases where a client goes to a Canada Manpower Centre without an appointment, and the centre does not have staff able to provide services in French, the Winnipeg centre is contacted by telephone so that the client's queries may be answered in French and, if need be, an appointment arranged for a later date. In addition, the Department ensures that advertisements are published in both official languages in the Winnipeg area.*

*Despite these commendable linguistic comings-and-goings, however, there are a number of important areas which the Department seems to have consistently overlooked. Although it has prepared a thoughtful and well-documented policy manual and has set up a monitoring system designed to ensure that its administrative guidelines are adhered to, the recurrence of complaints of a similar nature indicates areas in which departmental policy has not been applied as closely as it should have been. Moreover, the Department seems to be inexplicably slow in implementing the four remaining Winnipeg recommendations.*

*In the absence of significant progress, the Department's general linguistic posture seems a little less impressive than last year. However, a full-scale study of the Department as a whole, soon to begin, may show its linguistic performance in a much broader and perhaps more encouraging perspective.*

### COMPLAINTS

*File No. 3346—Canada Farm Labour Pools*

*Each year, a large number of workers from the Province of Quebec seek employment in the tobacco fields of Southern Ontario.*

The complainant maintained that Canada Manpower Centres in the region were unable to provide adequate service to these workers in French and were not disposed to assist them.

The Commissioner sent two of his staff to investigate. They were accompanied by representatives of the Department. The officers visited the CMCs in London, Tillsonburg, Simcoe, Chatham and Windsor and, in every case, they found some bilingual capability. However, it was evident that normally seasonal farm workers dealt with the Canada Farm Labour Pools, rather than the CMCs.

The Canada Farm Labour Pools are not part of the Department. Their managers are from outside and are engaged by contract. The Department, however, plays an important part in many aspects of the Pools' operation and draws up the contracts with the managers. The Commissioner therefore decided to recommend to the Department that it see that a clause was included in contracts of employment made with managers of Canada Farm Labour Pool Offices requiring them to observe the provisions of the Official Languages Act in providing services to their clientele.

The Department in reply pointed out that when the Canada Farm Labour Pools were established, it had made every effort to ensure that the spirit and intent of the Official Languages Act would be applied to the extent possible. It had produced manuals, documents and forms in bilingual format. Bilingual staff had been recruited to serve seasonal farm workers from Quebec.

The Department said it would continue to encourage managers to recruit staff to provide services in both official languages where they were needed. It maintained, however, that the Canada Farm Labour Pools did not fall within the purview of the Official Languages Act.

The Commissioner replied that he appreciated that the Act did not apply directly to the Canada Farm Labour Pools and that was why he had made his recommendation to the Department; the Department could urge inclusion of the clause, whereas the Commissioner could not.

Although he was disappointed that the Department had not implemented the recommendation he had made, the Commissioner said he was encouraged by what the Department had already done to help the Canada Farm Labour Pools to provide services in both official languages to its clients.

*File No. 3467—A Successful Appeal*

A French-speaking employee sent the Commissioner a copy of an appeal notice he had sent to the Public Service Commission. The

complainant believed that he had not been properly evaluated because the board had not asked a single question in French, even though he had asked to be interviewed in both French and English. Furthermore, he had not been asked by the board which of the two official languages he preferred to use during the interview.

The Commissioner pointed out to the Department that he had recommended, following a special study of the Public Service Commission, that all members of a selection board be able to converse fluently in the language of the candidate. There had been agreement in principle on this recommendation even before the report on the study was sent to the Commission.

The Commissioner wanted to know whether the members of the board were bilingual and if so, why they had not questioned the candidate in French as well as in English. He also inquired as to why the complainant had not been asked in which of the two official languages he would have liked to have been interviewed.

The Department replied that the complainant had been asked by letter whether he wished to be interviewed in English, French or in both languages. The complainant had tried to contact the persons named in the letter to signify his choice of language and, in their absence, left a message with the person who answered the telephone, indicating that he wished to be examined in both languages. The complainant did not know who the person was, and no one in the Staffing Division recalled the incident.

Since the Department had no reason to dispute the complainant's claim, it concluded that his wishes had not been honoured because of breakdown in communications. It conceded the appeal and informed the Commissioner that a new rating board would be established by the Public Service Commission and that the candidates would be re-examined. The complainant would then be interviewed in the language or languages of his choice.

## NATIONAL ARTS CENTRE—*The Moon's a Balloon*

### EVALUATION

*This year again, the Centre deserves applause and an encore for a splendid linguistic performance. Largely because of the Director General's strong personal commitment to making it a truly bilingual show-piece, the NAC has changed its linguistic stage-setting in a number of important ways. Conscious of its obligation to serve its clients in their*

*preferred official language, the Centre has stepped up its efforts to monitor the application of its directives on bilingual programmes and posters, has started its own language training programme for which it is developing a glossary, and has, on its own initiative, made one hundred of its internal-use forms bilingual. The Centre has also taken steps to ensure that publicity and information materials are available in both official languages, particularly when performing artists come from unilingual areas of the country or from abroad.*

*Regrettably, this Office's follow-up revealed a few flaws in an otherwise irreproachable performance—including the tasteless tragedy of French coffee served only in English in the NAC's café. But what is a drop of java in such an ocean of apropos?*

#### NATIONAL CAPITAL COMMISSION—*God's Little Acre*

##### EVALUATION

*Citizens lodged 14 complaints against the NCC this year about such matters as signs, canteen staff and—oh cruel legend!—unilingual life-guards. The NCC settled complaints with efficiency and aplomb. While one hesitates still (perhaps only because perfection is not of this world) to set the agency on the very pinnacle of fame, one rejoices to confirm that in bilingualism at least, nice guys do not finish last and that they may, with a bit of luck, one day finish first.*

#### NATIONAL DEFENCE—*Major Barbara*

##### EVALUATION

*Citizens registered 41 complaints against the Department last year; most of these were about service to the public, while 12 touched on use of official languages at work. The language-of-service complaints dealt with such matters as signs, forms and unilingual telephone service, while the others centred chiefly on language requirements for positions and language training. The Department usually settled complaints within a reasonable time, although there were delays no doubt attributable to its size and complexity.*

*At one base in the West, DND is experimenting with the use of badges that read "Je parle français" to increase the use of French and*

*encourage English-speakers to use their second language. If this initiative does loosen a tongue or two, DND may try it elsewhere. Also, the Department has taken some measures to ensure that French-speakers can work in French as much as possible at the 202nd Workshop Depot (Longue-Pointe, Montreal). Not really, in Quebec, such an outrageous reform.*

*It is tempting, indeed facile, to note that soldiers obey the law better than many civilians. But in affairs of language, at least, the truism seems true. A special study our office has just begun on DND's general responsibilities may tell some gripping tales of further triumph (and, we hope, no tragedy) on the bilingual beaches.*

## COMPLAINTS

*File No. 3694—Traduttore, traditore*

A French-speaker complained to the Commissioner that the English and French versions of the "Notice to Pensioners/Annuitants: Medicare Cost-Sharing and Remuneration Supplements" did not agree. In paragraph 2(d) the English read "if you are a resident *outside of Canada*", whereas the French version said exactly the opposite: "si vous résidez *au Canada*" (if you are residing *in Canada*).

The Department replied to the Commissioner that the disparity between the English and the French versions was due to inattention when the French translation was retranscribed. It regretted this incident and was fully aware of the necessity of making sure that the English and French versions of documents agreed.

After studying the matter carefully, the Commissioner suggested that the Department of National Defence immediately issue an amendment giving the correct French version and explaining to those pensioners affected by the error the procedure to follow in order to obtain their due.

The Department accepted the suggestion and sent the Commissioner a copy of the amendment which was attached to the pension cheques.

*File No. 4066—The Bonus*

A French-speaker who used to work at the Canadian Forces College in Toronto said that she had been in a bilingual stenographer position, but that she had never received the bilingualism bonus of seven per cent provided for this position. She stated that she had,

however, passed the Language Knowledge Examination for English. She claimed, as well, that all the bilingual stenographers at Camp Borden received the bonus. She included a number of documents with her letter.

The Department informed the Commissioner that the complaint was justified and that it was through a miscalculation that the complainant had not received the bonus. Wishing to correct its mistake, the Department proposed to pay the complainant all the money owing to her.

In his reply to the Department, the Commissioner asked a number of questions. Would the way in which the bilingualism bonus was awarded be different at Camp Borden and Toronto? On the strength of a handwritten note on a memorandum to the complainant, why was form DND 450 stocked in English only at the base store? How many forms at the Canadian Forces College in Toronto were in both official languages? Which ones? When would form DND 450 and any other unilingual forms be printed in both languages?

In its second reply, the Department explained that it had found, after reviewing the situation, that the way in which the bilingualism bonus was awarded was the same in Toronto and at Camp Borden. In the complainant's case, it had only been an unfortunate mistake. Moreover, according to the Department, the investigation did not reveal any contravention of the Act.

Form DND 450 existed in English only, but it had a French counterpart—form DND 453. The Department was sorry this form had not been sent to the complainant, but added that this oversight had been quickly corrected.

In answer to the Commissioner's other questions, the Department indicated, on the basis of a survey, that all but six forms used at the Canadian Forces College in Toronto were bilingual. Of these six, two would be available in a bilingual version around the middle of February 1976, while the other four were being translated.

The Department added that it was aware of its obligations in linguistic matters and that it was doing its best to provide its employees with work instruments in both official languages. Nevertheless, certain complaints stemmed from the fact that some employees, through an oversight or out of habit, were continuing to use the few unilingual forms they might still have on hand.

The Commissioner accepted the Department's explanations, but asked to be duly informed when the last four forms that were still being translated became available in both languages.

## NATIONAL ENERGY BOARD—*Darkness at Noon*

### EVALUATION

*The Board's perennial search for ways to cut back consumption of our natural resources seems to have affected its use of bureaucratic power as well. In any case, its response to this Office's request for information on its progress towards implementing the recommendations of our 1974 special study was singularly short. So short, in fact, that one can only comment on the Board's progress by saying "it seems to have made some effort." Subsequent enquiries did throw a little more light on the Board's brief response, though, unfortunately, too late to help us greatly in this report.*

*On the positive side, the Board, unlike another regulatory agency which seems unwilling even to consider the idea seriously, makes it quite plain in its notices that either English or French may be used during public hearings and that simultaneous translation will always be provided. The Board seems to have made substantial progress with 12 out of our 36 recommendations.*

*Thus, although one gets the impression that the Board is expending some of its energy on linguistic reform, one cannot measure its performance adequately until its broad programmes have given more tangible results, and until a proper monitoring system is in place.*

## NATIONAL HEALTH AND WELFARE (HEALTH COMPONENT)—*Tobacco Road*

### EVALUATION

*The surge of linguistic energy observed in 1973-74 in the "Health component" of National Health and Welfare has proved, unfortunately, to be only a false recovery from a lingering malaise.*

*There are, it is true, some areas where the Health component has shown signs of trying to improve its linguistic condition. In general, it has been cooperative in looking into complaints and has usually found solutions fairly quickly. The Department has also issued a new policy on official languages, re-examined the mandate of its language adviser and coordinators, expanded and modified its language retention programmes, and provided courses to help its Francophone employees retain and, where necessary, improve their knowledge of their mother tongue. The Health component has also hired more translators and encouraged its employees to request more reference works in French.*

*The measures, impressive as they may seem at first glance, are far outweighed, however, by a number of serious weaknesses. The Department's policy on official languages—to give a few examples—opens up a number of linguistic loopholes to those who might "forget" their responsibilities under the Official Languages Act, through its vague references to "public," "significant demand," and "bilingual districts". The Department also seems to have ignored its responsibilities to the travelling public as set forth in the Act's Section 10(1); and it has been reluctant to ensure that services provided to the public through associations either receiving financial aid from the Department or bound to it by contract are provided in each citizen's preferred language. Moreover, the wide geographic distribution and decentralization of its vast network of regional, district and local offices is such that, without a much more efficient monitoring system than the Department now has, one doubts that it will ever be able to bring about the necessary reforms.*

*One hopes the Department's greater efforts to remedy these important weaknesses will earn it a more favourable evaluation next year. The diagnosis this year is "condition stable but poor."*

#### NATIONAL HEALTH AND WELFARE (WELFARE COMPONENT)—*The Beggar's Opera*

*Six complaints were lodged against the "Welfare Component" of this Department. Reaction to these was generally quick and satisfactory. The Welfare Component reported on the status of the 22 recommendations of our special study in a thorough manner. Fourteen recommendations dealing with such matters as publications, language training, information services, hiring and signs were implemented, while 8 others were only partly implemented.*

*During the last year, the Component has given bilingualism increased attention. The Assistant Deputy Minister for Administration has been designated as the principal officer responsible for its official languages programmes—encouragingly high-level backing. Regional managers have worked to ensure that services to the public are made available in both French and English by judicious deployment of bilingual staff and by language training. Furthermore, the Component has set up good information programmes and made bilingual many more of its publications, forms and signs. Films and exhibits are now available in both official languages. Special language courses have been provided for receptionists, a small but strategically wise move.*

*However, in spite of this progress, a number of weaknesses need closer scrutiny. There are still major policy shortcomings in defining*

*adequately such terms as “significant demand,” “public” and “travelling public”. Moreover, the Component does not seem to have a system to monitor all aspects of its official languages programme and, as a result, it relies chiefly on the sound but limited Treasury Board Official Languages Information System (OLIS). Also, “available services” are not always offered automatically, much less actively. The Component has had to set back some deadlines because of Treasury Board requirements concerning Units Working in French and the translation of work instruments. The jurisdictional haggling it must engage in with Public Works to change signs slows down “visual” reform.*

*In sum, in urging a faster cleanup on these matters, we are inclined to echo the harsh advice of a B.C. cabinet minister to able-bodied West Coast welfare recipients : get a shovel.*

## COMPLAINTS

*File No. 3359—Touché!*

A French-speaking member of the Canadian Fencing Association complained that all documentation received from it had been in English only. He also alleged that the association did not provide administrative services in both official languages.

The Department said that it contributed substantially, through Sport Canada, to the operating expenses of various national sport-governing bodies, including the Canadian Fencing Association, either directly or through the National Sport and Recreation Centre, which housed some forty-six such associations and provided them with administrative services. These associations were all nevertheless autonomous. Regarding the Canadian Fencing Association, about 10% of its documentation was produced bilingually; the bulk of its translation was done outside the National Sport and Recreation Centre, whose translation service could not keep up with the demands placed upon it; it had undertaken, at its last annual meeting, to produce as much of its information as possible in both official languages; its present staff consisted of one administrator who shared the services of a secretary; and the problem of translation had been aggravated by the withdrawal of assistance formerly provided for translation by the Department of the Secretary of State.

The Department said that the issue raised a question of considerable interest to it, namely the application of the Official Languages Act to autonomous national voluntary associations.

The Commissioner told the Department that there was no doubt that voluntary associations were not themselves covered by the Official

Languages Act. The question was whether the Department, which was covered by the Act, should take into account the Act's spirit and intent when granting substantial support to such organizations, by requiring, for example, a minimum of bilingual service. In deciding, the Department should take into consideration the extent of the organization's identification with the federal government because of Sport Canada support.

The questions were now being considered by the Department as a result of a recommendation made by the Commissioner following a special study of the Health component. Disposal of the complaint should therefore await the outcome of this examination. In the meantime, the Commissioner was of the opinion that the Department might consider giving more help to the Canadian Fencing Association in view of the low level of the bilingual service it offered the public.

The Department replied that it had no control over the correspondence, reports and other documents emanating from the offices of the various client associations, which were autonomous organizations. However, when it contributed to the production of specific printed materials it required them to be produced in both official languages. It also pointed out that, generally speaking, its support of the association was based on specific projects and that several factors then influenced implementation of the bilingualism policy. The obvious solution was the provision of additional funds to national sport and recreation associations to enable them to increase their bilingual capacity. This question was being explored with the Treasury Board. Furthermore, the Department's Fitness and Amateur Sport Branch would be represented on committees appointing executive directors of those associations housed in the National Sport and Recreation Centre, and the Department intended to encourage and assist in improving the bilingual capacity of these national organizations to the extent that additional funds from the Treasury Board permitted. The Commissioner was subsequently informed that no additional funds would be made available by the Board in this case.

*File No. 3680—Unusual and Unlikely to Recur*

A French-speaker alleged that when she called the Department's Fredericton Regional Office long-distance she had to deal with a unilingual English-speaking person.

The Department said that the Fredericton office had a reasonable capability to serve the public in both official languages. Unfortunately, the two permanent and one casual employees of the Client Services Section, who were all bilingual, were absent at the time of the call because

of personal or family illness. Nevertheless, the call could have been returned by another bilingual employee had the complainant chosen to leave her telephone number.

The Commissioner reminded the Department of a Special Studies recommendation he had made to it in May 1973 concerning the automatic provision of bilingual services in oral communications with the public. He then asked the Department to assure him that it had taken steps to ensure that the Client Services Section of the Fredericton Regional Office had at all times a sufficient bilingual capability to serve the public automatically in both official languages.

The Department told the Commissioner that it had investigated the matter a second time and felt that the situation that gave rise to the complaint was unusual and unlikely to recur. An additional bilingual position was being created in the Client Services Section, which would ensure a permanent bilingual capability of one officer and two clerks. In addition, arrangements had been made to add a bilingual clerk to the Section when employees were absent.

*File No. 3742—A Unilingual Nurse*

A federal government employee complained to the Commissioner that the nurse working in the health unit in a large building in the National Capital Region spoke only English. Since this person keeps the records for each federal employee in the building, the complainant wondered why service was provided only in English.

The Department told the Commissioner that its health service was making every effort to provide service in both official languages to federal public servants in all its health units in the National Capital Region, but that there was a shortage of nurses. Usually the health unit in question was staffed by two bilingual nurses, but since one position was vacant, the remaining nurse was doing the work of two people. The Department stated that while waiting for the second position to be filled, it had taken administrative steps to provide appropriate service that would meet the needs of this region. When service in French was required in that building, a bilingual nurse from another health unit would come to take care of the problem, or else the person needing assistance would go to that nurse. In addition, the hiring of several bilingual nurses, recent graduates of the University of Quebec in Hull, enabled the Department to assign a bilingual nurse to the unit in question for half of each working day.

In the meantime, the complainant happened to need the services of that unit. This nurse did not follow the procedure announced by the

Department and the patient had to try to explain her symptoms as best she could in English.

In addition, the Commissioner believed that posting a bilingual nurse to this unit on a part-time basis would not entirely solve the problem, since a French-speaking employee might need medical attention while she was absent. He therefore suggested that precise instructions be given so that the unit in question would be capable of providing services in both official languages at all times.

In reply, the Department announced the posting of an experienced, full-time bilingual nurse to this unit. Since the unilingual nurse was due to retire toward the middle of 1976, her position would become bilingual immediately after her retirement and would be staffed accordingly.

## NATIONAL MUSEUMS OF CANADA—*The Old Curiosity Shop*

### EVALUATION

*During the period under review, the public lodged 12 complaints against the Corporation's four national museums. Weaknesses denounced included lack of service in French from guards, elevator operators, cafeteria staff and telephone operators. The Secretary-General, adroitly orchestrating the goodwill of his component-fiefdoms, settled all complaints with no-nonsense panache.*

*Because the National Museums have decided to require some linguistic skill in hiring for their own security force, the public should soon be getting better bilingual guard service. The institution has not improved its showing enough over last year to claim a first place on the podium. Yet finding itself, as Somerset Maugham said of himself, in the very first rank of the second-raters, is surely a not entirely unfulfilling honour.*

### COMPLAINTS

#### *File Nos. 2852 and 3188—Security Guards*

Two French-speaking complainants were unable to obtain information in French from security guards at the National Museum of Science and Technology.

The latter replied that the Commissioner should take the matter up with the Department of Supply and Services which supplied the security guards.

The Commissioner pointed out that other institutions had, from time to time, made similar suggestions with regard to aspects of bilin-

gualism which they believed were the responsibility of departments such as Public Works and Supply and Services. However, he had not supported this theory, but believed instead that it was up to each institution to look after the “nuts and bolts” of its own bilingualism programme by making, where necessary, appropriate administrative arrangements with other departments. The Commissioner therefore asked the Museum to take the necessary measures to ensure that a sufficient number of guards able to serve the public in both official languages were on the job at all times.

To this the Museum replied that the Secretary General of the National Museums of Canada was doing his best to convince the Treasury Board that the Museums should have their own security guard services. This aim was eventually achieved and the Commissioner was told that recruitment of the new security force had begun so that it would probably assume operational responsibility gradually over a period of fifteen months.

The National Museums stated subsequently that, in order to serve the public in both languages at all times, all the guard positions would have to be designated bilingual, but that this created problems. Persons of good calibre and experience were in short supply; the suitability of candidates would be assessed by the Public Service Commission, without regard to linguistic ability. It followed that if a large number of unilingual persons were recruited, the force would probably not achieve the desired bilingual capability for some time.

In spite of the above, it turned out that the recruitment campaign was quite successful, so that the Secretary General of the National Museums was able to report within a few months that 90% of the security officers employed at the National Museum of Science and Technology had a sufficient knowledge of the French language to adequately serve the public. Furthermore, administrative arrangements had been made to ensure that bilingual services were available at all times.

The Commissioner informed the complainants accordingly and closed the files.

## NATIONAL REVENUE (CUSTOMS AND EXCISE)—*The Bootleggers*

### *EVALUATION*

*The public lodged 29 complaints against the Department in 1975. Among other things, these touched on a supervisor writing in Ukrainian to a French-speaking employee, unilingual English signs, French as a*

*“foreign” language, and the absence of bilingual service. In spite of isolated successes, too often Customs and Excise offered excuses rather than solutions to lack of service. What is more, in a number of cases, though there was enough bilingual staff to give service in French, it was not offered or indeed was refused unprofessionally with less than a customary smile.*

*Since the Department has trouble at times distinguishing between Treasury Board directives and the Official Languages Act’s requirements, it is hard pressed to provide detailed information about the implementation of 48 recommendations this Office made in 1973. The Department has not yet published and distributed its new bilingual objectives and guidelines.*

*The Department for years seemed strangely skittish about explaining to its employees the simple and reasonable obligations the Act lays on it. Perhaps one can sympathize with its fear of guilt-by-association in taking some time to follow up this Office’s repeated offer to help out on such in-house information efforts through joint visits to selected border posts — even though the Deputy Minister quickly agreed to flog far and wide our “how-to-do-it” Safari Kit. By renouncing its previous vows of silence, the Department may now be able, in certain politically sensitive areas, better to defuse the efforts of some local Elmer Gantrys of unilingualism to scare the Hell out of all and sundry.*

*Moreover, the Department’s monitoring of our recommendations and its information retrieval appear to be very weak. Lastly, because some of its efforts are tied to the government’s process of identifying and designating positions, certain requirements for service will not be met until 1978, if then at all! The Department’s attitude seems to rest on the conviction that it will pay its duties to the official languages only to the extent that these duties do not interfere with its “business”. There is no reason why “bilingualism” should harm the Department’s operations. Just the opposite is true. As one of the Government’s most highly visible activities, linked deeply with the symbolism of our nationhood, Customs and Excise can only convince returning Canadians that they are truly coming home if it learns to say “Welcome,” if not “Pay up,” in both of Canada’s official languages.*

## NATIONAL REVENUE (TAXATION)—*Great Expectations*

### EVALUATION

*National Revenue—Taxation has continued to scrutinize its own linguistic assets and liabilities with the same degree of sharp-eyed watch-*

*fulness it normally applies to taxpayers' returns. This watchfulness has resulted in some very positive returns indeed.*

*As a general rule, the Department's Taxation component found prompt and satisfactory solutions to most of the 27 complaints received. In most instances, it accepted this Office's recommendations and suggestions, and only in rare cases did a little prodding seem in order.*

*Out of 13 recommendations this Office made in 1972, after a special study, 10 are considered implemented. The Department has established an effective monitoring system, taken steps to determine actual demand for bilingual services, ensured that publications and signs are all printed in both official languages, and provided its staff with official languages information. In order to increase the use of French and help its employees maintain their newly-acquired language skills, the Department has also taken the initiative of creating its own exchange programme. Through this programme, which was first started three years ago, employees are transferred for periods lasting up to two years to district offices where their second official language is widely used as a language of work. Moreover, an in-house language training programme, based on job requirements, has enabled a number of employees to become bilingual before the designation date of their positions. This progress can be attributed, at least in part, to a basically sound and workable policy on official languages, as well as to an information retrieval system sophisticated enough to allow it to obtain precise answers to requests for information.*

*One might note two weaknesses. The first is that the Department's telephone information service in Ottawa continues to offer inadequate assistance in French and, sometimes, it seems, is even discourteous to French-speaking Canadians. Second, the Department has not yet managed to produce a bilingual form on which the taxpayer could indicate his language preference. The Department has put forward various reasons for the delay, including legislative changes, technical difficulties and consultations with the provinces.*

*Since at least Biblical times, tax collectors have not been much loved. In Canada, however, we must admire their cleverness in taking our money pretty efficiently in the official language of our choice.*

## COMPLAINTS

*File No. 3562—Directing Calls*

A French-speaker phoned the Ottawa District Office of National Revenue, Taxation. The employee who took the call did not speak French, and transferred the call to another person, saying in a rude tone, "French, line three".

The Department replied to the Commissioner that its information officers used the words "French, line . . ." or "English, line . . ." to direct phone calls to employees who could serve callers in the official language of their choice. Apparently the person who had received the complainant's call had neglected to press the "hold" button, and thus the complainant had been able to hear the phrase "French, line three". The Department doubted that there was any ill will on the part of its staff.

The Commissioner recommended to the Department that, in order to avoid repetition of such incidents, it should instruct its information officers to use a short phrase such as "un instant, s'il vous plaît" (one moment, please) when they receive a call in French, before transferring the call to a colleague.

The Department accepted this recommendation and assured the Commissioner that it would see to it that this procedure, which had already been in effect for a few months, would be followed in future.

## PARLIAMENT—*Life at The Top*

### EVALUATION

*Notwithstanding zealous efforts by both Speakers, members of the public continued to be disappointed with too-frequent imperfections in Parliament's linguistic performance. They reported about a dozen instances where services fell below their reasonable expectations.*

*Citizens' frustrations stemmed from matters such as guards' and guides' inability to offer and ensure tours in French and the allegedly poor quality of French spoken by some guides. The appropriate authorities settled most complaints promptly. Yet despite encouraging personal leadership from both the Speaker and the Clerk of the House of Commons, guide services are still not always actively offered in both official languages.*

*For the third consecutive year, this Office has been obliged to point out instances where the law was ignored in the precincts of the law-makers. A visit to Parliament Hill means a lot to most Canadians. Perfection may not be of this world, but in matters linguistic the Hill seems a logical place to reach for it.*

### COMPLAINTS

#### *File Nos. 3144, 3954 and 4119—Guided Tours*

A French-speaker reported to the Commissioner that at 11:00 a.m. on July 13, 1974, he had gone to the entrance of the Parliament

Buildings in Ottawa for a guided tour, and had stood at the left door where a sign indicated "Visite en français" (tours in French). After waiting over an hour and seeing about a hundred English-speaking visitors file by, he and about thirty other French-speaking visitors patient enough to wait until then had had to accept the services of an English-speaking guide, rather than return home disappointed.

The Clerk of the House of Commons informed the Commissioner that he had questioned the security staff and the guides that had been on duty at the time, but that unfortunately, none of them remembered the incident. He added that this in no way excused the long wait, especially when the group of visitors that the complainant had joined had had to be content with an English-speaking guide whereas it was clearly indicated that the tour was also offered in French.

The Clerk said that the situation could be explained by the fact that around 11:00 a.m. during the summer, after the Changing of the Guard ceremony, many persons wished to visit the Parliament Buildings, and as a result a number of them had to wait because of the lack of guides at these times of heavy demand. He added that in spite of repeated efforts to cope with these difficulties, the situation would be hard to improve as long as the Changing of the Guard attracted a crowd of visitors to the Parliament Buildings.

The Clerk then pointed out a second difficulty—recruitment of students as guides for the summer. This involves about fifteen young men or women who should really be bilingual in order to carry out their work properly. These young people come from all parts of Canada, and the Clerk explained that he did not always have the opportunity to interview them before they arrived in Ottawa. To date, information about their ability to express themselves in both official languages had been obtained from the young people themselves, and most of the time their word was accepted. As a result, many young people who had said they were able to provide bilingual service to the public subsequently proved unable to do so.

The Speaker and the Clerk of the House of Commons discussed at some length the problem raised in this complaint. They finally opted for the following solution which, in their opinion, should have been implemented long ago: before guides from outside were added to the regular staff, they would be interviewed by telephone at their place of residence so that their knowledge of the two official languages could be checked.

The Clerk was of the opinion that this measure would improve the situation, and that its implementation would bring results during the next summer.

After concurring with the Clerk in his wish to see the situation improve in the coming year, the Commissioner suggested that the guided tours be offered to the public of both official languages within a reasonable length of time so that one group would not have to wait longer than the other.

Receiving two subsequent complaints about the absence or inadequacy of French in the services offered visitors to the Parliament Buildings, the Commissioner discussed the whole question with the Speaker and the Clerk. The latter promised to monitor more closely the quality of the French spoken by the guides. The Speaker of the House stated that he would give very high priority to application of the Official Languages Act by Parliament.

While assuring the complainants that he intended to watch particularly closely the practical action taken to make good these promises, the Commissioner expressed his certainty that the instructions given by the Speaker and the Clerk of the House of Commons were based on their real desire to make lasting reforms.

*File No. 3527—Library of Parliament*

An English-speaking public servant alleged that when she dialled the Library's number 992-6945 one afternoon she received a recorded reply in French only.

The Library first told the Commissioner that the problem doubtless arose because it had two separate telephone numbers for English and French general inquiries. When the Library was closed, these telephones were connected to an automatic answering service so that information could be provided as soon as staff was available. Bilingual recordings could perhaps be used, "but the Library of Parliament [was] to serve Parliament and [served] others indirectly through serving their Senator or Member. Direct service to outsiders was given only as a courtesy". The Library had "had no parliamentary complaints regarding 'separate, but equal' telephones", and therefore did "not see any reason to make a change". It would like to know whether the complaint had been a parliamentary one. As a result of the complaint, the Library had discovered four erroneous listings of the French general inquiries number in the Government Telephone Directory and would inform its clientele of them.

Before commenting on the above, the Commissioner pointed out that the complainant had been trying to reach the Official Publications Section of the Library when she dialled 992-6945, the number listed in the Government Telephone Directory. He asked whether this had in fact been the section's number at the time.

The Library confirmed that 992-6945 was the Section's number at the time of the call. However, it had previously been the number of French general inquiries and the line had unfortunately not been disconnected from the answering machine when the numbers were changed. (The Library later confirmed in a telephone conversation that the line had now been disconnected from the machine.)

The Commissioner was of the opinion that direct service by the Library to outsiders (in this case, an officer of another prestigious federal library), although "given only as a courtesy", was "available service" to the public, in the eye of Section 9 (1) of the Official Languages Act, and rendered the Library subject to the Act.

He was further of the opinion that the arrangements for separate telephones for English and French general inquiries complied with the Act provided that the choice was known to the Library's clientele. This would obviously require that all listings of both numbers in the Government Directory be at all times correct. Since changes and human failings made this impossible and since recorded messages could more readily be altered than listings in the quarterly directory, the Commissioner recommended that the recorded English and French messages given by the Library's automatic answering service each end with a brief mention, in the other language, of the number to call in that language for general inquiries.

The Library said it did not share the view that its service was, "either in fact or in law, 'available service' to the public" and would therefore seek the opinion of its legal adviser on the Commissioner's interpretation of the Official Languages Act. It subsequently wrote to the Commissioner as follows:

[My senior lawyer] confirms my belief that as "the Library of Parliament is not a department or an agency of the Government of Canada nor a judicial, quasi-judicial or administrative body or Crown corporation" and that as "it is not at the service of 'members of the public' in general" but is, as the Library of Parliament Act (R.S.C. (1970) c. L) Section 2 provides, "for the use of both Houses of Parliament" were not legally speaking, at the service of members of the public. For "these reasons in the strict legal sense of the statutes the complainant is not entitled to complain to the Commissioner of official languages".

You will be happy to know, however, that both recording machines will carry bilingual messages as soon as this can reasonably be done and we appreciate your drawing the complaint to our attention.

We should be interested to know, however, if you considered using your discretion by refusing to investigate the complaint. We

note that under Section 26 (4) of the Official Languages Act you do have this option if (a) “the subject-matter of the complaint is trivial”, (b) “the complaint is frivolous or vexatious or is not made in good faith”, or, finally (c) “does not . . . come within [your] authority under this Act”. We feel it might have been dismissed under all of these subsections, but then we should have missed participating in this exhilarating correspondence!

The Commissioner told the Library that he did not agree with its adviser’s interpretation of the words “department or . . . agency of the Government of Canada”, “available service” and “public” and that he considered his recommendation to be well supported by the provisions, spirit and intent of the Official Languages Act. For that reason, Section 26(4)(c) was inapplicable and the complainant did not, in his opinion, fall within Section 26(4)(a) or (b). In any event, such legal quibbling was irrelevant because of the happy result, which he would report in the usual manner to the Clerk of the Privy Council and to Parliament.

POST OFFICE—*The Scarlet Letter*

### *EVALUATION*

*The Post Office which, one suspects, is used to handling poison-pen letters, will no doubt not react with too much astonishment to the one this Office is about to deliver. In spite of management assurances we received last year that things would get better, the efforts and achievements of this organization to give bilingualism first-class service have proved terribly disappointing.*

*Members of the public cited 64 complaints against the Department in 1975. Many of these concerned everyday problems which might have been settled with despatch. They rarely were. In several cases, even admitting our own epistolary imperfections, the Post Office’s slowness resembled paralysis: it took 17 months to settle one relatively straightforward complaint. In several other cases, in spite of numerous prodings, the Department could not come up with satisfactory solutions to classic problems of providing bilingual service, but often cited union agreements as constraints.*

*The creation of the Department’s Official Languages Branch, although still understaffed, and the appointment of official languages co-ordinators in the regions are steps in the right direction. The con-*

version of marking devices to a bilingual format, the Post Office says, is almost complete, and it adds that most interior signs have been made bilingual.

Only 12 of the 28 recommendations resulting from our Moncton and "national" special studies (done in 1972 and 1973 respectively) appear to be more or less implemented. The Department has not yet tackled the recommendations which might really help it meet the Official Languages Act's requirements, and prevent recurring complaints. For example, the Department seems merely to pay lip service to recommendation 2 of the "national" study, which urged precise guidelines on offering bilingual services.

The Deputy Minister's personal commitment to language reform is not in doubt. Management follow-through on this commitment is. Well-known union-management antagonism in the department on other issues does not help the cause of language reform either. Whatever the reasons for the Department's poor showing, one thing is certain: to improve its linguistic credibility, the Department must get off the pot. If it does, some of us may even forgive it for delivering a few Christmas cards in March.

## COMPLAINTS

*File No. 1889—Festina lente*

A French-speaker stated that all signs at the main post office in Regina, Saskatchewan, were in English only and service in French was unavailable.

The Department replied that service in French was available from the postal officer in charge of registration or, in his absence, from six other staff members able to provide such a service.

The question of signs was being studied by the Department and officials from the Department of Public Works.

The Commissioner judged this situation to be unsatisfactory, for a customer in need of stamps would not likely go to the registration wicket for them. Furthermore, if the officer in charge of registration was busy at the time, he could not serve the French-speaking client. The Commissioner asked why the six employees mentioned above were called upon only in the absence of the officer in charge of registration, and where they worked in the post office.

The Commissioner, after sending numerous fruitless reminders and making equally fruitless telephone calls, finally received a reply from the Department, *exactly 17 months* after having requested it. All signs had now been made bilingual, but the Department still neglected to pro-

vide the required information concerning bilingual staff, preferring instead to fall back on the vague phrase "other administrative arrangements".

The Commissioner remained dissatisfied with the scanty information provided concerning bilingual counter services at this post office, but decided to close the file with the promise that this case would appear in his annual report.

*File No. 2646—One Out of Twenty-two*

A French-language organization complained that the Department had identified as "unilingual English" positions currently occupied by bilingual Franco-Manitobans. It also maintained that the Department had not provided enough bilingual positions to ensure proper service to the French-speaking public in the Winnipeg area, citing the Norwood Grove postal station as a case in point.

The Commissioner asked the Department to look into the situation at Norwood Grove and other post offices in the Winnipeg area. He also wrote to the Treasury Board to express his concern that the identification of too many positions as requiring only English would result in a gradual falling-off in the quality of bilingual service.

The Department told the Commissioner that the Norwood Grove postal station served a predominantly English-speaking locality; the French-speakers were in other places close by. The Department and the Treasury Board would, however, review the situation.

The Department subsequently conveyed the results of the review to the Commissioner. At Saint-Boniface, all three wicket clerks were bilingual; at the main post office in Winnipeg, one out of twenty-two wicket clerks was bilingual; at Norwood Grove one of the two wicket clerks was bilingual; and at Saint-Norbert there was only one wicket clerk and he was bilingual.

The Commissioner believed that having one bilingual wicket clerk at Norwood Grove was not unreasonable in view of the Department's explanation. On the other hand, a single bilingual wicket clerk at the main Winnipeg post office appeared hardly adequate. The Commissioner therefore recommended that the Department take the necessary steps to ensure that services to the public at the main Winnipeg post office were available in both official languages at all times.

The Department informed the Commissioner that a second wicket position would be identified as bilingual and the incumbent would go on language training in September 1975. A bilingual person would replace him while he was away. The Commissioner was subsequently told that the employee concerned would not begin language training before January 1976.

A French-speaker complained of the lack of bilingual services at the Elliot Lake post office. He stated that the wicket clerk was unilingual English and had to call on a colleague who was busy with other duties every time a customer wished to communicate with him in French. The complainant maintained that the postmaster refused French-speaking persons the services they are entitled to. Subsequently two other French-speakers also complained about the absence of service in French at the same post office.

The Post Office Department informed the Commissioner that the postmaster categorically denied the complainant's statement that he refused to give French-speaking persons service in French. He said that the posters, tax return forms and other printed matter made available to the public in that office were available in both official languages. He did, however, acknowledge that none of the full-time wicket clerks could speak French, and that another employee had to be called on whenever a customer wished to be served in that language.

The Commissioner recommended that some full-time wicket clerk positions be designated bilingual by March 31, 1975 at the latest so that the public could at all times obtain service immediately in both official languages.

The Department told the Commissioner that the sixteen positions at the Elliot Lake office were distributed as follows: unilingual English, 12; unilingual French, 2; bilingual, 2.

The position of postmaster had been designated bilingual as of September 30, 1975, and that of his assistant would be so designated as of March 31, 1977.

One of the wicket clerks was bilingual and another would be by March 31, 1976.

In view of the fact that 28.7% of the population of Elliot Lake was French-speaking and that the distribution of bilingual positions might be insufficient to provide adequate services in French immediately, the Commissioner recommended to the Department that the designation date for the second position of bilingual wicket clerk be brought forward from March 31, 1976 to October 31, 1975. In the meantime, the Department should hire a bilingual employee on a temporary basis in order to provide the French-speaking public with service in French.

The Department acquiesced to the first part of the Commissioner's recommendation, but did not think it was necessary to hire a temporary wicket clerk.

The Commissioner strongly urged the Department to reconsider its decision. The Department replied to the Commissioner that a temporary

wicket clerk would be hired as of December 1974, while the incumbent of the position was away on language training.

*File Nos. 3252 and 3394—Rue and Ave*

In both of these cases, a French-speaker ran into difficulties because he chose to address his letters in French to Edmonton. In one instance, the letter was returned bearing the indication “no such number”. In the other, the letter was returned allegedly because there was “no such address”. Apparently, this sort of thing had occurred at least twenty times.

The Department explained that this was a recurrent problem because the handwritten French words “rue” and “ave” were sometimes indistinguishable. The staff understandably interpreted the address as avenue. Because of the grid system used in Edmonton, this invariably resulted in the type of problem referred to by the complainants.

The Department apologized to the complainants and stated that signs had been posted on wall areas along with notices in order books drawing the attention of staff concerned to the problem. The Department added that the use of the postal code would prevent the recurrence of such errors and suggested the complainants be so informed.

*File No. 3266—Marketing Survey*

An interviewer employed by the Department’s Eastern District Marketing Division called at the office of a French-Canadian cultural association in Ottawa to discuss the postal code. She could not speak French. The association complained about it to the Commissioner and pointed out that there were many French-speakers in that part of the city. It said that the interviewer also left three documents in English: an extract from *Readers Digest*, a leaflet on the postal code, and a list of telephone numbers.

The Department told the Commissioner it regretted the incident and would not let this kind of thing happen again. It explained that the interviewer was a casual employee and that the programme was a temporary one. Unfortunately, the requirements of the Official Languages Act had not been properly applied. The interviewer concerned excused herself by saying that the respondent had not voiced any objections when she was there. The Department confirmed that it had bilingual staff available who could have been assigned to interview the complainant and that the information in the documents existed in both English and French.

The Commissioner believed that the incident revealed a weakness in the Department's organization. He therefore recommended that all market survey and promotional operations in the National Capital Region be conducted in such a way that customers and respondents could always be interviewed in their own official language. The Commissioner further recommended that the Marketing Division should at all times take the initiative by actively offering to its public the choice of communicating with it in English or in French.

The Department told the Commissioner that remedial action had been taken as soon as the complaint was brought to its attention. The Marketing Division was communicating with all its customers in the official language of their choice.

PUBLIC SERVICE COMMISSION—*The Chairman*

### *EVALUATION*

*The PSC reacted quickly to the 31 complaints lodged against it about such matters as language training and testing, forms, unilingual telephone reception, correspondence and competition posters. It accepted this Office's recommendations and suggestions about complaints with rarely quibbling zeal. However, the Commission's response to the recommendations of our special study seemed a little defensive and fuzzy. At times, the PSC tended to evoke jurisdictional and procedural constraints rather than finding—as it usually does—humane solutions.*

*The Commission has implemented two out of 18 "special study" recommendations (one dealing with the Career Assignment Programme and the other with courses offered by the Bureau of Staff Development and Training). Another eleven—concerning such matters as information, career opportunities, job-related language training and the availability of French-language aptitude tests—are only partly implemented. Chief among the five recommendations not yet in effect is one about the correlation between the PSC's Language Knowledge Examination (LKE) and public servants' second-language skills.*

*The Commission's main weakness seems to be a lack of planning and control in some language aspects of staffing, training and monitoring, as well as in language testing. Admittedly, administrative headaches created by ever-increasing numbers of public servants taking language training have taxed heavily the PSC's resources; but it might have avoided a few problems by closer coordination among the above elements.*

*Although a belief in the perfectibility of institutional mankind prevents us from awarding the PSC more than a silver Olympic medal, it seems only fitting to propose a singular gold medal to its retiring Chairman, John Carson. As a longtime linguistic Horatio at the bridge, he has faced and foiled assorted Etruscans with courage and common sense. Indeed, he has come dangerously close, in many quarters, to giving bilingualism a good name.*

## COMPLAINTS

### *File No. 3392—Conditional Appointment*

A representative of the Public Works Component of the Public Service Alliance of Canada wrote the Commissioner on behalf of one of its members who had received an appointment on condition that he took language training for a period of up to one year and was successful in his course. However, fifty-three days later, the member was advised to return to work because he was not making much progress in his language course. The representative considered this unfair and asked the Commissioner what could be done.

Since the case appeared to be outside his jurisdiction, the Commissioner informed the complainant of the existence of the Language Review Committee of the Public Service Commission whose role was to examine these cases. The Commissioner also sent photocopies of PSC Bulletins 74-1 and 74-14 which describe the functions of the Committee and urged the union representative to get in touch with the PSC as soon as possible.

The Commissioner learned that the member had already appeared before the Committee which had advised him to return to work. Furthermore, the member's case had been reviewed a second time by a special review committee which had upheld the initial decision of the Language Review Committee. Obviously, there was little the Commissioner could do under these circumstances. However, he drew the union's attention to the Treasury Board publication entitled "Official Languages And You" in which question 34(b) covered the member's case and stated clearly that a candidate who was conditionally appointed to a bilingual position and did not succeed in language training would be appointed to a unilingual position for which he was qualified at the same rate of pay received during his conditional appointment, and at least at the same classification level as the position occupied prior to the conditional appointment. While this solution was somewhat less attractive than that of actually getting the job, at least the member would not suffer financially.

A French teacher told the Commissioner about a misunderstanding which had arisen over his pension fund. He had had his contributions returned to him and then was told to pay them back. He attributed the misunderstanding to his having to deal with a unilingual English-speaking personnel clerk when he filled out his documentation on joining the Language Bureau. He also said that he had received in explanation of what had happened a copy of a letter in English that the Department of Supply and Services had sent to his director of personnel.

The Commission said that two fully-trained members of its personnel office, one French-speaking and one English-speaking, were in charge of documentation sessions for new employees. In the past, French-speaking staff had occasionally indicated a preference for information in English, which was why both officers were present at the session which the complainant attended. Since October 1974, however, a bilingual French-speaker had been looking after sessions for French-speaking new employees, so the presence of an English-speaking colleague was no longer necessary.

The Commission said that because the complainant had not asked for his pension contributions to be retained by his previous employing department, they were automatically returned to him. In the meantime, he had expressed a wish to have them transferred to his new department. The documentation was all in order: the cheque and his instructions had simply crossed in the mail.

The Commission regretted that the letter of explanation in English from the Department of Supply and Services had been sent on to the complainant. It said it had called the attention of the originator to the need to provide this service in the employee's official language.

The Commissioner was inclined to believe that the complainant's problem was essentially an administrative one. He believed, however, that the Commission's action on the matter of the letter from the Department of Supply and Services was incomplete. He therefore recommended that the Public Service Commission issue or reissue instructions to its Personnel Branch that all communications with employees on personnel matters be provided in the official language of the employee's choice, whether or not the substance of the communication originated within the Branch.

The Commission replied that it had issued instructions to its Personnel Branch in accordance with the Commissioner's recommendation.

An English-speaker went on language training and, when the teachers thought she had reached the required level, she took the Language Knowledge Examination (LKE). She fell short of the pass mark by a small margin and was told that in such cases the student was given the benefit of the doubt and deemed to have passed the examination. She therefore returned to her job. Shortly afterwards, she received a telephone call from the Public Service Commission telling her that she was to undergo a review to determine whether or not she could be granted the point she was short of. She was not granted the point. She then found that the language school would not take her back because it maintained that she had passed the LKE. Her Department was going to remove her from the job she had been doing in an acting capacity since 1971 because she did not meet the language requirements. The Commissioner informed the Public Service Commission of her predicament.

The PSC agreed that the complainant had reached the required level on two counts, exceeded it on one and fallen short by a point on oral expression. It declared that one of its staff had made an error of judgment in this case and the complainant should be considered to have passed the test. The complainant was informed accordingly and continued in her position.

## **PUBLIC WORKS—*The Man of Property***

### ***EVALUATION***

*The road to linguistic reform at Public Works seems to be increasingly strewn, these days, with "Detour," "Go Slow," and even "Stop" signs. In particular, the Department cannot be fairly accused of breaking any speed limits in its handling of complaints.*

*"Go Slow" also seems to be the Department's motto when it comes to implementing the 38 recommendations made by this Office after a special study conducted in 1973-74. It has taken no action as yet on the recommendation that it formulate a clear policy on official languages, with implementation guidelines and a precise time-table. It has also largely ignored another recommendation to formulate a specific policy on signs which, together with procedural guidelines and an effective monitoring system, would enable it, where reasonably required by the Official Languages Act, to make the hundreds of thousands of signs for which it is responsible bilingual by September 1976.*

*The Departmental Coordinating Committee seems hampered by a rather nebulous mandate and its ad hoc actions appear to depend more on personal inspiration than on any general planning. Finally, the Department's slowness to take action is complicated—perhaps one should say abetted—by a tendency noted last year to play “jurisdictional ping-pong”. It too often reroutes enquiries on bilingualism away from its own backyard, ignoring the initiatives of client-departments in favour of an expedient but too-rigid reliance on Treasury Board or Public Service Commission circulars.*

*In conclusion, the Department's poor attitude, lethargy and inability to produce significant results justify again this year an extremely low rating. One can only hope that the brief example of its late deputy minister's devoted personal leadership and its recent engagement of an experienced bilingualism planner will help the department to blast away at some of its more unwieldy roadblocks during the coming year.*

## SECRETARY OF STATE—*Culture Is Our Business*

### EVALUATION

*In 1975, the public lodged 28 complaints against this Department. These touched on such matters as poor quality of French, lack of telephone service in French, departmental identification in English only. In 16 instances, the Department took corrective action immediately. Four cases did not constitute infringements of the Official Languages Act and the remaining files were closed without difficulty. This near-perfection in respecting the Act is worthy of those wonderful folks who managed to make Canadians forget that B.B. once stood for Brigitte Bardot.*

### COMPLAINTS

*File No. 3120—Vancouver: Guide for Citizenship*

A French-speaking person complained that he had been given documentation only in English when he made a citizenship application at the Vancouver office. When he requested French versions of the forms, he was told that they would be sent to him as soon as the office received them, but that it would take a long time.

The regional administrators in the Vancouver office told the Department that they remembered the case in question very well. They informed the Department that all the procedures for receiving and

processing the complainant's application had been carried out in French, but that one document had not been available in French at that time.

The Department explained the shortage in this way. New documentation was being prepared and the brochure then in use was entitled *Guide pour les futurs citoyens (Guide for Citizenship)*. In the interim, the Department was using *Canada 1973*. At the time the complainant made his application, the Vancouver office had used up its stock of the French version and because the new brochure was to be distributed momentarily, it had not renewed its supply of the Information Canada publication. A short time later, however, the Vancouver office received a shipment of the *Guide* and had immediately sent a copy to the complainant.

The Commissioner pointed out to the Department that such a complaint could have been avoided if the regional office had acquired a few copies of the French version of *Canada 1973* before its stock ran out. This would have made it possible to reply to any requests from the French-speaking community until such time as the new *Guide* became available.

The Commissioner conveyed the Department's explanations to the complainant.

The complainant informed the Commissioner that he understood the Department's explanations of the complaint very well and added the following two facts to his complaint:

- 1) at the time he appeared in the Citizenship Court he had been sent a sponsorship form in English only and a notice for the presentation ceremony, also in English; and
- 2) when he appeared before the judge, the complainant had to ask that the hearing be conducted in French.

The Secretary of State Department informed the Commissioner that the Citizenship Court in Vancouver used about ten forms for various purposes. All ten had been sent to the Translation Service in Vancouver several months before so that bilingual forms could be prepared. The Department added that six of the ten translations had been completed.

As for the complainant's hearing, the Citizenship Court judge in Vancouver remembered very clearly that he gave the complainant the opportunity to take the oath of allegiance in French.

The Commissioner pointed out to the Department that when the Citizenship Court in Vancouver found it necessary to send English forms to French-speaking applicants, it should give them appropriate explanations without their having to request them. In addition, he added that it should have been standard practice for the complainant

not to have to ask to be served in French. The Commissioner asked the Department to provide clarification of the guidelines it proposed to follow concerning the language in which hearings were to be conducted.

The Department sent the Commissioner a copy of the guidelines that it had issued in May 1975 for Citizenship Court judges and sent to the regional administrators of these courts. These guidelines specified that when a prospective citizen requested services in the official language that was not the same as the judge's, the hearing should then be conducted by the regional director of registration services or, if that was not possible, by a judge from another Citizenship Court who was capable of conversing in the prospective citizen's language. This last procedure, however, would involve travel by a judge and, according to the Department, might be costly or detrimental to normal services.

The Commissioner conveyed these new explanations to the complainant and pointed out that his actions had provided the Department with an opportunity to review its language policy concerning the various services offered to prospective Canadian citizens.

#### SOLICITOR GENERAL—ROYAL CANADIAN MOUNTED POLICE—*Crime and Punishment*

##### *EVALUATION*

*"Maintiens le droit" is the Force's motto and it usually tries to do the right thing in bilingualism as in law enforcement. Not only did citizens lodge fewer complaints against the RCMP during 1975, the Force took thoughtful steps to implement the 30 recommendations this Office made following a special study in 1974.*

*The Force admits that, although it has laid a firm groundwork through careful planning, some time will pass before results seem impressive. Its efforts to attract more bilinguals, and unilingual Francophones, have met with some success. Also, following the Armed Forces' lead, the RCMP has informed its members that they may communicate directly with this Office on matters concerning the Official Languages Act.*

*However, in the light of its loyal and serious attitude towards the official languages, and an auspicious strengthening of its central control and monitoring of language reform, a few curious small cobwebs remain: the RCMP's reluctance to ask its public-contact employees to use a standardized bilingual protocol to answer telephone calls, for example, appears perplexingly timid. Moreover, the Force's great caution, while*

*surely a high police virtue, sometimes comes close to immobilism when it invokes so regularly its provisos about prying loose help from the Treasury Board before making linguistic commitments. One surmises that Sergeant Preston did not wire headquarters about budgets before taking on the Mad Trapper.*

*But this is quibbling. In general, the RCMP, as both a federal and provincial force with nationwide duties, faces a uniquely complicated linguistic challenge. And it is pressing on with the job, through not a little "hail, like a pack of angry wolves on the trail."*

## COMPLAINTS

*File No. 3151—"One moment, please"*

The complainant, a French-speaker, called the office of the director at RCMP Headquarters. At the other end of the line, the secretary replied, "I am sorry, Sir, I don't speak French." The complainant continued in French, however, to inquire when the director would return, while the secretary murmured, in English, a few sentences that the caller could not understand, and ended the conversation by simply hanging up.

Determined to speak to the director, the complainant called back. The same secretary then replied categorically, "I am sorry, I don't speak French" and again hung up as the complainant was asking her in English for her name.

The complainant made one last attempt, and finally the French-speaking director himself answered, in French.

The RCMP informed the Commissioner that the position of secretary to the director was designated bilingual and that, until a date specified in the reply, it had been held by a bilingual incumbent. When the position had become vacant on that date, the RCMP had taken the usual steps to recruit a bilingual candidate. The competition was over and a competent bilingual employee currently held the position. The RCMP expressed its regret at the incident. It also made clear that the unilingual English temporary employee had been instructed to ask French-speaking callers to hold the line until her director or another bilingual person could take the call.

The Commissioner recommended that in order to prevent other such incidents, the RCMP should see to it that unilingual employees learn to use a French expression such as "un instant, s'il vous plaît" (one moment, please) when a French-speaker requested service, especially on the telephone and at counters.

The RCMP decided not to adopt the Commissioner's recommendation because, according to the organization, such a practice could in itself be a source of complaints, for the following reasons:

- 1) pronunciation would be a major obstacle; bad pronunciation by a unilingual English employee could confuse or annoy a person requesting service and could result in a complaint, which the RCMP would like to avoid; and
- 2) the use of a French expression could, at least in a few cases, encourage the caller to continue speaking, thus further complicating an already difficult situation.

The RCMP stated further that this question had been the subject of an administrative bulletin issued to all Headquarters employees, advising them that:

- 1) members working in an office where calls from the public may be received must, as far as is possible, answer the telephone in both official languages; and
- 2) any member who, in his dealings with the public, has a language problem involving one of the two official languages must take the necessary measures to find a member who has the language qualifications needed to handle the matter.

The federal institution reiterated to the Commissioner its firm intention of assigning bilingual staff wherever required, as soon as possible.

*File No. 3551—Jasper*

A French-speaker informed the Commissioner that there were no officers capable of communicating with him in French when he visited the office of the Royal Canadian Mounted Police in Jasper National Park in January 1975.

The RCMP confirmed the validity of the complaint. It informed the Commissioner that it was not able to provide bilingual services in Jasper National Park although it had already seen the necessity of giving such services. The RCMP pointed out that a bilingual officer had been assigned to Jasper, but that since the demand for service in French had proved to be small, and in view of its shortage of bilingual staff, the RCMP had been obliged to transfer the officer elsewhere.

The RCMP also informed the Commissioner that it would not, unfortunately, be able to offer services in both official languages in Jasper before filling some positions of higher priority as regards bilingualism. It assured the Commissioner, however, that bilingual services would be made available as soon as possible.

The Commissioner passed this information on to the complainant, pointing out that he had reminded the RCMP of recommendation

No. 29 of the special study summarized beginning on page 274 of his *Fourth Annual Report 1973-1974*. The Commissioner also told the complainant that he was following closely the implementation of the recommendations in that report.

The RCMP subsequently informed the Commissioner that two bilingual officers had been transferred to its Jasper detachment.

#### STATISTICS CANADA—*Nineteen Eighty-Four*

##### EVALUATION

*Although our methods of assessment would strike Statcan's experts as hopelessly amateur, we have a sneaking suspicion that this agency's performance in language reform is better than last year's.*

*Statcan has treated complaints in a prompt, cooperative and satisfactory manner. It has made a noticeable effort to integrate the Official Languages Act's requirements into its census operations, and has increased its bilingual staff from 23 per cent in February 1972 to nearly 37 per cent in June 1975—especially in Senior Executive, Scientific and Professional, Administrative, and Technical categories. In addition, besides making its regular publications available in both official languages since 1974, it has also made good progress with translating about 10,000 forms and documents, has begun to introduce French into its computer information systems and is helping its employees become better informed of their rights and responsibilities by periodically putting out information bulletins through its Official Languages Division.*

*Although seasonally adjusted impressions lead one to think Statistics Canada is doing better things for language this year, one worries a little, still, about some procedures for the 1976 census. The full impact of the agency's reluctance, for "budgetary reasons," to provide bilingual census commissioners and representatives in all areas where there are concentrations of minority-language speakers will be revealed by the volume and nature of complaints arising from such procedures. Time, in short, and it is rather short, will tell.*

#### SUPPLY AND SERVICES—*On Her Majesty's Service*

##### EVALUATION

*The public lodged 22 complaints against the Department; these included such matters as unilingual forms, memos and correspondence. Supply and Services was (were?) quick to find solutions to all.*

*In response to a questionnaire our Office sent, the Department said in November 1973 that the Act's implementation was "completed". In the light of complaints received, one might wish the Department would supply more bilingual services and less unilingual assurances.*

## COMPLAINTS

### *File No. 3824—Pension Rights*

A French-speaker enquired about the cost of purchasing pension rights and received the answer in English from the Superannuation Division of the Department.

The Department told the Commissioner that it was the Superannuation Division's policy to correspond with contributors and annuitants in the official language of their choice. This applied equally to estimates of cost on DSS Form 2057 which, although addressed to the Personnel Branch, was sent with a duplicate copy for the contributor.

The Department investigated the complainant's case and found that, although he had a French name, had expressed a preference for correspondence to be in French and had written to the Division in French, the latter had nevertheless prepared his DSS Form 2057 in English. It had written him a letter of apology.

The Department added it was studying ways and means of making sure that contributors would always receive correspondence in the official language of their choice.

The Commissioner asked the Department to inform him of the method it devised to prevent similar errors in the future. He said he would like to have this information at his disposal when he was preparing his Annual Report.

The Department subsequently informed the Commissioner that four proposed changes in the Superannuation Division's correspondence system should, when fully implemented, prevent similar errors in the future. Firstly, all new files would carry a tag indicating the official language of the contributor's choice and old files would be similarly tagged when they came up for action. Secondly, the Division's Internal Audit Group would return files to the appropriate section for correction if it discovered that correspondence with a contributor had not been in the proper official language. Thirdly, periodic reminders would be issued to the staff stressing the importance of processing files in the official language of the contributor's choice. Finally, the Division would continue to reply to inquiries from the Personnel Branch in the official language of the personnel officer concerned but it would now ensure

that any forms that were to be sent to the contributor would be in his or her official language; periodic checks would be made to make sure that such forms were forwarded in the correct official language.

## TRANSPORT—*Airport*

### EVALUATION

*In 1975, citizens lodged 43 complaints against this formerly foot-dragging department. The Ministry resolved most of these satisfactorily. Some of the complaints, particularly those dealing with the use of French in air traffic control (summary below), proved exceptionally thorny. The answers to technical questions raised by these complaints will require time and dispassionate action. Probably some improved techniques for consulting experts from outside the Government would help to create greater mutual confidence among all interested parties, an obvious condition of a credible and lasting settlement.*

*In more general terms, the Ministry formulated an impressive and comprehensive official languages programme to implement systematically the 82 recommendations this Office made to MOT's Canadian Air Transportation Administration (CATA) in 1974. It elaborated 56 national policies which, as of December 1975, awaited only Treasury Board's approval and allocations of funds and man-years. As recently as January 1976, the Ministry was reviewing nine other policies with airlines, companies, various government bodies, concessionnaires and unions.*

*The Official Languages programme has become a major priority with CATA, and all managers, reported CATA, are held responsible for its successful execution. The Ministry has also conducted a survey, in 13 airports across Canada, to measure the demand for bilingual services and the level of bilingual service required at airports. Lastly, CATA has partly studied and is examining further the feasibility of using French in air/ground communications while giving overriding consideration to ensuring safety.*

*Though CATA's national policies are precise and forward-looking on paper, they bear close examination since they contain a number of inconsistencies: for example, face-to-face service will be offered in both official languages at all Quebec airports, while similar service in Ontario will be delayed. At Toronto International Airport, a French-speaking citizen could be asked to wait up to ten minutes before obtaining information in French. Also some services in the National Capital Region will be provided later than elsewhere in the country. What is more,*

*policies dealing with services provided by concessionnaires seem to be rather too flexible and deadlines rather vague.*

*It is still too early to say whether the Ministry's remarkably coherent approach will produce the results anticipated. But with a thoroughness and specificity rarely noted elsewhere, CATA has responded in some way to virtually all our recommendations. One has the impression that, after a slow start in earlier years, MOT now means bilingual business.*

## COMPLAINTS

*File Nos. 2167, 3760, 3761, 3762, 3838, 3847, 3880, 4341 and 4386—Air Traffic Control: Safety and Bilingualism*

Between March and December 1975, the Commissioner received several complaints—some of which were lodged collectively—from air traffic controllers in Quebec and Montreal, Quebecair pilots and Quebec Government pilots. In broad terms, the complainants asserted the right to use French in air traffic control (ground-to-air and ground-to-ground) in the Province of Quebec. Two of the air traffic controllers had entered into grievance procedures over the right to use French when speaking to other controllers within the air traffic control tower.

Because this was a highly technical matter involving possible danger to human life, and because it was without doubt the most complex complaint he had ever dealt with, the Commissioner entered into discussions with a number of people who had a specialized knowledge of air traffic control. In addition to representatives of the Ministry of Transport (MOT), the International Civil Aviation Organization (ICAO), the Canadian Owners and Pilots Association (COPA), the Canadian Airline Pilots Association (CALPA) and the Canadian Air Traffic Controllers Association (CATCA), he met with pilots of both the Quebec Government Air Service and Quebecair, and his legal adviser conferred with officers of Eurocontrol. The Commissioner also visited control towers in Montreal, Quebec City and Paris (Orly and Charles de Gaulle). He and his colleagues later consulted on several occasions with the newly-formed Association des Gens de l'Air du Québec.

In the course of his consultations, the Commissioner heard conflicting views about bilingualism enhancing or compromising safety in air traffic control, although the representatives of all the national associations stressed the need for great prudence in the area. Even though he was required by the Official Languages Act to ensure that French and English received equal status in federal institutions, the Commissioner realized that his Office did not have the necessary

technical expertise which should be brought to bear to reconcile, in detailed aviation regulations, the requirements of the Official Languages Act with air safety. The Ministry of Transport, on the other hand, was the legally and technically competent authority to decide on a course of action in accordance with the Aeronautics Act. Also, the Official Languages Act, like any other Act, had to be implemented with common sense, a fact which led the Commissioner to ponder on the relative importance of bilingualism and air safety in terms of the greater public interest. This meant, in his view, invariably putting safety first, but looking lucidly at the real effect on safety, at certain Canadian airports, of using one or both of Canada's official languages.

The Commissioner, having carefully considered the collective complaint, was of the opinion that the practices complained of were "contrary to the spirit and intent of this Act [Official Languages Act] but in accordance with the provisions of another Act of Parliament"<sup>1</sup> (the Aeronautics Act). The Commissioner therefore decided in July 1975 to conclude his investigation and recommended on the basis of his findings, that:

the Ministry of Transport, continuing its consultations with all interested parties, determine that degree of bilingualism which is compatible with safety in air traffic control, aiming at recognizing as much as possible the equality of the two official languages but always giving overriding priority to the safety of air travellers and aircrew.

With a view to enhancing air safety, the Commissioner also recommended that the ministry evaluate the usefulness of the following suggestions:

- a) that where bilingual air traffic control services are not available, practical, job-related language courses be offered on a voluntary basis to both unilingual English- and French-speaking pilots in at least Quebec, the National Capital Region, Northern and Eastern New Brunswick and Northern and Eastern Ontario, as well as to personnel in Advisory Stations in the above-mentioned areas;
- b) that a standardized vocabulary in French for air traffic control be developed and distributed as soon as possible;
- c) that uniform tests be administered by the Ministry of Transport or by the Department of Communications to air traffic controllers providing bilingual services, to ensure that they have adequate comprehension in both official languages.

The Commissioner asked to be informed of all decisions taken in this matter and assured the Ministry that his Office was entirely at its disposal for any further consultation about linguistic matters.

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<sup>1</sup> Section 31(1)(b) of the Official Languages Act.

In the course of the summer, the Commissioner realized that the question of bilingualism in air traffic control had become dangerously politicized, with exchanges of strike threats and harsh words made publicly by both English-speaking and French-speaking aviation personnel. In an effort to bring the question back to the technical arena the Commissioner invited all the interested parties to a meeting on September 5, 1975. As a result of this meeting, a committee made up of French- and English-speaking air traffic controllers, airline pilots, private pilots and MOT personnel was created, and a few days later formally named by the Minister of Transport under MOT chairmanship. The Commissioner proposed the following principles to guide the committee (and all its members agreed):

- 1) To recommend a realistic policy for air-ground communication, taking Canada's linguistic duality into account, while always giving overriding priority to air safety.
- 2) In considering air safety their common and paramount concern, committee members agree to seek an objective technical solution without imposing preconceptions or preconditions.
- 3) Recognizing that one or more minority reports would probably defeat the purpose of finding a safe and universally acceptable solution, the committee will try to produce within the shortest possible time a unanimous report for urgent action by the Ministry of Transport.
- 4) While the committee is working, and until a decision on its report is announced, committee members and their delegating organizations would respect a moratorium on all public statements about this subject and on any action or threat of action which might harm the climate of technical and professional objectivity needed to find a solution.

Regrettably, the committee was obliged to abandon its work in early October, apparently because its members were unable to respect the second principle. The situation continued to deteriorate. Then, on December 10, 1975, the Commissioner opened a new file (4386) in connection with two Montreal-based French-speaking air traffic controllers who were suspended for using French in ground-to-ground communications and with respect to an English-speaking controller, also working in Montreal, who was obliged to take a day's leave without pay for abandoning his position to protest the use of French by his fellow controllers in ground-to-ground communications. The Commissioner sent the following letter to the Deputy Minister of

Transport on December 11, 1975, with respect to the French-speaking controllers:

[TRANSLATION]

I refer to our letter of December 10, 1975, concerning two air traffic controllers who were suspended at the Dorval Air Traffic Control Centre.

Because of the extreme urgency of the case, I visited the Control Centre last night in order to meet with the complainants and their superiors. As agreed with Mr. Walter McLeish, I was accompanied by Mr. C. G. Foy of your Ministry.

In addition to Messrs. M. Pitre and L. Desmarais, I met with both anglophone and francophone controllers. While consulting with these persons, I realized that finding a "technical" solution which everyone could respect would be impossible unless steps were taken rapidly to improve the psychological atmosphere of the Control Centre.

Although the question of ground-to-ground communications can, to a certain extent, be linked to that of air-ground communications (a problem I discussed in my letter of July 30, 1975), I believe they must be separated for the moment.

The discussions I had in Montreal also convinced me that your Ministry, while always giving overriding priority to air safety, will have to find, as quickly as possible, ways to allow the use of the French language in ground-to-ground communications between controllers who wish to use French. While I recognize that your Ministry's undeniable duty, from a legal and moral standpoint, is to protect the public if air safety appears to be in jeopardy, I find it abnormal, in principle, to oblige French-speaking controllers to speak to each other in English in the province of Quebec.

Without wishing for the moment to make formal recommendations which might take me into an area where I do not have your competence, I would like to propose for now, as a working hypothesis, a three-point analysis, the essential goal of which is to bring the whole question back to a level where reason will prevail over all other considerations:

- 1) Given the circumstances existing for several weeks at the Dorval Control Centre, the two suspensions seemed inevitable. Even though, in ground-to-ground communications, certain interested parties assess in varying degrees the importance of the purely linguistic factor in air safety, our investigation reveals that

the general climate of indiscipline at the Control Centre at the time of the suspension was a very clear threat to air safety.

2) The suspended employees (Messrs. S. Cormier and R. Buisson), and their superiors (Messrs. M. Pitre and L. Desmarais), were all to a certain extent victims of a situation which had been allowed to deteriorate for too long; indeed, the suspended persons were working in an atmosphere where insults and provocations between certain anglophones and certain francophones were commonplace: consequently, one can reasonably believe that the thoughtless behaviour of the suspended persons may have been the result of exasperation, tension, as well as perplexity about the often uneven application of sometimes ambiguous directives in the past. These same circumstances obliged the two supervisors to enforce regulations in conditions which, no doubt, were very distressing to them personally and which led them to carry the blame, in a certain part of the press, unjustly in my opinion, for having taken an unpopular decision.

3) Since the Ministry will announce today that it will be in a position, at the beginning of January, to evaluate a study now in progress which seems to offer serious hope that French may be used in certain ground-to-ground communications, it might find it useful to consider softening the financial effects of the two sanctions as a freely decided gesture to lower tensions. In my view, such a gesture would constitute neither a defeat nor a victory for anyone, nor would it give other employees a licence to commit acts of indiscipline affecting air safety while a solution is being worked out in short order.

Indeed, even though my mandate is to defend linguistic equality, I consider that the safety of passengers and aircrew must not in the slightest way be jeopardized by any political consideration. The problem now is simply to find a realistic procedure allowing us, if only briefly, to take the politics out of an issue that in the final analysis is technical in nature and, in my opinion, must be settled on technical grounds. At bottom, all the interested parties, be they Anglophones or Francophones, controllers, pilots or departmental specialists, state that their attitudes on language use are based solely on concern for air safety. I believe that Canadians expect all these professionals to explain the soundness of their respective positions through objective arguments. Plainly, this will be possible only if the Ministry manages to establish the climate of serenity which is one of the principal goals of the steps we have taken and of the present letter.

The following letter was sent to the Deputy Minister on December 12, 1975:

[TRANSLATION]

You will find enclosed an article which appeared in *The Montreal Gazette* of December 10, 1975, describing the suspension of two French-speaking air traffic controllers in Montreal and of an English-speaking air traffic controller working in Quebec City.

In the course of discussions I had with English- and French-speaking controllers at the Dorval Air Traffic Control Centre during the night of December 10 to 11, I learned that the English-speaking controller was actually working in Montreal. I was unable to get in touch with him at that time.

In conjunction with our investigation already in progress concerning language procedures in ground-to-ground communications at the Dorval Air Traffic Control Centre, I would like to specify that the suggestion I made in my letter of December 11, 1975, concerning the softening of the financial effects of the two suspensions also applies to the English-speaking controller who had to take a day's leave without pay.

The Ministry replied by sending the Commissioner a copy of a press release dated December 13, 1975 and entitled: *Transport Minister Otto Lang Announces Bilingual Air Communications Will Be Introduced Progressively In Quebec*. In its statements, the Minister announced that it was giving radio operators in Quebec the authorization to provide advisory services in the French language whenever this would be in the interest of safety. French-language lexicons, instruction manuals and notices to airmen would be prepared and distributed between now and April 1, 1976, and the language capabilities of the radio operators certified. As of April 1, 1976, all flight and airport advisory services would be provided by air radio operators in French as well as in English.

At Bagotville, Canadian Armed Forces air traffic controllers who have a knowledge of French were to commence using the language immediately in civil *VFR* operations.<sup>1</sup>

In early February 1976, after completing a round of important consultations on the results of a number of studies, the Ministry planned to invite the aviation associations and the aviation industry to participate in experiments and demonstrations on the new Air Traffic

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<sup>1</sup> *VFR* means Visual Flight Rules; *IFR* means Instrument Flight Rules.

Control Electronic Simulator, with a view to developing procedures which could allow the introduction of bilingual communications in *IFR* operations in Quebec, while respecting the requirements of safety.

The last phase of implementation of bilingual air-ground communications would be the introduction of the latter in *VFR* operations in the terminal areas of Dorval and Mirabel, but only after suitable procedures for *IFR* operations in Quebec were successfully developed and introduced.

The Minister stressed the need for goodwill, co-operation and active participation of all interested parties in the programme of consultations he had outlined. In a gesture of goodwill, he followed the Commissioner's suggestion to reduce the pecuniary consequences attached to the one-day suspensions of the two francophone controllers at Dorval and to the one-day leave without pay suffered by the anglophone controller working at the same airport.

The Commissioner was happy to learn of the Ministry's plans and, after informing the complainants of the results of his investigation, closed the files. Although the investigation with regard to the specific complaints has been completed, the Commissioner is keeping in touch with the Ministry and the other interested parties so as to be informed of further progress and problems in this very complex area. The whole matter is still far from settled. No doubt the public will have heard more of it by the time this report appears.

*File No. 3395—Withdrawal from Language Training*

An English-speaker, who had recently left the Public Service to work for a private firm, told the Commissioner how the official languages policy had affected him. He had been 26 years with the RCAF, then had worked with another employer for nine years until 1972 when he had joined the Public Service. Soon afterwards, he entered a competition for a bilingual position and was successful. However, although he was willing to learn French, he found that he had great difficulty—he was 59 and had a hearing loss—and was obliged to withdraw from language training after ten weeks. On returning to the Ministry, he was assigned trivial tasks and felt that he had no authority or responsibility. He blamed the teaching methods at the Language Bureau for his failure to acquire enough French to do the job for which he was professionally qualified.

The Commissioner decided to take the matter up with both the Public Service Commission (concerning language training) and the Ministry of Transport (regarding his job).

The Public Service Commission said that it had realized from the outset that the employee would have considerable difficulty in learning a second language. He was given a special course, with a group of compatible students, but to no avail. It was obvious that he was suffering stress and frustration, so he was withdrawn from training.

The Ministry of Transport told the Commissioner that when the employee returned from the language school, staffing officers started to look for a suitable unilingual position to offer him. However, there were very few positions at his level in the National Capital Area that were not bilingual and, in fact, no alternative position had been found when the employee resigned. The Ministry had told him it was willing to retain him in a lower level position, without loss of salary, but he had meanwhile received an offer from a private firm which would mean a substantial increase in salary. The Ministry was sorry to lose him.

The Commissioner believed that the investigation had raised important questions concerning the appropriateness of language training in certain circumstances and the consequences resulting from standards that give great weight to the spoken word. The case had also given the Commissioner an opportunity to underline the need for better communication between management and employees to prevent misunderstandings arising from the administration of the Government's official languages policy.

## TREASURY BOARD—*Hard Times*

### *EVALUATION*

*For the Treasury Board's Official Languages Branch, 1975 was an eventful year. The Branch wisely, if tardily, devoted much of its efforts to developing language of work policies to give shape to the second part of Parliament's 1973 Resolution on the Official Languages in the public service.*

*The Board's preoccupation with its Official Languages Information System (OLIS) has sensitized departments and agencies to the need to keep a linguistic profile of their staff as a tool for rational management—even if such computer bookkeeping makes rather much paper work and does not necessarily ensure that the public is receiving services as required under the Act. The Board also made a helpful effort in 1975 to inform public servants about its language policies through bulletins, brochures and briefing sessions. Indeed the Board claims, citing a communications study it ordered, that bilingualism is a matter of "very low*

concern" among public servants. However, this Office believes that the Board's information efforts are still lacking in scope, coherence and imagination and that they have not yet succeeded in eliciting public servants' enthusiastic, or at least relaxed, cooperation.

The Board has fully implemented only six of the 19 recommendations this Office made in 1973. These six touched on such matters as the resources of the Official Languages Branch, duties under the Official Languages Act of federal government services abroad, providing this Office with statistical data, and administrative measures the Department should take to ensure that bilingual services are provided. Six other recommendations were partly implemented, another one minimally and the Board has had neither time nor resources to tackle the other six.

As of early 1976, the Board did not have an obviously integrated master plan covering all elements of service to the public and employees' language-of-work rights. Neither had it pulled together administrative policies and guidelines on all aspects of implementation of the Act, on monitoring application of this Office's recommendations to departments and agencies, and on evaluating all aspects of linguistic reform in the public service. Moreover, target dates for action on these matters may very well be set back further years because of the language training load, budgetary restraints, unchanged signs and publications, and controversies about Units Working in French, the review of language requirements of positions in Quebec, the bilingualism bonus, and bilingualism in air traffic control.

But this list of difficulties should not overshadow the Board's very considerable achievements of the last three years. In informal tandem with the Public Service Commission, it has laid much indispensable groundwork and given the Government's whole Public Service effort a sense of realism.

## COMPLAINTS

### *File No. 4234—Language of Work Outside Quebec—Concerns and Ambiguities*

In a letter addressed to the President of the Treasury Board (with a copy to the Commissioner), an Acadian questioned the policy stated in Treasury Board's bulletin *Information* (Volume 1, No. 1) on communications between federal public servants in the National Capital Region (NCR) and the provinces. He was particularly concerned about

the meaning of the following statement: "( . . . ) outside the National Capital Region, ( . . . ) the language of work of federal public servants will, as a general rule, be French in Quebec and English in the other nine provinces", and the ambiguity in another passage: "( . . . ) employees in the National Capital Region will normally communicate in English with employees in provinces other than Quebec—or in both official languages when internal services are being provided in bilingual areas".

The complainant requested that the President of the Treasury Board re-examine and review this policy on the language of work in order to protect the language rights of Acadians.

The Secretary of the Treasury Board informed the Commissioner that the Bilingual Districts Advisory Board was to propose bilingual districts in areas where there are language minority groups. Once the report was tabled in the House, Treasury Board would make recommendations to the government, taking into consideration the situation of official language minorities throughout Canada.

The Secretary of the Treasury Board also indicated that the government, as part of the implementation of the second part of the Official Languages Resolution adopted by Parliament in June 1973, was to publish a language-of-work policy. The government had decided to initiate the change in the National Capital Region, and this explained the statement quoted by the complainant.

For the moment, added the Secretary, departments had been instructed not to re-identify the language requirements of positions in the provinces and to abide by the previous directives which provided that in bilingual areas such as New Brunswick, the language of work as well as the language of internal services and supervision would be left up to the employees.

Finally, according to the Secretary, the President of the Treasury Board also reaffirmed that in applying its language policy, the government was paying particular attention to the official language minorities. Treasury Board assured the complainant that the government was doing everything possible to encourage the development of the official language minority communities and that it would do the same in the case of the policy on language of work.

The Commissioner, in noting the explanations provided by Treasury Board, informed the complainant that he proposed to follow closely the implementation of government policy on language of work, particularly in areas outside Quebec where there were large French-speaking minority groups.

## UNEMPLOYMENT INSURANCE COMMISSION—*To Have and Have Not*

### EVALUATION

*The staff responsible for bilingualism at the Commission has not been on the dole during the last year. The Commission settled promptly and satisfactorily the 23 complaints the public lodged against it about such matters as notices, correspondence and personal services. It implemented 7 of our 19 recommendations (made after a special study during 1972-73) dealing with bilingual capability, information in the client's preferred official language, publications and improved coordination and monitoring.*

*The Commission acted swiftly on recommendations dealing with translation and information to employees. For example, in Belleville, translation can be obtained from Toronto within 24 hours through a telecopier linked to the Translation Bureau office. The Commission appointed a coordinator of translation, and established a telex system at headquarters to expedite within 48 hours urgent translation requirements. Also, the UIC did not wait for Treasury Board directives to provide work instruments in both official languages but began doing so on its own initiative.*

*To ensure adequate service to clients, it hired bilingual replacements for employees taking language training and recruited some bilingual seasonal employees as well. It issued instructions to public-contact employees to make certain that callers are served in the official language of their choice. Other practical steps, such as colour-coding files, were taken to ensure that claimants can be served in their official language. Employees were encouraged to write letters in their second official language with the help of a reviser and specially developed lexicons.*

*The Commission is a highly decentralized organization having frequent contacts with the public. As a result, information does not always filter down from headquarters to the various regions, and service is not invariably made available in French and in English as required. What is more, the inability of Boards of Referees and Arbitration Boards to perform their duties in both official languages sometimes creates problems, since representations are not always evaluated in the language of the appellant.*

*Notwithstanding these weaknesses, the Commission has made much progress on its own initiative. Even if the UIC cannot console or employ all Canadians looking for work, its efforts to employ innovative common sense on matters linguistic are very consoling indeed.*

## COMPLAINTS

### *File No. 2804—Niagara Falls*

A French-speaker from Niagara Falls, Ontario, complained that the Unemployment Insurance Commission office in that city was unable to provide services in French.

The Commission explained to the Commissioner that the identification of the language requirements of positions at the Niagara Falls office had been approved by the Official Languages Branch of the Treasury Board Secretariat in December 1973 and June 1974. Staffing procedures were still under way to fill 39 positions, 25 of which involved contacts with the public. Since August 20, 1974, the staff in this office had consisted of 18 permanent employees and fifteen casual employees. Of these, the general information clerk, a file clerk, an agent I and a fourth bilingual employee were able to provide services to the public in French. Furthermore, a bilingual benefit control officer with the St. Catharines office normally spent a half-day every two weeks at the Niagara Falls office, and an agent II position was to be designated bilingual effective March 31, 1976. The present incumbent of this position was to go on language training on April 1, 1975. According to the 1971 Canada Census, only 3.1% of the population in Niagara Falls considered French to be their mother tongue. The Commission thus believed that this office could offer adequate services in French.

The Commissioner thought that the position of information clerk, for which a bilingual employee had been recruited, should be identified as bilingual. That way, any new applicant in the future would have to be, or become, bilingual.

The Commission accepted the Commissioner's recommendation.

*b) Temporarily Out of Print (Departments and Agencies Not "Evaluated")*

## AUDITOR GENERAL

### COMPLAINTS

#### *File No. 3617—Language of Work in the Montreal Regional Office*

French-speaking employees in the Montreal regional office stated that they were given permission to work in French on June 27, 1974. However, there remained a number of factors which caused irritation among the French-speaking officers: their reports, while written in French, were summarized in English before being sent to Ottawa;

memoranda sent to Montreal by Ottawa were occasionally in English only, accompanied by a note saying that a French version was available on request. Supervision was also a problem area according to the complainants because they were obliged to communicate in English with some of their superiors.

The Office of the Auditor General replied that it had already adopted the policy of preparing all material destined for its employees in both official languages. Hence, memoranda sent to Montreal from Ottawa would always be in both official languages.

The question of the summaries of employees' reports was settled with the arrival of an in-house translation unit at the Ottawa Office. Reports in French were at present sent to Ottawa from Montreal in their original form, in conformity with the Government's language-of-work policy.

The problems in the supervisory area were, for the most part, solved by the end of the year through language training and other administrative arrangements, although some details still had to be worked out before the file could be closed. The Commissioner planned to follow up on these remaining matters.

## CANADIAN INTERNATIONAL DEVELOPMENT AGENCY

### *SPECIAL STUDY*

The special study of the Agency was undertaken in 1974. Its purpose was to examine the use of English and French in the services provided to the public and in internal communications. To this end, the study team conducted about fifty interviews between December 1974 and February 1975 and, in addition, collected and analysed a large number of documents supplied by the Agency.

Over the past few years, the Agency has made considerable and, in some ways, remarkable progress towards achieving the goal of institutional bilingualism. The creation of two large French-language units, one responsible for aid programmes in Francophone Africa and the other for programmes in Latin America, has undoubtedly increased the possibilities to work in French. Indirectly, as a result of the obligation to provide services to, and work in conjunction with, these units in the appropriate language, other smaller French-speaking units were established here and there throughout the Agency.

When this study was undertaken, CIDA personnel comprised a far higher-percentage of French-speaking individuals than many other fed-

eral institutions. This presence of a critical mass of employees from both language groups has enabled the Agency to solve many of the problems related to the language of service although it has not, unfortunately, sufficed to solve all of the problems related to the language of internal communications. However, the study group found that, generally speaking, staff members reacted favourably to the obligation of providing services and of enabling internal communications to take place in both official languages. Efforts to heighten, through various cultural activities, staff awareness and comprehension of questions linked to the official languages also merit commendation.

This study of the Agency's external and internal activities also revealed, in addition to these positive elements, a number of factors which either have impeded or could impede the organization's progress towards the requisite institutional bilingualism. Some of these areas of non-conformity or partial conformity with the requirements of the Act seemed to be the result, not so much of unwillingness or lack of capability on the part of the staff, as of the lack of definite and clearly-formulated policy. Others could be traced to difficulties encountered by the staff in obtaining auxiliary services or working instruments in the appropriate language. Still others involved an accumulation or a convergence of various factors which, taken separately, are of no great significance but which, combined, impeded the use of one or the other official language in internal communications and in the provision of services to the public.

### *Linguistic Profile*

An analysis of a computer print-out on CIDA personnel dated January 20, 1975, was undertaken to pinpoint some of the linguistic strengths and weaknesses of the divisions and groups within the Agency. This analysis revealed certain persistent and recurrent patterns in the utilization and distribution of human resources from both language groups. It was noticed, for example, that French-language capability was sometimes in inverse ratio to the degree of specialization and managerial responsibility, particularly at the middle management level. In fact, in a number of divisions, the vertical and horizontal distribution of personnel according to language capabilities was such that it could quite effectively hinder the Agency in its efforts to provide services to its publics in both official languages and to promote the use of French as well as English in internal communications.

Language training, recruitment and manpower planning programmes which have had and will continue to have a decided impact

upon the distribution of personnel from both language groups could, according to the findings of the study, be improved upon or rendered more effective. Certain aspects of the language training programme, such as the provision of language retention courses and summer cultural sessions, were well received by personnel. Nevertheless, the programme has remained fairly fragmented and more dynamic possibilities such as temporary, internal transfers enabling employees to use their second official language and the provision of opportunities to undertake professional and technical training in their second language, did not seem to have been sufficiently explored. In the area of recruitment—despite CIDA's obvious success in obtaining personnel from both language groups—there still remain a number of fields involving technical and professional expertise where the two official languages do not enjoy equal status and where more creative efforts need to be made to attract the bilingual or French-speaking personnel required. Thus, in general, the study revealed a need for a greater integration of CIDA's methods and programmes for increasing and utilizing the language capabilities of its staff into its overall planning and utilization of human and, particularly, specialized resources.

#### *Languages of Service*

Insofar as the study team was able to ascertain from interviews of CIDA personnel, the principles involved in the provision of services to the public in both official languages as required by the Official Languages Act were generally recognized and complied with. This was particularly true with regard to publications, correspondence and most contacts with the Agency's national and international publics. Despite the obvious goodwill of its employees, however, there were a number of areas involving service to the public in which personnel would have benefited from a definite policy and precise instructions for implementation. For example, telephone and reception services were not always made available in both official languages even in cases where the individual concerned had sufficient capability in his or her second official language to provide the service as required. Individuals interviewed also mentioned aspects of contacts with foreign delegations, national and international organizations, Canadian firms and professional associations etc., which were either not always assured in the appropriate language or which were assured only with certain difficulties or delays. The study revealed, in particular, some of the problems which occur when CIDA officials, who are not sufficiently bilingual, are responsible for contacts with international or foreign publics.

## *Languages of Work*

The study team examined the extent to which CIDA staff were, in accordance with the principles enunciated in the Official Languages Act and in the *Resolution on the Official Languages* (adopted in June 1973 by Parliament), able to carry out their duties in the official language of their choice. The group found that it was principally in the area of internal communications that CIDA was encountering the greatest difficulties in implementing the Act. Despite the high proportion of French-speaking individuals at CIDA and the apparently fairly extensive use of that language for communications of a social or general nature, the team was informed that French was not extensively used in professional or technical work situations, as evidenced by the fact that only 5-15% of reports and other documents submitted to Translation Services were drafted in French. Moreover, while some committees such as the Project Review Committee was said to encourage the use of both official languages, the proceedings of a number of others were reported to be 95%-100% in English. Similarly, participation in policy review and policy-making task forces in French by French-speakers seemed minimal in comparison with the number of Francophones at the Agency.

This lack of proportion in the use of the two official languages and the relatively infrequent use of French at the professional and technical level were attributed to a number of factors which included the absence, in many cases, of working instruments or auxiliary services in French. Equally important, but more difficult to define, were certain dynamic pressures which tended to favour the use of one language rather than the other at meetings and in project-team activities. These include the lack of sufficient French-language capability on the part of some of the professional and technical participants on teams as well as the fact that, in some divisions, either or both supervision and support or technical assistance could not readily be obtained in the appropriate official language.

While the co-operation, willingness, and in many cases enthusiasm of the staff with regard to the "equal status of both official languages" were obvious, it was equally obvious to the study team that CIDA personnel needed a written policy and specific instructions. It was found moreover that the Agency needed a definite and integrated programme of staff information and encouragement in order to improve its performance in providing internal and external communications in both official languages.

In consideration of the measures already adopted by CIDA, its accomplishments to date, and the findings noted in this report, and with a view to assisting CIDA in complying more fully with the Official

Languages Act, the Commissioner recommended that the Canadian International Development Agency:

*POLICY AND IMPLEMENTATION PROGRAMME*

(1) (a) draw up, by March 31, 1976, a policy statement on the official languages, taking into account all the requirements of the Official Languages Act with respect to the language of service and the language of work;

(b) complement this statement with directives which are adapted to the conditions and particular requirements of the various branches and which include practical ways and means of complying with the Act; include these directives in manuals on project procedures and methods;

(2) develop and carry out an implementation programme with respect to the Official Languages Act, indicating target dates and designating centres of responsibility for each stage or activity;

(3) use the findings, suggestions and recommendations of this study as a general, but not necessarily exclusive, guide for drawing up its policy statement on official languages, and integrate them into the implementation programme whenever appropriate;

*SUPERVISION AND MONITORING*

(4) (a) examine the responsibilities of its staff members in charge of matters related to bilingualism and, where necessary, redefine them so as to provide for the most integrated implementation possible of the Official Languages Act and of the programmes stemming from it;

(b) supervise and monitor the implementation of the Act in all its divisions so as to ensure that these divisions always fulfill their obligations;

*STAFF INFORMATION PROGRAMME*

(5) (a) distribute its policy statement on official languages in bilingual format to every member of its staff and to all new employees and inform them concerning whatever actions they must take to comply with it;

(b) continue and develop further its staff information programme and include in this programme practical ways and means of complying with the Act, noting that the Commissioner and his staff are always prepared to take part in meetings which may further understanding and implementation of the Official Languages Act;

*IDENTIFICATION OF POSITIONS AND LINGUISTIC PROFILE OF PERSONNEL*

(6) maintain and review, on a regular and systematic basis, data on the identification of positions and the linguistic capability of personnel in order to determine the extent to which this capability corresponds to the language requirements for service to the public and for internal communications; and, in so doing, pay special attention to the impact of staff attrition and rotation as well as to the distribution of language skills according to managerial responsibilities and employment categories;

(7) take whatever interim measures are necessary to meet the requirements of the Official Languages Act with respect to those bilingual positions whose incumbents are unilingual or which are vacant so that services to the public and to staff members can be provided in both official languages;

(8) advance, where necessary, the designation dates for supervisory and managerial positions in units where there is already a number of employees of the other official language so as to increase opportunities for them to work in the language of their choice;

#### *LANGUAGE TRAINING AND RETENTION PROGRAMMES*

(9) keep personnel continually informed concerning opportunities for language training which exist outside prescribed working hours (Treasury Board Circular, 1974-91 dated May 29, 1974) as well as those provided by the Public Service Commission or by CIDA itself;

(10) ensure that the investment in language training is fully utilized by:

(a) actively encouraging personnel to use their newly-acquired language skills;

(b) evaluating and, where necessary, modifying or expanding existing language-retention programmes so as to increase their effectiveness and the number of employees from both language groups to whom they are available;

(c) supplementing these programmes, where necessary, with specialized second language training courses adapted to specific technical and professional requirements;

(d) encouraging employees who have acquired an adequate base in their second official language to take some of their professional or technical courses (whether these are given by the Public Service Commission or by private institutions) in that language;

(e) continuing to provide, on a voluntary basis, administrative-writing assistance to those employees who, as a result of working in more or less unilingual units, are no longer confident of their ability to write in their own language;

(f) whenever feasible, transferring employees returning from language training, at least on a rotational basis, to units within the organization where they can enjoy the opportunity of perfecting their newly acquired skills;

#### *RECRUITMENT*

(11) (a) intensify its contacts with French-language institutions and professional associations with a view to attracting qualified French-speaking specialists in those sectors and for those divisions where it has not to date had sufficient French-language capability to guarantee the equality of status of both official languages as languages of service and of internal communication;

(b) provide definite guidelines ensuring that, in all aspects of recruitment for contractual, overseas positions (advertising, contacts with universities and so on), its obligations under the Act are met in full and, in particular, that all members of Appraisal Boards are able to communicate with candidates in the official language of their choice;

#### *MANPOWER PLANNING AND OPERATIONAL REVIEW*

(12) integrate its methods and programmes for increasing and utilizing the language capability of personnel into its overall planning and utilization of manpower and, particularly, specialized resources; and include considerations related to both the languages of service and the languages of internal communications in its operational, management and policy review studies;

## *LANGUAGES OF SERVICE*

### *Telephone, Reception and Inquiries*

(13) (a) distribute, by December 31, 1975, directives on how to answer the telephone and receive the public in both official languages, and ensure that these directives are strictly observed in all branches;

(b) ensure that, henceforth, unilingual employees answering the telephone can at least identify their units in both official languages and refer the call with a simple, courteous phrase<sup>1</sup> in the caller's language to another employee capable of providing service promptly in the appropriate language;

(c) take steps to ensure that all branches and their various divisions are able in future to give equally satisfactory replies to all inquiries, whatever their nature, in both official languages;

### *Services of Equal Quality in Both Languages*

(14) (a) ensure, by March 31, 1976, that both at Agency headquarters and elsewhere, employees (particularly specialized and technical employees) likely to come into contact with the French- or English-speaking public (including countries receiving aid and their representatives, advisers, trainees, official delegations, firms and so on) are henceforth able to provide services of equal quality in both official languages; and ensure that the most appropriate official language is always used for the reception of and communication with foreign delegations;

(b) immediately remind its senior officials and its officers or representatives abroad that in the course of their contacts with the public (whatever the nature of these contacts: meetings, lectures, international symposiums and so on), they must take appropriate measures so that in all circumstances abroad the equal status of Canada's two official languages is recognized and taken into account, while paying whatever attention they consider necessary to a third language; this requires that both official languages be accorded their rightful places (if necessary, through the alternate use of the two languages) for the contacts mentioned above;

### *Services Offered Through Intermediaries*

(15) (a) undertake, by March 31, 1976 or earlier if possible, a survey of all studies, projects and programmes supported by the Agency in Canada and abroad, which are carried out by individuals, groups or organizations receiving aid from or under contract with the Agency in order to ascertain whether these arrangements enable the Agency to meet its obligations under the Official Languages Act with regard to the equal availability of services and communication in both official languages;

(b) ensure, where the requirements of the Official Languages Act are not being met through the above-mentioned arrangements, that all services are provided in both official languages according to the terms of the Act by December 31, 1976;

### *Publications*

(16) (a) continue to encourage publication in bilingual format and to ensure that all publications with separate French and English editions appear simultaneously in both official languages;

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<sup>1</sup>Such as "Un instant, s'il vous plaît"; or One moment, please.

(b) indicate in the unilingual editions described in (a) the existence of equivalent versions in the other official language and the place where they can be obtained;

(c) examine its distribution of publications printed separately in the two languages in order to ensure that addressees receive the appropriate edition and, where necessary, both editions simultaneously;

(d) ensure that employees responsible for distributing publications have sufficient stocks in both languages;

#### *Correspondence*

(17) (a) ensure that the Agency's policy of answering mail in the language of the addressee continues to be observed and that all efforts are made to encourage employees with the necessary competence to originate correspondence in the official language used by its various clients; avoid delays inconsistent with equality of service and ensure that texts are of equal quality in both languages;

(b) encourage such efforts by ensuring that the divisions or persons responsible for monitoring incoming and outgoing correspondence have sufficient knowledge of both languages to understand correspondence received and reply to it promptly, avoiding recourse to translation as much as possible;

#### *Use of the Media*

(18) ensure that henceforth the choice of advertising and communications media really enables the Agency to provide service to the country's two linguistic communities; this necessitates, among other things, the use of weekly papers in provinces or areas where dailies are published in only one of the official languages;

#### *Exhibitions*

(19) continue to ensure that, when one of its units participates in an exhibition, enough bilingual or unilingual staff from both linguistic groups are assigned so that service can be provided to the public in both official languages at all times; make sure that the language given precedence in any given situation is the appropriate one and that all material used is available in both languages, in compliance with the principle of equality of both official languages;

#### *Signs, Notices, and So On*

(20) (a) ensure, by March 31, 1976, that signs displayed in all branches and divisions are bilingual;

(b) ensure henceforth that both official languages are represented on bulletin boards in all branches and divisions;

(c) ensure, by March 31, 1976, that the inscriptions on the calling cards of its staff are of equal quality in both languages and that all rubber stamps bear equivalent inscriptions in both languages and, where applicable, follow the international dating system;

### *LANGUAGES OF INTERNAL COMMUNICATIONS*

#### *Working Instruments*

(21) (a) complete its inventory of internally generated technical and procedural manuals, handbooks, etc., establish their linguistic status and lay

down clear priorities and time-frames to ensure that all such manuals are available in both official languages by December 31, 1976, and that, by March 31, 1976, all future manuals, guidelines etc. and all amendments are automatically and simultaneously issued in French and in English;

(b) ensure that, whenever it obtains manuals, guidelines, forms, etc., which are issued in separate English and French versions by other institutions, copies in both languages are requested, and that the appropriate editions are subsequently made available to those who need them;

(22) make use of all the resources available (universities, information centres, provincial and federal government departments, international agencies, libraries and the private sector) so as to provide staff, trainees and experts with such working materials in French as will afford them equal opportunity to work in either official language;

#### *Professional and Technical Training*

(23) (a) determine, by March 31, 1976, the official language preference of employees who wish to be considered for in-house or other professional training programmes;

(b) ensure, by June 30, 1976, that employees, trainees or consultants of both language groups genuinely enjoy equal access (as to location, subject matter, resources, and incidence of courses) to training of equivalent quality in their preferred official language;

#### *Auxiliary Services*

##### *Personnel*

(24) make certain that all staffing procedures, staff relations or other personnel services henceforth fully respect the known or anticipated language preferences of employees and that, in particular, job descriptions of interest to employees of both language groups are made available simultaneously in both official languages;

##### *Financial and Administrative Services*

25) take immediate steps to ensure that, by June 30, 1976, all financial services (accounting, financial analysis and controls, etc.), and administrative services (travel, material, contracts, etc.), whether written or oral, provided to units comprising employees of both official language groups are available in French as well as in English;

##### *Library*

(26) ensure that, by March 31, 1976, the Library is providing all of its oral and written services in both official languages and, that by December 31, 1976, it has increased its French-language documentation sufficiently to enable personnel to do research on the same range of subjects in French as in English by:

(a) augmenting its bilingual capability by means of temporary or permanent appointments and/or language training;

(b) keeping abreast of current bibliographical developments in both official languages;

- (c) maintaining effective contacts with suppliers, publishers and libraries capable of providing assistance;
- (d) obtaining editions in both official languages whenever it requests publications which are produced separately in French and in English by federal or international organizations;
- (e) encouraging employees to recommend titles of works in French;
- (f) ensuring that library holdings and acquisitions henceforth reflect the equal status of both official languages;

*Support and Technical Services*

(27) immediately take whatever measures are required to provide support and technical services (stenographers, technicians, clerks, etc.) in the appropriate language in all cases where the non-availability of these services in French or in English prevents staff members from using their own language as language of work;

*Internal Use of Both Official Languages*

(28) implement, by March 31, 1976, a strategy designed to foster the equality of both languages as languages of internal communications by:

- (a) grouping French-speaking employees, whenever possible, into viable units where, because of their numbers, the work and supervision can be carried out in French;
- (b) while safeguarding individual rights, actively encouraging employees able and willing to do so to use the French-language as much as possible for internal written and oral communications and, particularly, at the technical or professional levels during meetings, for report-writing and in project-related activities;
- (c) ensuring that notices, memoranda and directives are prepared in both official languages when they are intended for employees from both language groups;
- (d) ensuring that neither official language is neglected in the drafting of policy documents for internal and interdepartmental circulation and that these documents reflect more accurately the equality of status of both official languages;

(29) (a) examine, by June 30, 1976, its contacts with federal institutions, as well as with private firms or organizations which provide services to its staff or to which it is administratively or legally bound, in order to determine the extent to which their linguistic abilities enable it to fulfil its obligations under the Official Languages Act as far as the internal use of both official languages is concerned;

(b) in those cases where contacts with other institutions or firms prevent it from fulfilling its obligations under the Act, examine the problems in co-operation with the organization(s) concerned and make appropriate decisions as quickly as possible;

*French-language Units*

(30) ensure that personnel in French-language units are really able to work in French by:

(a) clarifying, for the benefit of units in contact with French-language units as well as for the French-language units themselves, terms of reference for internal operational and administrative communications, explaining clearly to those units any long- and short-range plans to bring such communications into fuller compliance with the Official Languages Act;

(b) ensuring that all specialized participants in French-language unit project activities have sufficient French-language capability so as not to prevent other participants from using that language;

#### *CONSULTATION*

(31) maintain close liaison and consultation with its employees' unions and staff associations in those cases where the implementation of the preceding recommendations requires it;

#### *JOB SECURITY AND PROMOTION*

(32) avoid jeopardizing the job security or career opportunities of its personnel in implementing the recommendations listed in this report;

#### *HANDLING OF COMPLAINTS*

(33) deal with complaints taken up with the Agency by the Commissioner of Official Languages in his role as ombudsman and take corrective action in the shortest possible time, and this notwithstanding any action taken by the Agency with respect to the recommendations contained in this report or for any other purpose, and regardless of any target dates specified in these recommendations.

### COMMUNICATIONS

#### *"Tu causes, tu causes coast to coast"*

In response to the Department's kind invitation, the Commissioner has been floundering since November 1975 in the swirling ethers of electromagnetic spectra and other more or less well known electronic networks.

Because of the great responsibility it assumes with regard to the quantity, if not the character, of the messages Canadians send one another, this young Department is of considerable importance in our society.

Marshall McLuhan informed us that "the medium is the message"; it remained to be discovered whether people—the "masseurs", one might say—could exercise their talents, without undue linguistic restraints, in the official language of their choice. By the end of the year, the study group had already interviewed about twenty Department officials in order to obtain the necessary information. The group had also gathered part of the documentation considered essential for an analysis of the situation.

## CONSUMER AND CORPORATE AFFAIRS

### *SPECIAL STUDY*

The purpose of this special study was to examine the Department's internal and external activities in the light of the requirements of the Official Languages Act. In order to gather the necessary information, the study team conducted over 100 interviews between July and December 1974, at headquarters and in the regions.

The information collected showed that the Department had made a considerable effort to comply with the requirements of the Act. The interviews revealed a good spirit of co-operation among a large proportion of the staff. The Department's statement on the official languages, published in September 1974, set out for directors a series of measures to be taken in order to achieve the Department's objectives with regard to the official languages: to offer its services to the public in the official language of its clientele and to ensure that members of its personnel can work in the official language of their choice. An examination of this document, however, showed the necessity of its being revised, for it contained some provisions which are open to mis-interpretation and did not take full account of all the requirements of the Act. It would also be advisable for the Department to adapt its staff information programme on the Official Languages Act so as to reflect its new policy statement and set out practical ways and means of putting it into effect.

As far as services to the public are concerned, the study team found that the Department respected the principles of the Act in a number of areas: letters were answered in the language of the addressee, most forms and publications were available in English and in French and signs were for the most part bilingual. However, it was noticed that a number of the Department's components did not have sufficient bilingual staff to always provide services in both official languages.

For example, many important consumer services were generally provided only in English by offices in the regions (with the exception of those in Quebec). The study showed that the Department had not taken any interim measures which would deal with problems created by unilingualism in these offices. In addition, it appeared that certain branches of the Bureau of Intellectual Property could not provide, on an equal basis and with the same ease in both languages, the Bureau's services with respect to patents, trade marks, copyrights and industrial designs. The study also showed that certain measures would have to be taken if information on the Department's activities was to reach both language groups wherever they were located across the country. Further-

more, it was found that publications, such as the *Trade Marks Journal*, which provide useful information to those concerned, were printed almost entirely in English.

Also in the area of services to the public, the study group paid careful attention to sections 88(2) and 96(4) of the *Bankruptcy Rules* because these did not seem to take into account all the requirements of the Official Languages Act. Section 88(2) stipulates that:

Where a bankrupt who is required to attend a first meeting of creditors is unable to converse fluently in the English or French language whichever is being spoken at the meeting, the trustee shall arrange for the attendance of an interpreter satisfactory to the chairman of the meeting.

And section 96(4) is drawn up in the following terms:

where a bankrupt who is being examined as required by subsection (1) of section 132 of the Act is unable to converse fluently in the English or French language, whichever is the language in which the examination is being conducted, the trustee shall arrange for the attendance at the examination of an interpreter satisfactory to the official receiver.

These rules are intended to guarantee the language rights of bankrupts who are unable to express themselves readily in either English or French. However, it would be preferable if the Department were to initiate the procedures necessary to make these rules more comprehensive and so ensure that communication with the interested parties would be possible in their language and that all parties at a creditors' meeting and at an examination (in particular, bankrupts, inspectors, creditors and others), regardless of their linguistic knowledge, could be heard in the official language of their choice.

As far as the status of French and English in internal communications is concerned, it was found that much remained to be done before the Department would be able to comply with the principles laid down in the Act and in its own policy on the official languages. Information collected showed that, except in the Quebec region and in the headquarters of the Bureau of Corporate Affairs, English was the predominant language of work. The majority of the headquarters employees of the Bureau of Consumer Affairs, the Bureau of Intellectual Property and the Bureau of Competition Policy, which constitute major sectors of the Department, used English almost exclusively in planning and carrying out work and preparing written communications. In addition, even though employees in the Quebec region used French in communications on the regional level, they were often obliged to resort to using English in their contacts with several units at headquarters, because the latter lacked the necessary level of institutional bilingualism.

The study did find, however, that the principle of equality of status of English and French as languages of work could be much more meaningful if the Department created a context more favourable to the use of French. For example, there were no French versions of many manuals, guides and directives in regular use by the personnel and there was no comprehensive plan to co-ordinate efforts to make these working instruments bilingual. French-speaking employees often found themselves without consultation services or reference material in their own language because of the lack of bilingualism in many support services, especially finance and administration, and the low proportion of French-language publications in the Department's central library. These obstacles were such as to discourage French-speaking employees from using their language in their professional work.

In addition to the problems caused by the fact that many work instruments and internal services were available only in English there were those created by the high proportion of unilingual English-speaking employees in supervisory positions, a situation which did little to encourage the use of French in the Department's internal written and verbal communication. It also appeared that the Department had not, since the Act came into force, taken all necessary measures to ensure that supervision and co-ordination services could be provided for French-speaking employees in their own language, on the same basis as for English-speakers.

Many of the professional and scientific training courses organized by the Department were offered in English only. The same was true for the on-the-job training of new officers under the direction of an experienced officer. Such training could not usually be given in French on account of the shortage of bilingual or French-speaking personnel.

The information provided by the Department also showed the necessity of improving the recruiting, manpower planning and language training programmes. The Department could for example draw maximum benefit from its investment in language training for its employees by orienting its second-language retention programmes to a large extent toward the acquisition of technical and professional vocabulary and by making it possible for employees who have taken language training to be temporarily assigned to a unit where their second language is used extensively.

As regards recruitment, the Department could, first of all, consider all possible sources of French-language manpower capable of meeting its requirements on the professional and technical levels and, secondly, step up its efforts to attract candidates, since the interviews revealed unfamiliarity with the sources of specialized French-language manpower and insufficient attention to measures designed to interest such manpower in working for the federal public service.

More generally, and in view of the imbalance existing between the use of the two official languages in internal communications, the Department should give serious consideration to the possibility of creating administrative structures at headquarters to give much greater scope to the use of French as a language of work.

Finally, although the study showed that the Department had done much to ensure compliance with the Official Languages Act in many areas, there were instances where, through errors or omissions, the Department had contravened or could have contravened the Act. To help it comply more fully with the Act the Commissioner recommended that the Department:

#### *GENERAL POLICY ON OFFICIAL LANGUAGES AND ITS IMPLEMENTATION*

##### *Policy Statement on Official Languages*

- (1) (a) revise its policy statement on official languages by June 30, 1976, making it more precise, bringing it up-to-date and taking fully into account all the requirements of the Official Languages Act;
- (b) develop and, where necessary, revise its implementation programme, indicating target dates and designating centres of responsibility for each stage or activity;
- (c) use the findings, suggestions and recommendations of this study as a general, but not necessarily exclusive, guide for revising its policy statement on official languages, and integrate them into the implementation programme whenever appropriate;

##### *Information Programme*

- (2) (a) distribute its revised policy statement on official languages in bilingual format to every member of its staff and to all new employees and inform them concerning whatever actions are necessary to comply therewith;
- (b) develop and continue its staff information programme on the Official Languages Act, taking into account its new policy statement and setting out practical ways and means of putting it into effect, noting that the Commissioner and his staff are always prepared to take part in meetings which may further understanding and implementation of the Official Languages Act;

##### *Organization, Supervision and Monitoring*

- (3) supervise and monitor the implementation of the Official Languages Act in all sections of headquarters and offices in the regions both with respect to the language of service and the language of work; make regular evaluations of all activities related to the official languages and take prompt corrective action when necessary;
- (4) take whatever interim measures are necessary to meet the requirements of the Official Languages Act where bilingual positions are vacant or their incumbents are unilingual so that services can be provided in both official languages to the public and to employees;

### *Language Training and Retention*

(5) (a) expand its language retention and development programmes so as to facilitate the acquisition of technical and professional terminology wherever this is necessary for the employee to be able to work in his second language, and make these programmes also available to regional staff as soon as possible;

(b) encourage, in every possible way, staff who have taken language courses to maximize opportunities to use the language they have learned by actively offering services in both official languages to employees and the public;

(c) provide, on a voluntary basis, for temporary appointments to another section or to a regional office where the employee can improve his knowledge of his second language as well as broaden his experience;

(d) keep regional staff supplied with up-to-date information on all new developments, new programmes, approved institutions where language training is available, procedures for obtaining reimbursement of course fees and, in co-operation with the regional offices, make every effort to have staff members take part in language training programmes;

### *LANGUAGE OF SERVICE*

#### *Active and Automatic Offering of Services*

(6) take the necessary measures without delay to raise its level of institutional bilingualism in areas where it is now inadequate, particularly in the cases noted in the following recommendations, by judiciously deploying a sufficient number of bilingual personnel or by assigning unilingual employees from each language group to appropriate positions within a unit so that it can serve the public in both official languages automatically and promptly and not just when specially requested to do so; this should apply to all units which should normally have dealings with both language communities;

#### *Telephone and Reception Service*

(7) ensure that henceforth headquarters and offices in the regions which serve both official language groups adhere strictly to the following principles concerning the procedure for answering telephone calls and receiving the public:

(a) ensure that bilingual receptionists answer all telephone calls and greet the public in both official languages;

(b) ensure that henceforth unilingual receptionists and employees answering the telephone can at least identify their units in both official languages and transfer the call, using a simple, courteous phrase in the caller's language,<sup>1</sup> to an employee who can provide service promptly and fully in the appropriate language;

(c) make sure that precedence is always given to the appropriate language, according to the population being served;

(d) take steps to ensure that, in future, headquarters and offices in the regions which serve the two language groups will be able to provide an equally appropriate reply in both languages to any and all requests for information;

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<sup>1</sup> Such as "Un instant, s'il vous plaît" or "One moment, please".

### *Service of Equal Quality in Both Official Languages*

(8) ensure henceforth that all services which bring, or should normally bring, departmental staff at headquarters and at offices in the regions into contact and communication with the French- as well as the English-speaking public (whether the local public, travellers or migrants) are provided equally in both official languages; this includes: educational and information services (meetings, lectures, seminars, and television, radio or film interviews), studies, inspections, examinations, inquiries, and consultation services that are available to the general public or specialized organizations, to the provinces or foreign governments, and any other activity provided for under the acts and regulations concerning the Department;

### *Accessibility of Services*

(9) (a) ensure henceforth that information on its objectives, services, and so on which is made available nationally does in fact reach both official language groups in their respective languages on an equal basis; inform the public of its ability to meet the demand for services in either official language;

(b) take all necessary measures (for example, using mobile staff or various technical means, or setting up offices in certain regions) to give both official language groups access in their respective language to its services and make communication in both official languages possible;

### *Delegations*

(10) ensure that its delegations to international meetings are, as a general rule, capable of taking part in proceedings in either official language and that they convey an impression of Canada's bilingual character;

## **INFORMATION AND PUBLIC RELATIONS**

### *Mass Media*

(11) choose henceforth, when using the mass media for advertising, information or educational purposes, those radio and television networks and daily and weekly newspapers which will best enable it to reach the two language groups effectively throughout the country;

### *Exhibitions*

(12) continue to ensure that, when one of its components participates in an exhibition or other special event, enough bilingual or unilingual staff from both linguistic groups are assigned; make sure that the language given precedence is always the appropriate one, according to the population being served, and that all material is automatically and simultaneously available in both languages in accordance with the principle of the equality of the two official languages;

### *Publications*

(13) (a) ensure that all present and future publications (folders, notices, manuals, circulars, information bulletins, reports and other printed matter such as the *Trade Marks Journal*) are available in both official languages; publish in bilingual format wherever possible and ensure that publications with separate French and English editions appear simultaneously in both official languages;

(b) indicate in the unilingual editions alluded to in (a) that equivalent versions exist in the other official language and state where they can be obtained;

(c) ensure that by March 31, 1976, calling cards are printed in both separately in the two languages to make sure that addressees receive the appropriate edition or, if need be, both editions simultaneously;

#### *Correspondence*

(14) ensure that the Department's policy of answering mail in the language of the addressee continues to be observed and that everything possible is done to encourage employees who are able to do so to originate correspondence in the language of the addressee; henceforth avoid delays which are inconsistent with equality of service, and see that, in future, texts in both languages are of equal quality;

#### *Signs, Telephone Listings and Other Items*

(15) (a) ensure that by March 31, 1976, all signs, notices, building directories and other visual indicators or written directions in any part of headquarters or of the offices in the regions are bilingual and respect the equal status of the two official languages;

(b) ensure that all its units listed in telephone books appear in both official languages and that these listings are of equal quality and contain the same details in both languages;

#### *Standard Letters, Forms and Other Items*

(16) (a) make all its forms (forms, form letters and in-house forms used at head office and at offices in the regions) available in both languages and preferably in bilingual format by December 31, 1976, whether they are intended for the public or for employees, and monitor the quality of the language on forms which are bilingual now or will be in the future;

(b) continue to ensure that all its forms which are made available separately in French and English appear simultaneously in both official languages;

(c) examine carefully the distribution of its publications which are printed official languages and that only bilingual rubber stamps (preferably with the international dating system) are used throughout the Department; monitor the quality of language used on calling cards and stamps;

#### *Translation*

(17) request the Translation Bureau of the Department of the Secretary of State to assign more translators to headquarters;

(18) (a) take specific measures, such as the appointment of French-speaking editors to the main units, so as to provide better and more systematic quality control of translations and thereby relieve the professional and technical staff of this additional burden;

(b) make an officer in each Bureau at headquarters responsible for setting up and continuously reviewing the order of priorities for texts sent to the Department's translation service;

### *LANGUAGE OF INTERNAL COMMUNICATIONS*

#### *Use of the Two Official Languages Within the Department*

(19) achieve institutional bilingualism throughout headquarters at the earliest possible date by providing all units with staff able to handle verbal

and written internal communications in both official languages so that communication within units, between units and with offices in the regions can be carried out in both official languages; to this end:

(a) review, where necessary, the designation dates for supervisory positions (for example, in the Bureau of Consumer Affairs, the Bureau of Intellectual Property and the Bureau of Competition Policy) and take appropriate steps to introduce as early as possible supervision in both French and English in units where there are employees of both language groups;

(b) have in these units sufficient bilingual or unilingual employees from both language groups to be able to provide all the services offered to regional staff in both official languages;

(20) develop immediately (to correct the present imbalance between the use of the two official languages in the planning and carrying out of the Department's responsibilities and in internal communications) a programme that will foster the use of French and make it easier for employees who choose to do so to use that language, thereby ensuring that the use of the two official languages reflects their equal status:

(a) by conforming with its own policy statement on the official languages which requires that, as a general rule, every employee should be able to work in the official language of his choice;

(b) by examining the possibility of establishing administrative structures (such as French-language units, French-language groups) at every level in the headquarters organization which would primarily work in French and do so on a regular basis;

(c) by taking the necessary administrative measures to increase the number of positions at headquarters that require a knowledge of French, as another means of achieving the equal status of the two official languages;

(d) by making it possible to use French in meetings, seminars and conferences and in communications with the Quebec region;

(e) by examining, in co-operation with the Public Service Commission, all sources of manpower capable of meeting its needs and of working in French, and by directing more of its efforts with educational institutions and professional associations to attracting candidates, for professional and scientific positions in all units and at all levels, who are capable of working in French;

(f) by encouraging Francophones and their Anglophone colleagues to extend, in every possible way, the functional use of French in verbal and written internal communications, particularly at meetings of a technical or professional nature, in the preparation of reports and in work related to information programmes);

(g) by providing, on a voluntary basis, remedial language training for its Francophone employees who, as a result of having worked and lived in an English-speaking environment, no longer have confidence in their ability to work in French;

(21) ensure, in accordance with its own policy statement and notwithstanding the long-term measures it has taken to implement the Treasury Board directives, that verbal and written communications are possible in French and English in the offices of the Atlantic and Ontario regions, and wherever the departmental staff configuration would allow such communications; inform the staff of this in writing by December 31, 1976, or earlier if possible;

### *Work Instruments*

(22) undertake without delay a thorough review of all administrative, scientific and technical manuals for internal use, verifying their actual linguistic status and establishing a list of priorities and deadlines which will guarantee that up-to-date versions of all these manuals and their amendments are available in both official languages by December 31, 1976, at the latest, and ensure that from now on any new manual or amendment is published in both official languages simultaneously;

(23) make all internal forms, bulletins, memoranda, directives, guidelines, etc., bilingual, so that all these documents will be available in French and in English by December 31, 1976; ensure that henceforth all such documents appear in both official languages simultaneously;

(24) examine, perhaps in conjunction with the Department of Supply and Services and with Canadian and foreign manufacturers and distributors, the position regarding the operating instructions which accompany laboratory instruments used by its staff, with the object of obtaining French versions of these instructions, or where French versions do not exist, taking the necessary steps to make these instructions available in both official languages, no later than December 31, 1976;

### *Auxiliary Services*

(25) ensure that, where such is not already the case, all personnel services (staffing, staff relations, classification and others) are equally available at all times in both official languages to employees of both language groups;

(26) re-examine without delay the designation dates and the language requirements of positions in the Financial and Administrative Services in the regional offices with a view to giving them the capability needed to provide their services in French and English;

(27) ensure that job descriptions are available in both official languages by December 31, 1976, and arrange to have all future job descriptions available simultaneously in French and English;

(28) achieve without delay an appropriate level of institutional bilingualism in the Financial and Administrative Services Branch and the Field Operations Service so that all their services are available in both official languages and communication is possible in either language;

### *Library and Research Rooms*

(29) increase the amount of French-language material in the main library sufficiently by December 31, 1976, to enable staff members to carry out research and other projects on the same range of subjects in French as in English:

(a) by keeping abreast of current bibliographical material in both official languages and by circulating this information to staff members;

(b) by maintaining regular contacts with publishers, suppliers and libraries which can provide advice and assistance;

(c) by acting on the suggestions of members of the staff and asking them to recommend works in French;

(d) by ensuring that henceforth the library's collection and acquisitions reflect the equal status of the two official languages and by making the catalogue bilingual;

(30) take all possible measures to increase the French content in trade mark, patent, copyright and industrial design registers and thus respect the equal status of the two official languages;

#### *Training and Development*

(31) continue its efforts, in line with its own policy on professional training, to have all administrative, professional and technical training and seminars which the Department organizes available in both official languages by June 30, 1976;

(32) take the necessary steps to make the practical training which the organization gives to its new officers available in French and English:

(a) by providing them with documentation and information material relating to their work in both official languages;

(b) by arranging that new employees of both language groups can have access to the advice of an experienced employee who is fluent in the official language of their choice;

(33) increase, perhaps in conjunction with the Bureau of Staff Development and Training, the information that is available to Francophones regarding courses offered in French by the Public Service Commission;

#### *CHANGE IN BANKRUPTCY RULES*

(34) see that measures are initiated which will lead to changing the *Bankruptcy Rules* to ensure that one can communicate with all the interested parties (bankrupts, creditors, inspectors, witnesses and so on) in their official language and hear them in the official language of their choice;

#### *CONSULTATION*

(35) maintain close liaison and consultation with its employees' unions and staff associations in implementing the preceding recommendations whenever appropriate;

#### *JOB SECURITY AND PROMOTION*

(36) avoid jeopardizing the job security or career opportunities of its personnel in implementing the recommendations listed in this report;

#### *HANDLING OF COMPLAINTS*

(37) deal with complaints taken up with the Department by the Commissioner of Official Languages in his role as ombudsman and take corrective action in the shortest possible time, and this notwithstanding any action taken by the Department with respect to the recommendations contained in this report or for any other purpose, and regardless of any target dates specified in these recommendations.

## **CROWN ASSETS DISPOSAL CORPORATION**

### *COMPLAINTS*

#### *File No. 3035—Articles Offered For Sale*

A French-speaker complained that the Corporation described only in English the articles it offered for sale to bidders. He also alleged that

the Corporation's date stamp printed the return address in English only and that its bid envelopes were dated in English only.

The Corporation said that it had complied with the spirit and intent of the Official Languages Act by introducing bilingual forms throughout its operations and it sent the Commissioner a copy of its standard Invitation and Offer Form together with the standard bilingual return-address envelope. It stated that, in the Province of Quebec, articles which were offered for sale through its Montreal Regional Office were described in English and French when it was "practical and feasible to do so". However, because of the volume of listings handled, and to simplify operations and assure accuracy of description of each item, it had been the practice to recopy the listings as submitted by the declaring departments. The Corporation said further that it regretted the oversight concerning the date stamp and had ordered a new plate that would print a bilingual return address. Furthermore, all typed address information issued in future by the Ottawa office would be bilingual.

The Commissioner recommended that all descriptions of material offered for sale by the Corporation be always made available to the public simultaneously in English and French. He suggested that, to meet his recommendation, the Corporation might consider beginning by requiring that individual declaring departments submit their listings in the two official languages, as they had a clear responsibility to do. He also offered to make suggestions about modifying the format of the descriptions to simplify the process of making them bilingual.

The Corporation accepted the Commissioner's offer and sent a representative to discuss the matter with two officers of the Complaints Service. It later informed the Commissioner that it would adopt the same bilingual format for descriptions in its forms in the National Capital Region as in Quebec. It intended to do likewise in areas of large concentration of French-speaking people in other provinces such as New Brunswick and Manitoba. Forms distributed in predominantly English-speaking regions would have a notation on the front that a French version of the descriptions was available on request. The Corporation was studying the possibility of having declaring departments and agencies submit their listings in both official languages.

The Commissioner was of the opinion that the proposed notation on tender forms distributed in predominantly English-speaking areas would not fulfil the requirements of the Official Languages Act, especially since no corollary statement was made on forms distributed in predominantly French-speaking regions. The listings should in all cases be bilingual or else, separate forms with English and French listings should be distributed automatically to English- and French-speaking clients respectively. In view of the Corporation's inability to translate declarations of

surplus goods submitted by federal departments and agencies and in the light of his earlier suggestion, the Commissioner recommended that the Corporation immediately take the necessary steps to ensure that federal departments and agencies offering surplus goods for sale through it submit listings of such goods in both official languages.

The Corporation informed the Commissioner that, instead of having departments declare everything in both official languages, it would establish a Translating and Editing Section to translate declarations in accordance with the Corporation's requirements. The operating costs would be charged proportionally to the departments and agencies. This approach should achieve compliance with the Act at the lowest cost to departments since in many cases long reports of surplus goods could be reduced to a summary bilingual listing of line items. As the Corporation requested prospective purchasers to inspect all material offered for sale before submitting an official bid, it was not necessary to send out long lists of items in order to receive a competitive bid. A number of departments, including the major client, the Department of National Defence, had indicated their support for the proposed programme which the Corporation was implementing.

## JUSTICE

### *The Cat's Meow*

The diligent reader of the summaries of special studies found throughout the Commissioner's first four annual reports may have noticed that the studies carried out in the past have dealt essentially with departments and agencies which by their activities are in more or less constant dialogue with the public at large. Once the largest purveyors of service to the public had been examined, it was time to take a look at government bodies that are perhaps less eye-catching but no less important, both symbolically and strategically. Thus, in November 1975, the Commissioner undertook a study of the Department of Justice which, from the heights of Mount Olympus, has had a profound influence on Canadian life ever since Confederation, although its labours are possibly somewhat unfamiliar to ordinary mortals. Their curiosity will be satisfied when the results of the study conducted by the Office of the Commissioner are published in a future annual report. This study will review the use of the two official languages in the Department's internal operations as well as in the legal services it offers its clients.

## NATIONAL FILM BOARD OF CANADA

### COMPLAINTS

#### *File No. 3136—Sponsored Films*

An association of French-speaking film producers complained about the tendering system of the Sponsored Programme Division of the National Film Board in Ottawa, through which the Board controls the production of films sponsored by the federal government. It said that proposals submitted by French-Canadian companies were underestimated by officers of the Division who lacked sufficient knowledge of French to judge them properly. Only four of the eleven officers spoke French: the others, including the chief, spoke only English. Each officer was responsible for the films of one or more departments, whether they were to be produced in English or French.

Tender calls were often sent out in English but they were also sometimes accompanied by a poor translation (an example was forwarded). They required that two films be submitted, an original in English and another in French. The award was most often made to a company in Toronto, Ottawa or elsewhere outside Quebec, on the grounds that it had made the most suitable and lowest bid. The CBC had recently refused to broadcast a sponsored film on the census because of the poor quality of the French version. French-Canadian companies had competed for this film but the award had gone to a Toronto company.

Finally, the association alleged that some film companies were having original French films prepared by English-speaking researchers, directors and editors and that French-speaking actors were even sometimes directed in English.

The NFB told the Commissioner that the ten (not eleven) officers in Ottawa all had a good reading knowledge of English and French. Three were French-speaking, two were officially bilingual and the others were at varying levels of bilingual competence. Whenever they needed assistance to ensure a clear understanding of the implications of the second language, the officers consulted with colleagues whose first language was the one requiring interpretation. At the moment, because not all officers were bilingual, aural evaluations of dialogue and commentaries on sound tracks presented a problem. Whenever possible an English-speaking colleague enlisted the assistance of a French-speaking colleague in evaluating a French-language film and vice versa.

Translation was done outside by the Translation Bureau or a competent professional translator. In either case, they were double-checked by an officer whose mother tongue was the language of the

translation. (The translated tender call mentioned by the complainant had had to be sent out in a hurry without being double-checked.)

Bids from Toronto, Ottawa and elsewhere save Montreal were most frequently the successful ones because they most often met the required criteria, which were the probable effectiveness, creativity and imagination of the proposals, and the price. Moreover, in most cases the Treasury Board had to approve the NFB's selection before a contract was awarded.

The film "refused" by the CBC had been produced for Statistics Canada by a Toronto company which won the contract through tender. The company had produced the French-language version with the direct participation and under the close supervision of the NFB's Versioning Unit. (The NFB later told the Commissioner that the sponsor had accepted both versions of the film.)

Finally, the NFB admitted that there was room for improvement in this matter whether it was a question of a French-language company producing an original film in French and having to provide also an English version, or vice versa. At present, the NFB required the shooting of each version be directed by someone whose mother tongue was the language of the film. It recommended that the editor also speak the language of the required version but had not made this mandatory. This question was still under review.

The Commissioner was of the opinion that some of the NFB's practices failed to respect the equality of status of English and French as the official languages of Canada. The Commissioner therefore recommended that:

- 1) the National Film Board of Canada ensure that all translated versions of tender calls for proposals to produce films for it were always double-checked, before distribution, by an officer whose first language was the language of the translation;
- 2) the National Film Board of Canada make every effort to ensure that officers of its Sponsored Programme Division who evaluated proposals in both official languages to produce films in these languages were all functionally bilingual by September 30, 1975;
- 3) the National Film Board of Canada require henceforth that all films produced for it in English and French be always edited by English-speaking and French-speaking editors respectively; and
- 4) aural evaluations of all films produced by or for the National Film Board of Canada in English and French be always made by, or with the close collaboration of, officers whose first language was the language of the film.

The Commissioner further requested information about the linguistic make-up of the Board's Versioning Unit. He also suggested a meeting with the Chairman of the NFB to discuss the matter.

The NFB told the Commissioner that the already complex problems of making a version of a film in another language was made even more so in the case of films awarded to private companies, since many of them were located outside Quebec. It would nevertheless implement his recommendations as quickly as it could. It explained that the French Versions Unit was part of the French Production Branch, a French-language unit. The staff of two were French-speaking.

In the meantime, the Commissioner met in Montreal with the president and four directors of the film producers' association who complimented him on his recommendations to the NFB but said they did not go to the heart of the problem. They explained that bids by French-speaking film producers were higher because, in general, they had to prepare two separate versions of each film whereas the English-language companies only produced a single project from which they prepared a translated version. The association's representatives felt that the NFB committees which judged film proposals had cultural values or views which put French-language companies at a certain disadvantage. The Commissioner invited the association to write to him suggesting further recommendations to be made to the NFB. He would then arrange a three-way meeting with the NFB to discuss these problems.

The association subsequently suggested the following recommendation:

that the elaboration of projects for sponsored films, the preparation of tender calls, the study of bids, the award of contracts, as well as the supervision of production at each stage stipulated in the contract be done or made by a bilingual committee and further that this committee be responsible for applying the same standards of selection and judgment to French and English productions.

The Commissioner passed on the suggested recommendation to the NFB and proposed a three-way meeting to discuss it and other questions raised in previous correspondence.

The meeting took place in Montreal and was attended by four representatives from the NFB, five from the association and two from the Commissioner's Office.

The NFB subsequently told the Commissioner that it would not apply the recommendation proposed by the association as it stood. It was recruiting two more Sponsored Programme officers whose first language was French, and two of the English-speaking officers were due to take immersion French courses. The NFB felt that through these

measures it should be able to meet the objective of serving departments and private producers in both languages without necessarily implementing the proposed recommendation.

The Commissioner decided not to formally make the suggested recommendation but reserved the right to do so at a later date should this become necessary. He informed the association accordingly and thanked it for its initiative.

## OFFICE OF THE PRIME MINISTER (PMO)

### *COMPLAINTS*

#### *File No. 3333—A Sign of Progress?*

An English-speaking reporter alleged that none of the major background papers distributed at a press briefing preceding the Prime Minister's trip to France and Belgium was available in English. He said the documents originated from the Canadian Embassy in Paris and were meant to aid journalists travelling with the Prime Minister.

The PMO told the Commissioner that two of the four documents distributed at the press briefing had been made available in both official languages. Because of limited time, English versions of the other two could not be sent to Canada but they were made available upon arrival of the party in Paris.

Although he could appreciate the reasons advanced for the delay in distributing the English version of two of the documents, the Commissioner considered the incident violated the Official Languages Act. He therefore recommended that the Office of the Prime Minister take the necessary steps to ensure that in future all material distributed at press briefings be made available in both official languages simultaneously.

The PMO told the Commissioner that its policy was exactly the one he recommended. Occasionally "some constraint of time or distance [might] make the application of the policy slightly more difficult." In the past, French-speaking journalists had generally been the victims of these conditions; the fact that this time it had been the English-speakers "might be interpreted as a sign of progress!"

With progress like this, the Commissioner's Office may even last as long as the Halifax Relief Commission.

## REGIONAL ECONOMIC EXPANSION

### COMPLAINTS

#### *File Nos. 3082 and 3114—Job Descriptions in English Only*

Two French-speaking members of the Department who were employed in Quebec City explained that they had been given the opportunity to apply for new positions in view of the current reorganization process. However, they had been unable to obtain job descriptions in the French language, even in the case of positions within French Language Units in the province of Quebec. The complainants were told that job descriptions had been sent out in English only to save time.

The Department acknowledged the accuracy of the complainant's allegations. However, 80% of the positions in its new organization had to be described and classified before staffing could begin. Working committees assigned to write job descriptions produced "model" descriptions in English which were used as a basis for classifying all similar positions throughout the new structure.

To increase employment opportunities for personnel, it was decided to staff from senior levels down with departmental employees being given consideration before interdepartmental or public competitions were held. As senior positions were filled, model descriptions for subordinate positions were reviewed and changed, so that there was an almost constant alteration of position descriptions as each tier in the new structure was staffed.

With a view to improving on its performance, the Department planned to give priority *in the coming year (1975)* to having descriptions of departmental positions readily available in French and English. As a first step, the Classification Section had obtained the services of a bilingual officer with training in classification administration.

The Commissioner took exception to the phrase "in the coming year" which he judged to be too vague. He reminded the Department that the Official Languages Act had been in effect since September 1969, long enough for a Department to have already taken steps to eliminate problems of this nature. The Commissioner considered that anything but a short delay would therefore be unreasonable.

The Department took immediate steps to have bilingual position descriptions made available to all employees in those areas where it had identified positions in its new organization as being either French essential or bilingual. Eventually, all position descriptions were made available in French and English to all employees.

## ST. LAWRENCE SEAWAY AUTHORITY

### *SPECIAL STUDY*

The St. Lawrence Seaway Authority invited the Commissioner to undertake a special study in order to assist it to comply more fully with the Official Languages Act. The study, accordingly, focused on the use of the English and French languages by the Authority as languages of service to the public and as languages of internal communications.

The Authority operates the St. Lawrence Seaway system from St. Lambert, Quebec, to Port Colborne, Ontario, and a lock at Sault Ste. Marie, Ontario. Its responsibilities include such activities as maritime traffic control, canal maintenance, bridge operations, structural repairs, research and development projects and information and visitor services. Its organizational structure comprises a Head Office in Ottawa, a Headquarters in Cornwall, an Eastern region and a Western region with offices in St. Lambert, Quebec, and St. Catharines, Ontario, respectively. The Head Office consists of the three members of the Authority, a Secretariat, the Economics and Research Branch and the Engineering Services Branch, the latter, however, having two of its three divisions in Montreal. There are three branches located at Headquarters, namely, Administration, Operations, and Finance and Accounting. Each regional office is headed by a Regional Director and consists of an Engineering and Maintenance Division, an Administrative Services Division and an Operations Division.

At the time of the study, the Authority had introduced certain measures designed to achieve institutional bilingualism such as issuing most directives, circulars and other communications of a general nature for the information of staff throughout the Authority in both official languages, writing letters in the official language of correspondents, having most informational material for public distribution available in both English and French, providing personnel services to employees in the official language of their choice and reimbursing employees for tuition costs incurred for language courses. It had not, however, formulated an official policy designed to fully implement the provisions of the Official Languages Act. A directive had been issued prior to the enactment of that Act, stating that "Bilingualism Policy and Administration" is the responsibility of the Personnel function; although a position of "Training and Development Officer and Adviser on Bilingualism" was established at Headquarters, there was little evidence that much had been accomplished towards drawing up a bilingualism programme.

The St. Lawrence Seaway Authority does not receive any financial support as such from the Treasury Board for a bilingualism programme.

Other factors put forth as inhibiting the development of such a programme are the predominance of English as the language of marine transport, the difficulties employees face in retaining second-language skills and the marked anglicization of French technical terminology in the realm of shipping. Nor is the Authority subject to the Board's directives regarding the identification and designation of bilingual positions, although it has taken some faltering steps in that direction.

The study revealed that there is a need for the Authority to develop a comprehensive policy and programme as a step towards achieving full compliance with the requirements of the Official Languages Act, but one that should not in any way, however, compromise safety factors. With such a policy and programme, the Authority should be able to increase substantially its capacity to provide service to the public and to carry out internal communication in both official languages.

In general, service is not provided automatically in both official languages by the Authority. Traffic control is conducted in English in both Eastern and Western regions, although there is a bilingual capability in the former; telephone answering services are in English only at many of the Authority's offices, including Headquarters in Cornwall; and, according to location, service is usually provided in only one of the official languages at locks and bridges. Most of the Authority's publications are in both English and French, but there are instances when, due to translation delays, revised English publications are issued prior to the revised French ones. Signs, decals and identification material are, moreover, usually in one of the official languages only, in English or French according to the region.

There are a number of concessionaires providing service to the travelling public on the Authority's property. None of the contracts between the Authority and these concessionaires contain any "bilingual service" clause and, in many cases, the capability to provide service in both English and French is lacking.

The language of internal communication is English throughout the Authority, except within Eastern region where it is primarily French. Thus, outside of Eastern region, most work tools and reference material such as manuals, work-related directives and guidelines, technical books and periodicals and computer print-outs are in English only; many written communications of either a general or individual nature such as directives and circulars, forms, job descriptions, reports and memoranda are issued in English only; the same unilingualism characterizes communication at meetings, at job interviews, on training courses and among the staff.

Finally, although the Translation Bureau of the Secretary of State Department is utilized for the translation of material, the Authority experiences long delays, at times, in receiving translated texts. The

Authority, moreover, has bilingual employees, who are not professional translators, translating correspondence and other material for the benefit of their unilingual colleagues; this practice has resulted in inaccuracies in translated material and should, accordingly, be discontinued.

In the light of these findings, the Commissioner recommended that:

*GENERAL POLICIES ON BILINGUALISM, IMPLEMENTATION AND MONITORING STRUCTURES*

(1) (a) an officer be appointed at a sufficiently high level who is charged with the responsibility of both developing a policy to be issued by April 30, 1976, and planning, co-ordinating and monitoring a unified programme for compliance in all respects with the provisions of the Official Languages Act throughout the Authority;

(b) the policy and programme referred to in (a) give effect, inter alia, to the recommendations that follow;

(c) the officer so appointed report, on a regular basis, to the President of the Authority, the progress made with regard to the aforementioned policy and programme and to the extent of compliance with the Act;

(2) a person in each region be designated as responsible for carrying out and monitoring the Authority's programme on bilingualism;

*INFORMATION*

(3) (a) the Authority plan and launch an in-depth information programme concerning the Authority's obligations under the Act, directing it to employees at all levels, but especially to those directly or indirectly serving the public, by July 31, 1976;

(b) such a programme be conducted both orally and in writing, utilizing, if the Authority so desires, material emanating from and personnel employed by other federal government departments and agencies, such as the Office of the Commissioner of Official Languages;

*SERVICES TO THE PUBLIC*

(4) the Authority offer its services to the public in both official languages actively and automatically, rather than only in response to requests;

(5) (a) the traffic control centres in Eastern and Western regions have service available at all times in both official languages by March 31, 1977. in order that the demand for service in each language may be ascertained: this may be achieved by any appropriate administrative arrangements, such as ensuring that there is always staff on duty or on stand-by who are able to communicate in either official language;

(b) in implementing this recommendation, the Authority take into account the overriding concern with safety;

(6) 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, the offices be identified in both official languages and service be provided in the official language of the caller;

(7) all remaining unilingual forms, including questionnaires, for external use of the Authority be rendered bilingual by April 30, 1976;

(8) all remaining unilingual publications emanating from the Authority and intended for public use be issued simultaneously in both official languages by April 30, 1976, with both official language versions appearing, wherever possible, in the same document; where the latter is not feasible and publications are printed in separate versions, a statement appear in the other official language to the effect that the same text is also available in that language, copies of each version be on display and a sufficient stock of both versions be maintained at all times;

(9) revisions or additions to both the English and French versions of all Authority publications be issued simultaneously;

(10) the Authority render bilingual all remaining unilingual printed material for public use, including calling cards, telephone listings, rubber stamps, notices and other similar items, by July 31, 1976;

(11) all announcements made in the newspapers, on radio and/or television which are for the information of the users of the Seaway or for the general public, be made in both English and French; where there is no media available in the English or French language in the immediate geographic area, media which are outside the area that reach the public to be affected by such announcements be used;

(12) the Authority develop and issue a specific policy statement by August 31, 1976, on advertising, tendering and contracting which includes at least the following elements:

(a) advertising in both official languages in the appropriate media all invitations to tender whenever it is addressed to:

(i) a nation-wide public;

(ii) a public located throughout a region, be it either Eastern or Western regions;

(iii) a public in communities where the business and services sectors to which it is directed include both English- and French-speaking groups;

(b) preparing tendering and contracting documents, as well as plans and specifications, in both official languages and so issuing either set upon request, whenever the related advertisements or notices are in both languages;

(13) all the Authority's signs and inscriptions for the information or direction of the public be rendered bilingual, giving English and French equal prominence, by July 31, 1977; the Authority follow the practice that in areas where the majority of the population speaks English, the English wording is placed on the left-hand side or above and the French wording on the right-hand side or below, while in areas where the majority of the population speaks French, the French wording is placed on the left-hand side or above and the English wording on the right-hand side or below;

(14) the Authority negotiate with appropriate provincial and/or municipal government offices, in order to obtain their co-operation in replacing, within their areas of jurisdiction, existing unilingual signs relating to the Authority or its premises, with bilingual ones;

(15) pictograms or symbol signs be used whenever possible, and a bilingual brochure be issued to the public explaining the meaning of each symbol used;

### *CONCESSIONAIRES*

(16) (a) the Authority approach concessionaires in order to renegotiate contracts so as to include a "bilingual service" clause and ensure that all future contracts with concessionaires contain such a clause;

(b) the Authority offer to pay for a basic highly utilitarian French or English course, as the case may be, for the employees of concessionaires dealing with the general public/or provide financial assistance to concessionaires in order that they may employ bilingual personnel;

(c) in the interim, the Authority adopt administrative measures to ensure the availability of service in both official languages by all concessionaires, such as rendering the signs of concessionaires bilingual, providing bilingual staff to assist concessionaires, and any other means that may effectively lead to compliance, at least during the navigation season, with the Official Languages Act;

### *INTERNAL COMMUNICATION*

(17) directives, circulars, memoranda and any other documents of a general or administrative nature emanating from Ottawa Head Office or Cornwall Headquarters be henceforth issued simultaneously in both official languages;

(18) the Authority ensure that there is adequate staff capability at Ottawa Head Office, including that part of the Engineering Services Branch in Montreal, and at all branches of Cornwall Headquarters, to communicate both orally and in writing in both English and French with employees of the Authority;

(19) the Authority ensure that, in areas where the personnel comprises or may comprise employees of both official language groups, the employees of each group be able to function, by October 31, 1976, in the official language of their choice in internal communications, including such areas as meetings and the preparation of documents or reports; this objective may be achieved through simultaneous translation or the use of interpreters at meetings and the translation, where necessary, of documents or reports, or by any other means which the Authority deems appropriate, provided the status of one of the official languages is in no way inferior to that of the other;

(20) the Authority henceforth acquire for its offices such additional French-language publications as will permit its personnel to be able to read or conduct research across the same range of subjects in both official languages;

(21) all manuals, catalogues, forms and other working documents emanating from Ottawa Head Office or Cornwall Headquarters be rendered bilingual by April 30, 1977;

(22) all the Authority's signs and inscriptions for the information or direction of its employees be rendered bilingual, giving English and French equal prominence, by July 31, 1976; the Authority follow the practice referred to in Recommendation 13 with regard to the precedence to be accorded to one or the other official language;

### *TRANSLATION*

(23) adequate professional translation service be ensured either through in-house or through outside facilities or by a combination of both, so that

regular officers and administrative support staff are not called upon, either directly or indirectly to translate material;

#### *PERSONNEL*

(24) a review of the composition of the staff of each service or programme at Head Office, Headquarters and both regional offices be undertaken immediately so as to determine the ability of these offices to meet the requirements of the Official Languages Act;

(25) the Authority identify all possible sources of potential candidates within both official language groups and draw on them to the extent necessary so that it can staff with greater ease positions requiring either or both of the official languages;

(26) job opportunities within the Authority be posted in both official languages on bulletin boards;

(27) when the Authority advertises its vacant positions in newspapers, it do so in weekly papers serving the minority official language group, when there is no corresponding local daily newspaper serving people of that minority official language;

(28) the Authority amend its application for employment form so that applicants are requested to indicate the official language(s) in which they wish to be interviewed and, furthermore, ensure that all members of selection boards are able to understand candidates fully and to communicate with them in the official language(s) of the candidate's choice;

(29) in order that the Authority may better serve its publics in both English and French and, accordingly, more fully comply with the provisions of the Official Languages Act, it make optimum use of its unilingual and bilingual staff by relocating, where necessary, those bilingual employees who are willing and able to move, and replacing them with unilingual employees when the duties can be performed equally efficiently in one language only, by defraying moving or other costs, if and when required, and/or by providing suitable incentives so as to render such moves mutually beneficial;

(30) the Authority ensure that courses prepared or conducted by it be henceforth available, where feasible, in both official languages, so that the individual employees of both official language groups may have equal access to the same or equivalent courses in the official language of their choice; where this is not feasible within the Authority, then the latter should ensure such equal access through courses of a similar nature given by other federal government institutions, by provincial or municipal governments, or by private firms;

(31) the Authority take appropriate administrative measures, so that it possesses objective data on the language proficiency of employees in a personnel inventory, thus providing basic management information essential to planning and reviewing manpower development and to complying with the Act on a continuing basis;

(32) the Authority encourage employees to undergo language training, either through the Public Service Commission's programme or through courses provided by private institutions;

(33) the Authority establish a language retention programme for employees who have completed language training and encourage them to partake of

it; for example, films, tapes, inter-office or inter-regional exchanges and any other method deemed appropriate should be utilized, in order that these employees may retain or perfect their skill in the second official language;

(34) the Authority allocate such additional funds and man/woman-years in future budgetary estimates as may be required for implementation of the Official Languages Act;

(35) in implementing the preceding recommendations, the Authority maintain close liaison and consultation with its employees' unions;

(36) implementation of the recommendations contained in this report not jeopardize the job security and career opportunities of the Authority's personnel;

#### *HANDLING OF COMPLAINTS*

(37) deal with complaints taken up with the Authority by the Commissioner of Official Languages in his role as ombudsman and take corrective action in the shortest possible time, and this notwithstanding any action taken by the Authority with respect to the recommendations contained in this report or for any other purpose, and regardless of any target dates specified in these recommendations.

### SCIENCE AND TECHNOLOGY

#### *SPECIAL STUDY*

The Commissioner was invited to undertake a study of the Ministry of State for Science and Technology (MOSST) in order to ascertain the extent of the Ministry's compliance with the provisions of the Official Languages Act. In the ensuing study the Commissioner's Office examined the full range of communications entered into by the Ministry, both externally in serving its publics and internally in its working operations.

The Ministry's objective is to ensure the optimal use of science and technology in support of national objectives; this involves guiding the development, formulation and co-ordination of federal government policies in the scientific field. MOSST is responsible for the selection of the most appropriate means by which the Government may have a beneficial influence on the application and development of science and technology in Canada; the co-ordination of programmes and activities relating to science and technology with other policies and programmes of the Government; and the fostering of co-operative relationships in the field of science and technology with the provinces, public and private organizations and other nations. MOSST may also initiate and undertake research, analyses and policy studies in order to further Canada's know-

ledge and understanding of the impact of science and technology on society. It may also determine and promote the use of various methods for assessing the effectiveness of science policies and programmes.

At the start of the study, the Ministry, which is located entirely in Ottawa, had three operating Branches—Resources and Information, Policy, Program Review and Assessment, and also a Personnel, Finance and Administration Branch. During the course of the study, the Ministry submitted a reorganization plan to Treasury Board which was accepted; the reorganization, which does not radically alter the Ministry's functions, involves a shift to matrix management and the Ministry will comprise four Branches—Government, Industry, University and Corporate Services.

Although the Ministry did not have a policy on bilingualism in effect at the time of the study, Treasury Board directives relating to bilingualism had been circulated amongst employees and certain requirements of the Act were being met. Correspondence was answered in the official language of the correspondent, publications for general distribution were produced in both official languages and distributed simultaneously and identificational materials, such as calling cards and signs, displayed both official languages with equal prominence. Internal Ministry directives and circulars of general interest to MOSST employees were distributed in English and French and employees were encouraged frequently to use the official language of their choice in internal communication.

On the other hand, no one had been assigned responsibility for ensuring that MOSST's services were available to the public in both official languages automatically, or for ensuring that working operations in the Ministry were such that employees could work in the official language of their choice. The bilingualism adviser had only a limited role to play, consisting largely of updating the Official Languages Information System (OLIS), language knowledge examinations and arranging for second-language training; he had prepared a draft policy on bilingualism but no action had been taken on it.

The Ministry was very co-operative during the study and MOSST's senior management expressed determination to comply with the requirements of the Act. However, the study indicated that English and French did not enjoy equality of status or possess equal rights and privileges. In order to respect the equality of status of both official languages the Ministry should introduce a comprehensive policy on bilingualism, set up a programme to implement the policy and establish a system of monitoring results. Responsibility for implementation should be assigned and clear and precise guidelines incorporating the Ministry's responsibilities and duties under the Act should be distributed to all employees.

Although 114 of the Ministry's 170 positions were identified as bilingual, only 54 were occupied by bilingual incumbents. Where the latter were Anglophones who had passed the Language Knowledge Examination (L.K.E.), many did not feel proficient in French at a professional level. In view of the Ministry's recent reorganization, manpower requirements (in terms of linguistic capacity) and the identification of positions and designation dates should be reviewed.

### *Language of Service*

The Ministry had very little contact with the general public and dealt primarily with federal government departments or agencies. A large proportion of MOSST's communication, therefore, is effected through interdepartmental committee meetings; at the time of the study, the Ministry chaired nineteen interdepartmental committees and was either an observer or a member of almost a hundred more interdepartmental committees or sub-committees. The Ministry could not and did not offer its services to its publics in both official languages automatically. A considerable amount of the Ministry's external communication, both written and verbal, was undertaken in English, for example, written material prepared by MOSST in connection with meetings attended by members of both official language groups was very seldom available in both English and French. Meetings chaired by the Ministry were usually conducted in English only. Effective verbal communication of equal quality in both official languages could not be provided in all MOSST's divisions or services; some divisions had no oral capacity in French whatsoever. Where the Ministry had the capacity to provide its services in French it did not do so automatically; communication in French was frequently upon request only.

### *Language of Internal Communication*

The study revealed that English was used more frequently among both official language groups in written and verbal communication within the Ministry. Although most basic work tools and most internal staff services were provided in both English and French, library services were available only in English. In addition, a number of internal meetings, seminars and similar gatherings at MOSST were conducted in one official language only, usually English, without recourse to interpreter or translation facilities when members of both official language groups attended. Most material relating to internal meetings prepared by the Ministry or received from external sources was made available in English only. These conditions made it difficult for Francophones to work in

French, as did the deployment of Francophone staff in the Ministry. Some Francophones felt obliged to work in English due to the predominance of Anglophone contacts in internal and external work relationships.

At the time of the study, the work environment at MOSST did not appear to be wholly conducive to Francophone employees working in French; having a French-speaking director seemed to be the most important factor in influencing Francophone employees to work in French. The working environment should improve considerably with the Ministry's current plans to set up units working in French.

Whilst the Ministry has taken some action in the field of bilingualism, further measures are required. Though there seemed to be a large degree of ambient bilingualism in the Ministry, care must be taken to ensure that English and French have equality of status as regards language of service and of internal communication.

In the light of these findings, the Commissioner recommended:

#### *BILINGUALISM POLICY, IMPLEMENTATION PROGRAMME AND MONITORING SYSTEM*

(1) by May, 1976, the Ministry of State for Science and Technology issue a comprehensive policy on bilingualism embodying at least the conclusions reached and recommendations made in this report and that the Ministry incorporate in its written objectives its intention to become a bilingual federal institution;

(2) by July, 1976, the Ministry establish a programme to implement the bilingualism policy and assign responsibility for its application and control; in addition, procedures and instructions be drawn up to enable employees to comply with the policy;

(3) the Ministry supervise and monitor the implementation of the bilingualism policy so as to ensure that all divisions fulfill their obligations under the Official Languages Act;

(4) by July, 1976, the Ministry circulate to each employee on strength, and thereafter to all future employees, a copy of its policy on bilingualism and of the procedures and instructions for implementing that policy; at the same time, the Ministry set up a permanent information programme for staff indicating the Ministry's responsibilities and duties under the Act and covering practical ways and means of complying with the Act;

#### *IDENTIFICATION AND DESIGNATION OF POSITIONS*

(5) by May, 1976, the Ministry review the language requirements of all employees, particularly specialists, and, in co-operation with Treasury Board, revise the identification of positions and advance, where necessary, designation dates, bearing in mind its responsibilities and duties under the Act to provide services of equal quality in both official languages to its publics, and to enable its employees to undertake all phases of their work in the official language of their choice;

### *RECRUITMENT*

(6) the Ministry, whilst following the Public Service Commission's guidelines on recruitment and making concerted efforts through the Commission's post-secondary recruitment programme, develop its own policies for tapping all possible sources of recruitment; appropriate educational institutions be contacted and made aware of the Ministry's requirements, and contacts with French-language institutions and professional associations be intensified in an attempt to attract a sufficient number of professionals to enable the Ministry, by means of bilingual employees or a mixture of unilingual staff members of either official language group, to offer its services to the public in both official languages, and to provide favourable conditions for MOSST employees to work in the official language of their choice, in order to conform to the requirements of the Act;

### *MANPOWER*

- (7) the Ministry, by any suitable means, and in the shortest possible time:
- (a) create a staff complement whereby employees, particularly supervisors or those working in specialized fields who have frequent contact with the public can, where necessary, use their second official language at a professional level;
  - (b) have on strength a number of employees proficient in French in each division or attached to each project, sufficient to ensure the establishment and further development of communication in French with Francophone members of its various publics;

### *LANGUAGE TRAINING AND RETENTION PROGRAMMES*

- (8) the Ministry ensure that the investment in language training is fully utilized by:
- (a) actively encouraging personnel to use their newly-acquired language skills;
  - (b) evaluating and, where necessary, modifying or expanding existing language-retention programmes so as to increase their effectiveness and the number of employees from both language groups to whom they are available;
  - (c) supplementing these programmes, where necessary, either alone or in conjunction with other institutions in the same or similar fields, with specialized second language training courses adapted to specific technical and professional requirements;

### *LANGUAGE OF SERVICE*

(9) in order to strengthen its bilingual image and to encourage Francophone members of the public to use French when in contact with MOSST, the Ministry, using whichever means it deems suitable, inform the public that it is capable of providing services in the two official languages, wherever the capability to do so is now reasonably adequate, and elsewhere as soon as that capability is developed pursuant to these recommendations;

(10) the Ministry continue its practice of replying to correspondence in the correspondent's chosen official language. When an addressee's official language is unknown, measures (for example, a telephone call) must be taken to establish it; if it cannot be established, correspondence or any other written communication must be sent in both official languages;

(11) the Ministry continue to produce publications for general distribution in both official languages, with both versions in the same volume wherever possible, ensuring that texts are translated in their entirety and that English and French versions are of equal quality, in particular, the *Directory of Research and Development Establishments in Canadian Industry*. Furthermore, that the Ministry ensure that restricted publications to be circulated amongst members of both official language groups are also distributed in both official languages in one volume wherever possible. Where two separate versions are necessary, distribution should be simultaneous and a statement appear in the other official language indicating that the same text is also available in that language, and where and how it can be obtained;

(12) that the Ministry make available in both official languages:

(a) all written material such as invitations, agenda, briefing material, working documents or minutes prepared for, used at, or emanating from committee meetings, seminars, conferences, or any other meetings for which the Ministry is responsible, and which are attended by both Anglophones and Francophones; both language versions must be made available simultaneously;

(b) all written material prepared for external meetings in which the Ministry participates and which are attended by members of both official language groups; both language versions must be made available simultaneously;

(c) material it prepares in one official language for meetings attended by members of one official language group only, if it is required by members of the other official language group for information or reference purposes;

(13) if internal reports or administrative documents not intended for publication prepared by MOSST staff or by consultants acting on the Ministry's behalf are, nevertheless, required by English- and French-speaking members of MOSST's publics, the Ministry make such reports available in both official languages, where feasible. Further, that the Ministry ensure that when it hires consultants who need to communicate with both English- and French-speaking members of the public for surveys, interviews, or other work-related purposes, that such communication be undertaken in both official languages. In addition, that whenever the Ministry requires consultants' reports in both official languages, a clause be introduced into consultants' contracts requesting reports to be prepared in both English and French;

(14) in order to avoid excessive delay due to translation and to prevent infractions of the equality of status provision in the Act that might result from resorting to non-professional translators (i.e. MOSST employees), the Ministry ensure that all possible measures to reduce delay are taken with the Translation Bureau of the Secretary of State Department and internally in order to shorten the time required for the translation itself and to facilitate its verification by MOSST;

(15) the Ministry ensure that in all divisions, services or project teams which come into verbal contact with English- and French-speaking members of MOSST's publics:

(a) where a verbal capacity in both official languages does not exist, steps are taken as soon as possible to ensure verbal services of equal quality in both official languages;

(b) where the Ministry is already capable of communicating verbally in both official languages, such communication is of equal quality in either official language by June, 1976;

(16) the Ministry provide simultaneous translation facilities for all external meetings, conferences, seminars, briefing sessions, or other gatherings which it chairs or for which it is in any way responsible, in which members of both official language groups participate;

(17) when the Ministry receives or arranges schedules for visitors or missions from other countries in connection with scientific or technological matters, it ensure that interpreter services in both English and French are provided if members of both official language groups attend receptions, meetings, or other gatherings;

(18) when the Ministry sends its employees as representatives or resource staff to meetings, conferences, or similar gatherings, it ensure that the services of such individuals can be made available in English and French if members of both official language groups participate;

(19) in order to assure members of the public that the Ministry is a bilingual institution, the Ministry identify itself and its divisions, services, or offices in both official languages when in telephone contact with its publics; in addition, the Ministry ensure that unilingual staff answering telephone calls from a member of its publics can, by means of a simple, courteous phrase in the caller's official language, transfer calls in the other official language to a member of its staff capable of communicating in that language;

(20) the Ministry take appropriate steps to ensure that by June, 1976, it automatically responds to telephone communication in the chosen official language of members of its publics, and that the telephone service provided is of equal quality in either official language;

#### *LANGUAGE OF INTERNAL COMMUNICATION*

(21) the library contain a selection of reference texts in English and in French, such that staff may consult, in one official language, material across the same range of subjects as in the other official language. Furthermore, if the library establishes a book purchasing policy or introduces a permanent classification system, the equality of status of both official languages must be respected;

(22) when the Ministry introduces its proposed management information retrieval system, employees be able to enter and retrieve all material in their chosen official language. The same conditions must govern the computerized data base used by the Program Review Division;

(23) whenever necessary for employees to perform their duties, the Ministry ensure that glossaries or specialized dictionaries in French are provided for its staff;

(24) all manuals, forms, work directives, job descriptions, and all other material or implements displaying wording of any kind, used in the Ministry, be made available in their entirety in both official languages by March, 1976;

(25) material for internal use but originating from external sources, including other federal government departments or agencies, be requested in English and French automatically. Where material is not available in both official languages, it should be translated if it is to be used by members of the other official language group. In addition, when employees of both official language groups need to use foreign language texts, such texts must be made available simultaneously in both English and French;

(26) the Ministry continue to circulate directives, memoranda, information, notices, and other written material of general interest to MOSST staff in both official languages. However, whilst encouraging employees to originate internal reports, material for internal meetings, and interpersonal memoranda in the official language of their choice, the Ministry must ensure that when such material is to be used by unilingual staff of the other official language group, it is made available in both official languages;

(27) the Ministry ensure that all central services afforded to its staff, such as those rendered by the Personnel, Finance, and Administration Branch, are available in both official languages;

(28) the Ministry ensure that where its personnel comprises or may comprise employees of both official language groups, the employees of each group are able to communicate verbally in the official language of their choice. This may be achieved through simultaneous translation or the use of interpreters, or by any other means which the Ministry deems appropriate, provided the status of one official language is in no way inferior to that of the other;

(29) when the Ministry arranges seminars, films, audio-visual and similar presentations at which English- and French-speaking employees will be in attendance, written and oral communication of equal quality be available in both official languages;

#### *ALLOCATION OF MAN-YEARS AND BUDGET*

(30) the Ministry allocate such funds and man-years in future budgetary estimates as may be required for implementation of these recommendations, in order to comply with the Official Languages Act;

#### *CONSULTATION*

(31) in implementing the preceding recommendations, the Ministry maintain close liaison and consultation with its employees' unions;

## *JOB SECURITY AND CAREER OPPORTUNITIES*

(32) implementation of the recommendations contained in this report not jeopardize the job security and career opportunities of the Ministry's personnel;

## *HANDLING OF COMPLAINTS*

(33) the Ministry deal with complaints taken up with it by the Commissioner of Official Languages in his role as ombudsman and take corrective action in the shortest possible time, and this notwithstanding any action taken by the Ministry with respect to the recommendations contained in this report or for any other purpose, and regardless of any target dates specified in these recommendations.

## SUPREME COURT OF CANADA

### *COMPLAINTS*

#### *File No. 3305—The Morgentaler Case*

An English-speaking journalist told the Commissioner that the Supreme Court did not provide English-to-French simultaneous translation during the first two days of the hearing of the Morgentaler case. As a result, French-speaking journalists were placed at a disadvantage.

The Commissioner asked the Chief Justice to comment. He did so, and began by citing Section 11(2) of the Official Languages Act:

Every court of record established by or pursuant to an Act of the Parliament of Canada has, in any proceedings conducted before it within the National Capital Region or a federal bilingual district established under this Act, the duty to ensure that, at the request of any party to the proceedings, facilities are made available for the simultaneous translation of the proceedings, including the evidence given and taken, from one official language into the other except where the court, after receiving and considering any such request, is satisfied that the party making it will not, if such facilities cannot conveniently be made available, be placed at a disadvantage by reason of their not being available or the court, after making every reasonable effort to obtain such facilities, is unable then to obtain them.

In the Morgentaler case, the Chief Justice said, all counsel were satisfied to have translation from French to English only, and neither the Court nor the Registrar was made aware of any wish by counsel to have translation from English to French.

The Chief Justice added that, although not legally required to do so, the Supreme Court of Canada was quite willing to meet any reasonable

request of representatives of the press for accommodation and for simultaneous translation, whether from French to English or English to French or both, where translation services had been requested by a party to the proceedings.

The Chief Justice also told the Commissioner that, as a way of alerting the press to the hearing of cases at which they might wish to be present, and at the suggestion of the Canadian Press representative, he had directed that copies of the Supreme Court's case list should be sent to the Press Gallery for posting and that copies of reasons for judgment issued by the Court should also be sent to the Press Gallery after they were released. The Chief Justice indicated that he would be prepared to discuss with the Press Gallery the possibilities for simultaneous translation services to the press in particular cases when they had requested the same in advance of the proceedings.

The Commissioner believed these practical steps to be consistent with the letter, spirit and intent of the Official Languages Act.

## TAX REVIEW BOARD

### COMPLAINTS

#### *File Nos. 3709 and 3710—A Taste of Montreal*

The complainants stated that a large number of Quebec lawyers found it frustrating to deal with unilingual English-speaking judges sitting in Montreal. They believed that justice would be better served if members of the Tax Review Board sitting in Montreal were bilingual. The main reasons given were as follows:

—technical expressions were occasionally inaccurately translated, a fact which could have a bearing on the eventual outcome of a hearing;

—interpreters present at hearings involving French-speaking taxpayers had to translate documents such as marriage contracts, letters, etc. for the unilingual judge. Since oral translation is the interpreter's specialty, he could not guarantee the accuracy of this type of work. The judge was nevertheless obliged to depend on his unofficial translation;

—no interpreters were present at hearings involving English-speakers. Since documents in Quebec are often in French, the judge was obliged to depend upon the lawyers present for an unofficial translation. Furthermore, the judge was unable to understand the testimony of French-speaking witnesses.

The Tax Review Board acknowledged that simultaneous translation had not given good results in Montreal, but believed that the complainants had referred to a couple of unfortunate, isolated incidents. Two of its unilingual, English-speaking judges had wished to get a taste of the work in Montreal and were allowed to go, one after the other. This the Board acknowledged to be the error in tactics which led to the complaints.

A new system had since been developed which prevented unilingual, English-speaking judges from going to Montreal to try cases involving francophone appellants. Lawyers from the Department of Justice, in preparing lists ahead of time, now prepared one for anglophone appeals and one for francophone appeals. While this applied only to Quebec, for the present, this practice would be extended to other areas if and when the need arose. The Board's two French-speaking (bilingual) judges handled the francophone appeal list. Simultaneous translation existed should witnesses express a desire to be heard in the other official language. The Board was also trying to obtain the services of two more judges, one bilingual and one unilingual English.

The Commissioner believed that the new system was in accordance with the requirements of the Official Languages Act and informed the complainants accordingly.

## VETERANS AFFAIRS

### *COMPLAINTS*

#### *File No. 3193—Inhospitable FLU*

The Commissioner was informed that a great deal of the paperwork in some of the French-language units at the hospital at Ste-Anne-de-Bellevue (Quebec) was still being done in English. The complainant provided examples of unilingual English forms used for stock control and the requisitioning of supplies.

The Department told the Commissioner that requisitions for kitchen requirements were made out in English because the supervisor of the commissariat was English-speaking and couldn't understand French. The forms complained of were being replaced by bilingual ones.

The Commissioner pointed out that the commissariat had been a French-language unit since 1971. It was anomalous that in 1974 the supervisor should be incapable of working in French and that his posi-

tion would not be designated as bilingual until 1977. The Commissioner therefore asked the Department to see that it was possible for the unit to work systematically in French and he expressed the hope that whatever arrangements were made would be fair and acceptable to the supervisor, who was a long-time employee.

The Department brought forward the designation date of the supervisor's position to September 1975 and said that it believed that the effort to provide a replacement during language training would prove satisfactory and enable the unit to do its work in French.

### *C. Complaints Not Concerning Federal Institutions*

#### *File No. 3647—Small Claims Court of Ontario*

A French-speaking person, complaining that the Small Claims Court of Ontario had sent him two documents in English, requested the French version.

The Commissioner, with the complainant's permission, brought his complaint to the attention of Ontario's bilingualism co-ordinator.

The latter contacted the Attorney General, who explained the current policy of the Ministry of the Attorney General concerning court documents issued in both official languages or in French. The Attorney General stated that, even though by virtue of section 127 of the Judiciary Act "Writs, pleadings and proceedings in all courts shall be *in the English language only*. . .", the provincial Ministry of the Attorney General was preparing bilingual forms to be used in some regions of the province; these forms would not be official, but would be furnished for information purposes. So far, they had been made available to judges of the Provincial Court (Criminal Division). He added that if this procedure proved effective and was accepted by the French-speaking community, the Ministry would study the possibility of extending its use to other sectors, including the Small Claims Courts.

#### *File Nos. 2797, 3587 and 3700—Blue Line Taxi Co. Ltd.*

Three French-speaking federal public servants complained separately that they had been unable to order taxis from the Company in French for use on official business. One of them drew attention to the charge account arrangement between the Company and some federal

departments covering travel by public servants in the National Capital Region.

The Company told the Commissioner that its policy was “to provide accommodation and service in as many languages as possible” and that its employees spoke a total of thirty-two languages, including English and French.

Asked to comment specifically on the service provided in French by its dispatchers, the Company said that the problem lay not with the dispatchers, many of whom were bilingual, but with its “phone-jockeys” who took taxi orders and passed them on to dispatchers: it had been unable to hire any bilingual ones. It suggested that the government, with which it did 90% of its business, should accept some of its phone-jockeys for language training courses. It would itself take up the matter with the Treasury Board.

The Commissioner referred the question to the Treasury Board and said that he was of the opinion that the Company enjoyed a privileged position in its dealings with federal government departments in the National Capital Region by virtue of the charge account system announced in Treasury Board Circular No. 1972-153 of November 24, 1974. He believed that, in return for this quasi-franchise, the Company should be required and induced to offer telephone service in French to its customers in the area.

The Treasury Board disagreed that the circular conferred privileges on the Company or gave the Treasury Board “any quasi-statutory foothold to require the Company to provide the service in question”. However, it had concluded that the fact that the federal government was the Company’s major customer “was leverage enough to induce it to remedy the situation complained of”.

A meeting had therefore been arranged between the President of the Company and two representatives of the Treasury Board. As a result, the Company had recognized the principle that public servants should be able to order taxis in the language of their choice and had undertaken to hire bilingual phone-jockeys and to arrange in the meantime for French calls to be transferred to employees who spoke French if the person taking the call could not respond in that language.

The Treasury Board felt that this agreement should help to prevent similar complaints in the future pending introduction of a fully bilingual centralized dispatching service for Ottawa.

*File No. 3750—Data Processing Institute*

An English-speaking member of the Data Processing Institute informed the Commissioner that all the notices and publications put out

by the Institute and the Federal Institute of Management are in English only. According to the complainant, they should be published in both official languages because they are posted in various departments or sent to public servants of both linguistic groups.

The Commissioner forwarded the complaint to the Federal Institute of Management, the private body which regulates the Data Processing Institute, which is affiliated with it.

The Institute replied to the Commissioner, saying that despite its unofficial status it was primarily concerned with activities relating to public servants, and that for this reason it followed government procedures as much as possible, including the application of the Official Languages Act. At a meeting in March 1973, the Board of Directors passed a resolution declaring that it recognized the importance of emphasizing the bilingual nature of its activities. Furthermore, the Board agreed that the affiliated institutes should make every effort to produce material relating to their activities in both official languages. In addition, it decided that its minutes would henceforth be prepared in both official languages. Since then, the notices, minutes of meetings of the Board of Directors, annual reports and circulars have been available in both official languages. To show its good faith, the Institute sent copies of these documents to the Commissioner. Moreover, it stated that the member institutes were observing this policy as much as possible within their means, but that they were limited by their financial resources.

The Federal Institute of Management made a point of stating that its long-term goal was to have all the institutes produce bilingual notices and publications.



*Epitaph*

Here lies  
For all eyes  
An ending poem  
Like our report:  
Blessedly short.



Appendix A

Letter From a Satisfied Customer of Language Training

In the face of Dr. Bibeau's conclusions, and the results of this office's study of on-the-job language use, one can fairly ask whether any language training at all for public servants can be justified. The following unsolicited testimonial to federal language training, from a fifty-five-year-old judge of the Supreme Court of Alberta, may give pause for pondering a few basic truths about faith, will and the power of constructive ideals. Cynics will term this man's enthusiasm folkloric, his cultural interests élitist, and his remarkable linguistic success the exception that proves their rather dismal rule. It might be useful, however, to see here some proof that a strongly motivated person of even mature age can draw professional and personal profit from language training, with not insignificant benefit to society.

[Translation]

(The original was in flowing, virtually faultless French)

Dear Mr. Spicer:

(. . .) I would have liked to take advantage of the opportunity to speak to you briefly of my impressions of the language programme in which I have been taking part for five years, thanks to the federal Department of Justice and the Language Bureau.

Through a combination of circumstances, this is a subject to which I have given a great deal of thought these last few days. (. . .) A friend asked me to explain to him in some detail why I am studying French, and to tell him what benefits this study has brought me. And actually, now that my formal study is more or less over (although I expect to be a student of the language of Molière (and of Anne Hébert) for the rest of my life) this seems like a good time to take stock.

I therefore asked myself why I had decided to enter this voluntary programme offered to federal judges by the Department when the Official Languages Act came into force. I don't believe I had thought at that time about the possibility of a trial in French in Alberta. It was rather a desire to give support to the policy behind the Act. Also, when I was a young sailor during the Second World War, at Dieppe and in Algeria, for example, I was ashamed to see that many British officers could speak French fluently,

while we English-speaking Canadians could not do so. Finally, trite as it may sound, I think it is love for my country that keeps me going in a project which is not always easy.

(. . .) I must admit that I hope my participation in this programme may make some of my Alberta friends stop and think sometimes about the realities of Canadian Confederation at present. Also, more than ever before, I myself realize, whenever I watch the French network of the CBC here in Edmonton, the primary role the Canadian government plays in this regard.

I am often asked if I ever use my French as a judge in the Supreme Court of Alberta. It is true that the opportunities to do so are rare and that there is nothing formal in this regard, as you well know. Fortunately, however, I can tell these people the story of the G. . . case in Calgary . . .

This was an appeal lodged by a young man twenty-one years of age, from a village near Montreal, who had come to Calgary to learn English. His only friend in Alberta, also from Quebec, worked in a supermarket. One night the friend, who had a criminal record, robbed the till. G. . . let his friend put the money in his room, where the police found it immediately.

Without a lawyer or an interpreter, G. . . pleaded guilty. The provincial judge sentenced him to one year in prison, a sentence impossible to uphold even if G. . . had been guilty. The appeal took the form of a letter handwritten in French. Translated into English for the purposes of the appeal, the letter lost much of its impact because the French version, with its grammar and spelling mistakes, showed that its author was a young man without much education.

When the appeal was before us, G. . . was represented by a lawyer from Legal Aid. An interpreter was also on hand. With the agreement and encouragement of my colleagues, I asked G. . . a number of questions in French. Everything was translated for my colleagues and the lawyers. G. . . recounted the circumstances which I have already mentioned. I was able to tell that he was neither a tourist from Paris nor a graduate of Laval University. His speech itself testified to the truthfulness of his story.

His appeal was allowed, and a new trial was ordered. He was immediately released on bail. At his new trial, G. . . was found innocent. Although it is highly probable that the result would have been the same even if I had not been able to follow G. . . , I would like to believe that the efforts of my friends at the Language Bureau finally bore fruit (. . .)

But when all is said and done, it may be that I have derived even more general and more rewarding benefits in terms of personal development through my studies. For example, I now have before me, to be enjoyed for the rest of my life, the whole of French literature, from the *Chanson de Roland* to the new novels of Butor and Robbe-Grillet. Furthermore, I know already that trips to Quebec, France and elsewhere will now be much more pleasant and enriching (. . .)

I can also say that learning a language at my age is sometimes a mortifying experience. And when I am watching a television play—in which a character whose mother tongue is English is speaking French—I sometimes find it comical. I don't know why; perhaps it is a question of having a split personality. But I am really aware now of how difficult it is for many people to express themselves in a language other than their mother tongue, and how difficult it is for them to maintain their own culture (. . .)

These, then, are a few of the ideas that came to mind as I took stock of my efforts within the programme to date, and which I would have liked to share with you in person (. . .)

Good luck.

Cordially yours,

(sgd.) W. R. Sinclair

(Quoted with permission)

## Appendix B

### Selected Tables From Language Use Survey of Graduates of Language Training

TABLE 1. Language Course Graduates' Responses in 1973 and 1975 to the Question Asking Them to Indicate Their Usual Working Language\*

Position and use of acquired language	Anglophone graduates of French-language course				Francophone graduates of English-language course			
	Data for 1973		Data for 1975		Data for 1973		Data for 1975	
	No.	%	No.	%	No.	%	No.	%
<i>Bilingual positions</i>								
No use	664	37	500	23	56	5	27	3
Occasional use	951	53	1,512	71	222	22	203	25
Extensive use	185	10	122	6	753	73	582	72
Sub-total	1,800	100	2,134	100	1,031	100	812	100
<i>Other positions</i> (English essential, French essential, either English or French)								
No use	259	49	179	37	105	21	26	9
Occasional use	242	46	289	59	167	33	109	40
Extensive use	28	5	20	4	238	46	139	51
Sub-total	529	100	488	100	510	100	274	100
<i>All positions</i>								
No use	923	40	679	26	161	10	53	5
Occasional use	1,193	51	1,801	69	389	25	312	29
Extensive use	213	9	142	5	991	64	721	66
Total	2,329	100	2,622	100	1,541	100	1,086	100

SOURCE: Treasury Board Secretariat; and Survey of Second Official Language Use by Language Course Graduates, Commissioner of Official Languages, June 1975.

\* The data for 1973 were provided by the Treasury Board Secretariat. The data for 1975 are based on language course graduates' responses to the questionnaire administered in June 1975 by the Office of the Commissioner of Official Languages. The percentages are rounded. The data provided by the Treasury Board Secretariat for 264 of the graduates were not usable. Data were either not provided or were not usable for 91 of the graduates who received the questionnaire sent by the Office of the Commissioner of Official Languages.

TABLE 2. Language Course Graduates' Responses to the Question Asking Them to Indicate, on the Average, the Percentage of Their Time at Work They Use the Language They Studied\*

Percentage of time at work graduates use language studied	Anglophone graduates of French-language course		Francophone graduates of English-language course	
	No.	%	No.	%
0	342	13	24	2
1-9	1,276	48	89	8
10-19	597	22	128	12
20-29	233	9	105	10
30-39	90	3	63	6
40-49	53	2	59	5
50-59	36	1	142	13
60-69	13	**	80	7
70 or more	30	1	402	37
Total	2,670	100	1,092	100

SOURCE: Survey of Second Official Language Use by Language Course Graduates, Commissioner of Official Languages, June 1975.

\* Data for 47 graduates were either not provided or were not usable. The percentages are rounded.

\*\*Less than 1%.

TABLE 3. Percentage of Time at Work That Language Course Graduates Use the Language They Studied. Data Are Grouped According to the Language Requirement of Their Position\*

Percentage of time at work graduates use the language they studied		Language requirements of positions							
		Bilingual		English essential		French essential		Either English or French	
		No.	%	No.	%	No.	%	No.	%
0	Anglophones	231	11	93	26	3	14	9	9
	Francophones	5	1	4	5	10	7	2	4
1-9	Anglophones	977	46	202	56	0	—	62	59
	Francophones	48	6	4	5	31	22	4	8
10-19	Anglophones	516	24	44	12	4	19	21	20
	Francophones	78	10	0	—	45	33	2	4
20-29	Anglophones	206	10	13	4	2	10	5	5
	Francophones	72	9	0	—	25	18	4	8
30-39	Anglophones	81	4	3	1	1	5	4	4
	Francophones	50	6	0	—	10	7	1	2
40-49	Anglophones	47	2	3	1	1	5	1	1
	Francophones	50	6	1	1	5	4	1	2
50-59	Anglophones	32	2	1	**	1	5	2	2
	Francophones	131	16	2	2	4	3	3	6
60-69	Anglophones	11	**	0	—	2	10	0	—
	Francophones	71	9	4	5	2	1	1	2
70 or more	Anglophones	21	1	0	—	7	33	1	1
	Francophones	289	36	66	82	6	4	29	62
Total	Anglophones	2,122	100	359	100	21	100	105	100
	Francophones	794	100	81	100	138	100	47	100

SOURCE: Survey of Second Official Language Use by Language Course Graduates, Commissioner of Official Languages, June 1975.

\* Data for 142 graduates were either not provided or were not usable. The percentages are rounded.

\*\* Less than 1%.